

# **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, AUGUST 2, 2016**  
**CITY COUNCIL CHAMBERS, 77 FAIR DRIVE**  
**CLOSED SESSION – 5:00 P.M. - NONE**  
**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 \[www.costamesaca.gov\]\(http://www.costamesaca.gov\).](#)

**Please note that records submitted by the public will not be redacted in any way and will be posted online as submitted, including any personal contact information.**

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 Staff at the Council Chambers entrance. Speaker cards may be submitted to the City Clerk staff 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 Staff. 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, 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 Josh Harrison, Rock Harbor 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:** Mesa Water District Update – Paul Shoenberger, General Manager

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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)

- Action Plan for Mosquito Abatement

### 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. READING FOLDER

- a. Claims received by the City Clerk: Bright Vehicle Solutions, SAA1 LLC, David Harper, Sandro Mezzetti, Rebecca Ramos, and Nicholas Sepulveda.

#### RECOMMENDATION:

City Council receive and file.

2. WARRANT RESOLUTION NO. 2561 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 16-14 FOR \$2,148,106.76, 16-14 "A" FOR \$44.01, and 16-15 FOR \$2,231,035.08; AND CITY OPERATING EXPENSES FOR \$5,769,767.30; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID – Finance Department

#### RECOMMENDATION:

City Council approve Warrant Resolution No. 2561.

3. MINUTES OF THE REGULAR CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF JULY 5, 2016 AND SPECIAL CLOSED SESSION AND SPECIAL MEETING OF JULY 12, 2016 - Chief Executive Officer's Department/City Clerk's Office

#### RECOMMENDATION:

City Council approve the minutes of July 5, 2016 and July 12, 2016.

4. **PUBLIC SAFETY SOFTWARE LICENSE AND SERVICES AGREEMENT**  
Information Technology Department

RECOMMENDATION:

City Council authorize the City CEO to sign the Purchase Requisition in the amount of \$111,910.01, to fund the Software Maintenance Agreement with SunGard Public Sector Inc. from August 1, 2016 through July 31, 2017.

5. **TRAFFIC MANAGEMENT SERVICES AGREEMENT WITH THE 32ND DISTRICT AGRICULTURAL ASSOCIATION**  
Police Department/Support Services Division

RECOMMENDATION:

City Council approve the 2016 contract for traffic management services between the Costa Mesa Police Department and the 32<sup>nd</sup> District Agricultural Association for all designated Interim Events of the Orange County Fair and Exposition Center and authorize the Chief Executive Officer, or his designee, to sign the contract. The term of the agreement is April 1, 2016 through March 31, 2017 and the maximum amount not to exceed seventy thousand dollars (\$70,000).

6. **PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING DESIGN SERVICES FOR THE POLICE DEPARTMENT AND FIRE STATION NO. 4 EMERGENCY BACKUP GENERATORS** – Public Services Department

RECOMMENDATION:

City Council approve the Professional Services Agreement with IDS Group, 1 Peters Canyon Road, Suite 130, Irvine, California in the amount of \$97,229.00 for the design of the Police Department and Fire Station No. 4 Emergency Backup Generators, and authorize the Mayor and the City Clerk to execute the Agreement.

7. **FINAL MAP FOR TRACT NO. 17998 LOCATED AT 133-139 E. 21<sup>ST</sup> STREET, COSTA MESA, CALIFORNIA** – Public Services Department/Engineering Division

RECOMMENDATION:

City Council approve the Final Map for Tract No.17998 and authorize the City Engineer and the City Clerk to sign the Map.

**8. SANTA ANA-DELHI CHANNEL AGREEMENT BETWEEN THE PROJECT PARTNERS (VARIOUS AGENCIES) FOR THE CONSTRUCTION OF THE SANTA ANA-DELHI CHANNEL DIVERSION PROJECT**

Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council approve the Santa Ana-Delhi Channel Agreement between the project partners for the construction of the Santa Ana-Delhi Channel Diversion Project; and
2. Authorize the Chief Executive Officer and the City Clerk to execute the Agreement.

**9. AUTHORIZE POSITION EXCHANGE IN THE DEVELOPMENT SERVICES DEPARTMENT** – Development Services Department

RECOMMENDATION:

City Council authorize an exchange of positions in the Development Services Department in order to recruit for a new Assistant Planner.

**10. BICYCLE CORRIDOR IMPROVEMENT PROGRAM APPLICATIONS**

Public Services Department/Transportation Services Division

RECOMMENDATION:

City Council adopt Resolution 16-xx approving the submittal of grant funding applications for three bicycle projects under the Orange County Transportation Authority's (OCTA) Bicycle Corridor Improvement Program (BCIP) for Fiscal Years 2016-2017 and 2017-2018.

**11. ORANGE COUNTY TRANSPORTATION AUTHORITY - SENIOR MOBILITY PROGRAM AMENDMENT NO. 1 TO COOPERATIVE AGREEMENT NO. C-1-2471** – Parks and Community Services

RECOMMENDATION:

City Council approve and adopt the OCTA Amendment No. 1 to Cooperative Agreement No. C-1-2471 between the Orange County Transportation Authority and the City of Costa Mesa for the Senior Mobility Program and authorize the Mayor, City Attorney, and Recreation Manager to sign the agreement on behalf of the City.

**12. SCHOOL CROSSING GUARD SERVICES WITH ALL CITY MANAGEMENT SERVICES – CONTRACT AMENDMENT**

Public Services Department/Transportation Services Division

**RECOMMENDATION:**

City Council approve Amendment #1 to renew the Professional Services Agreement with All City Management Services (ACMS) to provide school guards for one (1) year and authorize the Chief Executive Officer to execute the same.

**13. PROFESSIONAL SERVICES AGREEMENT FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE “LIONS PARK PROJECTS”**

Public Services Department

**RECOMMENDATION:**

City Council approve the Professional Services Agreement with STV Construction, Inc. (STV), 1055 West Seventh Street, Suite 3150, Los Angeles, California, 90017 in the amount of \$2,894,056.21 for construction management services for the “Lions Park Projects”, and authorize the Mayor and the City Clerk to execute the Agreement.

**14. ASSEMBLY BILL 385 - A BILL THAT CONSIDERS THE ELIMINATION OF DAYLIGHT SAVINGS TIME (DST) IN THE STATE OF CALIFORNIA**

Office of the CEO

**RECOMMENDATION:**

City Council direct staff to draft a letter in opposition to Assembly Bill 385, which proposes the elimination of Daylight Savings Time (DST) in the state of California.

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

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

**1. PUBLIC HEARING FOR THE VACATION OF EXCESS RIGHT-OF-WAY AT 671-673 W. 17th STREET AT TWO LOCATIONS: W. 17th STREET AND SUPERIOR AVENUE – Public Services Department/Engineering Division**

**RECOMMENDATION:**

1. City Council adopt Resolution 16-xx ordering the vacation of a portion of West 17<sup>th</sup> Street and Superior Avenue Right-of-way (ROW); and
2. Authorize execution of the Quitclaim Deed by the Mayor and the City Clerk.

2. [APPEAL OF CONDITIONAL USE PERMIT PA-16-48 FOR ARTS AND LEARNING CONSERVATORY AND SHARED PARKING REQUIREMENTS AT 3184 AIRWAY AVENUE, SUITE A](#)

Development Services Department/Planning Division

RECOMMENDATION:

City Council uphold or reverse the Planning Commission's decision to approve the proposed project, described below:

Conditional use permit for the following:

- To establish a music/theater arts and learning program for elementary and middle-school age children called Arts and Learning Conservatory. The proposed Conservatory will be located in an existing 6,000 square foot industrial building formerly utilized by the Berean Community Church. The building will be used for the following uses: administrative offices; after school music and theatre programs from 4:00 pm to 9:00 pm, Monday through Friday; summer day camp from 8:00 am to 3:00 pm, Monday through Friday, from June 15<sup>th</sup> through August 15<sup>th</sup>; and theatrical productions on 6 weekends Friday through Sunday throughout the year.
- To approve a site-specific shared parking arrangement due to unique operating characteristics. A parking study prepared by LSA Associates identified a parking demand of 101 parking spaces during the 6 weekends throughout the year with theatrical productions.

NOTE: The approval of Planning Application PA-16-48 will supersede the current Minor CUP for the Berean Church; and therefore, Zoning Application ZA-10-22 shall be revoked at this location.

The project was approved by the Planning Commission on June 13, 2016, on a 5-0 vote. An appeal of the Planning Commission's approval was filed on June 17, 2016.

**OLD BUSINESS:**

1. [SECOND READING OF ORDINANCE NO. 16-04 FOR CODE AMENDMENT CO-16-01: AN AMENDMENT TO TITLE 13, CHAPTER VIII, ARTICLES 2, 6 & 6.5, POLITICAL CAMPAIGN SIGNS AND PORTABLE SIGNS WITHIN PUBLIC RIGHT-OF-WAY AND TABLE 13-115 OF THE COSTA MESA MUNICIPAL CODE](#) - Development Services Department/Planning Division

RECOMMENDATION:

City Council give second reading to Ordinance 16-04 to adopt Code Amendment CO-16-01 amending Costa Mesa Municipal Code Title 13 Chapter VIII, Signs.



**NEW BUSINESS:**

1. [GENERAL PLAN SCREENING GPS-16-02 TO AMEND LAND USE DESIGNATION FOR THE PROPERTY FROM GENERAL COMMERCIAL TO HIGH DENSITY RESIDENTIAL FOR A SIX-UNIT DETACHED SMALL LOT SUBDIVISION AT 1974 CHARLE STREET](#)

Development Services Department/Planning Division

**RECOMMENDATION:**

City Council accept or deny General Plan amendment screening request for processing to amend the land use designation from General Commercial (GC) to High Density Residential (HDR) related to development of the 20,520 SF (0.471 acres) property at 1974 Charle Street.

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

**REPORT – CITY ATTORNEY**

**ADJOURNMENT**

## UPCOMING COMMUNITY ACTIVITIES, EVENTS AND MEETINGS

Friday, July 15, 2016 through August 14, 2016- **2016 OC Fair**. Orange County Fair and Event Center, 88 Fair Dr..OC Fair wants everyone to “Get Your Fair Face On!” and show your happy faces. Enjoy a full day of fun at the Fair with animals of all kinds, musical performances in the Pacific Amphitheatre and The Hangar, events in the Action Sports Arena, beautiful exhibits, delicious Fair treats and carnival rides. The 23-day event features shopping, exhibits, hands-on activities and contest. For more information, please visit: [www.ocfair.com](http://www.ocfair.com).

Tuesday, August 2, 2016 – **Costa Mesa Boosters Bingo**. Costa Mesa Senior Center, 695 W 19<sup>th</sup> St. Door open at 5 p.m., early birds begin at 6 p.m. Intended for beginners and pros with progressive buy-in programs. Open to the community, enjoy free coffee and tea, popcorn and a brand new bingo machine. All proceeds benefit the students and go back to the schools. For more information visit: [www.cmhsbingo.webstarts.com](http://www.cmhsbingo.webstarts.com)

Tuesday, August 2, 2016 – **National Night Out**, 5 p.m., Costa Mesa Square Shopping Center, 3030 Harbor Blvd. Join forces with thousands of communities nationwide for National Night Out, a drug and crime prevention event. Help build police-community partnerships and neighborhood camaraderie.

Friday, August 5, 2016 – **First Friday Roadshow- 4 Year Anniversary**, 5:30-7:30 p.m. Costa Mesa City Hall Parking Lot, 77 Fair Drive. A free monthly car show that features classics, customs and exotics. For more information, visit: <http://www.costamesaca.gov/>.

Friday, August 5, 2016 – **Free Hearing Screenings**, 9:30-10:30 a.m., Costa Mesa Senior Center, 695 w. 19<sup>th</sup> St. Provided by Clear Choice Hearing, register at the front desk.

Friday, August 5, 2016 – **Family Luau**, 7 p.m.-9:30 p.m., Downtown Recreation Center, 1860 Anaheim Ave., Enjoy a night of swimming, free snow cones, glow in the dark Frisbee golf and kid's games. For more information, please call (714) 327-7560.

Sunday, August 7, 2016 –**19<sup>th</sup> Annual OCTC Pancake Breakfast 5K**, 8 a.m. Fairview Park, 2501 Placentia Ave. Presented by the Estancia High School boys and girls cross country team in conjunction with the Orange County track club. For race information please call: (714) 624-4530. For registration information please visit: [www.active.com](http://www.active.com).

Monday, August 8, 2016 – **SCFTA's Movie Monday- Labyrinth**, 8 p.m.- 10 p.m. Segerstrom Center for the Arts, 600 Town Center Dr. Free Movie Mondays. Set-up begins at 5:30 p.m., with the movie starting at dusk (approximately 8 p.m.). Guests are encouraged to bring beach chairs or other easily portable seating items, snacks and picnic suppers. For more information, please visit: [www.scfta.org](http://www.scfta.org)

Wednesday, August 10, 2016 – **Open Space Master Plan-Final Community Workshop**, Costa Mesa Senior Center, 695 W. 19<sup>th</sup> St. Be a part of the City's Open Space and Recreation Master Plan. For more information, please call: (714) 754-5300.

Friday, August 12, 2016 – **Senior's Luau**, Costa Mesa Senior Center, 695 W. 19<sup>th</sup> St. Intended for members of the senior community, enjoy Hawaiian dinner, live music and a special performance by the center's Hawaiian dance group. 10\$ a person and space is limited so register at the Costa Mesa Senior Center front desk.

Sunday, August 14, 2016 – **Meet the Mayor**, 2 p.m.- 4 p.m., City Hall, 77 Fair Dr. Steve holds Meet the Mayor sessions at City Hall and other locations around town on the second Sunday of each month. For more information, please contact: (714) 754-5328.