

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 AND AUTHORITY MEMBERSHIPS ARE REFLECTED IN THE TITLE "COUNCIL MEMBER".

TUESDAY, JUNE 18, 2013
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE
SPECIAL CLOSED SESSION 4:00 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].

SPECIAL CLOSED SESSION – 4:00 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 existing litigation: Costa Mesa Employees Association v. City of Costa Mesa, a municipal corporation, et al., Orange County Superior Court Case No. 30-2011 00475281, pursuant to California Government Code Section 54956.9(a).
3. Conference with legal counsel regarding existing litigation: Acosta v. City of Costa Mesa, et al, Case No. SACV06-233 DOC (MLGx), 9th Cir. Case # 10-56854, pursuant to California Government Code Section 54956.9(a).

REGULAR MEETING OF THE CITY COUNCIL – 6 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE Mayor Pro Tem 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.]

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

- Costa Mesa High School Student Awards

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 Mensinger
2. Council Member Genis
3. Council Member Leece
4. Council Member Monahan
5. Mayor 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 15

1. READING FOLDER

a. Claims received by the City Clerk: Roderick Tapia and Ralph Morrisson.

2. [MINUTES: Special Study Session Meeting of April 23, 2013, and Regular Meeting of May 7, 2013.](#)

3. [WARRANT RESOLUTION 2476: 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 \\$910,324.47.](#)

RECOMMENDATION: Approve

4. [WARRANT RESOLUTION 2477: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 13-11 "A" AND 13-12 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 13-11 "A" for \\$-3,524.76, Payroll No. 13-12 for \\$2,047,022.84 and City operating expenses for \\$912,529.56.](#)

RECOMMENDATION: Approve

5. [2012 ANNUAL REVIEW OF THE COSTA MESA 2000 GENERAL PLAN](#)

RECOMMENDATION:

City Council approve 2012 Annual Report of the Costa Mesa 2000 General Plan.

6. **PARTICIPATION IN THE COUNTY OF ORANGE, COUNTYWIDE PUBLIC MASS NOTIFICATION SYSTEM- ALERTOC**

RECOMMENDATION:

1. City Council approve the City's continued participation in the County of Orange, Countywide Public Mass Notification System – AlertOC; and
2. Authorize the Chief Executive Officer (CEO) or his designee to sign the annual Memorandum of Understanding (MOU) between the County and City for participation in AlertOC.

7. **RENEWED MEASURE M (M2) ELIGIBILITY**

RECOMMENDATION:

1. City Council approve the City's Maintenance of Effort (MOE) for Fiscal Year 2013-14; and
2. Approve the City's Seven-Year Capital Improvement Program (CIP) for Fiscal Year 2013-14 through Fiscal Year 2019-20; and
3. Adopt the Resolution for Master Plan of Arterial Highways Conformance.

8. **WILSON STREET AT HARBOR BOULEVARD INTERSECTION IMPROVEMENTS, CITY PROJECT NO. 13-07**

RECOMMENDATION:

1. City Council adopt plans, specifications, and working details for the Wilson Street at Harbor Boulevard Intersection Improvements, City Project No. 13-07; and
2. Award a construction contract to GMC Engineering, Inc., in the amount of \$345,550.50; and
3. Authorize the Mayor and the City Clerk to execute the Public Works Agreement.

9. **FINAL MAP FOR TRACT NO. 16990 LOCATED AT 372/378/382 VICTORIA STREET, COSTA MESA, CALIFORNIA**

RECOMMENDATION:

City Council approve the Final Map for Tract No. 16990 and authorize signing of the Map by the City Clerk and the City Engineer.

10. **PURCHASE OF NINE (9) TRAFFIC SIGNAL POLES FOR THE HARBOR BOULEVARD AND ADAMS AVENUE INTERSECTION IMPROVEMENTS AND THE HARBOR BOULEVARD WIDENING PROJECTS**

RECOMMENDATION:

City Council approve two purchase requisitions in the amounts of \$69,115.20 for the Harbor Boulevard and Adams Avenue Intersection Improvements Project and \$5,831.68 for the Harbor Boulevard Widening Project, respectively, for purchase of nine (9) traffic signal poles from Pacific Lighting Sales, Inc., 23666 Birtcher Drive, Suite 100, Lake Forest, CA 92630.

11. **INSURANCE BROKER SERVICES**

RECOMMENDATION:

Staff recommends that the City Council authorize the City Chief Executive Officer to reject all proposals and issue a new Request for Proposal for Insurance Broker Services that better meets the needs of the City.

12. **PARKS AND RECREATION COMMISSION REQUEST TO AMEND THE ATHLETIC FIELD USE ALLOCATION POLICY**

RECOMMENDATION:

City Council approve the proposed amendments to the Athletic Field Use and Allocation Policy and Group 1 user group status.

13. **BUILDING SAFETY & FIRE PREVENTION PLAN REVIEW AND INSPECTION SERVICES**

RECOMMENDATION:

Authorize the Mayor to extend Professional Services Agreements (PSAs) approved in FY 2012-2013, by amendment to Sec. 4, Term and Termination, Subsection 4.1 Term with the companies of Scott Fazekas & Associates Inc., Bureau Veritas, Melad & Associates, Interwest Group, and CSG Consultants Inc., for an aggregate amount of \$536,000, as budgeted for FY 2013-2014. This will be the first extension of a possible five (5) one-year periods at the same terms, conditions and fee rates as provided in the approved PSAs.

14. **APPROVE THE PURCHASE AGREEMENT WITH HI STANDARD AUTOMOTIVE, LLC TO PROVIDE EMERGENCY EQUIPMENT OUTFITTING OF TEN REPLACEMENT 2013 FORD INTERCEPTOR SEDAN AND UTILITY POLICE VEHICLES**

RECOMMENDATION:

1. City Council approve and authorize the CEO to sign the purchase agreement in the amount of \$110,200.70 for outfitting ten new Ford Interceptor police vehicles from Hi Standard Automotive, LLC, 1110 West Barkley Avenue, Orange, CA, 92868; and
2. Approve Budget Adjustment (BA #13-030) to appropriate undesignated fund balance in the Narcotics Asset Forfeiture Fund in the amount of \$110,200.70 for the purchase of the required emergency equipment.

15. **AMENDMENT TO CEO EMPLOYMENT AGREEMENT**

RECOMMENDATION:

City Council consider and approve the proposed amendment to the employment agreement with Tom Hatch, CEO.

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

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

1. **PUBLIC NUISANCE ABATEMENT ORDINANCE**

RECOMMENDATION:

City Council conduct the public hearing, introduce for first reading, Ordinance 13-__, to be read by title only, and waive further reading, regarding public nuisance abatement.

2. **CONTINUED PUBLIC HEARING FOR 2013-2014 COMMUNITY DEVELOPMENT BLOCK GRANT PUBLIC SERVICE GRANT ALLOCATIONS**

RECOMMENDATION:

City Council review and consider the Community Development Block Grant Public Service Grants for Fiscal Year 2013-2014.

3. CONTINUED PUBLIC HEARING FOR FISCAL YEAR 2013-2014 FUNDING PRIORITIES FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP PROGRAM (HOME)

RECOMMENDATION:

1. City Council approve recommended allocation of \$1,376,094 for the Fiscal Year 2013-2014 Community Development Block Grant (CDBG) Application; and
2. Approve recommended allocation of \$343,315 for the Fiscal Year 2013-2014 HOME Investment Partnership Grant; and
3. Approve a simple interest of three percent (3%) on deferred payment loans due and payable with the principal at the time an assisted property is sold or transferred; and
4. Approve resolution to authorize the following:
 - a. City's Chief Executive Officer (CEO) to act as the official representative of the City in order to submit the Annual Action Plan and all certifications and assurances contained therein; and
 - b. CEO to act in connection with the submission of the Annual Action Plan; and
 - c. CEO to approve minor changes and provide additional information as may be required.

4. ADOPTION OF THE FISCAL YEAR 2013-2014 BUDGET

RECOMMENDATION:

Adopt the attached Resolution Number 13-__ approving the Fiscal Year 2013-2014 Operating and Capital Improvement Budget.

5. ADOPTION OF FISCAL YEAR 2013-2014 APPROPRIATIONS LIMIT

RECOMMENDATION:

Adopt Resolution establishing the Fiscal Year 2013-2014 Appropriations Limit for the City of Costa Mesa at \$190,458,330 by using the County of Orange's population growth for population adjustment, and the California per capita income growth for inflationary adjustment.

OLD BUSINESS

1. [AWARD THREE YEAR CONTRACT FOR MANAGED INVESTMENT SERVICES](#)

RECOMMENDATION:

1. City Council award three (3) year contract for managed investment services to Chandler Asset Management, Inc. (Chandler) with an option to extend the contract in one-year periods, for a minimum of two fiscal years; and
2. Authorize City Chief Executive Officer to sign and execute the investment management agreement with Chandler Asset Management, Inc.

NEW BUSINESS

1. [APPOINTMENT TO THE PENSION OVERSIGHT COMMITTEE](#)

RECOMMENDATION:

Staff is recommending the City Council select a new Pension Oversight Committee member due to a recent resignation.

2. [URBAN MASTER PLAN SCREENING REQUEST \(UMP-13-03\) FOR A 38-UNIT LIVE/WORK DEVELOPMENT LOCATED AT 2023, 2025, AND 2027 PLACENTIA AVENUE](#)

RECOMMENDATION:

City Council provide feedback on the proposed 38-unit live/work project within the Mesa West Bluffs Urban Plan.

REPORT – CITY ATTORNEY

ADJOURNMENT – To Regular Meeting, July 2, 2013, 5:00 p.m.

UPCOMING COMMUNITY EVENTS AND ACTIVITIES

- June 28-30 – City of Costa Mesa’s 60th Anniversary Celebration weekend on Fair Drive between Fairview Road and Newport Boulevard. Event features over 30 restaurants, three stages, music concerts, community activities, a kid-friendly zone, vendors, and more. Epic fireworks show will take place on Saturday night. For more information and schedule of events, visit www.costamesais60.com. To purchase concert tickets for the main stage performances and view the line-up, visit <http://www.ticketfly.com/org/2619>.
- July 5, 5:30-7:30 p.m. - First Fridays Road Show will be held in the front parking lot of City Hall. Event features classic cars, food, and a live DJ. This event is free to the public.
- July 26, 7 p.m. – City of Costa Mesa Presents “Target Symphony in the Cities” - Free live performance by Pacific Symphony at The Plaza at Segerstrom Center for the Arts to honor Costa Mesa’s 60th anniversary. Kids’ event at 5:30 p.m. Concert at 7 p.m.
- August 3 at 6:05 p.m. - Costa Mesa Night at Angels Stadium. Come watch the Los Angeles Angels of Anaheim play against the Toronto Blue Jays and celebrate Costa Mesa’s 60th anniversary with a special opening ceremony. To purchase tickets, visit www.angels.com/costamesa and use promotion code: **cm60** at the check-out.