

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

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

TUESDAY, MAY 3, 2016
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

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].

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 anticipated litigation, significant exposure to litigation pursuant to California Government Code Section 54956.9(d)(2) for 1 potential case – Correspondence received regarding Voting Rights Act.
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: Phillip A. Luchesi and Karen S. Luchesi vs. City of Costa Mesa, et al, Superior Court of California, County of Orange, Case No. 30-2015-00824266-CU-WM-CXC, pursuant to California Government Code Section 54956.9(d)(1).
4. Conference with legal counsel regarding existing litigation: The Kennedy Commission, et al vs. City of Costa Mesa, Superior Court of California, County of Orange, Case No. 30-2016-00832585-CU-WM-CJC, pursuant to California Government Code Section 54956.9(d)(1).

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, HOUSING AUTHORITY,
AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY –
5:45 P.M.**

CALL TO ORDER

PLEDGE OF ALLEGIANCE Council Member Genis

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 Dr. Jim Turrell, Center for Spiritual Living Newport-Mesa, 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 – Chick-fil-A

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COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

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

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. [WARRANT RESOLUTION NO. 2556 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 16-08 "A" FOR \\$1,191.12; and 16-09 FOR \\$2,089,197.86; AND CITY OPERATING EXPENSES FOR \\$824,635.53; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID](#) – Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2556.

2. [MINUTES OF THE REGULAR CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY](#)
Chief Executive Officer's Department/ City Clerk's Office

RECOMMENDATION:

City Council approve the minutes of April 19, 2016.

3. **APPARATUS ROOM EXTENSION AND RESCUE VEHICLE STORAGE BUILDING, FIRE STATION NO. 4, CITY PROJECT #15-10**

Public Services Department/Engineering Division

RECOMMENDATION:

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

4. **EMERGENCY REMOVAL OF UNDERGROUND FUEL STORAGE TANK**

Public Services Department/Maintenance Services Division

RECOMMENDATION:

City Council receive and file.

5. **FINAL MAP FOR TRACT NO. 17869 LOCATED AT 1672 PLACENTIA AVENUE, COSTA MESA, CALIFORNIA**

Public Services Department/Engineering Division

RECOMMENDATION:

City Council approve the Final Map for Tract No. 17869 and authorize signing of the Map by the City Clerk and the City Engineer.

6. **TEMPORARY WEB MASTER CONSULTANT SERVICES FOR THE DESIGN AND DEVELOPMENT OF THE CITY'S INTERNAL WEB PLATFORM AND APPLICATIONS** – Information Technology Department

RECOMMENDATION:

Staff recommends that the City Council:

1. Requested Services – Authorize temporary web master services to rebuild and develop the internal web platform and applications; and
2. Compensation for Requested Services – Authorize the City CEO to sign the Professional Services Agreement with Robert Half Technology, d.b.a. Protiviti Government Services, in an annual contract amount not to exceed \$178,000.00.

7. **ESTABLISHMENT OF THE NEW CLASSIFICATION OF EMERGENCY SERVICES ADMINISTRATOR** – CEO's Office/Human Resources Division

RECOMMENDATION:

Staff recommends that the City Council:

Adopt Resolution No. 16-xx, which amends Resolution 15-34 establishing the new Emergency Services Administrator job classification; and corresponding salary range of \$7,682 - \$10,296 (Tier 1) and \$6,969 - \$9,338 (Tier 2) per month.

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

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

1. **PUBLIC HEARING FOR FISCAL YEAR 2016-2017 FUNDING PRIORITIES FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)**

Development Services Department/Housing and Community Development

RECOMMENDATION:

1. City Council hold a Public Hearing regarding the 2016-2017 Annual Action Plan; and
2. City Council approve recommended allocation of \$990,347 for the Fiscal Year 2016-2017 Community Development Block Grant (CDBG) Application; and
3. City Council approve recommended allocation of \$338,895 for the Fiscal Year 2016-2017 HOME Investment Partnership Grant; and
4. City Council approve Resolution 16-xx to authorize the following:
 - a. City's Chief Executive Officer (CEO) to act as the official representative of the City in order to submit the 2016-2017 Annual Action Plan and all certifications and assurances contained therein; and
 - b. CEO to act in connection with submission of the Annual Action Plan; and
 - c. CEO to approve minor changes and provide additional information as may be required.

OLD BUSINESS: NONE

NEW BUSINESS:

1. [CITY COUNCIL RESOLUTION OF INTENTION RELATING TO A PROPOSED BALLOT MEASURE TO AUTHORIZE ACQUISITION, CONSTRUCTION, OR COMPLETION OF A CITY PLAN OF MUNICIPAL IMPROVEMENTS FOR AFFORDABLE RENTAL HOUSING PURPOSES IN THE CITY, EXCLUDING THE R-1 SINGLE-FAMILY ZONES, AND THEIR FINANCING THROUGH THE ISSUANCE OF A GENERAL OBLIGATION BOND](#)

CEO's Office/City Attorney

RECOMMENDATION:

1. City Council adopt Resolution No. 16-xx determining the public interest and necessity demands the acquisition, construction or completion of certain municipal improvements for affordable rental housing purposes and their financing through the issuance of a general obligation bond, and directing the presentation to the Planning Commission of the city plan of municipal improvements; and
2. City Council direct the CEO and his staff, and the City Attorney, special counsel and financial advisor to proceed with the ballot measure for the general obligation bond for affordable housing.

2. [BUSINESS IMPROVEMENT AREA \(BIA\) REAUTHORIZATION AND RESOLUTION OF INTENTION, AND REVIEW OF ANNUAL REPORT](#)

Chief Executive's Office

RECOMMENDATION:

1. City Council receive and file the Business Improvement Area (BIA) annual report for Fiscal Year 2015-16; and
2. City Council receive and file audited financial report for Fiscal Year 2014-15; and
3. City Council approve Resolution No. 16-xx: A resolution of the City Council of the City of Costa Mesa, California, declaring its intention to levy an annual assessment for fiscal year 2016-2017 for a Business Improvement Area covering certain Costa Mesa hotels and motels and setting the time and place for a public hearing on proposal.

ITEMS REMOVED FROM THE CONSENT CALENDAR

REPORT – CITY ATTORNEY

ADJOURNMENT

UPCOMING COMMUNITY ACTIVITIES, EVENTS AND MEETINGS

Thursday, May 5, 2016 – **NMUSD 2015-2016 LCAP Actions and Services online survey deadline.** Each district develops an annual Local Control Accountability Plan (LCAP). Each school district must engage parents, educators, employees and the community to establish these plans. The plan describes the school district's overall vision for students, annual goals and specific actions the district will take to achieve the vision and goals. For more information visit: http://web.nmusd.us/cms/page_view?d=x&piid=&vpid=1216766281508.

Friday, May 6, 2016– **First Friday Roadshow**, 5:30 p.m.-7:30 p.m., Costa Mesa City Hall, 77 Fair Drive. Family fun car show that features classics, customs and exotics.

Friday, May 6, 2016 through Sunday, June 5, 2016 – **Amadeus**, South Coast Repertory, 655 Town Center Drive, Costa Mesa. Swelling with the glorious music of Wolfgang Amadeus Mozart, this psychological mystery has played to thunderous applause the world over. The New York Post raved that its Broadway premiere was “a total, iridescent triumph.” For more information visit: <http://www.scr.org/calendar/view?id=7467>.

Friday, May 6, 2016 – **Firehouse Friday**, 9 a.m.-10 a.m. Fire Station No.1, 2803 Royal Palm. Come out and celebrate the Costa Mesa Fire and Rescue Honor Guard. For more information contact Brenda Emrick at BRENDA.EMRICK@costamesaca.gov.

Saturday, May 7, 2016 – **Celebrate Family Safety Day**, 10 a.m.-1 p.m. All fire stations. Each fire station will host a different variety of fun and exciting activities. For more information contact Brenda Emrick at BRENDA.EMRICK@costamesaca.gov.

Friday, May 13, 2016 – **Alton Brown Live: Eat Your Science**, 7:30 p.m., Segerstrom Center for the Arts, 600 Town Center Drive. Brown has a knack for mixing together a perfect base of science, music and food into two hours of pure entertainment. Critics and fans alike have raved about the interactive components of Brown's shows. For more information, visit <http://www.scfta.org/Events/Detail.aspx?id=13688>

Friday, May 13, 2016 through Sunday, May 15, 2016 – **OC Night Market**, OC Fair and Event Center, 88 Fair Drive. Opening for its third season, discover hundreds of unique vendors and attractions. For more information, visit <http://www.ocnightmarket.com/>.

Friday, May 13, 2016 through Saturday, May 14, 2016 – **Chris Botti Returns to Orange County**, Segerstrom Center for the Arts, 600 Town Center Drive. Back by popular demand, trumpeter extraordinaire Chris Botti returns to Orange County. A gifted instrumentalist, a talented composer and a charismatic performer, the former trumpeter for Sting effortlessly crosses the boundaries between pop and classical, jazz and rock. For more information visit: <http://www.scfta.org/Events/Detail.aspx?id=12548>

Saturday, May 14, 2016 – **Actions Arts in the Park**, 2 p.m.-6 p.m. TeWinkle Park, 970 Arlington Drive. Fusing arts and action sports together to enhance the vibrant local artists and actions sports scenes. This event will also feature live music, food trucks, skateboarding and kid activities. For more information, contact 714-754-5065.

Sunday, May 15, 2016 – **Meet the Mayor**, 2 p.m.-4 p.m. City Hall, 77 Fair Drive. Meet the Mayor sessions at City Hall and other locations around town on the second Sunday of each month. For more information, contact 714-754-5099.