

AGENDA

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

REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY MEETING AND SPECIAL JOINT MEETING WITH THE COSTA MESA HOUSING AUTHORITY*

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

**TUESDAY, MARCH 5, 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.

AGENDA – REGULAR and JOINT MEETING – MARCH 5, 2013 – PAGE 1

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
2. Conference with legal counsel regarding anticipated litigation, significant exposure to litigation pursuant to Government Code Section 54956.9(b) for one potential case.

REGULAR MEETING OF THE CITY COUNCIL

6:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE Council Member Gary Monahan

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.]

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

- Bill Hostel, Arbor Day
- Mayor's Award – Wahoo's Fish Taco's - Ed Lee, Wing Lam, Mingo Lee

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

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 8

1. READING FOLDER

(a) Claims received by the City Clerk: Southern California Edison; Juan Kmitruk

RECOMMENDATION: Receive and file

2. [MINUTES: Regular City Council Meeting May 1, 2012](#)

RECOMMENDATION: Approve

3. [WARRANT RESOLUTION 2461: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 13-03A AND 13-04 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 13-03A for \\$399.72, Payroll No. 13-04 for \\$2,001,364.01 and City operating expenses for \\$345,230.66, including payroll deductions.](#)

RECOMMENDATION: Approve

4. [WARRANT RESOLUTION 2462: 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 \\$339,164.81.](#)

RECOMMENDATION: Approve

5. [REFUND OF CASH DEPOSIT IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS12-00261 FOR STREET IMPROVEMENTS AT 2258 AND 2260 ORANGE AVENUE, COSTA MESA, CALIFORNIA](#)

RECOMMENDATION:

City Council approve the refund of a cash deposit in connection with Encroachment Permit No. PS12-00261 in the amount of \$5,000 to West Coast Concrete, P.O. Box 310311, Fontana, CA 92331.

6. [RESOLUTION AUTHORIZING STREET CLOSURES FOR THE 2013 ORANGE COUNTY MARATHON](#)

RECOMMENDATION:

City Council adopt resolution (Attachment 1) designating the event route for the 2013 Orange County (OC) Marathon and approve the temporary street closures (Attachment 1, Exhibit B) for May 5, 2013, as requested for the 2013 OC Marathon.

7. **PURCHASE OF FIVE 2013 FORD POLICE INTERCEPTOR UTILITY VEHICLES AND FIVE 2013 FORD POLICE INTERCEPTOR SEDAN VEHICLES**

RECOMMENDATION:

City Council purchase five 2013 Ford Police Interceptor Utility vehicles and five 2013 Ford Police Interceptor Sedans from National Auto Fleet Group, 490 Auto Center Drive, Watsonville, CA 95076, for a total of \$293,323.70, as a cooperative under the National Joint Powers Alliance (NJPA) master vehicle contact #102811, which was effective February 15, 2012. The NJPA is authorized by the Joint Exercise of Powers Act, with the National Auto Fleet Group being the awarded vendor.

8. **PARKWAY CONCRETE REPAIR AND NEW SIDEWALK CONSTRUCTION PROJECT – CITY PROJECT NO. 12-18**

RECOMMENDATION:

- 1) City Council adopt plans, specifications, and working details for the Parkway Concrete Repair and New Sidewalk Construction Project, City Project No. 12-18; and
- 2) Award a construction contract to C.J. Concrete Construction, Inc., 10142 Shoemaker Avenue, Santa Fe Springs, CA 90670, in the amount of \$770,480.00; and
- 3) Authorize the Mayor and the City Clerk to execute the Public Works Agreement.

9. **PURCHASE OF SIX (6) HONDA POLICE MOTORCYCLES**

RECOMMENDATION:

City Council approve and authorize the CEO to sign the purchase agreement in the amount of \$163,897.32 for six 2012 Honda motorcycles from Huntington Beach Honda, 17555 Beach Blvd., Huntington Beach, CA 92647.

10. **CITY COUNCIL/HOUSING AUTHORITY/SUCCESSOR AGENCY – AMENDMENT OF PROFESSIONAL SERVICES AGREEMENT WITH KEYSER-MARSTON ASSOCIATES CONSULTING**

RECOMMENDATION:

- 1) City Council, Housing Authority and Successor Agency approve the attached amendment to the Professional Services Agreement (PSA) with Keyser-Marston Associates (KMA) Consulting, 500 South Grand Avenue, Suite 700, Los Angeles, CA 90071, to increase from \$100,000 to \$130,000; and
- 2) Authorize the City Chief Executive Officer to sign the amended Professional Services Agreement with KMA Consulting in the amount of \$130,000.

11. [A RESOLUTION OF THE COSTA MESA CITY COUNCIL AUTHORIZING THE CHIEF EXECUTIVE OFFICER OR HIS DESIGNEE TO EXECUTE A SUB-RECIPIENT AGREEMENT WITH THE CITY OF ANAHEIM TO RECEIVE A GRANT UNDER THE FY 2012 URBAN AREAS SECURITY INITIATIVE \(UASI\)](#)

RECOMMENDATION:

- 1) City Council adopt a resolution that authorizes the Chief Executive Officer or his designee to execute the attached Sub-Recipient Agreement with the City of Anaheim to receive a grant under the FY 2012 Urban Areas Security Initiative (UASI) Grant Program; and
- 2) Authorize the Police Department to accept FY 2012 UASI reimbursement funds allocated to the City of Costa Mesa in an amount not to exceed \$50,251. This amount will reimburse training costs included but not limited to tuition, overtime, and backfill for pre-approved Office of Domestic Preparedness-approved training for police, fire and city personnel; and
- 3) Approve Budget Adjustment No. 12-019 in the amount of \$50,251 to increase revenue and appropriate the grant funds to the Police Department's operating budget.

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

PUBLIC HEARINGS

1. [AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA CALIFORNIA, ADOPTING ZONING CODE AMENDMENT CO-12-06, AMENDING TITLE 13, CHAPTER 1 AND CHAPTER IV, OF THE COSTA MESA MUNICIPAL CODE RELATED TO ESTABLISHMENT OF EMERGENCY SHELTERS, TRANSITIONAL HOUSING, AND SUPPORTIVE HOUSING PURSUANT TO STATE LAW](#)

RECOMMENDATION:

Pursuant to the Planning Commission's recommendation:

- 1) Introduce ordinance for first reading, to be read by title only, and waive further reading; and
- 2) Approve operational standards and guidelines for emergency shelters.

OLD BUSINESS NONE

NEW BUSINESS

1. URBAN MASTER PLAN SCREENING REQUEST (UMP-13-01) FOR 10 ATTACHED RESIDENTIAL CONDOMINIUMS AT 522 AND 526 BERNARD STREET

RECOMMENDATION:

City Council provide feedback on the proposed 10-unit residential ownership project within the Mesa West Residential Ownership Urban Plan area.

2. FAIRVIEW PARK PROJECTS

RECOMMENDATION:

- 1) City Council reconvene the Fairview Park Citizens Advisory Committee and authorize staff to seek applicants to serve on the Committee; and
- 2) Provide direction to staff regarding certain Fairview Park projects proposed by Council Members and members of the public.

3. APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF COSTA MESA AND NEWPORT MESA UNIFIED SCHOOL DISTRICT FOR A DESIGN FEASIBILITY STUDY TO ANALYZE THE PLACEMENT AND DEVELOPMENT OF A JOINT USE ATHLETIC FACILITY AT COSTA MESA HIGH SCHOOL

RECOMMENDATION:

- 1) City Council formally approve a Memorandum of Understanding (MOU) between the City of Costa Mesa and Newport Mesa Unified School District (NMUSD) to provide \$15,000 for a design feasibility study to analyze the placement and development of a joint use athletic facility at Costa Mesa High School.
- 2) Authorize the Mayor to sign the MOU.
- 3) Direct the Parks and Recreation Commission to review the completed results and details of the feasibility study and provide recommendations to the City Council.

REPORT – CITY ATTORNEY

ADJOURNMENT – To Regular Study Session March 12, 2013, 4:30 p.m.

UPCOMING COMMUNITY EVENTS AND ACTIVITIES

- Saturday, March 9th the Boys & Girls Club of the Harbor Area 2nd Annual “Slide into Spring” Burger Bash Tasting Event. For further information, visit www.harborareabgc.com
- Saturday, March 30th, 9:30 – Noon, Torelli Realty’s “Egg-Citement” 2013 will be held at Tanager Park. Admission is free. For further information, call (714) 426-0444.



NOTICE AND CALL OF THE SPECIAL JOINT MEETING OF THE COSTA MESA CITY COUNCIL, COSTA MESA CITY COUNCIL ACTING AS SUCCESSOR AGENCY AND THE COSTA MESA HOUSING AUTHORITY

NOTICE IS HEREBY GIVEN that a Special Joint Meeting of the Costa Mesa City Council, Costa Mesa City Council Acting as Successor Agency and the Costa Mesa Housing Authority will be held on Tuesday, March 5, 2013 at 6:00 p.m. in the Council Chambers of City Hall, 77 Fair Drive, Costa Mesa.

The purpose of the Special Joint Meeting of the Costa Mesa City Council, City Council Acting as Successor Agency to the Redevelopment Agency, and Costa Mesa Housing Authority is to consider and take action on the following matters:

1. Amendment of Professional Services Agreement with Keyser-Marston Associates Consulting

**City Council/Successor Agency/
Housing Authority**

Approve amendment to the Professional Services Agreement (PSA) with Keyser-Marston Associates (KMA) Consulting, 500 South Grand Avenue, Suite 700, Los Angeles, CA 90071, to increase from \$100,000 to \$130,000

Authorize City Chief Executive Officer to sign the amended Professional Services Agreement with KMA Consulting in the amount of \$130,000.

DATED this 20th day of February, 2013.

James M. Righeimer, City Council Mayor
Costa Mesa Housing Authority Chair

ATTEST:

Martha Rosales, Recording Secretary
Costa Mesa Housing Authority