

**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, JULY 21, 2015  
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE  
CLOSED SESSION – 5:30 P.M. (SPECIAL TIME)  
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 – 5:30 P.M.**

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).

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

**CITY ATTORNEY CLOSED SESSION REPORT – NONE**

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

## FOR INFORMATIONAL PURPOSES ONLY

### CONSENT CALENDAR:

Items 7, 9, 12, and 16 were pulled for separate consideration.

Items 1, 2, 3, 4, 5, 6, 8, 10, 11, 13, 14, 15, and 17

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

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: Council Member Foley

Motions carried: 4-0-1

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 adopted and approved Ordinances and Resolutions by reading title only, and further reading waived.

2. **READING FOLDER**

- a. Claims received by the City Clerk: Patricia Calavetta, and Robert Olson

**ACTION:**

City Council received and filed.

3. **WARRANT RESOLUTION NO. 2539 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 15-13 "A" FOR \$810.00 AND 15-14 \$2,058,112.32; AND CITY OPERATING EXPENSES FOR \$790,514.81; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID**

**ACTION:**

Approved Warrant Resolution No. 2539, to be read by the title only, and waived further reading.

## FOR INFORMATIONAL PURPOSES ONLY

4. **POMONA AVENUE ALLEY (ALLEY NO. 5), MENDOZA DRIVE ALLEYS (ALLEY NO. 51 AND ALLEY NO. 119), BEACH STREET ALLEY (ALLEY NO. 124), AND VELASCO LANE ALLEY (ALLEY NO. 125) IMPROVEMENT PROJECT – CITY PROJECT NO. 14-06**

**ACTION:**

1. City Council accepted the work performed by Black Rock Construction Company and authorized the City Clerk to file the Notice of Completion; and
2. City Council authorized the release of the Faithful Performance Bond one (1) year after the filing date; and authorized the release of the retention monies 35 days after the Notice of Completion filing date.

5. **MINUTES OF THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY MEETING AND SPECIAL JOINT MEETING WITH THE COSTA MESA HOUSING AUTHORITY OF JULY 7, 2015; AND MINUTES OF THE SPECIAL CLOSED SESSION MEETING OF THE CITY COUNCIL OF JULY 13, 2015**

**ACTION:**

City Council approved the minutes.

6. **FINAL MAP FOR TRACT NO. 17709 LOCATED AT 573-591 VICTORIA STREET, COSTA MESA, CALIFORNIA**

**ACTION:**

City Council approved the Final Map for Tract No. 17709 and authorized the signing of the Map by the City Clerk and City Engineer.

8. **A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF COSTA MESA AUTHORIZING ACCEPTANCE OF GRANT AWARDS FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR THE “SELECTIVE TRAFFIC ENFORCEMENT PROGRAM”**

**ACTION:**

1. City Council adopted Resolution 15-38, to be read by title only, and waived further reading, which authorizes the CEO or his designee to accept the grant awards from the California Office of Traffic Safety for: the “Selective Traffic Enforcement Program” (STEP); and
2. City Council approved Budget Adjustment #16-002 for the total amount of \$150,000 to increase revenue and appropriation for overtime and professional development associated with the 2016 OTS STEP grant.

## FOR INFORMATIONAL PURPOSES ONLY

### 10. NOTICE OF INTENT FOR THE VACATION OF A FLOWAGE EASEMENT AT 970 WEST 16<sup>TH</sup> STREET

#### **ACTION:**

1. City Council set a public hearing on September 1, 2015 for the vacation of a flowage easement at 970 West 16<sup>th</sup> Street; and
2. City Council adopted Resolution 15-40, to be read by title only, and waived further reading, of Intent to Vacate Flowage Easement at 970 West 16<sup>th</sup> Street.

### 11. NOTICE OF INTENT TO VACATE EXCESS RIGHT-OF-WAY AT 970 WEST 16<sup>TH</sup> STREET

#### **ACTION:**

1. City Council set a public hearing on September 1, 2015 for the vacation of excess Right-Of-Way (ROW) at 970 West 16<sup>th</sup> Street; and
2. City Council adopted Resolution 15-39, to be read by title only, and waived further reading, of Intent to vacate excess Right-Of-Way (ROW) at 970 West 16<sup>th</sup> Street.

### 13. CREATION OF ASSISTANT DIRECTOR – COMMUNITY IMPROVEMENT DIVISION JOB CLASSIFICATION AND CORRESPONDING SALARY RANGE

#### **ACTION:**

1. City Council approved the job classification and corresponding salary range for the budgeted Assistant Director of Community Improvement; and
2. City Council adopted Resolution No. 15-41, to be read by title only, and waived further reading, which amends Resolution No. 08-59 by establishing the new Assistant Director of Community Improvement classification with a top salary range of \$153,192 (\$9,526 to \$12,766 per month) under the Executive Salary Resolution.

### 14. RENEWAL OF THE MICROSOFT ENTERPRISE AGREEMENT

#### **ACTION:**

City Council approved and authorized the City CEO to execute the renewal of the Microsoft Enterprise Agreement for Microsoft Enterprise products through the County of Riverside Cooperative Agreement No. RIVCO-20800-002 with CompuCom Systems, Inc., effective August 2, 2015 through August 1, 2018, in an amount not to exceed \$214,460.28 or \$71,486.76 per year.

**FOR INFORMATIONAL PURPOSES ONLY**

**15. AWARD AN ANNUAL CONTRACT FOR THE PRINTING AND DELIVERY SERVICES OF THE RECREATION GUIDE**

**ACTION:**

City Council approved an annual price agreement contract with San Dieguito Printers for the printing and delivery services of the City's quarterly Recreation Guide, for a three (3) year term with the option of two (2) additional one (1) year renewal periods. The contract amount is estimated at \$51,030.32 annually for the company's services with a contract term not to exceed \$153,090.96 for three (3) years.

**17. APPROVAL OF THE APPOINTMENT OF COUNCIL MEMBER SANDRA GENIS TO THE ORANGE COUNTY VECTOR CONTROL DISTRICT**

**ACTION:**

City Council appointed Council Member Sandra Genis as the City of Costa Mesa's representative to the Orange County Vector Control District (OCVCD).

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

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

**1. REVIEW OF PARKS AND RECREATION COMMISSION'S ACTION ON MESA VERDE DRIVE AND CALIFORNIA STREET MEDIAN LANDSCAPE PLANT PALETTE**

**MOVED/SECOND:** Council Member Monahan/Council Member Genis

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: Council Member Foley

Motion carried: 4-0-1

**ACTION:**

1. City Council ratified the Parks and Recreation Commission's decision; and
2. City Council approved no changes in the noticing process.

## FOR INFORMATIONAL PURPOSES ONLY

### 2. **APPEAL OF THE PLANNING COMMISSION'S DENIAL OF ZONING APPLICATION ZA-15-01 FOR A DEVIATION FROM PARKING REQUIREMENTS FOR A GROUP COUNSELING USE AT 657 W. 19<sup>TH</sup> STREET**

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

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: Council Member Foley

Motion carried: 4-0-1

#### **ACTION:**

City Council upheld the Planning Commission's decision and adopted Resolution No. 15-42, to be read by title only, and waived further reading, and denied the Minor Conditional Use Permit ZA-15-01 to deviate from parking requirements for a group counseling use (Solid Landings) in a 6,710 square foot building (67 parking spaces is required for the use, 24 on-site parking spaces will be provided (29 existing spaces minus 5 spaces that will be lost when the West 19<sup>th</sup> Street gate is reopened per the conditions of approval) based on unique operating characteristics.

### 3. **APPEAL OF PLANNING APPLICATION PA-15-10 AND TENTATIVE TRACT MAP TT-178-70 FOR A 6-UNIT, DETACHED RESIDENTIAL DEVELOPMENT AT 2366 ORANGE AVENUE**

**MOVED/SECOND:** Mayor Mensinger/Council Member Monahan

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: Council Member Foley

Motion carried: 4-0-1

#### **ACTION:**

City Council upheld the Planning Commission's decision and adopted Resolution No. 15-44, to be read by title only, with changes to the Conditions of Approval; and further reading waived, and approved the proposed project, Planning Application PA-15-10; and Tentative Tract Map TT-178-70.

## FOR INFORMATIONAL PURPOSES ONLY

### 4. REZONE R-14-05, PLANNING APPLICATION PA-14-48, AND TENTATIVE TRACT MAP T-17824 FOR A 10-UNIT DETACHED SINGLE-FAMILY RESIDENTIAL DEVELOPMENT AT 2880 MESA VERDE DRIVE EAST

**MOVED/SECOND:** Council Member Monahan/Council Member Genis

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: Council Member Foley

Motion carried: 4-0-1

#### **ACTION:**

1. City Council approved the Initial Study/Negative Declaration (IS/ND); and
2. City Council gave the first reading to Ordinance No. 15-08, to be read by title only, and waived further reading, approving Rezone R-14-05; and
3. City Council approved Planning Application PA-14-48 and Tentative Tract Map T-17824 by adoption of Resolution No. 15-43, to be read by title only, and waived further reading.

**OLD BUSINESS: NONE**

**NEW BUSINESS:**

1. **COUNCIL DIRECTION FOR ALLOCATION OF FIELD USE FEES – THIS ITEM WAS WITHDRAWN FOR THE AGENDA AND NOT CONSIDERED.**

#### **ITEMS REMOVED FROM THE CONSENT CALENDAR**

7. **PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF FIRE STATION NO. 1**

**MOVED/SECOND:** Council Member Monahan/Council Member Genis

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: Council Member Foley

Abstain: None

Motion carried: 4-0-1

#### **ACTION:**

City Council awarded a contract to WLC Architects, Inc., 8163 Rochester Avenue, Suite 100, Rancho Cucamonga, California 91730, in an amount not to exceed \$499,000.00 for design services, and authorized the Mayor and the City Clerk to execute the Professional Services Agreement.

**9. APPARATUS ROOM EXTENSION AND RESCUE VEHICLE STORAGE BUILDING – FIRE STATION NO. 4 – CITY PROJECT NO. 15-10**

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

Abstain: None

Motion carried: 4-0-1

**ACTION:**

1. City Council adopted plans, specifications, and working details for Apparatus Room Extension and Rescue Vehicle Storage Building at Fire Station No. 4, City Project No. 15-10; and
2. City Council accepted the withdrawal of the bid submitted by Marjani Builders, Inc. at 26091 Ravenna Road, Mission Viejo, CA 92692; and
3. City Council awarded the construction contract to St. George Construction, Inc. at 7839 Adwen St., Downey, CA 90241, in the amount of \$690,000.00 (base bid plus additive item AD1); and
4. City Council authorized the Mayor and the City Clerk to execute the Public Works Agreement.

**12. WEST 19<sup>TH</sup> STREET BICYCLE TRAIL PROJECT**

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

Abstain: None

Motion carried: 4-0-1

**ACTION:**

1. City Council awarded the Professional Services Agreement for the design of the West 19<sup>th</sup> Street Bicycle Trail project to KOA Corporation, 2141 W. Orangewood Avenue, Suite A, Orange, CA 92868, in the amount of \$180,000; and
2. City Council authorized the Mayor and the City Clerk to execute the Professional Services Agreement.



**16. AMENDMENT TO EXTEND TERM OF CARE AMBULANCE SERVICES AGREEMENT**

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

Abstain: None

Motion carried: 4-0-1

**ACTION:**

City Council approved Amendment Number Four extending the term of the Ambulance Services Agreement with Care Ambulance Service, Inc., for the continuation of emergency ambulance and patient billing services until June 30, 2016.

**REPORT – CITY ATTORNEY**

**ADJOURNMENT** – The Mayor and City Council adjourned at 11:07 p.m.