

AGENDA
CITY OF COSTA MESA
REGULAR CITY COUNCIL, HOUSING AUTHORITY, AND
SUCCESSOR AGENCY TO THE REDEVELOPMENT
AGENCY* MEETING

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

TUESDAY, DECEMBER 1, 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

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

[Any related 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 documents may be posted—whenever possible 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].

REGULAR MEETING OF THE CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY – 5:45 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE Council Member Genis

MOMENT OF SOLEMN EXPRESSION

[Per Council Policy 000-12, these presentations are made by community volunteers stating their own views. The City Council disclaims any intent to endorse or sponsor the views of any speaker.]

Pastor David Manne, Calvary Chapel, Costa Mesa

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: NONE

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COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

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

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: Joseph Bonofiglio and Ada M. Mezquita.

RECOMMENDATION:

City Council receive and file.

3. **WARRANT RESOLUTION NO. 2547 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 15-23 "A" FOR \$23,621.07; AND 15-24 FOR \$2,118,951.36; AND CITY OPERATING EXPENSES FOR \$1,631,098.80; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID** – Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2547, to be read by the title only, and waive further reading.

4. **PROFESSIONAL SERVICES CONTRACT FOR PLANNING CONSULTANTS**

– Development Services Department

RECOMMENDATION:

1. City Council approve the Professional Services Agreement with The Lilley Planning Group, not to exceed \$93,000.00; and
2. City Council authorize the Chief Executive Officer to sign the Professional Services Agreement with The Lilley Planning Group; and
3. City Council authorize the Chief Executive Officer to sign the renewals of the approved Professional Services Agreement.

5. **HARBOR BOULEVARD IMPROVEMENTS FROM SOUTH COAST DRIVE TO SUNFLOWER AVENUE, CITY PROJECT NO. 14-07 – CHANGE ORDER NO. 3**

– Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council approve Contract Change Order (CCO) No. 3 in the amount of \$80,812.65; and
2. City Council approve Budget Adjustment Authorization No. 16-008 in the amount of \$30,000.00; and
3. City Council authorize the Chief Executive Officer to execute the Contract Change Order.

6. **A RESOLUTION APPROVING A REVISED EFFECTIVE DATE TO THE WASTE DISPOSAL AGREEMENT AMENDMENT BETWEEN THE COUNTY OF ORANGE AND THE CITY OF COSTA MESA** – Public Services Department/ Administration

RECOMMENDATION:

City Council adopt Resolution No. 15-XX, to be read by title only, and further reading waived, revising the effective date of the Waste Disposal Agreement (WDA) Amendment between the County of Orange and the City to allow for the continued importation of waste at the County's three (3) landfills and to extend the terms of the WDA through June 30, 2025.

7. **RECOMMENDED ACCEPTANCE AND ALLOCATION OF THE 2015 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FUNDS** – Police Department

RECOMMENDATION:

1. City Council approve Staff's recommendation to allocate 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) funds to the Police Department's operating budget; and
2. City Council approve the budget adjustment (BA #16-007) to increase revenue and appropriations in the JAG fund, and allocate funds as follows:
 - Technology Improvement – South Coast Plaza Streaming Live Video to Responding Police Vehicles: \$17,290.00.

8. **MEASURE M2 EXPENDITURE REPORT** – Public Services Department and Finance Department

RECOMMENDATION:

City Council adopt Resolution No. 15-XX, to be read by title only and further reading waived, approving the Measure M2 Expenditure Report.

9. PROFESSIONAL SERVICES AGREEMENT FOR CONSTRUCTION MANAGEMENT SERVICES FOR REMODELING AND/OR NEW CONSTRUCTION OF VARIOUS CITY FACILITIES – Public Services Department

RECOMMENDATION:

1. City Council award the Kitchell CEM, Inc., 940 South Coast Drive, Suite 115, Costa Mesa, California 92626, in an amount not to exceed \$906,218.00 for professional services for construction management services for various City facilities; and
2. City Council authorize the Mayor and the City Clerk to execute the Professional Services Agreement.

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

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

1. ANNUAL REVIEW OF THE CITYWIDE TRAFFIC IMPACT FEE PROGRAM
–Public Services Department/Transportation Services Division

RECOMMENDATION:

City Council adopt Resolution No. 15-XX, to be read by title only, and further reading waived, approving the recommendations by the Traffic Impact Fee Ad Hoc Committee and Staff as follows:

1. Continue the current Traffic Impact Fee of \$181.00 per Average Daily Trip (ADT); and
2. Continue the incentive program for new developments by assessing Traffic Impact Fees on an incremental basis for the first 100 trips; and
3. Approve the annual accounting of the Citywide Traffic Impact Fee Program.

2. [AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING SECTIONS 8-76, 8-77, AND 8-83 OF CHAPTER IV \(GARBAGE, RUBBISH, AND WEEDS\), OF TITLE 8 \(HEALTH SANITATION\), OF THE COSTA MESA MUNICIPAL CODE, RELATING TO MANDATORY COMMERCIAL WASTE AND ORGANICS RECYCLING](#) – Public Services Department/Administration

RECOMMENDATION:

City Council introduce for first reading, Ordinance No. 15-XX, to be read by title only, and further reading waived, to amend sections 8-76, 8-77, and 8-83 of Chapter IV (Garbage, Rubbish, and Weeds) of Title 8 regarding Mandatory Commercial Waste Recycling and new requirements of Mandatory Organics Recycling required by the State of California.

OLD BUSINESS: NONE

NEW BUSINESS:

1. [URBAN MASTER PLAN SCREENING REQUEST \(UMP-15-04\) FOR A 10-UNIT DETACHED RESIDENTIAL DEVELOPMENT AT 522 AND 526 BERNARD STREET](#) – Development Services Department/Planning Division

RECOMMENDATION:

City Council provide feedback on proposed Urban Master Plan for a two and three-story, 10-unit detached residential development within the Mesa West Residential Ownership Urban Plan.

ITEMS REMOVED FROM THE CONSENT CALENDAR

REPORT – CITY ATTORNEY

ADJOURNMENT

UPCOMING COMMUNITY ACTIVITIES, EVENTS AND MEETINGS

- Monday, November 30, 2015 at 6:00 p.m. – Council Chambers – **EIR Scoping Meeting for 2015 – 2025 General Plan Update**
- Now – until December 11, 2015 – The City of Costa Mesa and the Costa Mesa Military Affairs Team are currently seeking donations of new, unwrapped toys for the children of the City's adopted 1/5 Marine unit. Donations can be dropped off at City Hall in the foot locker located in the lobby. For further information, please contact Dan Baker at (714) 754-5156.
- Thursday, December 3, 2015 – **Grocery Outlet Ribbon Cutting**, 10:00 a.m., 1835 Newport Blvd., Ste. C140, Costa Mesa 92627. For more information visit: <http://www.costamesachamber.com/>
- Thursday, December 3, 2015 – Saturday, Dec. 5, 2015 – **Conrad Tao and Eroica**, 8:00 p.m. Segerstrom Center for the Arts, 600 Town Center Drive. 20-year-old Conrad Tao has become a Pacific Symphony audience favorite. For more info or for tickets please visit: <http://www.scfta.org/events/detail.aspx?id=12410>
- Thursday, December 3, 2015 from 3:00 p.m. to 8:00 p.m. – **2nd Annual Home Tour 2015 – Costa Mesa Home for the Holidays** – Proceeds benefit Costa Mesa High School and Middle School Arts and Science Academies. For more information and to purchase tickets, please visit www.costamesahometour.com
- Saturday, December 5, 2015 – **Nutcracker for Kids**, 10:00 a.m. and 11:30 a.m. Segerstrom Center for the Arts, 600 Town Center Drive. A 45-minute version created just for kids ages 5-11. For more information or for tickets please visit: <http://www.scfta.org/events/detail.aspx?id=12462>
- Saturday, December 5, 2015 – Sunday, December 6, 2015 – **Sugar Rush**, 12:00 p.m. – 5:00 p.m., OC Fair and Event Center, The Hangar - 88 Fair Drive. A one-of-a-kind dessert showcase and sweet market. For more information visit: <http://ns.ocfair.com/ocf2/Calendar/ViewEvent.asp?EventId=3719>
- Tuesday, December 8, 2015 at 5:00 p.m. – **Special Closed Session** – CMFA and CMFMA
- Wednesday, December 9, 2015 - **Costa Mesa Chamber of Commerce Monthly Networking Lunch**, 11:30 a.m. to 1:00 p.m., Pitfire Pizza 353 E 17th St. **Grand Opening celebration**, Saturday, December 5, 2015. For more information visit: <http://www.costamesachamber.com/>
- Friday, December 11, 2015 at 10:00 a.m. – **Special Closed Session** – CMPA
- Saturday, December 12, 2015 9:00 a.m. – 12:00 p.m. – **Drought Drive-Thru**, Pick up your FREE water conservation kit at a Mesa Water's Drought Drive-Thru. Estancia High School (South Parking Lot), 2323 Placentia Ave. For more information, please visit www.mesawater.org
- December 24, 2015 – January 3, 2016 – **City Hall Holiday Closure**