

AMENDED AGENDA*
CITY OF COSTA MESA
REGULAR CITY COUNCIL, AND SUCCESSOR AGENCY
TO THE REDEVELOPMENT AGENCY MEETING**

*** CONSENT CALENDAR ITEM #6 HAS BEEN WITHDRAWN FROM THE AGENDA**

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

TUESDAY, OCTOBER 6, 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

Note regarding agenda-related documents provided to a majority of the City Council after distribution of the City Council agenda packet (GC §54957.5):

[Any related 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 documents may be posted—whenever possible 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].

SPECIAL CLOSED SESSION – 5:30 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, 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).

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.]

Principal Caleb McFerran, Christ Lutheran Church & School, 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 – Social
2. Back to School Bicycle Safety Event

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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: Southern California Edison, and Erica Berthold.

RECOMMENDATION:

City Council receive and file.

3. **WARRANT RESOLUTION NO. 2543 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 15-19 FOR \$2,073,899.05, 15-19 "A" FOR \$690.41; AND 15-20 FOR \$2,091,956.75; AND CITY OPERATING EXPENSES FOR \$2,435,921.02; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID** – Finance Department

RECOMMENDATION:

Approve Warrant Resolution No. 2543, to be read by the title only, and waive further reading.

4. **2013-2014 SLURRY SEAL PROJECT, CITY PROJECT NO. 13-15** – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council accept the work performed by American Asphalt South, Inc. and authorize the City Clerk to file the Notice of Completion; and
2. City Council authorize the release of the Faithful Performance Bond one (1) year after the filing date; and release the retention monies 35 days after the Notice of Completion filing date.

5. MINUTES OF THE SPECIAL JOINT STUDY SESSION OF THE CITY COUNCIL AND PLANNING COMMISSION MEETING OF SEPTEMBER 8, 2015; MINUTES OF THE CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY AND SPECIAL JOINT MEETING WITH THE COSTA MESA HOUSING AUTHORITY MEETING OF SEPTEMBER 15, 2015; AND THE SPECIAL CLOSED SESSION OF THE CITY COUNCIL MEETING OF SEPTEMBER 22, 2015 – Chief Executive Officer’s Department/ City Clerk’s Office

RECOMMENDATION:

City Council approve the minutes.

6. ~~FINAL MAP FOR TRACT NO. 17848 LOCATED AT 650 HAMILTON STREET, COSTA MESA, CALIFORNIA~~ – Public Services Department/Engineering Division – THIS ITEM HAS BEEN WITHDRAWN FROM THE AGENDA

7. RELEASE OF BONDS IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS14-00187 FOR STREET IMPROVEMENTS LOCATED AT 2300 HARBOR BOULEVARD, COSTA MESA, CALIFORNIA – Public Services Department/Engineering Division

RECOMMENDATION:

City Council release the Faithful Performance Bond (Certificate No. 389246-C) in the amount of \$67,350 and Labor and Materials Bond (Certificate No. 389246-C) in the amount of \$67,350 for street improvements to Action Development (Contractor), 19060 Rising Sun Road, Corona, California 92881.

8. NOTICE OF INTENT FOR THE VACATION OF A PORTION OF SIDEWALK AND LANDSCAPE EASEMENT AT 580 ANTON BOULEVARD – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council set a Public Hearing on November 3, 2015 for the vacation of a portion of Sidewalk and Landscape Easement at 580 Anton Boulevard; and
2. City Council adopt Resolution No. 15-XX, to be read by title only, and further reading waived, of intent to vacate a portion of Sidewalk and Landscape Easement.

9. **FAIRVIEW PARK NORTH BLUFF TRAIL REALIGNMENT – CHANGE ORDER NO. 3** – Public Services Department/Engineering Division

RECOMMENDATION:

City Council approve Contract Change Order No. 3 in the amount of \$82,727.00 and authorize the Chief Executive Officer to execute Contract Change Order No.

10. **AWARD THE PURCHASE OF ONE NEW 2015 CATERPILLAR 420F BACKHOE LOADER** – Public Services Department/Maintenance Services Division

RECOMMENDATION:

City Council approve and authorize the Chief Executive Officer to execute an agreement for the purchase of one (1) new 2015 Caterpillar Backhoe Loader, model 420-F2, with an extended warranty and two (2) Caterpillar pin-lock buckets, through the National Joint Powers Alliance (NJPA) #032515-CAT with Quinn CAT Company, 25961 Wright Street, Foothill Ranch, CA 92610 in the amount of \$127,734.63.

11. **AWARD THE PURCHASE OF ONE NEW 2016 FORD F450, 'ROADLINE' STENCIL PAINT TRUCK** – Public Services Department/Maintenance Services Division

RECOMMENDATION:

City Council approve and authorize the Chief Executive Officer to execute an agreement for the purchase of a 2016 Ford F450, 2-wheel drive supercab truck with a 'Roadline TPMT' stencil/paint truck bed through the National Joint Powers Alliance (NJPA) #102811-NAF with National Auto Fleet Group, 490 Auto Center Drive, Watsonville, California 95076 in the amount of \$114,759.27.

12. **DONATION OF PARATRANSIT VEHICLE FROM THE ORANGE COUNTY TRANSPORTATION AUTHORITY SENIOR MOBILITY PROGRAM** – Public Services Department/Maintenance Services Division

RECOMMENDATION:

City Council accept the donation of a 2007 Ford El Dorado, Paratransit Vehicle from the Orange County Transportation Authority (OCTA) Senior Mobility Program.

13. HARBOR BOULEVARD AND ADAMS AVENUE INTERSECTION IMPROVEMENT PROJECT, CITY PROJECT NO. 13-09 – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council accept the work performed by All American Asphalt and authorize the City Clerk to file the Notice of Completion; and
2. City Council release the Labor and Material Bond seven (7) months after the filing date; release the Faithful Performance Bond one (1) year after the filing date; and release the retention monies 35 days after the Notice of Completion filing date.

14. PROFESSIONAL AUDIO/VIDEO DESIGN SERVICES FOR CITY COUNCIL CHAMBERS, CONFERENCE ROOM 1A AND NEW COMMUNITY MEETING ROOM; AND AUDIO/VIDEO RELATED CONSTRUCTION MANAGEMENT SERVICES – Chief Executive Office

RECOMMENDATION:

1. City Council award a professional services agreement to Triton Technology in an amount not to exceed \$136,125 for audio/video consulting services to:
 - a) Update City's existing audio/video design and specifications for upgrades to City Council Chambers, Conference Room 1A and Costa Mesa TV broadcast systems, and
 - b) Provide audio/video design services for a new community meeting room located in the former print shop of City Hall; and
 - c) Provide related audio/video construction management services; and
2. City Council authorize the City's Chief Executive Officer to execute the Professional Services Agreement.

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

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

OLD BUSINESS: NONE

NEW BUSINESS:

1. PROPOSED GENERAL PLAN LAND USE ALTERNATIVE FOR THE YEAR 2015-2025 GENERAL PLAN UPDATE – Development Services Department

RECOMMENDATION:

City Council direct the following direction to Staff for the Year 2015-2025 General Plan Update for each item by separate action:

A. For the Proposed General Plan Land Use Alternative, direct staff to include the following:

1. **Residential Incentive Overlay** consisting of 40 du/acre along Harbor Boulevard and Newport Boulevard.
2. **Seegerstrom Home Ranch** at a maximum of 1.2 million square feet, or 0.64 FAR of office uses on the development site.
3. **Sakioka Lot 2** at a maximum density of 80 dwelling units per acre without any changes to the existing trip budget, maximum 660 units, and any other development standards as specified in the North Costa Mesa Specific Plan.
4. **SoBECA** Mixed-use Overlay Zone with a site-specific density of 40 dwelling units per development lot with an overall cap of 20 du/acre in the overall urban plan area.
5. **Harbor Mixed-Use Overlay Zone** as a new mixed-use planned development area with a maximum 1.0 FAR and maximum specified residential density.
6. **Fairview Development Center** property with a new land use designation consisting of: (a) 0.25 FAR Institutional/Recreational, (b) Minimum 25% open space for recreational purposes (approximately 28 acres), and (c) Maximum 500 dwelling units at 15 du/acre (or maximum 25 du/acre) with a density bonus.
7. **LA Times Site** at a maximum 0.64 FAR for office uses and 0.54 FAR for retail/commercial uses in a Commercial Center land use designation.

B. For other Alternative(s):

1. Direct staff to study any other Land Use Alternative(s) in addition to the Proposed General Plan Land Use Alternative specified above.

2. **PROPOSED URBAN PLAN AMENDMENT TO AMEND THE SOBCECA AND WESTSIDE URBAN PLANS** – Development Services Department

RECOMMENDATION:

City Council direct Staff to proceed with an Urban Plan Amendment to amend the SoBECA and Westside Urban Plans.

3. **GENERAL PLAN SCREENING GPS-14-04 FOR PROPOSED 28-UNIT RESIDENTIAL PROJECT AT 440 FAIR DRIVE** – Planning Division/ Development Services Department

RECOMMENDATION:

City Council accept or deny General Plan Amendment request for processing to amend the land use designation from Neighborhood Commercial to Planned Development Residential related to development of a 28-unit residential development at 440 Fair Drive.

ITEMS REMOVED FROM THE CONSENT CALENDAR

REPORT – CITY ATTORNEY

ADJOURNMENT

UPCOMING COMMUNITY ACTIVITIES, EVENTS AND MEETINGS

- Wednesday, October 7, 2015 from 6:00 p.m. to 7:00 p.m., Fire Safety Day at Chick-fil-A located at 3181 Harbor Blvd. For more information, please contact Brenda Emrick at (714)-327-7406.
- Saturday, October 10, 2015 from 6:00 a.m. – 12:00 p.m. – The Cyclist Rally – Free Rally Rides for All – 1785 Newport Blvd, Costa Mesa. For more information, please email info@thecyclist.com or call (949) 645-8691.
- Saturday, October 10, 2015 from 10:00 a.m. to 2:00 p.m. Fire Department Open House Activities - all participating Fire Stations with the exception of Fire Station No. 4. Fire Safety activities will take place on the hour including how to use an extinguisher, smoke alarm and home safety plans. For more information, please contact Brenda Emrick at (714) 327-7406.
- Saturday, October 10, 2015 from 1:00 p.m. – 4:00 p.m. – Halecrest Park's Annual Chili Cook-Off – Halecrest Park – 3107 Killybrooke Lane, Costa Mesa, Free Admission. For more information, please call (714) 557-7234.
- Sunday, October 11, 2015 at 8:00 a.m., Making Strides Against Breast Cancer, Segerstrom Center for the Arts, 600 Town Center Dr, Costa Mesa, for more information, please visit www.makingstrideswalk.org
- Sunday, October 11, 2015 – Please note that Meet the Mayor is CANCELLED.
- Tuesday, October 13, 2015 at 5:00 p.m. – City Council Study Session – Council Chambers – 77 Fair Drive, Costa Mesa.

- Thursday, October 15, 2015 from 7:00 a.m. – 8:45 a.m., Costa Mesa Chamber of Commerce 90-Minute Breakfast Boost, Costa Mesa Country Club, 1701 Golf Course Drive, for more information, please visit www.costamesachamber.com
- Friday, October 16, 2015 from 5:30 a.m. – 7:30 a.m. – Walk with the Mayor – Estancia High School Parking Lot – 2323 Placentia Avenue, Costa Mesa.
- Saturday, October 17, 2015 at 9:00 a.m., 6th Annual Two Wheels One Planet Breast Cancer Awareness Ride, 420 E. 17th Street, for more information, please visit www.twowheelsoneplanet.com
- Saturday and Sunday, October 17 – 18, 2015, from 10:00 a.m. to 4:00 p.m., CERT “Fund”raiser at Bob’s Old Fashioned Ice Cream at the OC Market Place located at 88 Fair Drive, Costa Mesa. CERT Members will be sharing preparedness information and serving up delicious ice cream to help raised funds to improve our neighborhood response capabilities and equipment. For more information, please contact Brenda Emrick at (714) 327-7406.
- Saturday and Sunday, October 17 – 18, 2015 from 10:00 a.m. – 3:00 p.m. – Scarecrow Pumpkin Festival – Fairview Park at Goat Hill Junction on Placentia Avenue between Adams and Wilson. Free Community event for the whole family. For more information, please call (949) 436-5460 or visit www.ocmetrains.org/scarecrow_pumpkin.html
- Wednesday, October 21, 2015 from 9:30 a.m. to 11:30 a.m. Business Preparedness Academy – National University with South Coast Metro Alliance and the Costa Mesa Chamber of Commerce. For more information, please contact Brenda Emrick at (714)-327-7406.