

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, OCTOBER 4, 2016
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE
CLOSED SESSION – 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 Presentation of the Colors – Boy Scout Troop 106

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 Mike Decker, Palm Harvest Church, Costa Mesa

FOR INFORMATIONAL PURPOSES ONLY

ROLL CALL

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

Absent: None

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 7 except for 2, and 7.

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

1. **READING FOLDER**

Claims received by the City Clerk: Lori Bertrand and Paula Jameson.

ACTION:

City Council received and filed.

3. **MINUTES OF THE REGULAR CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF SEPTEMBER 20, 2016 AND SPECIAL CLOSED SESSION MINUTES OF SEPTEMBER 13, 2016**

ACTION:

City Council approved the minutes of September 20, 2016 and September 13, 2016.

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4. CONTRACT AMENDMENT – COMPLETE LANDSCAPE CARE, INC.

ACTION:

City Council approved and authorized the Chief Executive Officer and the City Clerk to execute Amendment #1 to the Professional Services Agreement with Complete Landscape Care, Inc. to increase the annual amount of the contract by \$10,600 and the unit pricing schedule for landscape maintenance tasks by 1.5%, based on the Consumer Price Index.

5. AWARD THE PURCHASE OF A NEW 2017 CHEVROLET SUBURBAN 4 WD 4 DOOR 1500 LT

ACTION:

City Council approved and authorized the Chief Executive Officer to execute a purchase order for a 2017 Chevrolet Suburban 4WD 4Dr 1500 LT through the National Joint Powers Alliance (NJPA) Contract #102811, in conjunction with the National Auto Fleet Group, 490 Auto Center Drive, Watsonville, CA 95076 in the amount of \$58,748.79.

6. PROPOSED MODIFICATIONS TO COSTA MESA HOMEBUYER ASSISTANCE AND SINGLE FAMILY HOME PROGRAM (FTHB) POLICIES, PROCEDURES AND GUIDELINES RELATING TO THE CONDITIONS AND REQUIREMENTS FOR REFINANCING OF FIRST MORTGAGES AND RESUBORDINATION OF FTHB SECOND MORTGAGES

ACTION:

City Council and the Housing Authority directed the City of Costa Mesa's Chief Executive Officer and Executive Director of the Costa Mesa Housing Authority ("CEO/Executive Director") to modify the Costa Mesa Homebuyer Assistance and Single Family HOME Loan Program ("FTHB" or "Program") implementing the adopted policies, procedures and guidelines and working manual (together, "Program Policies") as detailed in the staff report.

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

PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55): NONE

OLD BUSINESS:

1. **AN ORDINANCE TO ADOPT CODE AMENDMENT CO-16-03 – AMENDMENT TO TITLE 13, CHAPTER II (ZONING DISTRICTS ESTABLISHED); CHAPTER III (PLANNING APPLICATIONS), CHAPTER IV (CITYWIDE LAND USE MATRIX); CHAPTER V, ARTICLE 7 (DEVELOPMENT STANDARDS FOR INSTITUTIONAL AND RECREATIONAL AND INSTITUTIONAL AND RECREATIONAL SCHOOL DISTRICTS) TO INCLUDE THE INSTITUTIONAL AND RECREATIONAL - MULTI-USE DISTRICT ADOPTED UNDER THE 2015-2035 COSTA MESA GENERAL PLAN; AND TO REZONE 2501 HARBOR BOULEVARD TO INSTITUTIONAL AND RECREATIONAL - MULTI-USE.**

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

The motion carried by the following roll call vote:

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

Nays: Council Member Foley and Council Member Genis

Absent: None

Motion carried: 3-2

ACTION:

City Council gave second reading to Ordinance 16-09, read by title only, and further reading waived, to adopt Code Amendment CO-16-03 amending Costa Mesa Municipal Code Title 13: Chapter II, II, IV, and Chapter V, Article 7 to establish the Institutional and Recreational - Multi-Use District and Rezone R-16-04 to rezone 2501 Harbor Boulevard to the new district.

2. **AN ORDINANCE TO ADOPT ZONING CODE AMENDMENT CO-16-02-AMENDMENT TO TITLE 13, CHAPTER V, ARTICLE 11 (DEVELOPMENT STANDARDS – MIXED-USE OVERLAY DISTRICT) TO INCLUDE THE HARBOR BOULEVARD MIXED-USE OVERLAY DISTRICT AND TO ADD A NEW ARTICLE (ARTICLE 12) PERTAINING TO THE RESIDENTIAL INCENTIVE OVERLAY DISTRICT AS ADOPTED UNDER THE 2015-2035 COSTA MESA GENERAL PLAN**

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

The motion carried by the following roll call vote:

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

Nays: Council Member Foley and Council Member Genis

Absent: None

Motion carried: 3-2

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ACTION:

City Council gave second reading to Ordinance 16-10, read by title only, and further reading waived, to adopt Code Amendment CO-16-02 to amend Title 13, Chapter V, Article 11 (Development Standards – Mixed-Use Overlay District) to include the Harbor Boulevard Mixed-Use Overlay District and to add a new article (Article 12) pertaining to the Residential Incentive Overlay District as adopted under the 2015-2035 Costa Mesa General Plan. The amendment will establish standards for new development in these overlay districts.

NEW BUSINESS:

- 1. APPROVE A RESOLUTION FOR THE PARTNERING WITH THE ORANGE COUNTY PARKS DEPARTMENT IN ORDER TO APPLY FOR GRANTS AND OTHER FUNDING OPPORTUNITIES FOR THE TALBERT REGIONAL PARK FINAL HABITAT RESTORATION PLAN**

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

The motion carried by the following roll call vote:

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

Nays: Council Member Genis

Absent: None

Motion carried: 4-1

ACTION:

1. City Council adopted Resolution No. 16-75 for the partnering with the Orange County Parks Department for the purpose of applying for grants and other funding opportunities for the Talbert Regional Park Final Habitat Restoration Plan including recommendations made by the Parks and Recreation Commission with the addition of park benches, a fish cleaning station, signage on size of fish and species allowed to stock in the pond, bike racks, and having a wider pier across the lake with the opportunity for paddleboats to get through; and
2. Authorized the appropriation of \$50,000 for staff time and resources to apply for grants and other funding opportunities with the Orange County Parks Department; and
3. Authorized the Public Services Director or his designee as the City's authorized representative.

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2. CALIFORNIA PROPOSITION 57 – CALIFORNIA PAROLE FOR NON-VIOLENT CRIMINALS AND JUVENILE COURT TRIAL REQUIREMENTS INITIATIVE

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 adopted Resolution No. 16-76 opposing the “California Parole for Non-Violent Criminals and Juvenile Court Trial Requirements Initiative.” The measure is on the November 8, 2016 California state ballot as Proposition 57.

3. MESA WATER DISTRICT ADVISORY MEASURE SEEKING PUBLIC INPUT REGARDING THE POTENTIAL CONSOLIDATION OF THE MESA WATER DISTRICT AND THE COSTA MESA SANITARY DISTRICT

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

The motion carried by the following roll call vote:

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

Nays: Council Member Foley and Council Member Genis

Absent: None

Motion carried: 3-2

ACTION:

City Council adopted Resolution No. 16-77 supporting Ballot Measure TT regarding the Mesa Water District Advisory Measure Seeking Public Input Regarding the Potential Consolidation of the Mesa Water District and the Costa Mesa Sanitary District.

ITEMS REMOVED FROM THE CONSENT CALENDAR

2. WARRANT RESOLUTION NO. 2564 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 16-20 FOR \$2,181,042.74 AND CITY OPERATING EXPENSES FOR \$1,182,965.60; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council approved Warrant Resolution No. 2564.

7. CITYWIDE PARKS MAINTENANCE AND LANDSCAPE CONTRACT

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

1. City Council approved the Maintenance Services Agreement in the annual amount of \$2,099,567 and a 10% contingency, in an annual amount not to exceed \$209,957 for unforeseen cost and approval for Consumer Price Index (CPI) escalation and de-escalation to Marina Landscape Maintenance, Inc. for parks and landscape maintenance services for an initial term expiring on June 30, 2020, and optional two (2) one-year extensions for a total of five years; and
2. Authorized the Mayor and City Clerk to execute the agreement; and
3. Authorized the Chief Executive Officer and City Clerk to accept and execute future minor amendments and extensions to the agreement; and
4. Directed staff to work closely with Park Maintenance employees during this transition by providing necessary training in new service areas.

REPORT – CITY ATTORNEY - NONE

ADJOURNMENT – The Mayor and City Council adjourned the meeting at 10:52 p.m. in memory of Bob Robins, Jr. and Mr. Fisher.