

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, SEPTEMBER 6, 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 \[www.costamesaca.gov\]\(http://www.costamesaca.gov\).](#)

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

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].

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 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).
2. Conference with legal counsel regarding existing litigation: City of Costa Mesa, et al., v. New Harbor Inn, an unincorporated entity, et al., Orange County Superior Court of California, Case No. 30-2016-00848149-CU-OR-CJC, pursuant to California Government Code Section 54956.9(d)(4).
3. Threat to Public Services or Facilities
Security Briefing by Rob Sharpnack, Chief of Police
Pursuant to California Government Code Section 54957(a).

The City Council, Housing Authority, 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 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.]

Pastor David Manne, Calvary Chapel, 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 – Mayor's Cup Little League All Star Teams

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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. READING FOLDER

- a. Claims received by the City Clerk: Steven C. Chan, Katherine Crawford, Maria Santos De Lucas, Rex Hardesty, Maria Guadalupe Ramos, and Roya Tabarзад.

RECOMMENDATION:

City Council receive and file.

2. WARRANT RESOLUTION NO. 2562 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 16-15 "A" FOR \$606.54, 16-16 FOR \$2,239,878.28, 16-16 "A" FOR \$1,814.10, and 16-17 FOR \$2,284,356.61; AND CITY OPERATING EXPENSES FOR \$4,073,317.03; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID –

Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2562.

3. MINUTES OF THE REGULAR CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF AUGUST 2, 2016 - Chief Executive Officer's Department/City Clerk's Office

RECOMMENDATION:

City Council approve the minutes of August 2, 2016.

4. **2013-2014 STREET REHABILITATION PROJECT, CITY PROJECT NO.13-16**
Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council accept the work performed by R.J. Noble Company, and authorize the City Clerk to file the Notice of Completion; and
2. Authorize the release of the Labor and Material Bond seven (7) months after 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.

5. **APPROVE A RESOLUTION FOR THE APPLICATION OF GRANT FUNDS FROM THE YOUTH SOCCER AND RECREATION DEVELOPMENT PROGRAM FOR THE JACK HAMMETT SPORTS COMPLEX TURF REPLACEMENT PROJECT**

Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council adopt Resolution 16-xx for the submittal of a grant application to the California Department of Parks and Recreation, Youth Soccer and Recreation Development Program, for the Jack Hammett Sports Complex Turf Replacement Project; and
2. Authorize the Public Services Director as the City's authorized representative.

6. **FINAL MAP FOR TRACT NO. 17791 LOCATED AT 2661 ORANGE AVENUE, COSTA MESA, CALIFORNIA**

Public Services Department/Engineering Division

RECOMMENDATION:

City Council approve the Final Map for Tract No.17791 and authorize signing of the Map by the City Clerk and City Engineer.

7. **AMENDMENTS TO THE EXISTING FIELD USE AND ALLOCATION POLICY**
Parks and Community Services Department

RECOMMENDATION:

Staff recommends that the City Council approve the amendments to the existing Athletic Field Use and Allocation Policy (FUAP), which include the addition of a code of conduct and other minor language changes.

8. EXTENSION OF EXISTING PROFESSIONAL SERVICES AGREEMENT WITH MANAGEMENT PARTNERS FOR DEVELOPMENT-RELATED CONSULTING SERVICES AND INTERIM MANAGEMENT ASSISTANCE

Office of the Chief Executive Officer

RECOMMENDATION:

1. City Council approve Amendment One to the existing Professional Services Agreement with Management Partners Inc. to perform consulting services and interim management assistance on an hourly basis in an additional amount not to exceed \$200,000 and extend the term of the agreement through December 30, 2017; and
2. Authorize the Chief Executive Officer and City Clerk to execute the amendment; and
3. Authorize the Chief Executive Officer and City Clerk to accept and execute future amendments to the agreement.

9. PROFESSIONAL SERVICES AGREEMENT WITH INTERWEST CONSULTING GROUP FOR BUILDING OFFICIAL SERVICES

Office of the Chief Executive Officer

RECOMMENDATION:

1. City Council approve the Professional Services Agreement with Interwest Consulting Group to perform Building Official services in an amount not to exceed \$150,000.
2. Authorize the Chief Executive Officer and City Clerk to execute the agreement; and
3. Authorize the Chief Executive Officer and City Clerk to accept and execute future amendments to the agreement.

10. BIENNIAL REVIEW OF CITY'S CONFLICT OF INTEREST CODE

Office of the Chief Executive Officer/City Clerk Division

City Council approve Resolution No. 16-xx, to be read by title only and waive further reading, entitled, "A Resolution of the City Council of the City of Costa Mesa, California, revising the list of designated positions for the City's Conflict of Interest Code."

11. [AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT PROVIDING ENVIRONMENTAL CONSULTING SERVICES FOR AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR REZONE R-15-01 AND PLANNING APPLICATION PA-15-30 FOR A SELF-STORAGE FACILITY AND RETAIL BUILDING AT 375 BRISTOL STREET](#)

Development Services Department/Planning Division

RECOMMENDATION:

1. City Council approve Amendment One Amendment One to the Professional Services Agreement in the amount of \$4,480 with a new contract total amount not to exceed \$54,470 for Environmental Sciences Associates (ESA) with a term expiring on October 31, 2017; and
2. Authorize the Chief Executive Officer and City Clerk to accept and execute future amendments to the agreement.

12. [ANNUAL REVIEW OF THE CURRENT HOUSING ELEMENT AND FINAL REVIEW OF THE PREVIOUS GENERAL PLAN PURSUANT TO STATE LAW](#)

Development Services Department/Planning Division

RECOMMENDATION:

City Council approve 2015 Annual Report of the 2002 adopted Costa Mesa General Plan.

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

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

1. [NORTH COSTA MESA SPECIFIC PLAN AMENDMENT \(SP-16-01\) RELATED TO HOME RANCH SITE, 3350 AVENUE OF THE ARTS AND SAKIOKA LOT 2](#)

Development Services Department/Planning Division

RECOMMENDATION:

City Council adopt Resolution 16-xx to approve the proposed amendment.

2. [FOURTH AMENDMENT TO DEVELOPMENT AGREEMENT DA-00-01 \(DA-16-03\) FOR HOME RANCH](#) - Development Services Department/Planning Division

RECOMMENDATION:

Planning Commission recommended that City Council give first reading to Ordinance 16-xx, approving Fourth Amendment to Home Ranch Development Agreement.

NEW BUSINESS:

1. [DESIGNATION OF VOTING DELEGATE AND VOTING DELEGATE ALTERNATE\(S\) FOR 2016 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE](#) - Office of the Chief Executive Officer/Administration

RECOMMENDATION:

City Council designate a member of the City Council as Costa Mesa's voting delegate and a voting delegate alternate(s) for the 2016 League of California Cities Annual Conference.

ITEMS REMOVED FROM THE CONSENT CALENDAR

REPORT – CITY ATTORNEY

ADJOURNMENT

UPCOMING COMMUNITY ACTIVITIES, EVENTS AND MEETINGS

September 1 through September 30, 2016 – **Festival of Children**. This year marks the 15th Annual Festival of Children, a community-wide charity that is held every weekend throughout September. Family and children of all ages are invited to enjoy a month long festival that offers free family activities. For more information, please call (877) 492-5437 or visit www.festivalofchildren.org.

Thursday, September 8, 2016 – **AARP Smart Driver**, 9 a.m.-1 p.m. The AARP Smart driver course is the nation's largest driver safety course and is designed for drivers 50 and older. Upon completion you may be eligible to receive an insurance discount. Consult with your insurance agent for details. Must complete this and the September 15 course to receive your certificate.

Saturday, September 10, 2016 – **48th Annual Costa Mesa Speedway Bonanza**, OC Fair and Event Center, 88 Fair Drive. Family fun event suitable for the entire family. The most unpredictable live action racing event in the nation. Costa Mesa Speedway offers the comfort of Arena style grandstand seating. For more information, please visit: www.ocfair.com.

Saturday, September 10 through Sunday, September 11, 2016 – **Summer Beach Party Dog Show**, OC Fair and Event Center, 88 Fair Drive. Attendees can observe over 1,200 dogs compete for the coveted Best in Show, obedience and rally trials. For more information, please visit: www.ocfair.com.

Sunday, September 11, 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.

Tuesday, September 13, 2016 – **Costa Mesa Boosters Bingo**. Costa Mesa Senior Center, 695 W 19th 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

Wednesday, September 14, 2016 – **Costa Mesa Blood Drive**, 9 a.m.- 2 p.m., Costa Mesa City Hall, 77 Fair Drive. Eat a good meal and drink plenty of fluids before donating. To schedule an appointment call (888) 538-6199 or visit www.hoagblooddonor.org, click appointments and enter group code: COCM.

Thursday, September 15, 2016 – **Pet Pep Rally**, 6-8 p.m. Costa Mesa Bark Park, 890 Arlington Dr. Alongside the Orange County Humane Society and the City of Costa Mesa CERT, learn about pet safety and much more. For more information, please call: (714)754-5156.

Thursday, September 15, 2016 – **AARP Smart Driver**, 9 a.m.-1 p.m. The AARP Smart driver course is the nation's largest driver safety course and is designed for drivers 50 and older. Upon completion you may be eligible to receive an insurance discount. Consult with your insurance agent for details. Must complete both courses to receive your certificate.

Friday, September 16, 2016 – **Walk with the Mayor**, 5:30-7 a.m. Estancia High School, 2323 Placentia Ave., Costa Mesa. Join Mayor Stephen Mensinger the 3rd Friday of the month for a 90-minute walk and talk about Costa Mesa related issues. For more information, visit: <http://www.costamesaca.gov/>.

Friday, September 16, 2016 – **Senior Wild Western Hoedown**, 5-7 p.m., Costa Mesa Senior Center, 695 w. 19th St. Dust off your boots and gallop on down to the Senior Center for music, chow and dessert. Space is limited, register by September 9. Cost is \$10 per person. For more information, please call (714) 327-7550.

Tuesday, September 27, 2016 – **Get Connected with Council Member Katrina Foley**, 6 p.m. City Hall, 77 Fair Drive. Enjoy a one hour forum with council member Katrina Foley and discuss city issues and projects. For more information, please visit: www.costamesaca.gov.