

ACTION REPORT
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, JUNE 21, 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

CLOSED SESSION – 5:00 P.M.

ROLL CALL

Present: Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger

Absent: Council Member Foley

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(d)(1).
2. Conference with legal counsel regarding existing litigation: Timothy Dadey, et al. v. City of Costa Mesa, Superior Court of California, County of Orange, Case No. 30-2014-00757962-CU-CR-CJC, pursuant to California Government Code Section 54956.9(d)(1).

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**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 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.]

Tim Donovan, St. Joachim Catholic Church, Costa Mesa

ROLL CALL

Present: Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer, and Mayor Mensinger

Absent: Council Member Foley

CITY ATTORNEY CLOSED SESSION REPORT -

- COIN: Ex Parte Communications pursuant to Municipal Code Section 2-238 (b) – NONE

CONSENT CALENDAR:

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 9 except for 2, 5, 7, and 8.

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

CONSENT CALENDAR:

1. READING FOLDER

- a. Claims received by the City Clerk: Bernie Hesch and Oliver M. Sacks

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ACTION:

City Council received and filed.

- 3. MINUTES OF THE REGULAR CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF JUNE 7, 2016**

ACTION:

City Council approved the minutes of June 7, 2016.

- 4. AGREEMENT EXTENSIONS FOR BUILDING SAFETY & FIRE PREVENTION PLAN REVIEW AND INSPECTION SERVICES**

ACTION:

City Council authorized the Mayor to execute Amendment No. 4 to extend the final term of Professional Services Agreements (PSAs) approved in FY 2012-2013, for building safety and fire prevention plan reviews and inspection services, with the companies of Scott Fazekas & Associates Inc., Bureau Veritas, Melad & Associates, Interwest Group, and CSG Consultants Inc.

- 6. HYLAND AVENUE – MACARTHUR BOULEVARD PROJECT – BUDGET ADJUSTMENT**

ACTION:

City Council approved Budget Adjustment BA-16-016 recognizing and appropriating Measure M2 grant funding received for the project in the amount of \$37,500.

- 9. HOUSING AUTHORITY BUDGET AMENDMENT FOR FY-15-16**

ACTION:

City Council and Housing Authority adopted joint Resolution No. 16-44 of City Council and Housing Authority relating to FY15-16 Housing Authority Budget Amendment for the Housing and Community Development Department (HCD) relating to revenues and expenses for the James St./W. 18th St. Properties.

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

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

- 1. ADOPTION OF FISCAL YEAR 2016-2017 APPROPRIATIONS LIMIT**

MOVED/SECOND: Mayor Pro Tem Righheimer/Council Member Monahan

The motion carried by the following roll call vote:

Ayes: Council Member Genis, Council Member Monahan, Mayor Pro Tem Righheimer and Mayor Mensinger.

Nays: None

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Absent: Council Member Foley
Motion carried: 4-0-1

ACTION:

City Council adopted Resolution No. 16-45 establishing the Fiscal Year 2016-2017 Appropriations Limit for the City of Costa Mesa at \$214,145,081 by using the County of Orange's population growth for population adjustment, and the California per capita income growth for inflationary adjustment.

2. ADOPTION OF THE FISCAL YEAR 2016-17 BUDGET

MOVED/SECOND: Mayor Pro Tem Righeimer/Mayor Mensinger

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 Resolution No. 16-46 adopting the City of Costa Mesa FY 16-17 Operating and Capital Budget including the Budget Addendum; and
 2. Approved Parks & Recreation Commission and CEO recommended FY 15-16 capital project budget adjustments included on the Budget Addendum; and
 3. Approved job descriptions and recommended Salary Resolution No. 16-47 and Resolution No. 16-48 for the following:
 - a. Senior Code Enforcement Officer
 - b. Senior Management Analyst
 - c. Senior Management Analyst - Confidential
 - d. Management Aide
 - e. Management Aide – Confidential
 - f. Additional Confidential Unit designations
 - g. Website Coordinator; and
 4. Directed staff to review existing fees for potential update for additional cost recovery.
- 3. 2015-2035 GENERAL PLAN AND FINAL ENVIRONMENTAL IMPACT REPORT (EIR) – SCH# 2015111053
(8:00 P.M. OR AS SOON AS POSSIBLE THEREAFTER)**

MOTION: To approve the recommended action; to use the May 31, 2016 Mixed-Use Center Development Plan for the Fairview Developmental Center, including the distinction of using 50 acres for the 250 dwelling unit for low density residential; 25.65 acres for passive park, 332 dwelling unit for high density residential, 139.66 thousand square feet for institutional (office), and to use the am

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peak hour of 577 and pm peak hour of 669 for high density residential and institutional (office).

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

The motion carried by the following roll call vote:

Ayes: Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger.

Nays: Council Member Genis

Absent: Council Member Foley

Motion carried: 3-1-1

ACTION:

1. City Council adopted Council Resolution No. 16-49, adopting findings pursuant to the California Environmental Quality Act, adopting a statement of overriding considerations, certifying the Final Environmental Impact Report (SCH#2015111053), and adopting a mitigation monitoring and reporting program for the 2015-2035 General Plan; and

2. Adopted Council Resolution No. 16-50, approving and adopting the Costa Mesa 2015-2035 General Plan including the use of the May 31, 2016 Mixed-Use Center Development Plan for the Fairview Developmental Center and the distinction of using 50 acres for the 250 dwelling unit for low density residential; 25.65 acres for passive park, 332 dwelling unit for high density residential, 139.66 thousand square feet for institutional (office), and to use the am peak hour of 577 and pm peak hour of 669 for high density residential and institutional (office).

NEW BUSINESS:

1. APPOINTMENT TO SENIOR COMMISSION

MOTION: To appoint Lee Ramos to the Senior Commission.

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 appointed Lee Ramos to fill one vacancy on the Senior Commission.

2. LIONS PARK PROJECTS AND FIRE STATION 1 UPDATED FUNDING PLAN

MOVED/SECOND: Council Member Monahan/Mayor Mensinger

The motion carried by the following roll call vote:

Ayes: Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger.

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Nays: None

Absent: Council Member Foley

Motion carried: 4-0-1

ACTION:

1. City Council reviewed and approved in concept the updated funding plan; and
2. Authorized staff to assemble a financing team to finalize the funding plan.

3. INITIATIVE PETITION ENTITLED, "AN INITIATIVE REQUIRING CHANGES IN USE AT FAIRVIEW PARK BE SUBJECT TO VOTER APPROVAL" QUALIFYING FOR THE BALLOT; CONSIDERATION OF ADOPTING NEW ORDINANCE, OR ORDERING REPORT

MOVED/SECOND: Council Member Genis/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 accepted the Certificate of Sufficiency issued by the County of Orange Registrar of Voters regarding, "An Initiative Requiring Changes in use at Fairview Park be Subject to Voter Approval".

MOVED/SECOND: Mayor Pro Tem Righeimer/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 ordered a report pursuant to Election Code § 9212 and to bring back at the July 5, 2016 meeting.

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

The motion carried by the following roll call vote:

Ayes: Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger.

Nays: Council Member Genis

Absent: Council Member Foley

Motion carried: 3-1-1

ACTION:

City Council directed staff to prepare an alternative measure.

4. CONSIDERATION OF A CITY INITIATIVE PETITION REGARDING MEDICAL MARIJUANA BUSINESSES

MOTION: To bring this item back at the July 5, 2016 meeting.

MOVED/SECOND: Mayor Pro Tem Righeimer/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 requested this item be brought back at the July 5, 2016 meeting.

ITEMS REMOVED FROM THE CONSENT CALENDAR

2. WARRANT RESOLUTION NO. 2559 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 16-11 "A" FOR \$4,878.56 and 16-12 for \$2,165,712.16; AND CITY OPERATING EXPENSES FOR \$2,931,129.87; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

MOVED/SECOND: Council Member Monahan/Mayor Mensinger

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 approved Warrant Resolution No. 2559.

5. 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

Motion carried: 4-0-1

ACTION:

City Council approved Amendment Number Five extending the term of the Ambulance Services Agreement with Care Ambulance Service, Inc., for the continuation of emergency ambulance and patient billing services until September 1, 2018.

7. RENEWED MEASURE M2 ELIGIBILITY

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:

1. City Council approved the City's Seven-Year Capital Improvement Program (CIP) for Fiscal Year 2016-17 through Fiscal Year 2022-23; and
2. Authorized the City Engineer to complete and submit the Pavement Management Plan; and
3. Approved the City's Maintenance of Effort (MOE) for Fiscal Year 2016-17.

8. HARBOR BOULEVARD AND GISLER AVENUE INTERSECTION IMPROVEMENT PROJECT, CITY PROJECT NO. 16-02

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:

1. City Council adopted the plans, specifications and working details for the Harbor Boulevard and Gisler Avenue Improvement Project, City Project No. 16-02; and
2. Rejected the bid submitted by United Engineering & Construction, Inc., 336 N. Central Avenue, Suite 10A, Glendale, CA 91203; and
3. Approved the Budget Adjustment No. 16-015 in the amount of \$496,538.00; and

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4. Awarded a construction contract to Vido Samarzich, Inc. 4972 Crestview Place, Alta Loma, CA 91701 in the amount of \$735,645.00 (base bid plus additive bid item No. AD-1); and
5. Authorized the Mayor and the City Clerk to execute the Public Works agreement.

REPORT – CITY ATTORNEY - NONE

ADJOURNMENT – The Mayor and City Council adjourned the meeting at 12:03 a.m.