

AGENDA

CITY OF COSTA MESA

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, APRIL 7, 2015
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE
CLOSED SESSION – 5:00 P.M.
REGULAR MEETING – 5:45 P.M.

STEPHEN M. MENSINGER
Mayor

JAMES M. RIGHEIMER
Mayor Pro Tem

GARY MONAHAN
Council Member

SANDRA GENIS
Council Member

KATRINA FOLEY
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 cityclerk@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 may be submitted to the City Clerk during the Public Comment period for non-agenda items, up to 6:40 p.m. or prior to the last speaker, whichever is earlier. Any speakers on non-agenda items not heard prior to 6:40 p.m. will be allowed to speak at the end of the meeting. Members of the public shall only address the City Council one time at any given meeting for non-agenda items. 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 copying and distribution to the City Council that is 10 pages or less, must be submitted to the City Clerk **NO LATER THAN 3:00 P.M.** If the public wishes to submit written communication, photos, or other material for distribution to the City Council at the hearing AFTER 3:00 p.m., 10 copies will need to be provided for distribution. Please note that NO copies of written communication will be made AFTER 3:00 p.m. 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].

CLOSED SESSION – 5:00 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 legal counsel regarding existing litigation: Solid Landings Behavioral Health, Inc.; and Sure Haven, Inc. in its own name and dba Rock Solid Recovery; FPS, LLC: Stephen Fennelly; and Elizabeth Perry v. City of Costa Mesa, District Court for the Central District of California, Case No. 8:14-cv-01838-JVS-JCG, pursuant to California Government Code Section 54956.9(d)(2).

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 – 5:45 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.]

Reverend Father Moushegh Tashjian, St. Mary Armenian 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.

PRESENTATIONS:

1. Mayor's Award – The Wayfarer

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COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

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

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 adopt and approve Ordinances and Resolutions by reading title only, and further reading waived.

2. READING FOLDER

- a. Claims received by the City Clerk: Dario Aguirre, Jeff Arthur, Chase Johnson and Leigh White.

RECOMMENDATION:

City Council receive and file.

- 3. WARRANT RESOLUTION NO. 2533 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 15-05 "A" FOR (\$0.00); 15-06 FOR \$2,075,723.79; 15-06 "A" FOR \$2,227.24; AND 15-07 FOR \$2,110,814.00; AND CITY OPERATING EXPENSES FOR \$3,459,064.06; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID – Finance Department**

RECOMMENDATION:

Approve Warrant Resolution No. 2533, to be read by the title only, and waive further reading.

- 4. REQUEST FOR SALE, SERVICE AND CONSUMPTION OF BEER AND WINE BEVERAGES AT FAIRVIEW PARK FOR 2015 CONCERTS IN THE PARK SERIES – Parks & Community Services Department**

RECOMMENDATION:

City Council approve the request by the Costa Mesa Community Foundation for the sale, service, and consumption of beer and wine beverages at Fairview Park during the 2015 Summer Concerts in the Park series. It is further recommended, that the City Council grant administrative authority to the CEO to annually authorize such request. The CEO will notify council via memo of said requests and approvals.

5. MINUTES OF THE SPECIAL JOINT STUDY SESSION MEETING OF THE CITY COUNCIL, PLANNING COMMISSION AND PARKS AND RECREATION COMMISSION FOR OCTOBER 20, 2011; MINUTES OF THE SPECIAL CLOSED SESSION MEETINGS OF THE CITY COUNCIL FOR NOVEMBER 8, 2011, JUNE 10, 2014, JANUARY 13, 2015, MARCH 24, 2015 (9:00 A.M.), AND MARCH 24, 2015 (5:00 P.M.); MINUTES OF THE JOINT HOUSING AUTHORITY, CITY COUNCIL AND THE CITY COUNCIL ACTING AS SUCCESSOR AGENCY FOR JUNE 12, 2012; MINUTES OF THE ADJOURNED MEETING/SPECIAL STUDY SESSION OF MAY 28, 2013; MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF JUNE 10, 2014; MINUTES OF THE CITY COUNCIL STUDY SESSION FOR FEBRUARY 11, 2014 AND MARCH 10, 2015; MINUTES OF THE ADJOURNED REGULAR CITY COUNCIL MEETING OF DECEMBER 16, 2014; AND THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY MEETING OF MARCH 17, 2015 – Chief Executive Officer’s Department/City Clerk’s Office

RECOMMENDATION:

City Council approve the minutes.

6. 2014 ANNUAL REVIEW OF THE COSTA MESA GENERAL PLAN

–Development Services Department

RECOMMENDATION:

City Council approve the 2014 Annual Report of the Costa Mesa General Plan.

7. BUDGET ADDENDUM TO ENGAGEMENT OF LEGAL SERVICES LETTER WITH MEYERS, NAVE, RIBACK, SILVER & WILSON AS SPECIAL LEGAL COUNSEL ON FAIRVIEW PARK – City Attorney’s Office

RECOMMENDATION:

City Council authorize the Mayor to execute a Budget Addendum, dated March 31, 2015, to the Legal Services Agreement with Meyers, Nave, Riback, Silver & Wilson (“Meyers Nave”) for special counsel legal services in connection with endangered species, environmental and other issues relating to Fairview Park.

8. REQUEST FOR AMENDMENT TO COUNCIL POLICY 100-8 CITY COUNCIL CONFERENCE, MEETING AND TRAINING EXPENDITURES – Chief Executive Officer’s Department/Administration

RECOMMENDATION:

The CEO’s office recommends the consideration and adoption of proposed changes to Council Policy 100-8 (Attachment 1) which deals with City Council conference, meeting and training expenditures.

9. **PARTICIPATION IN ECONOMIC DEVELOPMENT CONFERENCE AND CONSIDERATION TO CANCEL THE CITY COUNCIL MEETING OF MAY 19, 2015** – Chief Executive Officer’s Department

RECOMMENDATION:

1. City Council provide formal approval, per Council Policy 100-8 (Attachment 1) for both Mayor Mensinger and Mayor Pro Tem Righeimer to attend the annual RECon – The Global Retail Real Estate Convention – International Conference of Shopping Centers (ICSC) in Las Vegas, Nevada on May 17-20, 2015, along with City staff; and
2. City Council approve canceling the May 19, 2015 City Council Meeting and that Staff ensure appropriate coordination and communication with residents and the business community.

10. **DESIGNATION OF VOTING DELEGATE FOR THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) 2015 REGIONAL CONFERENCE AND GENERAL ASSEMBLY** – Chief Executive Officer’s Department/ Administration

RECOMMENDATION:

City Council designate Council Member Genis as the delegate for the upcoming Annual SCAG Regional Conference and General Assembly.

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

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

OLD BUSINESS:

1. **SECOND READING OF ORDINANCE 15-03 FOR CODE AMENDMENT CO-15-01 RELATED TO SMALL LOT ORDINANCE** – Development Services Department

RECOMMENDATION:

City Council give second reading, to be read by title only and further reading waived, and adopt Ordinance No. 15-03, amending Title 13, Chapter V, Article 2.5, Residential Small Lot Subdivision, of the Costa Mesa Municipal Code.

NEW BUSINESS:

1. **APPOINTMENTS TO VARIOUS COMMITTEES AND THE SENIOR COMMISSION** – Chief Executive Officer’s Department/City Clerk’s Office

RECOMMENDATION:

1. City Council make appointments to fill two additional regular member positions on the Senior Commission; and
2. City Council make appointments to fill five regular member vacancies and two alternate member vacancies on the Access, Building, Fire and Housing Board of Appeal; and
3. City Council make appointments to fill seven regular member vacancies and two alternate member vacancies on the Cultural Arts Committee; and
4. City Council make appointments to fill four regular member vacancies and one alternate member vacancy on the Historical Preservation Committee; and
5. City Council make appointments to fill six regular member vacancies on the Housing and Public Service Grant Committee; and
6. City Council make appointments to fill nine regular member vacancies on the Pension Oversight Committee; and
7. City Council make appointments to fill four regular member vacancies: two at-large representatives, one major developers’ representative, and one small developers’ representative, on the Traffic Impact Fee Ad Hoc Committee; and
8. City Council make appointments to fill fifteen regular member vacancies on the Bikeway and Walkability Committee.

ITEMS REMOVED FROM THE CONSENT CALENDAR

REPORT – CITY ATTORNEY

ADJOURNMENT in Memory of Joel Moskowitz’.

UPCOMING COMMUNITY ACTIVITIES, EVENTS AND MEETINGS

- Coffee with a Cop, Join members of the Costa Mesa Police Department for coffee and conversation, Wednesday, April 8, 2015, 5:00 p.m. – 7:00 p.m., Panera, 235 E. 17th Street.
- Tip-a-Cop, Annual fundraiser to support Special Olympics, Thursday, April 9, 2015, 5:00 p.m. – 9:00 p.m., Claim Jumper, 3333 Bristol Street.
- Meet the Mayor, Sunday, April 12, 2015, 2:00 p.m. – 4:00 p.m., Mayor's Office, Costa Mesa City Hall, 77 Fair Drive. For more information, please call (714) 754-5107.
- Special Closed Session, Costa Mesa Police Association Negotiations, Tuesday, April 14, 2015, 5:00 p.m., City Hall – Council Chambers, 77 Fair Drive.
- Community Meetings for the Library Expansion Project, Thursday, April 16, 2015 and Thursday, May 21, 2015, 6:00 p.m., Neighborhood Community Center, 1845 Park Ave.
- 22nd Annual SOS Wild & Crazy Taco Night, Share Our Selves, Thursday, April 16, 2015, 5:30 p.m. – 7:30 p.m., 1550 Superior Avenue.
- Walk with the Mayor, Friday, April 17, 2015, 5:30 a.m. – 7:30 a.m., Estancia High School Parking Lot, 2023 Placentia Avenue.
- The Costa Mesa Historical Society Presents: The Buffalo Soldier, Sunday, April 19, 2015, 2:30 p.m., Costa Mesa Historical Society, 1870 Anaheim Avenue, for more information, please visit, www.costamesahistory.org
- OC Fair Imaginology – 36th Annual non-profit education and entertainment fair, Friday – Sunday, April 24 – 26, 2015, OC Fair & Event Center, 88 Fair Drive. For more information, please visit www.ocfair.com
- Costa Mesa Community Run, Saturday, April 25, 2015 at 7:00 a.m. located at Fairview Park, 2323 Placentia Ave. For more information, please visit, www.cmr.run.org