

**ACTION REPORT
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 21, 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

CLOSED SESSION – 5:00 P.M.

1. Conference with legal counsel regarding existing litigation: City of Costa Mesa, et al v. Michael Cohen, et al, Sacramento County Superior Court, Case No. 34-2013-80001675, pursuant to California Government Code Section 54956.9(a).
2. Conference with legal counsel regarding existing litigation: City of Costa Mesa, a municipal corporation, et al., v. Civic Center Barrio Housing, Orange County Superior Court Case No. 30-2014-00715552-CU-BC-CJC, pursuant to California Government Code Section 54956.9(a).
3. Conference with legal counsel regarding existing litigation: Myra Bailey v. City of Costa Mesa, a municipal corporation, et al, Orange County Superior Court Case No. 30-2013-00676207, pursuant to California Government Code Section 54956.9(a).
4. Conference with legal counsel regarding existing litigation: Costa Mesa City Employees Association (CMCEA) 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).

FOR INFORMATIONAL PURPOSES ONLY

REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY – 5:45 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE Mayor Pro Tem Righeimer

CITY ATTORNEY CLOSED SESSION REPORT – NONE

- COIN: Ex Parte Communications pursuant to Municipal Code Section 2-238 (b) - None

CONSENT CALENDAR:

Items 3, 6 and 7 were pulled for separate consideration.

Items 1, 2, 4, 5, and 8

MOVED/SECOND: Council Member Monahan/Council Member Foley

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer, and Mayor Mensinger

Nays: None

Absent: None

Motions carried: 5-0

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**

ACTION:

City Council waived reading in full of Ordinances and Resolutions and approved and adopted of same by reading title only

2. **READING FOLDER**

a. Claims received by the City Clerk: Abraam Guirguis

ACTION:

City Council received and filed.

FOR INFORMATIONAL PURPOSES ONLY

4. FINAL MAP FOR TRACT NO. 17781 LOCATED AT 2026 PLACENTIA AVENUE, COSTA MESA, CALIFORNIA

ACTION:

City Council approved the Final Map for Tract No. 17781 and authorized the signing of the map by the City Clerk and the City Engineer.

5. MINUTES

(A) MOVED/SECOND: Council Member Monahan/Council Member Foley

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Abstain: Council Member Foley (Not a Council Member at those meetings)

Motion carried: 4-0-1

ACTION:

City Council approved the minutes of the Special Meeting of the City Council of April 22, 2014; Minutes of the Special Study Session of April 29, 2014; Minutes of the Special Joint Study Session of the City Council and Planning Commission of June 10, 2014; and Minutes of the Regular City Council and Successor Agency Meeting of September 20, 2011; and April 15, 2014.

(B) MOVED/SECOND: Council Member Monahan/Council Member Foley

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer, and Mayor Mensinger

Nays: None

Absent: None

Abstain: None

Motion carried: 5-0

ACTION:

City Council approved the minutes of the Regular City Council and Successor Agency Meeting of April 7, 2015; and Minutes of the Closed Session Meeting of the City Council of April 14, 2015.

8. PROFESSIONAL SERVICES AGREEMENT WITH TRI PLANNING GROUP FOR INTERIM MANAGEMENT ASSISTANCE REGARDING COMMUNITY IMPROVEMENT EFFORTS

ACTION:

City Council provided authorization for the City CEO to enter into a Professional Services Agreement with the Tri Planning Group to provide interim management assistance regarding community improvement efforts in an amount not to exceed \$100,000.

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

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

- 1. APPEAL OF PLANNING APPLICATION PA-14-39 FOR A CONDITIONAL USE PERMIT TO CONSTRUCT A CONVENIENCE STORE WITHOUT ALCOHOLIC BEVERAGE SALES AND WITH A VARIANCE FROM THE LANDSCAPED SETBACK REQUIREMENT LOCATED AT 2281 NEWPORT BOULEVARD (UNION 76)**

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Righeimer

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

1. City Council upheld the Planning Commission’s approval of the proposed convenience store, including a specific requirement for a Buyer’s Notice related to the restriction on alcoholic beverage sales in the new convenience store.

OLD BUSINESS:

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

MOVED/SECOND: Mayor Pro Tem Righeimer/Council Member Monahan

The motion carried by the following roll call vote:

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

Nays: Council Member Foley and Council Member Genis

Absent: None

Motion carried: 3-2

ACTION:

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

FOR INFORMATIONAL PURPOSES ONLY

NEW BUSINESS:

1. AUTHORIZATION OF CONSTRUCTION OF COMMUNITY MEETING ROOM AND OUTDOOR MEETING SPACE AND REMODEL EMPLOYEE LOUNGE AT CITY HALL

MOVED/SECOND: Council Member Monahan/Council Member Foley

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Monahan, and Mayor Pro Tem Righeimer

Nays: Council Member Genis and Mayor Mensinger

Absent: None

Motion carried: 3-2

ACTION:

1. City Council approved designating \$992,000 to convert City Hall's former print shop into a community meeting room with broadcasting capabilities; and direct City staff to issue a Notice Inviting Bids (NIB) for the conversion of the former print shop into a community meeting room; and
2. City Council directed City staff to issue a Notice Inviting Bids (NIB) to remodel employee/community lounge; and
3. City Council authorized Request for Proposals (RFPs) for design, construction documents and bids for an outdoor meeting space on the south side of City Hall adjacent to the new community meeting room.

ITEMS REMOVED FROM THE CONSENT CALENDAR

3. WARRANT RESOLUTION NO. 2534 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 15-08 FOR \$2,068,818.25; AND CITY OPERATING EXPENSES FOR \$1,755,350.99; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

MOVED/SECOND: Mayor Pro Tem Righeimer/Council Member Monahan

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger

Nays: None

Absent: None

Abstain: None

Motion carried: 5-0

ACTION:

Approved Warrant Resolution No. 2534, to be read by the title only, and waived further reading.

FOR INFORMATIONAL PURPOSES ONLY

6. NOTICE OF INTENT FOR THE VACATION OF A PORTION OF FULLERTON AVENUE AT 155 FLOWER STREET

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Righeimer

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger

Nays: None

Absent: None

Abstain: None

Motion carried: 5-0

ACTION:

1. City Council set the Public Hearing on June 2, 2015 for the vacation of a portion of Fullerton Avenue Right-Of-Way (ROW); and
2. City Council Adopted Resolution No. 15-12, to be read by title only, and waived further reading.

7. REQUEST FOR “RESIDENT ONLY” PARKING RESTRICTION ON WALLACE AVENUE BETWEEN VICTORIA STREET AND HAMILTON STREET

MOVED/SECOND: Council Member Monahan/Council Member Foley

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger

Nays: None

Absent: None

Abstain: None

Motion carried: 5-0

ACTION:

1. City Council adopted Resolution No. 15-13, to be read by title only, and waived further reading, approving the implementation of a “Resident Only” parking restriction on Wallace Avenue, between Victoria Street and Hamilton Street; and
2. City Council authorized the Transportation Services Manager to extend the “Resident Only” parking restriction for a maximum 1,000 foot radius from the above limits, as needed.

REPORT – CITY ATTORNEY

ADJOURNMENT – The Mayor and City Council adjourned at 8:24 p.m.