

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

\*A PRESENTATION HAS BEEN ADDED TO THE AGENDA

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

**TUESDAY, OCTOBER 21, 2014**  
**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 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].

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

### **CALL TO ORDER**

### **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 Organization: Costa Mesa Police Management Association (CMPMA), pursuant to California Government Code Section 54957.6.
2. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organization: Costa Mesa Police Officers Association (CMPOA), pursuant to California Government Code Section 54957.6

**The City Council and Successor Agency to the Redevelopment Agency will recess to Conference Room 5A for Closed Session at the conclusion of public comments.**

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

## CALL TO ORDER

**PLEDGE OF ALLEGIANCE** Mayor Righeimer

## 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.]*

Pastor Phil Eyskens, Lighthouse of Costa Mesa

## 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:

Presentation by Taylor Morrison on Status of Level 1 Development.

## PUBLIC COMMENTS

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## COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

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

### 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: Jack Khounthikoummane, Tahir Djokovic, Tom Vasich, Tracey Dorame, and Amanda Mendoza.

RECOMMENDATION: Receive and file.

3. **WARRANT RESOLUTION 2524: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 14-20 "A", and 14-21, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 14-20 "A" for \$71.22, Payroll No. 14-21 for \$2,123,190.78, and City operating expenses for \$2,035,885.23**– Finance Department

RECOMMENDATION: Approve Warrant Resolution No. 2524, to be read by title only and further reading waived.

4. **PARKWAY CONCRETE REPAIR AND NEW SIDEWALK CONSTRUCTION PROJECT (PROJECT "A") – CITY PROJECT NO. 13-17** – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council accept the work performed by Horizons Construction Company International, Inc. and authorize the City Clerk to file the Notice of Completion; and
2. Release the Labor and Material bond seven (7) months after the filing date; release the Faithful Performance Bond one (1) year after the filing date; and release the retention monies 35 days after the Notice of Completion filing date.

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

RECOMMENDATION:

City Council approve the minutes of the Special Joint Study Session of the City Council and Planning Commission of January 14, 2014; and regular meeting of the Costa Mesa City Council, Successor Agency, and Costa Mesa Housing Authority of September 16, 2014.

6. **RESOLUTION FOR COMPREHENSIVE TRANSPORTATION FUNDING PROGRAM APPLICATIONS** – Public Services Department/Transportation Services Division

RECOMMENDATION:

City Council adopt Resolution No. 14-xx, to be read by title only and waive further reading, approving the submittal of grant applications of transportation improvement projects under the Orange County Transportation Authority's (OCTA) Comprehensive Transportation Funding Program (CTFP) for Fiscal Years 2015-16 through 2017-18.

7. **PROFESSIONAL SERVICES FOR BICYCLE EDUCATION AT ELEMENTARY SCHOOLS** - Public Services Department/Transportation Services Division

RECOMMENDATION:

1. City Council award a Professional Services Agreement to Safe Moves, 15500 Erwin Street #2451, Van Nuys, CA 91411, in the amount of \$130,030; and
2. Authorize the Mayor and the City Clerk to execute the Professional Services Agreement.

8. **CITY COUNCIL RESOLUTION NO. 14-65 AMENDING THE COSTA MESA 2000 GENERAL PLAN FOR THE THIRD CYCLE OF 2014: GP-14-02 FOR COLLEEN/SANTA ANA AVENUE ANNEXATION** – Development Services Department/Planning Division

RECOMMENDATION:

Staff recommends that the City Council adopt Resolution No. 14-65, to be read by title only and waive further reading, amending the 2000 General Plan for the third cycle of 2014 for an area-specific general plan amendment.

9. **ADOPTION OF THE FY 2014-2015 STATEMENT OF INVESTMENT POLICY** - Finance Department

RECOMMENDATION:

City Council and the Successor Agency to the Costa Mesa Redevelopment Agency (Successor Agency) adopt Resolution No. 14-xx and Successor Agency Resolution No. 14-xx, to be read by title only and waive further reading, approving the Statement of Investment Policies for Fiscal Year 2014-2015 and delegating investment activities to the City Treasurer.

10. **RECOMMENDED ACCEPTANCE AND ALLOCATION OF THE 2014 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FUNDS** – Police Department

RECOMMENDATION:

1. City Council approve staff's recommendation to allocate 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) funds to the Police Department's operating budget; and
2. Approve Budget Adjustment No. 15-009 to increase revenue and appropriations in the JAG fund, and allocate funds as follows: Facility Security System Upgrade - \$18,026.

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

**PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55) - NONE**

**OLD BUSINESS**

1. [SECOND READING OF ORDINANCE 14-13 FOR 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:**

City Council give second reading and adopt Ordinance No. 14-13, to be read by title only and waive further reading, approving Code Amendment CO-14-03 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”).

**NEW BUSINESS**

1. [REQUEST FOR AMENDMENTS TO COUNCIL POLICY 400-2 REGULATIONS GOVERNING FIREWORKS](#) – Office of the Chief Executive Officer

**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.

2. [FIRST READING OF AN ORDINANCE ESTABLISHING A SENIOR COMMISSION](#)– Parks and Community Services Department

**RECOMMENDATION:**

Staff recommends that the City Council introduce Ordinance No.14-xx, to be read by title only and waive further reading, to establish a Senior Commission that would serve as an advisory commission to the City Council in matters related to the operation of the Costa Mesa Senior Center.

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

**CONTINUED PUBLIC COMMENTS**

**COUNCIL MEMBER COMMENTS ON CONTINUED PUBLIC COMMENTS**

**REPORT – CITY ATTORNEY**

**ADJOURNMENT – To Regular Meeting – November 18, 2014 at 5:00 p.m.**

**UPCOMING COMMUNITY EVENTS AND ACTIVITIES**

- 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.
- Saturday, October 25, 2014, 5:30 p.m. – “A Night of Masquerade”, A Gala to Benefit the Arts. Dinner, Dancing, Music, Live Auction and More! For more information, please contact (714) 604-9310 or [www.cmhsfoundation.com](http://www.cmhsfoundation.com).
- Friday, October 31, 2014, 11:30 a.m. – 1:00 p.m. – “It’s a Monster Bash”. Costume Contest, Music, Dancing, Games and fun! This event will be held at the Costa Mesa Senior Center, 695 West 19<sup>th</sup> Street, Costa Mesa. For further information, please contact (949) 645-2356.
- Monday, November 17, 2014, 10:00 a.m. (1<sup>st</sup> Tee time), 5:30 p.m. (Dinner Buffet and Drawing) – Bubba Kapko, Memorial Golf Tournament. 1701 Golf Course Drive, Costa Mesa. For more information, please contact (714) 540-7500.