

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, 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

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

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ROLL CALL

Present: Council Member Foley, Council Member Genis and Mayor Pro Tem Righeimer

Absent: Council Member Monahan and Mayor Mensinger

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 14 except for 2, 3, 4, 7, 8, 10 and 13.

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

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis and Mayor Pro Tem Righeimer

Nays: None

Absent: Council Member Monahan and Mayor Mensinger

Motion carried: 3-0-2

CONSENT CALENDAR:

1. READING FOLDER

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

ACTION:

City Council received and filed.

5. TRAFFIC MANAGEMENT SERVICES AGREEMENT WITH THE 32ND DISTRICT AGRICULTURAL ASSOCIATION

ACTION:

City Council approved the 2016 contract for traffic management services between the Costa Mesa Police Department and the 32nd District Agricultural Association for all designated Interim Events of the Orange County Fair and Exposition Center and authorized 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).

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6. PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING DESIGN SERVICES FOR THE POLICE DEPARTMENT AND FIRE STATION NO. 4 EMERGENCY BACKUP GENERATORS

ACTION:

City Council approved 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 authorized the Mayor and the City Clerk to execute the Agreement.

9. AUTHORIZE POSITION EXCHANGE IN THE DEVELOPMENT SERVICES DEPARTMENT

ACTION:

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

11. ORANGE COUNTY TRANSPORTATION AUTHORITY - SENIOR MOBILITY PROGRAM AMENDMENT NO. 1 TO COOPERATIVE AGREEMENT NO. C-1-2471

ACTION:

City Council approved and adopted 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 authorized 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

ACTION:

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

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

ACTION:

City Council directed 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** -----

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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

RECOMMENDATION:

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

MOTION: To continue the Public Hearing item to the September 20, 2016 City Council meeting and request the Bikeway and Walkability Committee (BWC) review the item before that date.

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

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis and Mayor Pro Tem Righeimer

Nays: None

Absent: Council Member Monahan and Mayor Mensinger

Motion carried: 3-0-2

ACTION:

City Council continued the Public Hearing item to the September 20, 2016 City Council meeting and requested the Bikeway and Walkability Committee (BWC) review the item before that date.

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

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 15th through August 15th; and theatrical productions on 6 weekends Friday through Sunday throughout the year.

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- 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.

MOTION: To go into Closed Session.

MOVED/SECOND: Council Member Foley/Council Member Genis

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis and Mayor Pro Tem Righeimer

Nays: None

Absent: Council Member Monahan and Mayor Mensinger

Motion carried: 3-0-2

ACTION: City Council recessed into Closed Session.

MOTION: To continue the Public Hearing item to the September 20, 2016 City Council meeting.

MOVED/SECOND: Council Member Foley/Council Member Genis

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis and Mayor Pro Tem Righeimer

Nays: None

Absent: Council Member Monahan and Mayor Mensinger

Motion carried: 3-0-2

ACTION:

City Council continued the Public Hearing item to the September 20, 2016 City Council meeting.

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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**

MOVED/SECOND: Council Member Foley/Council Member Genis

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis and Mayor Pro Tem Righeimer

Nays: None

Absent: Council Member Monahan and Mayor Mensinger

Motion carried: 3-0-2

ACTION:

City Council gave second reading to Ordinance 16-04 (Option 1B), with an amendment to include Section 13-123(a)(5) from proposed Ordinance 16-04 (Option 1A), reflecting the time period for non-commercial portable signs, adopting 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**

MOVED/SECOND: Council Member Genis/Council Member Foley

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis and Mayor Pro Tem Righeimer

Nays: None

Absent: Council Member Monahan and Mayor Mensinger

Motion carried: 3-0-2

ACTION:

City Council accepted 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.

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ITEMS REMOVED FROM THE CONSENT CALENDAR

- 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**

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

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis and Mayor Pro Tem Righeimer

Nays: None

Absent: Council Member Monahan and Mayor Mensinger

Motion carried: 3-0-2

ACTION:

City Council approved 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**

MOVED/SECOND: Council Member Foley/Council Member Genis

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis and Mayor Pro Tem Righeimer

Nays: None

Absent: Council Member Monahan and Mayor Mensinger

Motion carried: 3-0-2

ACTION:

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

- 4. PUBLIC SAFETY SOFTWARE LICENSE AND SERVICES AGREEMENT**

MOVED/SECOND: Council Member Genis/Council Member Foley

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis and Mayor Pro Tem Righeimer

Nays: None

Absent: Council Member Monahan and Mayor Mensinger

Motion carried: 3-0-2

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ACTION:

City Council authorized 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.

7. FINAL MAP FOR TRACT NO. 17998 LOCATED AT E. 21ST STREET, COSTA MESA, CALIFORNIA

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

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis and Mayor Pro Tem Righeimer

Nays: None

Absent: Council Member Monahan and Mayor Mensinger

Motion carried: 3-0-2

ACTION:

City Council approved the Final Map for Tract No.17998 and authorized 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

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

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis and Mayor Pro Tem Righeimer

Nays: None

Absent: Council Member Monahan and Mayor Mensinger

Motion carried: 3-0-2

ACTION:

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

10. BICYCLE CORRIDOR IMPROVEMENT PROGRAM APPLICATIONS

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

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis and Mayor Pro Tem Righeimer

Nays: None

Absent: Council Member Monahan and Mayor Mensinger

Motion carried: 3-0-2

ACTION:

City Council adopted Resolution No. 16-66, 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.

13. PROFESSIONAL SERVICES AGREEMENT FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE "LIONS PARK PROJECTS"

MOVED/SECOND: Council Member Foley/Council Member Genis

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis and Mayor Pro Tem Righeimer

Nays: None

Absent: Council Member Monahan and Mayor Mensinger

Motion carried: 3-0-2

ACTION:

City Council approved 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 authorized the Mayor and the City Clerk to execute the Agreement.

REPORT – CITY ATTORNEY - NONE

ADJOURNMENT – The Mayor and City Council adjourned the meeting at 10:10 p.m.