

**AMENDED AGENDA\***  
**CITY OF COSTA MESA**  
**REGULAR CITY COUNCIL, AND SUCCESSOR AGENCY**  
**TO THE REDEVELOPMENT AGENCY\* MEETING**

**\*NEW BUSINESS ITEM 2 HAS BEEN REMOVED FROM THE AGENDA**

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

**TUESDAY, OCTOBER 7, 2014**  
**CITY COUNCIL CHAMBERS, 77 FAIR DRIVE**  
**CLOSED SESSION – NONE**  
**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 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 Council Chambers lobby. In addition, such writings and documents may be posted—whenever possible or as part of the agenda—on the city’s website at \[www.costamesaca.gov\]\(http://www.costamesaca.gov\).](#)

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)754-5225 or e-mail [Brenda.Green@costamesaca.gov](mailto:Brenda.Green@costamesaca.gov).

## WELCOME TO THE CITY COUNCIL MEETING

**PUBLIC COMMENTS – MATTER NOT LISTED ON THE AGENDA:** If you wish to address the City Council on a matter not on the agenda, please complete and submit a yellow speaker card to the City Clerk. Speaker cards must be submitted to the City Clerk either prior to the first Public Comment period or prior to the Continued Public Comment period. Up to ten speakers will be given time to address the City Council during the first Public Comment period following Presentations. The Continued Public Comment period will be held at the end of the agenda after Items Removed from Consent Calendar. Members of the public shall only address the City Council one time at any given meeting under either Public Comment period. Speakers may only complete one card per person. Each speaker is limited to three minutes.

**PUBLIC COMMENTS – MATTER LISTED ON THE AGENDA:** If you wish to address the City Council on a matter listed on the agenda, please complete and submit a green speaker card to the City Clerk. Speaker cards must be submitted prior to the start of Public Comments on the item. Please identify which item on the agenda you would like to address. Each speaker is limited to three minutes.

The speaker cards are located on the table at the entrance to the City Council Chamber.

**Please take notice that** the order of scheduled agenda items may be modified by the Mayor or the City Council during the course of the meeting, so please stay alert.

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.
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.

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].

# REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY – 6 P.M.

## CALL TO ORDER

**PLEDGE OF ALLEGIANCE** Council Member 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.]*

Doug Jacks, Palm Harvest Church

## ROLL CALL

## CITY ATTORNEY CLOSED SESSION REPORT

- COIN: Ex Parte Communications pursuant to Municipal Code Section 2-238 (b)

**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.

## PRESENTATION

Maximilian (Max) Mormont, Master's World Champion, coach at Costa Mesa CrossFit and Costa Mesa resident

## PUBLIC COMMENTS

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## COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

1. Council Member Monahan
2. Mayor Righeimer
3. Mayor Pro Tem Mensinger
4. Council Member Genis
5. Council Member 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.

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 waive reading in full of Ordinances and Resolutions and approval and adoption of same by reading title only.

2. **READING FOLDER**

- a. Claims received by the City Clerk: Artem Peshkov; Rachel Orchard; and Joseph Barrack.

RECOMMENDATION: Receive and file.

3. [WARRANT RESOLUTION 2523: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 14-18 "A", 14-19, 14-19 "A", 14-20, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 14-18 "A" for \\$129.12, Payroll No. 14-19 for \\$2,029,407.87, Payroll No. 14-19 "A" for \\$4,281.28, Payroll No. 14-20 for \\$2,116,460.46 and City operating expenses for \\$3,093,615.50](#)– Finance Department

RECOMMENDATION: Approve Warrant Resolution No. 2523, to be read by title only and further reading waived.

4. **APPROVE RESOLUTIONS FOR THE APPLICATION OF GRANT FUNDS FROM THE ARTERIAL PAVEMENT MANAGEMENT PROGRAM FOR THE BRISTOL STREET (FROM THE 405 FREEWAY TO RANDOLPH AVENUE) AND THE BEAR STREET (FROM WAKEHAM PLACE TO THE 405 FREEWAY) PROJECTS** – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council adopt Resolution No. 14-xx, to be read by title only and waive further reading, for the submittal of a grant application to the Orange County Transportation Authority (OCTA), Arterial Pavement Management Program (APM) for the Bristol Street from the 405 Freeway to Randolph Avenue Project; and
2. City Council adopt Resolution No. 14-xx, to be read by title only and waive further reading, for the submittal of a grant application to the Orange County Transportation Authority (OCTA), Arterial Pavement Management Program (APM) for the Bear Street from Wakeham Place to the 405 Freeway Project; and
3. Authorize the Public Services Director as the City's authorized representative.

5. **REQUEST TO CANCEL THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 4, 2014** – Office of the Chief Executive Officer

RECOMMENDATION:

City Council consider the cancellation of the regularly scheduled City Council meeting of November 4, 2014.

6. **MINUTES** – Chief Executive Officer's Department/City Clerk's Office

RECOMMENDATION:

City Council approve the minutes of the Regular Meeting of the City Council and Successor Agency of January 15, 2013; September 2, 2014; Special Meeting of the City Council of September 19, 2014; and Special Meeting of the City Council of September 23, 2014.

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

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

1. **CODE AMENDMENT CO-12-07: CONSIDERATION OF A MORATORIUM EXTENSION REGARDING HOOKAH PARLORS** – Development Service Department/Planning Division

RECOMMENDATION:

City Council adopt Urgency Ordinance No. 14-xx, to be read by title only and waive further reading, regarding an extension of the hookah parlor moratorium considered under Code Amendment CO-12-07 for a period not to exceed 12 months.

2. **CODE AMENDMENT CO-14-03: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING SECTION 13-6 (DEFINITIONS) OF ARTICLE 2 (DEFINITIONS) OF CHAPTER I (GENERAL), ADDING CHAPTER XV (GROUP HOMES), AND REPEALING AND REPLACING ARTICLE 15 (REASONABLE ACCOMMODATIONS) OF CHAPTER IX (SPECIAL LAND USE REGULATIONS), OF TITLE 13 (ZONING CODE) AND AMENDING THE CITY OF COSTA MESA LAND USE MATRIX - TABLE NO. 13-30 OF CHAPTER IV. (CITYWIDE LAND USE MATRIX) OF THE COSTA MESA MUNICIPAL CODE RELATING TO GROUP HOMES** – Development Services Department/Community Improvement Division

RECOMMENDATION:

The Planning Commission recommends that the City Council take the following actions with regard to the proposed ordinance to amend Title 13, Chapter(s) I, IV and IX, and to add Chapter XV (Group Homes) to the Costa Mesa Municipal Code with regard to group homes (“Group Home Ordinance”):

1. City Council find that the proposed ordinance is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (General Rule) of CEQA because there is no possibility that the proposed amendment to the Zoning Code will have a significant effect on the environment; and
2. City Council approve and give first reading to Ordinance No. 14-xx, to be read by title only and waive further reading, relating to Group Homes.

3. [REVIEW OF PLANNING APPLICATION PA-88-134 A2: SECOND AMENDMENT FOR THE ORANGE COAST BUICK/GMC/CADILLAC DEALERSHIP LOCATED AT 2600 HARBOR BOULEVARD](#) – Development Services Department/Planning Division

RECOMMENDATION:

The Planning Commission recommends that the City Council take the following action:

1. Find that the project is categorically exempt from CEQA per the Class 32 Categorical Exemption for infill development; and
2. Approve second amendment to Planning Application PA-88-134 for the Orange Coast Buick/GMC/Cadillac dealership to construct a 34,000 square foot second floor parking deck over a portion of the previously permitted 52,779 square foot automotive dealership building, as well as a portion of the proposed parking lot, for storage of vehicle inventory; and
3. Approve Administrative Adjustment to deviate from rear yard setback requirements for the proposed second floor parking deck (50-foot rear yard setback required; 32-foot setback proposed). A previous variance for a 0 foot rear setback was approved under PA-88-134. A 32-foot rear yard setback for the dealership building was approved under PA-88-134 A1; and
4. Approve a Planned Sign Program for the following signage: Remove the existing 40-foot high freestanding sign and replace with two new freestanding signs, both 23 feet in height. The two proposed freestanding signs are separated by approximately 190 feet. The overall square footage of the proposed freestanding and wall signs complies with the Costa Mesa Municipal Code (CCMC). The overall square footage of freestanding and wall signs is 442 sq. ft.

**OLD BUSINESS - NONE**

**NEW BUSINESS**

1. [URBAN MASTER PLAN SCREENING REQUEST \(UMP-14-04\) FOR A 32-UNIT LIVE/WORK DEVELOPMENT LOCATED AT 1672 PLACENTIA AVENUE](#) – Development Services Department/Planning Division

RECOMMENDATION:

City Council provide feedback on a proposed Urban Master Plan for a live/work project within the Mesa West Bluffs Urban Plan. The project consists of 32 detached three-story units with roof decks.

2. ~~**REQUEST FOR AMENDMENTS TO COUNCIL POLICY 400-2 REGULATIONS GOVERNING FIREWORKS**~~ – Office of the Chief Executive Officer – **ITEM REMOVED**

~~RECOMMENDATION:~~

~~It is recommended by Council Member Leece that the City Council consider and adopt the proposed changes to Council Policy 400-2 which deals with the sale and discharge of fireworks within the City of Costa Mesa.~~

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

**CONTINUED PUBLIC COMMENTS**

**COUNCIL MEMBER COMMENTS ON CONTINUED PUBLIC COMMENTS**

**REPORT – CITY ATTORNEY**

**ADJOURNMENT – To Special Meeting - Closed Session, October 14, 2014 at 4:00 p.m.**

**UPCOMING COMMUNITY EVENTS AND ACTIVITIES**

- Saturday, October 11, 2014, 1 p.m. – 4 p.m. – For Halecrest Park’s Annual “Chili Cook-off”. Enjoy live entertainment by local performers and great tasting chili. 3107 Killybrooke Lane, Costa Mesa, for more information please contact (714) 557-7234.
- Friday, November 7, 2014, 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.