

# **ACTION REPORT AGENDA**

## **CITY OF COSTA MESA REGULAR CITY COUNCIL, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY\* MEETING AND SPECIAL JOINT MEETING WITH THE COSTA MESA HOUSING AUTHORITY**

\*NOTE: ALL AGENCY AND AUTHORITY MEMBERSHIPS ARE REFLECTED IN THE TITLE "COUNCIL MEMBER."

**TUESDAY, JUNE 16, 2015  
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE  
CLOSED SESSION – NONE  
REGULAR MEETING – 5:45 P.M.**

**STEPHEN M. MENSINGER**  
Mayor

**JAMES M. RIGHEIMER**  
Mayor Pro Tem

**GARY MONAHAN**  
Council Member

**SANDRA GENIS**  
Council Member

**KATRINA FOLEY**  
Council Member

City Attorney  
**Thomas Duarte**

Chief Executive Officer  
**Thomas R. Hatch**

**REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY TO THE  
REDEVELOPMENT AGENCY AND SPECIAL JOINT MEETING WITH THE COSTA  
MESA HOUSING AUTHORITY – 5:45 P.M.**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE** Council Member Genis

**ROLL CALL**

**CITY ATTORNEY CLOSED SESSION REPORT**

- COIN: Ex Parte Communications pursuant to Municipal Code Section 2-238 (b)

## FOR INFORMATIONAL PURPOSES ONLY

### CONSENT CALENDAR:

Items 7, and 16 were pulled for separate consideration.

Item 14 was continued to the Special Meeting of June 23, 2015 due to a lack of quorum.

Items 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 15 and 17

**MOVED/SECOND:** Council Member Genis/Council Member Foley

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, and Mayor Mensinger

Nays: None

Absent: Council Member Monahan, and Mayor Pro Tem Righeimer

Motions carried: 3-0-2

1. **PROCEDURAL WAIVER: MOTION TO APPROVE THE READING BY TITLE ONLY OF ALL ORDINANCES AND RESOLUTIONS. SAID ORDINANCES AND RESOLUTIONS THAT APPEAR ON THE PUBLIC AGENDA SHALL BE READ BY TITLE ONLY AND FURTHER READING WAIVED**

**ACTION:**

City Council adopt and approve Ordinances and Resolutions by reading title only, and further reading waived.

2. **READING FOLDER**

- a. Claims received by the City Clerk: Todd Gosson, Spyro Kemble, Steve Lang, Felipe Ortega and USAA, as subrogee for Kathleen Monk.

**ACTION:**

City Council received and filed.

3. **WARRANT RESOLUTION NO. 2537 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 15-11 "A" FOR \$243.05 AND 15-12 \$2,035,997.97; AND CITY OPERATING EXPENSES FOR \$1,869,472.94; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID – Finance Department**

**ACTION:**

Approved Warrant Resolution No. 2537, to be read by the title only, and waived further reading.

**4. PARKWAY CONCRETE REPAIR PROJECT (PROJECT “B”), CITY PROJECT NO. 13-18**

**ACTION:**

1. City Council accepted the work performed by C.J. Concrete Construction, Inc., and authorized the City Clerk to file the Notice of Completion; and
2. City Council authorized the release of the Labor and Material Bond seven (7) months after the filing date; release of the Faithful Performance Bond one (1) year after the filing date; and release of the monies 35 days after the Notice of Completion filing date.

**5. MINUTES**

**ACTION:**

City Council approved the minutes of the Regular City Council and Successor Agency Meeting and Special Joint Meeting with the Costa Mesa Housing Authority of June 2, 2015; and minutes of the Special Closed Session Meeting of June 9, 2015.

**6. PARKWAY CONCRETE REPAIR PROJECT (PROJECT “C”), CITY PROJECT NO. 13-19**

**ACTION:**

1. City Council accepted the work performed by C.J. Concrete Construction, Inc., and authorized the City Clerk to file the Notice of Completion; and
2. City Council authorized the release of the Labor and Material Bond seven (7) months after the filing date; release of the Faithful Performance Bond one (1) year after the filing date; and release of the retention monies 35 days after the Notice of Completion filing date.

**8. 2014 – 2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REHABILITATION OF ARNOLD AVENUE, BEACH STREET, COVE STREET, ROSS STREET, SEAL STREET, AND SURF STREET – CITY PROJECT NO. 14-11**

**ACTION:**

1. City Council accepted the work performed by Copp Contracting, Inc., and authorized the City Clerk to file the Notice of Completion; and
2. City Council authorized the release of the Labor and Material Bond seven (7) months after the filing date; release of the Faithful Performance Bond one (1) year after the filing date; and release of the retention monies 35 days after the Notice of Completion filing date.

## FOR INFORMATIONAL PURPOSES ONLY

### 9. 2014 – 2015 STREET REHABILITATION PROJECT – CITY PROJECT NO. 15-05

#### **ACTION:**

1. City Council adopted plans, specifications, and working details for the 2014 – 2015 Street Rehabilitation Project, City Project No. 15-05; and
2. City Council awarded a construction contract to RJ Noble Company, 15505 E. Lincoln Avenue, Orange, California 92865, in the amount of \$1,536,928.00; and
3. City Council authorized the Mayor and the City Clerk to execute the Public Works Agreement.

### 10. AGREEMENT EXTENSIONS FOR BUILDING SAFETY & FIRE PREVENTION PLAN REVIEW AND INSPECTION SERVICES

#### **ACTION:**

City Council authorized the Mayor to execute Professional Services Agreements (PSAs), authorizing the extensions for the terms approved in FY 2012-2013, for contract plan check and inspection services, with the companies of Scott Fazekas & Associates, Inc., Bureau Veritas, Melad & Associates, Interwest Group, and CSG Consultants Inc.

### 11. FUEL SERVICE AGREEMENTS

#### **ACTION:**

1. City Council approved and authorized the Chief Executive Officer to execute the service agreement for delivery of unleaded fuel through the County of Orange Regional Cooperative Agreement No. MA-017-11012276 with Mobil Delivery Service Inc. (dba: Diamond Oil Service), effective June 16, 2015 through June 15, 2016, in an amount not to exceed \$300,000 annually; and
2. City Council approved and authorized the Chief Executive Officer to execute the service agreement for delivery of diesel fuel through the County of Orange Regional Cooperative Agreement No. MA-017-13010843 with Mobil Delivery Service Inc. (dba: Diamond Oil Service), effective June 16, 2015 through June 15, 2016, in an amount not to exceed \$200,000 annually; and
3. City Council authorized the Chief Executive Officer to renew the agreements for three (3) additional one year terms, upon mutual agreement of both parties.

**12. ADOPT PLANS AND SPECIFICATIONS FOR THE GREENVILLE-BANNING CHANNEL IMPROVEMENT PROJECT**

**ACTION:**

City Council adopted the plans and specifications for the Greenville-Banning Channel Improvement Project.

**13. RENEWED MEASURE M (M2) ELIGIBILITY**

**ACTION:**

1. City Council approved the City's Maintenance of Effort (MOE) for Fiscal Year 2015-16 and
2. City Council approved the City's Seven-Year Capital Improvement Program (CIP) for Fiscal Year 2015-16 through Fiscal Year 2021-22; and
3. City Council adopted Resolution 15-29, to be read by title only, and waived further reading, for the Master Plan of Arterial Highways Conformance.

**15. APPOINTMENTS TO THE BIKEWAY AND WALKABILITY COMMITTEE**

**ACTION:**

City Council appointed the Costa Mesa Chamber of Commerce and the Newport Mesa Unified School District to the Bikeway and Walkability Committee. Each of these entities shall select one representative to the Committee.

**17. RENEWAL OF AIR SUPPORT SERVICES CONTRACT WITH THE CITY OF HUNTINGTON BEACH**

**ACTION:**

City Council authorized the CEO to administratively execute a renewal of the current contract with the City of Huntington Beach for helicopter support services from July 1, 2015 until June 30, 2018, not to exceed the amount of \$300,000 dollars annually.

----- **END OF CONSENT CALENDAR** -----

## FOR INFORMATIONAL PURPOSES ONLY

### ITEMS REMOVED FROM THE CONSENT CALENDAR

7. **PALMER STREET ALLEYS (ALLEY NO. 67 AND ALLEY NO. 69), 17<sup>TH</sup> PLACE ALLEYS (ALLEY NO. 99 AND ALLEY NO. 101), SANTA ANA AVENUE ALLEY (ALLEY NO. 100), FAIRWAY PLACE ALLEY (ALLEY NO. 117), AND LILLIAN PLACE ALLEY (ALLEY NO. 118) IMPROVEMENT PROJECT – CITY PROJECT NO. 14-10**

**MOVED/SECOND:** Council Member Foley/Council Member Genis

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, and Mayor Mensinger

Nays: None

Absent: Council Member Monahan, and Mayor Pro Tem Righeimer

Motion carried: 3-0-2

**ACTION:**

1. City Council accepted the work performed by Patriot Contracting & Engineering, Inc., and authorized the City Clerk to file the Notice of Completion; and
  2. City Council authorized the release of the Labor and Material Bond seven (7) months after the filing date; release of the Faithful Performance Bond one (1) year after the filing date; and release of the retention monies 35 days after the Notice of Completion filing date.
14. **AMENDMENT FOUR TO THE PROFESSIONAL SERVICES AGREEMENT WITH KEYSER-MARSTON ASSOCIATES CONSULTING**

Item continued to the Special Meeting of June 23, 2015 due to a lack of quorum.

16. **REQUEST TO CANCEL THE REGULAR CITY COUNCIL MEETING OF AUGUST 18, 2015**

**MOVED/SECOND:** Council Member Foley/Mayor Mensinger

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, and Mayor Mensinger

Nays: None

Absent: Council Member Monahan, and Mayor Pro Tem Righeimer

Motion carried: 3-0-2

**ACTION:**

City Council approved canceling the August 18, 2015 City Council Meeting.

## FOR INFORMATIONAL PURPOSES ONLY

### PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55):

**1. CIVIC OPENNESS IN NEGOTIATIONS (COIN) ORDINANCE FIRST PUBLIC HEARING OF THE APPROVAL AND ADOPTION OF THE SIDE LETTER AGREEMENT TO THE 2013-2016 MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF COSTA MESA AND THE COSTA MESA CITY EMPLOYEES ASSOCIATION (CMCEA)**

**MOVED/SECOND:** Council Member Genis/Council Member Foley

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, and Mayor Mensinger

Nays: None

Absent: Council Member Monahan, and Mayor Pro Tem Righeimer

Motion carried: 3-0-2

**ACTION:**

1. City Council held the first Public Hearing as required by COIN; and
2. City Council scheduled the second and final Public Hearing as required by COIN for July 7<sup>th</sup>, 2015.

**2. EXPEDITED PERMITTING PROCEDURES FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS PER AB 2188**

**MOVED/SECOND:** Council Member Foley/Mayor Mensinger

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, and Mayor Mensinger

Nays: None

Absent: Council Member Monahan, and Mayor Pro Tem Righeimer

Motion carried: 3-0-2

**ACTION:**

1. City Council conducted the first Public Hearing and gave the first reading to Ordinance No. 15-05, to be read by title only, and waived further reading; and
2. City Council scheduled the second reading to Ordinance No. 15-05, to be read by title only, and waived further reading, for July 7, 2015.

**3. ADOPTION OF FISCAL YEAR 2015-2016 APPROPRIATIONS LIMIT**

**MOVED/SECOND:** Council Member Foley/Council Member Genis

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, and Mayor Mensinger

Nays: None

Absent: Council Member Monahan, and Mayor Pro Tem Righeimer

Motion carried: 3-0-2

**ACTION:**

City Council adopted Resolution No. 15-28, to be read by title only, and waived further reading, establishing the Fiscal Year 2015-2016 Appropriations Limit for the City of Costa Mesa at \$201,264,174 by using the County of Orange's population growth for population adjustment, and the California per capita income growth for inflationary adjustment.

**4. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TABLE 13-30 (LAND USE MATRIX) OF CHAPTER IV (CITYWIDE LAND USE MATRIX) TITLE 13 (ZONING CODE OF THE COSTA MESA MUNICIPAL CODE) TO REFLECT CHANGES MADE BY CODE AMENDMENT CO-14-03, AS PREVIOUSLY ADOPTED BY ORDINANCE NO. 14-13 (GROUP HOMES) ON OCTOBER 21, 2014**

**MOVED/SECOND:** Council Member Genis/Council Member Foley

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, and Mayor Mensinger

Nays: None

Absent: Council Member Monahan, and Mayor Pro Tem Righeimer

Motion carried: 3-0-2

**ACTION:**

1. City Council conducted the first Public Hearing and gave the first reading to Ordinance No. 15-06, to be read by title only, and waived further reading; and
2. City Council scheduled the second reading to Ordinance No. 15-06, to be read by title only, and waived further reading, for July 7, 2015.

**OLD BUSINESS: None**

**NEW BUSINESS:**

**1. 4<sup>TH</sup> OF JULY PUBLIC SAFETY LETTER FROM THE CITY COUNCIL AND PUBLIC SAFETY DEPARTMENTS TO THE COMMUNITY**

**MOVED/SECOND:** Council Member Genis/Mayor Mensinger

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, and Mayor Mensinger

Nays: None

Absent: Council Member Monahan, and Mayor Pro Tem Righeimer

Motion carried: 3-0-2

**ACTION:**

1. City Council authorized the Fire Department and Police Department to prepare a joint public safety message letter from the City to help mitigate the use of illegal fireworks in the City of Costa Mesa during this year's Independence Day celebration (July 2 – 4, 2015); and
2. City Council authorized the Office of CEO to mail it to all of the residents in Costa Mesa.

**2. HERO'S HALL FINANCIAL SUPPORT**

**MOVED/SECOND:** Council Member Foley/Mayor Mensinger

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, and Mayor Mensinger

Nays: None

Absent: Council Member Monahan, and Mayor Pro Tem Righeimer

Motion carried: 3-0-2

**ACTION:**

City Council authorized \$25,000 for the completion of a Veteran's Museum that will be situated at the Orange County Fairgrounds.

**REPORT – CITY ATTORNEY**

**ADJOURNMENT** – The Mayor and City Council adjourned at 8:18 p.m. in memory of Sheri Sanders, a Costa Mesa City Employee.