

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, JULY 7, 2015
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE
CLOSED SESSION – 5:30 P.M. (SPECIAL TIME)
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

Note regarding agenda-related writings or documents provided to a majority of the City Council after distribution of the City Council agenda packet (GC §54957.5):

[Any related writings or documents provided to a majority of the City Council after distribution of the City Council Agenda Packets will be made available for public inspection. Binders containing these agenda-related documents are located in the Council Chambers lobby. In addition, such writings and documents may be posted—whenever possible or as part of the agenda — on the city’s website at \[www.costamesaca.gov\]\(http://www.costamesaca.gov\)](#)

Your attendance at this public meeting is valued and appreciated. If you have questions regarding the agenda, public comments or wish to obtain copies of documents please contact the City Clerk office at (714) 754-5225 or e-mail cityclerk@costamesaca.gov

WELCOME TO THE CITY COUNCIL MEETING

PUBLIC COMMENTS – MATTER NOT LISTED ON THE AGENDA: If you wish to address the City Council on a matter not on the agenda, please complete and submit a **yellow** speaker card to the City Clerk. Speaker cards may be submitted to the City Clerk during the Public Comment period for non-agenda items, up to 6:40 p.m. or prior to the last speaker, whichever is earlier. Any speakers on non-agenda items not heard prior to 6:40 p.m. will be allowed to speak at the end of the meeting. Members of the public shall only address the City Council one time at any given meeting for non-agenda items. Speakers may only complete one card per person. Each speaker is limited to three minutes.

PUBLIC COMMENTS – MATTER LISTED ON THE AGENDA: If you wish to address the City Council on a matter listed on the agenda, please complete and submit a **green** speaker card to the City Clerk. Speaker cards must be submitted prior to the start of Public Comments on the item. Please identify which item on the agenda you would like to address. Each speaker is limited to three minutes.

The speaker cards are located on the table at the entrance to the City Council Chamber.

Please take notice that the order of scheduled agenda items may be modified by the Mayor or the City Council during the course of the meeting, so please stay alert.

1. Any written communications, photos, or other material for copying and distribution to the City Council that is 10 pages or less, must be submitted to the City Clerk **NO LATER THAN 3:00 P.M.** If the public wishes to submit written communication, photos, or other material for distribution to the City Council at the meeting AFTER 3:00 p.m., 10 copies will need to be provided for distribution. Please note that NO copies of written communication will be made AFTER 3:00 p.m. Any materials to be displayed on the overhead projector at the Council Meeting must be submitted to the City Clerk **NO LATER THAN 15 MINUTES PRIOR TO THE START OF THE MEETING.**
2. In accordance with Costa Mesa Municipal Code, Sec. 2-64 (1): No person in the audience shall engage in disorderly, disruptive, disturbing, delaying or boisterous conduct.
3. **All cell phones and other electronic devices are to be turned off or set to vibrate.** Members of the audience are requested to step outside the Council Chambers to conduct a phone conversation.
4. In accordance with City Council Policy 000-11, and among other requirements, any video submitted for display at a public meeting must have been previously reviewed by staff to verify appropriateness for general audiences. A copy of this policy is available at City Hall during normal office hours.
5. Free Wi-Fi is available in the Council Chamber during the meetings. Two networks are available: council1 and council2. The password for either network is: cmcouncil.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (714) 754-5225. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35.104 ADA Title II].

CLOSED SESSION – 5:30 P.M.

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS

Members of the public are welcome to address the City Council only on those items on the Closed Session agenda. Each member of the public will be given three minutes to speak.

1. Conference with legal counsel regarding existing litigation: Timothy Dadey, an individual; Richard Pessler, Jr., an individual; Raleigh Christopher, an individual; and Costa Mesa Motel Resident Association, an unincorporated association v. City of Costa Mesa, Superior Court for the County of Orange, Case No. 30-2014-00757962-CU-CR-CJC, consolidated with Case No. 30-2014-00758104, pursuant to California Government Code Section 54956.9(d)(2).

The City Council and Successor Agency to the Redevelopment Agency will recess to Conference Room 5A for Closed Session at the conclusion of public comments.

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 Monahan

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT

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

ANNOUNCEMENTS: There's always something happening in Costa Mesa!
The Mayor will play a video clip of the "Costa Mesa Minute," featuring upcoming events and activities in the community.

PRESENTATIONS:

1. Mayor's Award – Project Independence

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COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

1. Council Member Monahan
2. Mayor Pro Tem Righeimer
3. Mayor Mensinger
4. Council Member Foley
5. Council Member Genis

REPORT – CHIEF EXECUTIVE OFFICER (CEO)

CONSENT CALENDAR:

All matters listed under the Consent Calendar are considered to be routine and will be acted upon in one motion. There will be no separate discussion of these items unless members of the City Council, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar for discussion.

- 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**

RECOMMENDATION:

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: Shaun and Annemarie Stellman and Yong Qiang Zhong

RECOMMENDATION:

City Council receive and file.

- 3. WARRANT RESOLUTION NO. 2538 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 15-13 FOR \$2,012,245.18; AND CITY OPERATING EXPENSES FOR \$3,292,375.77; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID** – Finance Department

RECOMMENDATION:

Approve Warrant Resolution No. 2538, to be read by the title only, and waive further reading.

- 4. COUNCIL AUTHORIZATION FOR FURNITURE PROCUREMENT FOR THE REPURPOSING OF THE WESTSIDE SUBSTATION INTO A COMMUNITY RESOURCE CENTER** – Chief Executive's Office

RECOMMENDATION:

City Council authorize the City CEO to enter into a contract with Culver-Newland for the purchase of office workstations and furniture in the amount of \$77,463 to complete the repurposing of the existing Westside Police substation into a Community Resource Center.

- 5. MINUTES OF THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY MEETING AND SPECIAL JOINT MEETING WITH THE COSTA MESA HOUSING AUTHORITY OF JUNE 16, 2015; MINUTES OF THE SPECIAL CITY COUNCIL CLOSED SESSION MEETING OF JUNE 23, 2015; AND MINUTES OF THE SPECIAL MEETING AND SPECIAL JOINT MEETING WITH THE COSTA MESA HOUSING AUTHORITY OF JUNE 23, 2015** – Chief Executive Officer's Department/City Clerk's Office

RECOMMENDATION:

City Council approve the minutes.

6. [FINAL MAP FOR TRACT NO. 17747 LOCATED AT 1620 THROUGH 1644 WHITTIER AVENUE, COSTA MESA, CALIFORNIA](#) – Public Services Department/Engineering Division

RECOMMENDATION:

City Council approve the Final Map for Tract No. 17747 and authorize signing of the Map by the City Clerk and City Engineer.

7. [2014 – 2015 SLURRY SEAL PROJECT, CITY PROJECT NO. 15-06](#) – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council adopt plans, specifications, and working details for the 2014-2015 Slurry Seal Project, City Project No. 15-06; and
2. City Council award a construction contract to American Asphalt South, Inc., 14436 Santa Ana Avenue, Fontana, California 92337, in the amount of \$309,809.70; and
3. City Council authorize the Mayor and the City Clerk to execute the Public Works Agreement.

8. [APPROVE STORM DRAIN EASEMENT – FAIRVIEW PARK](#) – Public Services Department/Engineering Division

RECOMMENDATION:

City Council approve Drainage Easement Agreement within Fairview Park.

9. [RESOLUTION AUTHORIZING STREET CLOSURES FOR THE 2015 ORANGE COUNTY FAIR CATTLE DRIVE](#) – Public Services Department/Transportation Services Division

RECOMMENDATION:

City Council adopt Resolution No. 15-XX, to be read by title only, and waive further reading, designating event routes for the 2015 Orange County Fair Cattle Drive and approve the temporary street closures for August 8, 2015, as requested for the 2015 Orange County Cattle Drive.

10. [ADOPTION OF RESOLUTION 15-XX TO REPEAL COUNCIL POLICY 300-4 \(GENERAL LEAVE\) TO BE REPLACED BY ADMINISTRATIVE REGULATION 2.xx \(GENERAL LEAVE\) PURSUANT TO REQUIREMENTS OF "HEALTHY WORKPLACE, HEALTHY FAMILIES ACT OF 2014."](#) – CEO's Office/Human Resources Division

RECOMMENDATION:

City Council adopt by Resolution 15-XX, to be read by title only, and further reading waived, which repeals Council Policy 300-4 regarding Part-Time Employee General Leave and authorize the City CEO to implement Administrative Regulation 2.xx in compliance with "Healthy Workplace, Healthy Families Act."

11. [PUBLIC SAFETY SOFTWARE LICENSE AND SERVICES AGREEMENT](#)
–Information Technology Department

RECOMMENDATION:

City Council authorize the City CEO to sign the Purchase Requisition in the amount of \$112,077 for the renewal of the Software License and Services Agreement with SunGard Public Sector Inc.

12. [MATCH FUNDING FOR MERCY HOUSE EMERGENCY SOLUTIONS GRANT](#)
– Chief Executive Office

RECOMMENDATION:

City Council and Housing Authority approve allocation of \$40,000 for the match requirement for Mercy House's 2014 Emergency Solutions Grant (ESG) of federal funds administered by the State Housing and Community Development Department (HCD) for Rapid Rehousing Services for Costa Mesa homeless residents.

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

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

1. [CIVIC OPENNESS IN NEGOTIATIONS \(COIN\) ORDINANCE SECOND 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 \(CMCEA\), THE ADOPTION OF THE ACCOMPANYING SALARY RESOLUTION AND ADOPTION OF THE CONFIDENTIAL SALARY RESOLUTION](#) – Chief Executive Office/Human Resources Division

RECOMMENDATION:

1. City Council hold the second Public Hearing as required by COIN; and
2. City Council approve the Side Letter Agreement to the 2013-2016 Memorandum of Understanding between the City of Costa Mesa and CMCEA effective June 28th, 2015; and
3. City Council adopt Resolution No. 15-XX, to be read by title only, and waive further reading, which implements a four percent (4%) cost of living adjustment for all CMCEA represented classifications; and
4. City Council adopt Resolution No. 15-XX, to be read by title only, and waive further reading, which implements a four percent (4%) cost of living adjustment for all unrepresented Confidential classifications.

OLD BUSINESS:

1. [SECOND READING OF ORDINANCE NO. 15-05: AN ORDINANCE OF THE CITY OF COSTA, CALIFORNIA, ADDING CHAPTER X OF TITLE 5 OF THE COSTA MESA MUNICIPAL CODE RELATING TO PERMITTING PROCEDURES SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS, PER AB 2188](#) – Economic Development and Development Services Department

RECOMMENDATION:

City Council give second reading and adopt Ordinance No. 15-05, to be read by title only, and waive further reading, to codify the streamlined permitting procedures for small residential rooftop solar systems to be in compliance with AB 2188.

2. [SECOND READING OF ORDINANCE NO. 15-06: 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](#) – Community Improvement Division/Development Services Department

RECOMMENDATION:

City Council give second reading and adopt Ordinance No. 15-06, to be read by title only, and waive further reading.

NEW BUSINESS:

1. [RESOLUTION FOR EXCEPTION TO THE 180-DAY WAIT PERIOD PURSUANT TO GOVERNMENT CODE SECTIONS 7522.56 AND 21224, FOR THE REHIRE OF RETIRED SENIOR PROGRAMMER ANALYST WILLIAM VERDERBER](#) – CEO's Office/Human Resources Division

RECOMMENDATION:

City Council adopt by Resolution 15-XX, to be read by title only, and further reading waived, the exception to the 180-Day Wait Period pursuant to Government Code Sections 7522.56 and 21224 to retain the services of retired Senior Programmer Analyst William Verderber.

2. [REQUEST TO CLOSE OFF WALL OPENINGS ALONG VICTORIA STREET TO PREVENT PEDESTRIAN ACCESS TO THE SIDE STREETS](#) – Public Services Department/Engineering Division

RECOMMENDATION:

City Council provide direction regarding residents' request to close off the wall openings to pedestrian access along Victoria Street at the following locations:

1. Puente Avenue (north side of Victoria Street)
2. Raleigh Avenue (north side of Victoria Street)
3. Sterling Avenue (south side of Victoria Street)

3. **PROPOSAL FOR NEW FIELD USE AND ALLOCATION POLICY (FUAP) AND REQUEST FOR SPECIAL STATUS OF SPECIFIC YOUTH SPORTS ORGANIZATIONS** – Parks and Community Services/Recreation Division

RECOMMENDATION:

1. City Council approve the new Field Use and Allocation Policy (FUAP) with amendments by the Parks and Recreation Commission; and
2. City Council approve that the following youth sports groups: AYSO 97, Newport Harbor Baseball Association and Newport Mesa Girls Softball be granted permanent Group 1 status. Furthermore, extending Group 3 status for Matt Leinart Flag Football Organization for a period of one year.

4. **APPROVAL OF MAYOR'S APPOINTMENT TO THE ORANGE COUNTY VECTOR CONTROL DISTRICT** – CEO's Office/Administration

RECOMMENDATION:

~~City Council provide direction on the ratification of the Mayor's appointment of Stephen Andranian as the City of Costa Mesa's representative to the Orange County Vector Control District (OCVCD).~~

ITEMS REMOVED FROM THE CONSENT CALENDAR

REPORT – CITY ATTORNEY

ADJOURNMENT – To Regular Meeting – July 21, 2015, at 5:00 p.m.

UPCOMING COMMUNITY ACTIVITIES,

- Sunday, July 12, 2015 from 2:00 p.m. – 4:00 p.m. – Meet the Mayor – City Hall – Mayor's Office – 77 Fair Drive, Costa Mesa
- Monday, July 13, 2015 at 5:30 p.m. – City Council Special Closed Session – Costa Mesa Firefighters Management Association (CMFMA) and Costa Mesa Firefighters Association (CMFA) – Council Chambers, 77 Fair Dr., Costa Mesa
- Concerts in the Park, Tuesday evenings in July, Fairview Park, for more information, please visit www.costamesafoundation.org
- Friday, July 17, 2015 from 5:30 a.m. to 7:30 a.m. – Walk with the Mayor – Estancia High School Parking Lot – 2323 Placentia Avenue, Costa Mesa
- Monday, July 20, 2015 – Costa Mesa Chamber of Commerce Golf Tournament - Mesa Verde Country Club - 3000 Clubhouse Rd., Costa Mesa
- Tuesday, July 21, 2015 – Friday, July 24, 2015 – Special Olympics Delegates arrive from Aruba and Bahamas – Vanguard University – 55 Fair Dr., Costa Mesa