

AGENDA

CITY OF COSTA MESA CITY COUNCIL, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY*

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

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

TUESDAY, APRIL 2, 2013
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE
CLOSED SESSION - 5:00 P.M.
REGULAR MEETING - 6:00 P.M.

JAMES M. RIGHEIMER
Mayor

STEPHEN MENSINGER
Mayor Pro Tem

SANDRA GENIS
Council Member

GARY MONAHAN
Council Member

WENDY LEECE
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 regarding any item on this agenda will be made available for public inspection during normal business hours at the City Clerk's Office at City Hall, located at 77 Fair Drive, 1st Floor, Costa Mesa. 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.

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)754-5221 or e-mail Brenda.Green@costamesaca.gov.

Welcome to the City Council Meeting

For those who wish to address the City Council, speaker cards are not required. However, for the purpose of accurate recording of the official minutes, please print your name and address on a speaker card and submit to the City Clerk. Upon invitation, please use the podiums on either side of the dais to speak to the City Council. Please direct all verbal communications, requests, and/or questions to the Mayor.

1. Any written communications, photos, or other material for distribution to the City Council must be submitted to the City Clerk **NO LATER THAN 15 MINUTES PRIOR TO THE START OF THE MEETING.** 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 including but not limited to, handclapping, stomping of feet, whistling, making noise, use of profane language or obscene gestures, yelling or similar demonstrations, which may disrupt the peace and good order of the Council proceedings.”
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.

NOTE: 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 – 5:00 P.M.

The City Council will recess to Conference Room 1B for Closed Session at the conclusion of public comments.

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 Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Firefighters Association (CMFA), Costa Mesa Police Officers Association (CMPOA) and Costa Mesa Police Management Association (CMPMA), Costa Mesa Fire Management Association, and Costa Mesa Division Managers Association pursuant to Government Code Section 54957.6

REGULAR MEETING OF THE CITY COUNCIL - 6:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE Mayor Pro Tem Steven Mensinger

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.]

Father Tashjian, St. Mary Armenian Church

ROLL CALL

CITY ATTORNEY CLOSED SESSION REPORT

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

- Mayor's Award – Mr. Wally Gayner
- Recognition of heroic efforts at 24 Hour Fitness

PUBLIC COMMENTS

To ensure fair and equal treatment of all who appear before the City Council and to expedite City business, speakers will be limited to three minutes each to address any item within the City Council's jurisdiction and not listed on the agenda. Speakers are also invited to comment on items on the agenda, but only at the time in which the agenda item is being heard, and will also be limited to three minutes each. The three minute per speaker time limit may be extended for good cause by the Mayor or by a majority vote of City Council.

Questions and comments made by public speakers may be addressed by the City Council during Council Comments or by the Chief Executive Officer during the CEO's Report. Additional follow-up responses to questions and concerns may also be addressed in the weekly CEO E-Briefing newsletter. To subscribe to the newsletter, please visit the city's website at <http://www.costamesaca.gov>.

COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

1. Mayor Pro Tem Steven Mensinger
2. Council Member Sandra Genis
3. Council Member Wendy Leece
4. Council Member Gary Monahan
5. Mayor James M. Righeimer

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. Items removed from the Consent Calendar will be discussed and voted upon immediately following City Council action on the remainder of the Consent Calendar.

Members of the public who wish to discuss Consent Calendar items should come forward to the microphone upon invitation by the Mayor, state their name, city in which they reside, and item number to be addressed.

CONSENT CALENDAR ITEM NOS. 1 THROUGH 4

1. READING FOLDER

- a. Claims received by the City Clerk: Roy D. Center; and Stephen R. Day, Sr.

RECOMMENDATION: Receive and file

2. WARRANT RESOLUTION 2465: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 13-05A AND 13-06 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 13-05A for \$-499.22, Payroll No. 13-06 for \$2,078,677.69 and City operating expenses for \$982,367.60, including payroll deductions.

RECOMMENDATION: Approve

3. WARRANT RESOLUTION 2466: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding City operating expenses for \$707,613.49.

RECOMMENDATION: Approve

4. 60TH ANNIVERSARY CELEBRATION UPDATE WITH REQUESTS FOR STREET CLOSURES, SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES, AND DISCHARGE OF FIREWORKS AT THE KICK-OFF EVENT

RECOMMENDATION:

- 1) City Council receive and file the updates to the conceptual plan, including new details about the kick-off event, for the 60th anniversary celebration; and
- 2) Approve Resolution No. 13-xx: A RESOLUTION OF THE CITY OF COSTA MESA, CALIFORNIA, DESIGNATING THE STREET CLOSURES FOR THE CITY'S 60TH ANNIVERSARY CELEBRATION KICK-OFF EVENT; and
- 3) Approve the sale and consumption of alcoholic beverages on public property during the kick-off event in a confined area and with appropriate training for servers; and
- 4) Approve the fireworks show and direct staff to obtain the necessary permits through the Orange County Fair and Event Center.

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

PUBLIC HEARINGS

1, [AN APPEAL OF PLANNING APPLICATION PA-12-24 / TENTATIVE TRACT MAP TT-17508 FOR A DESIGN REVIEW AND SUBDIVISION MAP FOR A 17-UNIT SMALL LOT COMMON INTEREST DEVELOPMENT WITH SPECIFIED VARIANCES AND DEVIATIONS AT 1259 VICTORIA STREET](#)

[Per \(GC §54957.5\): Explanation of Variance requests](#)

RECOMMENDATION:

City Council uphold or reverse the Planning Commission's decision to approve the proposed project, described below:

- ***Planning Application PA-12-24***

1. Design Review to construct a 17-unit, two-and-three-story detached (6-inch separation between units) residential common interest development clustered within 4 main buildings throughout the property.
2. Variance from number of stories and overall building height for Building Complex 1 and 3 (two stories/27 feet allowed; three stories/35 to 37 feet proposed).
3. Variance from street landscape setback (20 feet required; 10 feet proposed).
4. Variance from minimum and average lot sizes for small lot common interest developments (3,000 square feet minimum, 3,500 square feet average required; 1,500 square feet minimum, 2,038 square feet average proposed).
5. Variance from parkway landscaping requirements (5 feet minimum required, 2.5 feet minimum proposed).
6. Variance for height and location of crib wall along the street frontage (maximum 6-foot height allowed, 10-foot front setback required; 30-foot maximum height, 6-foot setback proposed).
7. Administrative adjustment from rear yard setback for the second story of one of the units in Building Complex 4 (20 feet required; 15 feet proposed).
8. Deviation from Residential Design Guidelines for building massing of upper story to first story percentage for all units (80% recommended; 100% proposed).
9. Deviation from Residential Design Guidelines for building height structures with flat roofs in Building Complex 2 and 4 (22 feet recommended; 25 feet proposed).
10. Minor conditional use permit to allow encroachments of the crib wall, parking areas, and residential buildings to be constructed closer than 10 feet to a bluff crest (0 feet to bluff crest proposed).

- ***Tentative Tract Map TT-17508***

Tentative tract map to allow the units to be sold independent of one another.

OLD BUSINESS

1. [AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADDING SECTION 1-21.1 OF CHAPTER I \(GENERAL\) OF TITLE 1 \(GENERAL PROVISIONS\), REPEALING SECTION 12-7 OF CHAPTER I \(IN](#)

GENERAL) OF TITLE 12 (PARKS AND RECREATION), AND ADDING CHAPTER XIV (CAMPING AND STORAGE OF PERSONAL PROPERTY IN PUBLIC AREAS) OF TITLE 11 (OFFENSES – MISCELLANEOUS) OF THE COSTA MESA MUNICIPAL CODE RELATING TO STORAGE OF PERSONAL PROPERTY IN PUBLIC AREAS AND UNLAWFUL CAMPING

RECOMMENDATION:

City Council give second reading to and adopt Ordinance 13-02, ADDING SECTION 1-21.1 OF CHAPTER I (GENERAL) OF TITLE 1 (GENERAL PROVISIONS), REPEALING SECTION 12-7 OF CHAPTER I (IN GENERAL) OF TITLE 12 (PARKS AND RECREATION), AND ADDING CHAPTER XIV (CAMPING AND STORAGE OF PERSONAL PROPERTY IN PUBLIC AREAS) OF TITLE 11 (OFFENSES – MISCELLANEOUS) OF THE COSTA MESA MUNICIPAL CODE RELATING TO STORAGE OF PERSONAL PROPERTY IN PUBLIC AREAS AND UNLAWFUL CAMPING, to be read by title only, and waive further reading.

NEW BUSINESS

1. SELECTION OF SUPPORTIVE HOUSING TEAM

RECOMMENDATION:

- 1) Select the development team comprised of Wakeland Housing and Mercy House Living Centers (Mercy House) to assist the City of Costa Mesa (City) and the Costa Mesa Housing Authority (Housing Authority) in providing permanent supportive housing to the Costa Mesa homeless population; and
- 2) Authorize the City staff to commence negotiations with the selected development team, with the initial objective to negotiate the terms of a Pre-Development Loan and Commitment of Funds Agreement for consideration and action by the City Council then submittal to the federal Department of Housing and Urban Development (HUD); and
- 3) Authorize staff and Mercy House to develop and implement a site selection process that will include review by the community and members of the former Homeless Task Force.

REPORT – CITY ATTORNEY

ADJOURNMENT – To Regular Study Session April 9, 2013, 4:30 p.m.

UPCOMING COMMUNITY EVENTS AND ACTIVITIES

- April 4 & 11, 5:30 p.m. – 60th Anniversary Planning Committee meeting. Takes place at the Costa Mesa Police Department, Emergency Operations Center (EOC), 99 Fair Drive. For more information, visit the city's website.
- April 5, 5:30-7:30 p.m. - First Fridays Road Show will be held in the front parking lot of City Hall. This event is free to the public. Event features car show contest, food truck, and live music.
- April 10-22 - Vanguard University's annual Celebration of the Arts. Celebrate the arts through a variety of shows and events at Vanguard University, 55 Fair Drive. For listing of events including dates and times, visit <http://www.vanguard.edu/about/news/celebration-of-the-arts/>.
- April 12-14 – Youth Expo at the Orange County Fair and Event Center, 88 Fair Drive. The expo features activities for kids of all ages, as well as booths and food trucks. Times are Friday, 9 a.m.–3 p.m.; Saturday, 10 a.m.–5 p.m.; and Sunday, 10 a.m.–5 p.m. Admission is free, but parking is \$5. Visit http://www.ocfair.com/ye13/ye_info.html for more information.
- April 19-21 - America's Family Pet Expo at the Orange County Fair and Event Center, 88 Fair Drive, featuring pet products, demonstrations, live pets, contests, and adoption opportunities. Please, do not bring your pets. Expo times are Friday, 10 a.m.-6 p.m.; Saturday, 10 a.m.-7 p.m.; and Sunday, 10 a.m.-6 p.m. To purchase tickets or for other information, visit <http://petexpooc.org/>.
- April 20 & 21 - American Civil War Society (ACWS) Civil War Reenactment, featuring the Battle of Costa Mesa at Fairview Park, 2525 Placentia Avenue.