

AGENDA

CITY OF COSTA MESA

REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY* MEETING

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

TUESDAY, DECEMBER 4, 2018
COSTA MESA SENIOR CENTER
695 W. 19TH STREET, COSTA MESA, CALIFORNIA
CLOSED SESSION – 4:00 P.M. - NONE
REGULAR MEETING – 6:00 P.M. (GRAND HALL 1)

SANDRA L. GENIS
Mayor

ALLAN R. MANSOOR
Mayor Pro Tem

KATRINA FOLEY
Council Member

JOHN B. STEPHENS
Council Member

JAMES M. RIGHEIMER
Council Member

City Attorney
Thomas Duarte

Acting City Manager
Tamara S. Letourneau

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 back of Grand Hall 1. In addition, such documents may be posted—whenever possible on the city’s website at www.costamesaca.gov or by clicking [here](#).

Please note that records submitted by the public will not be redacted in any way and will be posted online as submitted, including any personal contact information.

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:

Members of the public desiring to speak during the Public Comments period on a matter not on the agenda are not required to submit a speaker card but may choose to voluntarily complete a card for facilitation of the minutes and possible follow-up to their comments. Members of the public shall only address the City Council one time at any given meeting for non-agenda items. Each speaker is limited to three minutes.

PUBLIC COMMENTS – CONSENT CALENDAR:

Members of the public desiring to speak on a consent calendar item shall submit such a request on a speaker card prior to the start of the Consent Calendar period. Each speaker is limited to three minutes.

PUBLIC COMMENTS – MATTER LISTED ON THE AGENDA:

Members of the public desiring to speak during the Public Comments period on a matter listed on the agenda are not required to submit a speaker card but may choose to voluntarily complete a card for facilitation of the minutes and possible follow-up to their comments. Each speaker is limited to three minutes.

1. Any written communications, photos, or other materials for copying and distribution to the City Council that are 10 pages or less, must be submitted to the City Clerk **NO LATER THAN 12:00 P.M.** Materials can be e-mailed to cityclerk@costamesaca.gov or provided on a flash drive. If the public wishes to submit written communication, photos, or other material for distribution to the City Council at the meeting AFTER 12:00 p.m., 10 copies will need to be provided for distribution. Please note that NO copies of written communication will be made AFTER 12:00 p.m. All materials, pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. Kindly submit to the City Clerk **AS EARLY AS POSSIBLE, BUT NO LATER THAN 30 MINUTES PRIOR TO THE START OF THE MEETING. Please note that there is not an overhead projector available for this meeting.**
2. **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 Grand Hall 1 to conduct a phone conversation.
3. Free Wi-Fi is available in Grand Hall 1 during the meetings. The username is **SCWIFI** and the password is **!@cm99**.

In compliance with the Americans with Disabilities Act of 1990, Assistive Listening headphones located inside Grand Hall 1 are available at all Costa Mesa City Council meetings and can be checked out from the City Clerk. If you need special assistance to participate in this meeting, please contact the City Clerk at (714) 754-5225. Notification at least 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]. Language translation services are available for this meeting by calling (714) 754-5225 at least 48 hours in advance. Habrá servicio de interpretación disponible para éstas juntas llamando al (714) 754-5225 por lo menos con 48 horas de anticipación.

**REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR
AGENCY TO THE REDEVELOPMENT AGENCY
COSTA MESA SENIOR CENTER
GRAND HALL 1
695 W. 19TH STREET, COSTA MESA, CALIFORNIA**

TUESDAY, DECEMBER 4, 2018 – 6:00 P.M.

CALL TO ORDER

NATIONAL ANTHEM Mariachi Herencia Michoacana Group

PLEDGE OF ALLEGIANCE Council Member Stephens

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.]

Reverend Doctor Sarah Halverson-Cano, Fairview Community Church

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT

ANNOUNCEMENTS: NONE

PRESENTATIONS: NONE

PUBLIC COMMENTS – MATTER NOT LISTED ON THE AGENDA:

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COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

(Each council member is limited to four minutes. Additional comments will be heard at the end of the meeting)

1. Council Member Stephens
2. Council Member Righeimer
3. Mayor Pro Tem Mansoor
4. Council Member Foley
5. Mayor Genis

REPORT – CITY MANAGER

- Recognition of Council Member Righeimer

1. CERTIFICATION OF GENERAL MUNICIPAL ELECTION AND CITY COUNCIL REORGANIZATION

RECOMMENDATION:

Staff recommends that the City Council:

1. Adopt Resolution No. 18-81, to be read by title only and further reading waived: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA CALIFORNIA, RECITING THE FACTS OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 6, 2018; DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW.
2. Request that the Oath of Office be administered to the newly-elected Mayor and City Council Members.
3. Brief Recess.
4. Select the Mayor Pro Tem.
5. Comments by the new Mayor and City Council members.

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 and Agency Board waive reading of Ordinances and Resolutions.

- 2. READING FOLDER**

Claims received by the City Clerk: Steve Bernede

RECOMMENDATION:

City Council receive and file.

- 3. WARRANT RESOLUTION NO. 2609 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL NOS. 18-22 "A" FOR \$934.38 AND 18-23 FOR \$2,567,622.70; AND CITY OPERATING EXPENSES FOR \$2,462,327.00; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID** - Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2609.

- 4. MINUTES OF THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY MEETING OF OCTOBER 16, 2018 AND NOVEMBER 13, 2018** - City Manager's Office/City Clerk Division

RECOMMENDATION:

City Council approve the minutes of October 16, 2018 and November 13, 2018.

5. **REFUND OF CASH DEPOSIT IN CONNECTION WITH ENCROACHMENT PERMITS NO. PS17-00632 AND PS18-00242 FOR PARKWAY IMPROVEMENTS AT 353 E 18TH STREET, COSTA MESA, CALIFORNIA**

Public Services Department/Engineering Division

RECOMMENDATION:

City Council refund cash deposit in connection with Encroachment Permits No. PS17-00632 and PS18-00242 in the amount of \$20,089 to 18th ST A3 LLC, 3394 Carmel Mountain Road, Suite 200, San Diego, CA 92121.

6. **RELEASE OF BONDS IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS15-00416 FOR STREET IMPROVEMENTS LOCATED AT 125 E. BAKER STREET, COSTA MESA, CALIFORNIA**

Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council authorize the release of the Performance and Labor and Materials Bonds (Certificate No. 688231) in the amounts of \$604,700.00 each for street improvements to CVRO 125 Baker, LLC, a Delaware Limited Liability Company (Developer), 4199 Campus Drive, Suite 200, Irvine, CA; and
2. Authorize a budget adjustment recognizing a \$250,000.00 contribution from CVRO 125 Baker, LLC for public infrastructure improvements.

7. **RELEASE OF BONDS IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS13-00669 FOR STREET IMPROVEMENTS AND CORNER MONUMENTATION FOR TRACTS 17501 AND 17554 LOCATED AT 132, 134 AND 140 INDUSTRIAL WAY AND 1527 NEWPORT BOULEVARD, COSTA MESA, CALIFORNIA** - Public Services Department/Engineering Division

RECOMMENDATION:

City Council authorize the release of the Performance and Labor and Material Bonds (Certificate No. SU1117702) in the amounts of \$101,623.00 each for street improvements and (Certificate No. SU1117701) for setting corner monuments in the amount of \$3,648.00 to Taylor Morrison of California, LLC (Developer), Irvine, CA 92618.

8. **RELEASE OF BONDS IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS16-00824 FOR STREET IMPROVEMENTS AND CORNER MONUMENTATION FOR TRACT 18006 LOCATED AT 326 22ND STREET AND 2212, 2216 AND 2220 SANTA ANA AVENUE, COSTA MESA, CALIFORNIA**

Public Services Department/Engineering Division

RECOMMENDATION:

City Council authorize the release of the Performance and Labor and Material Bonds (Certificate No. PB10163700465) in the amounts of \$60,096.30 each for street improvements to CM22M 2015, LLC, a California Limited Liability Company, (Developer), 8951 Research Drive, Suite 100, Irvine, CA 92618.

9. **RELEASE OF BONDS IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS15-00738 FOR STREET IMPROVEMENTS AND CORNER MONUMENTATION FOR TRACT 17709 LOCATED AT 573-591 VICTORIA STREET, COSTA MESA, CALIFORNIA**

Public Services Department/Engineering Division

RECOMMENDATION:

City Council authorize the release of the Performance and Labor and Material Bonds (Certificate No. 2180617) in the amounts of \$174,380.00 each for street improvements and (Certificate No. 2180618) for setting corner monuments in the amount of \$1,350.00 to Richmond American Homes of Maryland, Inc., (Developer), 5171 California Avenue, Suite 120, Irvine, California 92617.

10. **BICYCLE CORRIDOR IMPROVEMENT PROGRAM APPLICATIONS**

Public Services Department/Transportation Services Division

RECOMMENDATION:

City Council adopt Resolution No. 18-xx, approving the submittal of grant funding applications for two (2) bicycle and pedestrian projects under the Orange County Transportation Authority's (OCTA) Bicycle Corridor Improvement Program (BCIP) for Fiscal Years 2019-2020 through 2023-2024.

11. **MEASURE M2 EXPENDITURE REPORT**

Public Services Department/Transportation Services Division

RECOMMENDATION:

City Council adopt Resolution No. 18-xx, approving the Measure M2 Expenditure Report.

12. [SECOND READING AND ADOPTION OF ORDINANCE NO. 18-12: AN ORDINANCE ADOPTING CODE AMENDMENT 18-04 AMENDING THE ZONING MAP AND ZONING CODE RELATED TO THE BOUNDARIES AND DEVELOPMENT STANDARDS OF THE RESIDENTIAL INCENTIVE OVERLAYS INCLUDED IN TITLE 13, CHAPTER V, ARTICLE 12, OF THE COSTA MESA MUNICIPAL CODE](#) - Development Services Department/Planning Division

RECOMMENDATION:

City Council give second reading and adopt Ordinance No. 18-12 to be read by title only, adopting Code Amendment 18-04 amending the Zoning Map and the Zoning Code by revising Article 12 of Chapter V of Title 13 of the Costa Mesa Municipal Code, related to maximum allowable density, height requirements, and reduced height abutting residential properties on Newport Boulevard, as directed by the City Council.

13. [PLACENTIA AVENUE MEDIAN IMPROVEMENTS, FEDERAL PROJECT NO. HSIPL-5312 \(092\) - CITY PROJECT NO. 16-04](#)
Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council accept the work performed by Beador Construction Company, Inc. and authorize the City Clerk to file the Notice of Completion; and
2. Authorize the release of the Labor and Material Bond seven (7) months after the filing date; release of the Faithful Performance Bond six (6) months after the filing date; and release of the retention monies after the Notice of Completion is filed.

14. [REHABILITATION OF ALLEY NOS. 12, 14, 34, 35, 36, 39, 70, 77, 78, 79, 85, 86, AND 88 CITY PROJECT NO. 16-03](#)
Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council accept the work performed by BlackRock Construction Company and authorize the City Clerk to file the Notice of Completion; and
2. Authorize 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.

15. **TEMPORARY TRANSITION ASSISTANCE TO CITY COUNCIL AND CITY MANAGEMENT** – Office of the City Council

RECOMMENDATION:

It is recommended that the City Council retain Dave Kiff to provide temporary transition assistance to the City Council and City Management at no cost to the City.

AT THIS TIME COUNCIL WILL ADDRESS ANY ITEMS PULLED FROM THE CONSENT CALENDAR

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

PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55): NONE

OLD BUSINESS: NONE

NEW BUSINESS:

1. **MAYOR AND CITY COUNCIL CONSTITUENT STAFFING PLAN**
Office of the City Council

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize the elimination of the vacant Tax Auditing Specialist in the Finance Department and change that position to the Senior Management Analyst (Confidential)/Chief of Staff to the Mayor & City Council and agree that this position will report to the Mayor. The creation of the Senior Management Analyst/Chief of Staff to the Mayor & City Council is estimated to cost \$55,000 for the remainder of FY 2018-19. When coupled with the elimination of the tax auditing specialist, the net cost for the remainder of the year is \$5,000. The estimated annual cost for future fiscal years is \$110,000.
2. Authorize the addition of three part-time (non-PERS) Management Aide (Confidential) positions, one for every two city council members at a cost of \$56,000 for FY 2018-19 and \$112,000 annually thereafter.
3. Authorize staff to reconfigure the City Manager's office space to accommodate these additional staff members at a cost of approximately \$20,000.

ADDITIONAL COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

REPORT – CITY ATTORNEY

ADJOURNMENT

UPCOMING COMMUNITY EVENTS AND ACTIVITIES

Saturday, December 8 through Sunday, December 9, 2018 – **The Holiday Classic Dog Show**, 8 a.m. - 5 p.m., OC Fair and Event Center, 88 Fair Drive. For more information, please visit: shorelinedfa.homestead.com

Wednesday, December 12, 2018 – **Bullying Awareness and Prevention**, 6 - 7:30 p.m., Newport Harbor High School, 600 Irvine Ave Newport Beach, 92663. Part of the Newport-Mesa Unified School District's 2018-19 parent education series. For more information, please call: 714-424-8963.

Friday, December 14, 2018 – **Snow Ball Fight and Dunk Fest**, 4:30 – 6:30 p.m., Downtown Recreation Center 1860 Anaheim Ave. Join the Teen Program and Youth Sports for their dodgeball tournament. Participants will go head-to-head with the Costa Mesa Police Department and other teens. Permission slip is required. For more information, please contact: 714-327-7568.

Friday, December 14 through Sunday, December 23, 2018 – **Snoopy House**, 5:30 - 9 p.m. Celebrate the holidays with family and friends and the City of Costa Mesa. Enjoy train rides, local performances and nightly visits with Santa Claus from 7 - 9 p.m.

Friday, December 14 through Sunday, December 16, 2018 and Wednesday, December 19 through Sunday, December 23, 2018 – **2nd Annual Holidays Around the World**, Julianne and George Argyros Plaza at the Segerstrom Center for the Arts, 600 Town Center Drive. The plaza will turn into a winter wonderland and feature nightly snowfall and activities for the entire family to enjoy. For more information, please visit: www.scfta.org

Saturday, December 15, 2018 – **Santa Paws, Pictures with Santa and Donation Drive**, 9 a.m. – noon. Bring your pet, enjoy a photo with Santa and donate pet supplies to benefit Costa Mesa's sheltered and adoptable animals. For more information, please contact: 714-754-5128.

Saturday, December 15, 2018 – **Torelli Realty, Holiday Snowland**, 9 a.m. – noon. Bring the family to Balearic Park and enjoy a bounce house, cookie decorating, arts and crafts and Santa Claus.

Monday, December 24, 2018 through Tuesday, January 1, 2019 – City Hall closed. In observance of the Christmas and New Year holiday, City Hall will be closed. City services such as public safety, inspections, maintenance and field services will still be available.