

# **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."**

**THE REGULARLY SCHEDULED CLOSED SESSION AT 5:00 P.M. IS CANCELLED**

**TUESDAY, AUGUST 4, 2015  
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE  
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](mailto: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].

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

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE** Mayor Mensinger

**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 Josh Harrison, ROCKHARBOR Church, 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. Mayor's Award – Reiner Communities/Tower on 19<sup>th</sup>

**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 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. The three minute per speaker time limit may be extended for good cause by the Mayor or by a majority vote of City Council. Questions and comments made by public speakers may be addressed by the City Council during Council Comments or by the Chief Executive Officer during the CEO's Report.

## **COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS**

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

### **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: Carmen Contreras, and Ramon Martin

#### RECOMMENDATION:

City Council receive and file.

3. WARRANT RESOLUTION NO. 2540 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 15-14 "A" FOR \$2.74 AND 15-15 FOR \$2,119,338.88; AND CITY OPERATING EXPENSES FOR \$1,932,207.19; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID – Finance Department

RECOMMENDATION:

Approve Warrant Resolution No. 2540, to be read by the title only, and waive further reading.

4. AWARD CONTRACT FOR DEFERRED COMPENSATION PLAN MONITORING SERVICES – Finance Department

RECOMMENDATION:

1. City Council award a contract for Deferred Compensation Plan monitoring services for one year to Benefit Funding Service Group ("BFSG"), in the total amount of \$25,000, with an option to extend the contract in four one-year periods; and
2. City Council authorize the City Chief Executive Officer to sign and execute a professional services agreement with the selected firm, as approved by City Attorney's Office.

5. MINUTES OF THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY MEETING JULY 21, 2015 – Chief Executive Officer's Department/ City Clerk's Office

RECOMMENDATION:

City Council approve the minutes.

6. CONVERSION OF CODE ENFORCEMENT OFFICER POSITION TO PARK RANGER – Chief Executive Office

RECOMMENDATION:

City Council convert the newly created Code Enforcement Officer position approved in the FY 2015-16 adopted budget to an additional Park Ranger position within the Police Department.

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

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

**1. PROPOSED 2015 UPDATE TO THE PARK IN-LIEU FEES (PARK FEES)**

–Planning Division/Development Services Department

**RECOMMENDATION:**

1. City Council give first reading to Ordinance No. 15-XX, to be read by title only, and waive further reading, to institute new park fees for apartment projects (multi-family residences, renter); and
2. City Council adopt Resolution 15-XX, to be read by title only, and waive further reading, to update the City's parkland impact fees for residential subdivisions and apartments, including the corresponding formula.

OR

3. City Council provide direction to Staff regarding the park fee update and continue the meeting to a future specified date.

**2. APPEAL OF PLANNING COMMISSION'S APPROVAL OF CASE NO. PA-08-27A1 TO AMEND AN EXISTING CONDITIONAL USE PERMIT FOR A JEWELRY STORE WITH ANCILLARY PAWN SERVICES AT 1872 NEWPORT BOULEVARD** – Planning Division/Development Services Department

**RECOMMENDATION:**

City Council uphold the Planning Commission's decision and approve an amendment to the Conditional Use Permit PA-08-27A1 relating to certain conditions of approval for an existing jewelry store with ancillary pawn brokerage services at 1872 Newport Boulevard.

**3. APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF PLANNING APPLICATION PA-14-41: CONDITIONAL USE PERMIT FOR OPERATION OF AN OUTDOOR FARMERS MARKET AT 183 E. BAY STREET (ST. JOHN THE DIVINE EPISCOPAL CHURCH)** – Planning Division/Development Services Department

**RECOMMENDATION:**

City Council uphold the Planning Commission's decision and approve Planning Application PA-14-41 – A Conditional Use Permit (CUP) for the operation of a Farmers Market at an existing church (St. John the Divine Episcopal Church) from 9:00 a.m. to 3:00 p.m. on Saturdays.

4. [FIRST READING OF THE CAPITAL ASSET NEEDS ORDINANCE](#) – Finance Department

RECOMMENDATION:

City Council introduce for first reading, Ordinance No. 15-XX, to be read by title only, and waive further reading, regarding the Capital Asset Needs Ordinance.

**OLD BUSINESS:**

1. [SECOND READING OF ORDINANCE NO. 15-08: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING REZONE R-14-05 FOR THE PROPERTY LOCATED AT 2880 MESA VERDE DRIVE EAST FROM I&R \(INSTITUTIONAL AND RECREATIONAL\) TO SINGLE FAMILY RESIDENTIAL DISTRICT \(R1\)](#) – Planning Division/Development Services Department

RECOMMENDATION:

City Council give second reading and adopt Ordinance No. 15-08, to be read by title only, and waive further reading, to Rezone R-14-05 to rezone a 2-acre site from I&R (Institutional and Recreational) to R1 (Single Family Residential District), for property located at 2880 Mesa Verde Drive East.

**NEW BUSINESS:**

1. [URBAN MASTER PLAN SCREENING REQUEST \(UMP-15-01\) FOR A 10-UNIT DETACHED SMALL LOT RESIDENTIAL DEVELOPMENT WITHIN THE MESA WEST RESIDENTIAL OWNERSHIP URBAN PLAN LOCATED AT 527 AND 531 BERNARD STREET](#) – Planning Division/Development Services Department

RECOMMENDATION:

City Council provide feedback on a proposed Urban Master Plan for a 2- and 3-story, 10-unit, detached, small lot residential development project within the Mesa West Residential Ownership Urban Plan.

2. [COUNCIL DIRECTION FOR ALLOCATION OF FIELD USE FEES](#) – Chief Executive Office

RECOMMENDATION:

City Council provide direction to staff on allocation of field use fees paid by the Matt Leinart Flag Football Program.

3. [REQUEST FOR REFUND OF APPEAL FEE FOR ZA-15-01](#) – Chief Executive Officer's Office

RECOMMENDATION:

City Council provide direction responsive to the request for a refund of the appeal fee in the amount of \$690.00 to Ms. Ann Parker.

4. [DESIGNATION OF VOTING DELEGATE AND VOTING DELEGATE ALTERNATE FOR 2015 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE](#) – CEO's Office/Administration

RECOMMENDATION:

City Council designate a member of the City Council as Costa Mesa's voting delegate and a voting delegate alternate for the 2015 League of California Cities Annual Conference.

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

**REPORT – CITY ATTORNEY**

**ADJOURNMENT**

**UPCOMING COMMUNITY ACTIVITIES, EVENTS AND MEETINGS**

- Friday, August 7, 2015 from 5:30 p.m. – 7:30 p.m. – First Friday Road Show, Costa Mesa City Hall Parking Lot
- Saturday, August 8, 2015, 10:30 a.m. – Cattle Drive, for more information, please visit [www.ocfair.com](http://www.ocfair.com)
- Sunday, August 9, 2015, 8:00 a.m. – 7<sup>th</sup> Annual OC Fair 5K, for more information, please visit [www.ocfair.com](http://www.ocfair.com)
- Sunday, August 9, 2015 at 2:00 p.m. – Meet the Mayor – City Hall, Mayor's Office, 77 Fair Drive, Costa Mesa
- Monday, August 10, 2015 – Free Movie Mondays at Segerstrom Center for the Arts, 600 Town Center Drive. For more information, please visit [www.scfta.org](http://www.scfta.org)
- Friday, August 14, 2015, from 4:30 p.m. – 6:30 p.m. – Senior Center Summer Luau for more information, please visit [www.costamesaca.gov](http://www.costamesaca.gov)
- Saturday, August 15, 2015 from 11:00 a.m. – 1:30 p.m. – Girls Inc. Youth and Family Center – 1815 Anaheim Avenue, Costa Mesa. Enjoy free lunch and snacks, a bounce house, family fun activities, raffles, face painting, a dunk tank, and more! Learn about school year programming and meet your Girls Inc. staff. For more information please call (714) 597-8600.
- Tuesday, August 18, 2015 – City Council Meeting Cancelled
- Friday, August 21, 2015 from 5:30 a.m. to 7:30 a.m. – Walk with the Mayor – Residents can participate in the Walk and Talk with the Mayor for an approximately 90-minute walk. The group will meet at the Estancia High School parking lot adjacent to the tennis courts. For more information, please call (714) 754-5107.