

AMENDED AGENDA*
CITY OF COSTA MESA
REGULAR CITY COUNCIL, AND SUCCESSOR AGENCY
TO THE REDEVELOPMENT AGENCY* MEETING AND
SPECIAL JOINT MEETING WITH THE COSTA MESA
HOUSING AUTHORITY

***PUBLIC HEARING ITEM #3 AND NEW BUSINESS ITEM #2 HAVE
BEEN WITHDRAWN FROM THE AGENDA**

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

TUESDAY, JUNE 2, 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

CITY OF THE ARTS

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 meeting 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: 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).
2. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organization: Costa Mesa City Employee Association (CMCEA), pursuant to California Government Code Section 54957.6.
3. 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).

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 AND SPECIAL JOINT MEETING WITH THE COSTA MESA HOUSING AUTHORITY – 5:45 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE Council Member Foley

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 Tim McCalmont, Presbyterian Church of the Covenant, 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.

PRESENTATIONS:

1. Signature Academy Program
2. Mesa Water District's Water Conservation Measures
3. City of Costa Mesa's Water Conservation Mandate Implementation

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COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

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

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: Theresa Hollowell

RECOMMENDATION:

City Council receive and file.

3. **WARRANT RESOLUTION NO. 2536 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 15-09 "A" FOR \$637.91 15-10 FOR \$2,029,891.66, 15-10 "A" FOR (\$-4,245.93) AND 15-11 FOR \$2,035,154.99; AND CITY OPERATING EXPENSES FOR \$2,932,493.92; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID** – Finance Department

RECOMMENDATION:

Approve Warrant Resolution No. 2536, to be read by the title only, and waive further reading.

4. **DESTRUCTION OF FILES FOR THE FINANCE DEPARTMENT BY ADOPTION OF RESOLUTION** – Finance Department

RECOMMENDATION:

1. City Council adopt Resolution No. 15-XX, to be read by title only, and waive further reading, authorizing destruction of various Finance Department records dated 1980 to 2008, that are obsolete, of no legal effect, without historical value, and past the legal retention period pursuant to State Law.

5. [MINUTES OF THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY MEETING OF MAY 5, 2015; MINUTES OF THE SPECIAL CLOSED SESSION MEETING OF THE CITY COUNCIL OF MAY 5, 2015; AND MINUTES OF THE CITY COUNCIL STUDY SESSION OF MAY 12, 2015](#) – Chief Executive Officer’s Department/City Clerk’s Office

RECOMMENDATION:

City Council approve the minutes.

6. [TRAFFIC MANAGEMENT SERVICES AGREEMENT WITH THE 32ND DISTRICT AGRICULTURAL ASSOCIATION](#) – Police Department/Support Services Division

RECOMMENDATION:

1. City Council approve the 2015 contract for traffic management services between the Costa Mesa Police Department and the 32nd District Agricultural Association for the Orange County Fair; and
2. City Council authorize the Chief Executive Officer or his designee, to sign the contract. The term of the agreement is July 17, 2015 through August 16, 2015 and the maximum amount is \$365,000.

7. [TRAFFIC MANAGEMENT SERVICES AGREEMENT WITH THE 32ND DISTRICT AGRICULTURAL ASSOCIATION](#) – Police Department/Support Services Division

RECOMMENDATION:

1. City Council approve the 2015 contract for traffic management services between the Costa Mesa Police Department and the 32nd District Agricultural Association for all designated Interim Events of the Orange County Fair and Exposition Center; and
2. City Council authorize the Chief Executive Officer or his designee, to sign the contract. The term of the agreement is April 1, 2015 through March 31, 2016 and the maximum amount shall not to exceed \$70,000.

8. **HOUSING AUTHORITY BUDGET FOR FY15-16** – Development Services
Department/Housing Community Development

RECOMMENDATION:

1. City Council approve the Housing Authority Budget for Housing and Community Development (HCD) expenses for FY15-16 (Exhibit A); and
2. Housing Authority approve the Housing Authority Budget for Housing and Community Development (HCD) expenses for FY15-16.

9. **PROFESSIONAL SERVICES AGREEMENT WITH JAMZCLAN CONSULTING, LLC FOR INTERIM SUPPORT SERVICES MANAGEMENT** – Police Department/Support Services Management

RECOMMENDATION:

City Council authorize the City CEO to process final payment to JAMZCLAN Consulting, LLC totaling \$3,787.50 for services rendered beyond the original professional services agreement of \$50,000.

10. **VEHICLE RENTAL FROM ENTERPRISE RENT-A-CAR HOLDINGS THROUGH COOPERATIVE PRICING AGREEMENT** – Police Department/Support Services Division

RECOMMENDATION:

1. City Council approve the service agreement for vehicle rentals through the Western States Contracting Alliance (WSCA) Master Price Agreement No. 9950 with Enterprise Rent-A-Car Holdings, 28112 Camino Capistrano, Laguna Niguel, CA 92677 in the amount not to exceed \$83,000 annually; and
2. City Council authorize the Mayor and the City Clerk to execute the Participating Agency Addendum for the pricing contract; and
3. City Council authorize the Chief Executive Officer to sign for any justified rate increase to the contract within his signing authority and to extend the contract for four (4) additional one-year terms.

11. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA APPROVING AN AMENDMENT TO THE 2009 WASTE DISPOSAL AGREEMENT WITH THE COUNTY OF ORANGE](#) – Public Services Department/Administration

RECOMMENDATION:

1. City Council adopt Resolution No. 15-15, to be read by title only, and waive further reading (Attachment 1), amending the Waste Disposal Agreement (WDA) between the County of Orange and the City of Costa Mesa to allow for the continued importation of waste at the County's three (3) landfills and to extend the terms of the WDA through June 30, 2025; and
2. City Council authorize the Mayor and the City Clerk to sign and execute the agreement.

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

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

1. **BUSINESS IMPROVEMENT AREA (BIA) REAUTHORIZATION AND RESOLUTION TO LEVY ANNUAL ASSESSMENT** – Chief Executive Officer’s Department

RECOMMENDATION:

1. City Council conduct a public hearing regarding the Business Improvement Area (BIA) reauthorization and approve Resolution No. 15-XX, to be read by title only, and waive further reading, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, LEVYING AN ANNUAL ASSESSMENT FOR FISCAL YEAR 2015-2016 FOR A BUSINESS IMPROVEMENT AREA COVERING CERTAIN COSTA MESA HOTELS AND MOTELS (Attachment 1); and
2. City Council receive and file audited financial report for Fiscal Year 2013-14 (Attachment 2); and
3. City Council authorize the annual Fiscal Year 2015-16 expenditure of \$164,000 for additional community marketing and support budget (Attachment 3).

2. **PUBLIC HEARING FOR THE VACATION OF A PORTION OF FULLERTON AVENUE AT 155 FLOWER STREET** – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council conduct a public hearing regarding the vacation of a portion of Fullerton Avenue at 155 Flower Street; and
2. City Council adopt Resolution No. 15-25, to be read by title only, and waive further reading, ordering the vacation of a portion Fullerton Avenue Right-Of-Way at 155 Flower Street (Attachment 1); and
3. City Council authorize execution of the Quitclaim Deed by the Mayor and the City Clerk (Attachment 2).

3. ~~PROPOSED 2015 UPDATE TO THE PARK IN-LIEU IMPACT FEES (PARK FEES)~~ – THIS ITEM HAS BEEN WITHDRAWN FROM THE AGENDA

OLD BUSINESS:

1. SECOND READING OF ORDINANCE NO. 15-04 FOR REZONE R-14-03 – Development Services Department

RECOMMENDATION:

City Council give second reading, to be read by title only, and waive further reading, and adopt Ordinance No. 15-04, approving Rezone R-14-03 for a rezone (or change) of the zoning classification of the site from Administrative and Professional (AP) District to Multiple-Family Residential District, High Density (R2-HD) District (up to 14.5 dwelling units per acre) at 1239 Victoria Street.

NEW BUSINESS:

1. APPOINTMENTS TO THE TRAFFIC IMPACT FEE AD HOC COMMITTEE, BIKEWAY AND WALKABILITY COMMITTEE AND PENSION OVERSIGHT COMMITTEE – Chief Executive Officer's Department

RECOMMENDATION:

1. City Council make an appointment to fill one at-large representative on the Traffic Impact Fee Ad Hoc Committee; and
2. City Council make appointments to: a) fill two regular member vacancies on the 15-member Bikeway and Walkability Committee; or b) designate school district and Chamber of Commerce representation as part of the 15 members; or c) increase number of committee seats to 17 (seventeen) to include permanent representation from the Newport Mesa United School District and the Chamber of Commerce; and
3. City Council make an appointment to fill one regular member vacancy on the Pension Oversight Committee.

**2. INFORMATION REGARDING A FORENSIC AUDIT FOR THE 60TH
ANNIVERSARY EVENT – THIS ITEM HAS BEEN WITHDRAWN FROM THE AGENDA**

ITEMS REMOVED FROM THE CONSENT CALENDAR

REPORT – CITY ATTORNEY

ADJOURNMENT – To Regular Meeting – June 16, 2015, at 5:00 p.m.

UPCOMING COMMUNITY ACTIVITIES,

- Friday, June 5, 2015 from 5:30 p.m. – 8:30 p.m. – First Friday Road Show, Costa Mesa City Hall Parking Lot, 77 Fair Dr., Costa Mesa
- Saturday, June 6, 2015 and Sunday, June 7, 2015 at 11:00 a.m. Relay for Life, Davis Field, 1050 Arlington Drive. For more information, please visit www.relayforlife.org
- Tuesday, June 9, 2015 at 5:30 p.m., Special Closed Session, Council Chambers, 77 Fair Dr., Costa Mesa
- Friday, June 12, 2015 at 5:30 p.m. Green vs. Black Spring Football Game, Costa Mesa High School Practice Field, 2650 Fairview Road, Costa Mesa
- Saturday, June 13, 2015, Estancia Basketball Community Shootout, 4 on 4 Basketball Tournament and 3-point Contest, Estancia High School, 2323 Placentia Avenue, Costa Mesa. For more information, please visit www.estanciabasketball.com
- Sunday, June 14, 2015 from 2:00 p.m. – 4:00 p.m. – Meet the Mayor, City Hall, Mayor's Office, 77 Fair Dr., Costa Mesa
- Thursday, June 18, 2015 at 6:00 p.m. – Community Meeting and Tour for the Library Expansion Project, Neighborhood Community Center (NCC), 1845 Park Ave, Costa Mesa, CA 92626
- Monday, June 22, 2015, Eagle/Mustang Open Golf Classic, Golf Tournament to support Estancia and Costa Mesa High School Golf Teams, Costa Mesa Country Club, 1701 Golf Course Drive, Costa Mesa
- Concerts in the Park, Tuesday evenings in July, Fairview Park, for more information, please visit www.costamesafoundation.org