

**ACTION REPORT: For Informational Purposes Only**

**ACTION REPORT**  
**CITY OF COSTA MESA CITY COUNCIL, AND SUCCESSOR**  
**AGENCY TO THE REDEVELOPMENT AGENCY\***  
**TUESDAY, JUNE 18, 2013**

**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**

**SPECIAL CLOSED SESSION – 4:00 P.M.**

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.**

**CITY ATTORNEY CLOSED SESSION REPORT – None.**

**CONSENT CALENDAR ITEM NOS. 1 THROUGH 15**

**MOTION:** Approved recommended actions for Consent Calendar Item Nos. 1 through 15 except for Items 11 and 15.

**MOVED/SECOND:** Council Member Monahan/Mayor Pro Tem Mensinger  
The motion carried unanimously.

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### **1. READING FOLDER**

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

**ACTION:** Received and filed

### **2. MINUTES:** Special Study Session Meeting of April 23, 2013, and Regular Meeting of May 7, 2013.

**ACTION:** Approved

### **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.**

**ACTION:** Approved

### **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.**

**ACTION:** Approved

### **5. 2012 ANNUAL REVIEW OF THE COSTA MESA 2000 GENERAL PLAN**

**ACTION:** City Council approved 2012 Annual Report of the Costa Mesa 2000 General Plan.

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

**ACTION:**

1. City Council approved the City's continued participation in the County of Orange, Countywide Public Mass Notification System – AlertOC; and
2. Authorized 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.

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

#### **ACTION:**

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

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

#### **ACTION:**

1. City Council adopted plans, specifications, and working details for the Wilson Street at Harbor Boulevard Intersection Improvements, City Project No. 13-07; and
2. Awarded a construction contract to GMC Engineering, Inc., in the amount of \$345,550.50; and
3. Authorized 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**

**ACTION:** City Council approved the Final Map for Tract No. 16990 and authorized 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**

**ACTION:** City Council approved 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.

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### **11. INSURANCE BROKER SERVICES**

**MOTION/SECOND:** Council Member Monahan/Mayor Pro Tem Mensinger

The motion carried by the following roll call vote:

Ayes: Mayor Righeimer, Mayor Pro Tem Mensinger, Council Member Monahan

Noes: Council Member Leece, Council Member Genis

Motion carried 3-2.

**ACTION:** City Council awarded the insurance broker contract to Arthur J. Gallagher and Wigmore Insurance Agency as an alternative.

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

**ACTION:** City Council approved 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**

**ACTION:** Authorized 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**

**ACTION:**

1. City Council approved and authorized 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. Approved 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.

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### **15. AMENDMENT TO CEO EMPLOYMENT AGREEMENT**

**MOTION/SECOND:** Council Member Monahan/Mayor Pro Tem Mensinger  
The motion carried unanimously:

**ACTION:** City Council considered and approved 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**

**MOTION/SECOND:** Mayor Righeimer/Mayor Pro Tem Mensinger  
The motion carried unanimously:

**ACTION:** Item to be considered at a future Council Meeting.

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

**MOTION/SECOND:** Council Member Monahan/Council Member Genis  
Ayes: Mayor Pro Tem Mensinger, Council Member Leece, Council Member Genis, Council Member Monahan  
Noes: None  
Abstain: Mayor Righeimer  
Motion carried 4-0-1.

**ACTION:** City Council approved the CEO's recommendation of \$15,000 to Mercy House-Prevention/Rapid Rehousing.

**MOTION/SECOND:** Council Member Leece/Council Member Genis:  
Motion Carried 3-2  
Ayes: Council Member Leece, Council Member Genis, Council Member Monahan  
Noes: Mayor Righeimer, Mayor Pro Tem Mensinger

**ACTION:** City Council approved the following funding recommendations from Community Development Block Grant funds (CDBG):

Alzheimer's Family Services Center \$10,000; Youth Employment Service \$19,000; Colette's Children's Home \$20,000; Elwyn California \$10,000; Community SeniorServ, congregate meals \$12,500; Community SeniorServ home-delivered meals \$15,000; Council on Aging Orange County \$5,000; Costa Mesa Senior Center Corporation \$10,000; Fair Housing Foundation \$21,000.

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

**MOTION/SECOND:** Council Member Monahan/Mayor Pro Tem Mensinger: To approve the recommended action – minus the previously approved \$41,000 for Public Service grants.

The motion carried unanimously.

#### **ACTION:**

1. City Council approved recommended allocation of \$1,376,094 for the Fiscal Year 2013-2014 Community Development Block Grant (CDBG) Application; and
2. Approved recommended allocation of \$343,315 for the Fiscal Year 2013-2014 HOME Investment Partnership Grant; and
3. Approved 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. Approved 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**

**MOTION/SECOND:** Mayor Righeimer/Mayor Pro Tem Mensinger

The motion carried by the following roll call vote:

Ayes: Mayor Righeimer, Mayor Pro Tem Mensinger, Council Member Monahan

Noes: Council Member Genis, Council Member Leece

Motion carried 3-2

**ACTION:** City Council approved \$650,000 for the installation of lights at Fairview Park.

**MOTION/SECOND:** Mayor Righeimer/Mayor Pro Tem Mensinger

The motion carried unanimously.

**ACTION:** City Council Adopted the Resolution Number 13-XX approving the Fiscal Year 2013-2014 Operating and Capital Improvement Budget, with the stated changes.

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**MOTION/SECOND:** Council Member Genis/Mayor Pro Tem Mensinger  
The motion carried unanimously:

**ACTION:** To continue the meeting past midnight.

### **5. ADOPTION OF FISCAL YEAR 2013-2014 APPROPRIATIONS LIMIT**

**MOTION/SECOND:** Mayor Righeimer/Council Member Genis  
The motion carried unanimously.

**ACTION:** City Council Adopted 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,

### **OLD BUSINESS**

#### **1. AWARD THREE YEAR CONTRACT FOR MANAGED INVESTMENT SERVICES**

**MOTION/SECOND:** Mayor Pro Tem Mensinger/Council Member Monahan  
The motion carried unanimously.

**ACTION:**

1. City Council awarded 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. Authorized 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**

**MOTION:** Appoint Mr. Lightvoet

Motion/Second: Council Member Leece

Motion Failed: 1-4

Ayes: Council Member Leece

Noes: Mayor Righeimer, Mayor Pro Tem Mensinger, Council Member Genis, Council Member Monahan.

**MOTION:** Appoint Ronald Robertson

Motion/Second: Mayor Righeimer/Mayor Pro Tem Mensinger

The motion carried unanimously.

**ACTION:** City Council appointed Ronald Robertson to the Pension Oversight Committee.

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

**ACTION:** City Council provided 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.**