

**ACTION REPORT  
AGENDA  
CITY OF COSTA MESA  
REGULAR CITY COUNCIL, AND SUCCESSOR AGENCY  
TO THE REDEVELOPMENT AGENCY\* MEETING**

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

**TUESDAY, OCTOBER 20, 2015  
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE  
CLOSED SESSION – 5:00 P.M.  
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**

**SPECIAL CLOSED SESSION CALL TO ORDER**

The meeting was called to order by the Mayor at 5:00 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

**ROLL CALL**

Council Members Present: Mayor Mensinger, Mayor Pro Tem Righeimer, and Council Member Foley, Council Member Genis (arrived at 5:10 p.m.), and Council Member Monahan

Council Members Absent: None

## FOR INFORMATIONAL PURPOSES ONLY

1. Conference with Legal Counsel regarding existing litigation: Solid Landings Behavioral Health, Inc.; and Sure Haven, Inc. in its own name and dba Rock Solid Recovery; FPS, LLC: Stephen Fennelly; and Elizabeth Perry v. City of Costa Mesa, District Court for the Central District of California, Case No. 8:14-cv-01838-JVS-JCG, pursuant to California Government Code Section 54956.9(d)(2).
2. Conference with Legal Counsel regarding existing litigation: Timothy Dadey, et al. v. City of Costa Mesa, Superior Court of California, County of Orange, Case No. 30-2014-00757962-CU-CR-CJC, pursuant to California Government Code Section 54956.9(d)(2).
3. Conference with legal counsel regarding anticipated litigation, significant exposure to litigation pursuant to California Government Code Section 54956.9(d)(2), and California Government Code Section 54956.9(d)(4) for one potential case.

### **REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY – 5:45 P.M.**

#### **CALL TO ORDER**

#### **ROLL CALL**

Present: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer, Mayor Mensinger  
Absent: None

#### **CITY ATTORNEY CLOSED SESSION REPORT**

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

#### **CONSENT CALENDAR:**

**Items 4, 5, 6, and 7 were pulled for separate consideration.**

**Items 1, 2, 3, 8, and 9**

**MOVED/SECOND:** Council Member Monahan/Mayor Pro Tem Righeimer

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer, and Mayor Mensinger

Nays: None

Absent: None

Motions carried: 5-0

**FOR INFORMATIONAL PURPOSES ONLY**

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 adopted and approved Ordinances and Resolutions by reading title only, and further reading waived.

2. **READING FOLDER**

- a. Claims received by the City Clerk: Patrick Almaguer, Donna Casey, and Ramon Gutierrez.

**ACTION:**

City Council received and file.

3. **WARRANT RESOLUTION NO. 2544 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 15-21 FOR \$2,109,250.50; AND CITY OPERATING EXPENSES FOR \$1,631,635.95; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID**

**ACTION:**

Approved Warrant Resolution No. 2544, to be read by the title only, and waived further reading.

8. **BUDGET ADJUSTMENT AND ACCEPTANCE OF GRANT FROM HOAG FOR MEDICAL TRANSPORTATION PROGRAM**

**ACTION:**

City Council authorized a budget adjustment in the amount of \$100,000 to accept a grant from Hoag for the Medical Transportation Program through the Costa Mesa Senior Center.

9. **A RESOLUTION 2015-XX CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE CITY OF COSTA MESA TO JOIN THE CALIFORNIAFIRST PROGRAM**

**ACTION:**

City Council adopted Resolution No. 15-57, to be read by title only, and further reading waived, consenting the inclusion of properties within the City's Jurisdiction into the CaliforniaFIRST Program.

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

ITEMS REMOVED FROM THE CONSENT CALENDAR

4. FAIRVIEW PARK CATTAIL REMOVAL – CITY PROJECT NO. 15-14

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

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer, and Mayor Mensinger

Nays: None

Absent: None

Motion carried: 5-0

**ACTION:**

1. City Council adopted plans, specifications, and working details for the Fairview Park Cattail Removal Project, City Project No. 15-14; and
2. City Council awarded a contract to McNabb Construction, Inc. in the amount of \$215,460.00; and
3. City Council approved the Budget Transfer No. 16-124 in the amount of \$232,000.00; and
4. City Council authorized the Mayor and City Clerk to execute the Agreement.

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

1. **AN ORDINANCE FOR THE SECOND AMENDMENT TO DEVELOPMENT AGREEMENT DA-00-02 (DA-15-02) AND RESOLUTION TO ADOPT NORTH COSTA MESA SPECIFIC PLAN AMENDMENT SP-15-01 FOR THE SEGERSTROM TOWN CENTER SUBAREA AT THE SOUTHEAST CORNER OF BRISTOL/SUNFLOWER**

**MOVED/SECOND:** Mayor Pro Tem Righeimer/Mensinger

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger

Nays: None

Absent: None

Motion carried: 5-0

## FOR INFORMATIONAL PURPOSES ONLY

### **ACTION:**

1. City Council adopted Resolution No. 15-56, to be read by title only, and further reading waived, for SP-15-01 North Costa Mesa Specific Plan Amendment; and
2. City Council give first reading to Ordinance No. 15-12, to be read by title only, and further reading waived, to approve the Second Amendment to the Development Agreement DA-00-02 for Segerstrom Town Center.

### **2. PUBLIC HEARING FOR THE VACATION OF EXCESS RIGHT-OF-WAY AT 752 WEST 19<sup>TH</sup> STREET**

**MOVED/SECOND:** Council Member Monahan/Mayor Pro Tem Righeimer

The motion carried by the following roll call vote:

Ayes: Council Member Monahan, Mayor Pro Tem Righeimer, and Mayor Mensinger

Nays: Council Member Foley, and Council Member Genis

Absent: None

Motion carried: 3-2

### **ACTION:**

1. City Council adopted Resolution No. 15-55, to be read by title only, and further reading waived, ordering the vacation of excess Right-Of-Way at 752 West 19<sup>th</sup> Street; and
2. City Council authorized the execution of the Quitclaim Deed by the Mayor and the City Clerk.

**OLD BUSINESS: NONE**

### **NEW BUSINESS:**

1. **DISCUSSION OF CITY'S APPEAL FEES AND PROCEDURES – WITHDRAWN FROM AGENDA**

ITEMS REMOVED FROM THE CONSENT CALENDAR

5. MINUTES

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

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger

Nays: None

Absent: None

Motion carried: 5-0

**ACTION:**

City Council approved the minutes of the City Council and Successor Agency to the Redevelopment Agency of October 6, 2015

6. PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF THE HARBOR BOULEVARD IMPROVEMENTS

**MOVED/SECOND:** Council Member Monahan/Mayor Pro Tem Righeimer

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger

Nays: None

Absent: None

Motion carried: 5-0

**ACTION:**

1. City Council awarded a Professional Services Agreement for the design of the Harbor Boulevard Improvements to Civil Source, Inc., 9930 Research Drive, Suite 200, Irvine, CA 92618, in the amount of \$139,850; and
2. City Council authorized the Mayor and City Clerk to execute the Professional Services Agreement.

7. RESOLUTION FOR COMPREHENSIVE TRANSPORTATION FUNDING PROGRAM APPLICATIONS

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

The motion carried by the following roll call vote:

Ayes: Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger

Nays: Council Member Foley

Absent: None

Motion carried: 4-1

## **FOR INFORMATIONAL PURPOSES ONLY**

### **ACTION:**

City Council adopted Resolution 15-54, to be read by title only, and further reading waived, approving the submittal of grant applications for transportation improvement projects under the Orange County Transportation Authority's (OCTA) Comprehensive Transportation Funding Program (CTFP) for Fiscal Years 2016-17 through 2018-19.

### **REPORT – CITY ATTORNEY**

**ADJOURNMENT** – The Mayor and City Council adjourned at 7:54 p.m.