

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, NOVEMBER 15, 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 Mayor Pro Tem Righeimer

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 Phil Eyskens, The Lighthouse Church, Costa Mesa

FOR INFORMATIONAL PURPOSES ONLY

ROLL CALL

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

Absent: Council Member Monahan

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, 6, 7, and 8.

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, Mayor Pro Tem Righeimer and Mayor Mensinger

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

1. **READING FOLDER**

Claims received by the City Clerk: James Faulkner

ACTION:

City Council received and filed.

3. **MINUTES OF THE REGULAR AND SPECIAL CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF NOVEMBER 1, 2016 AND OCTOBER 17, 2016**

ACTION:

City Council approved the minutes of the regular meeting on November 1, 2016 and special meeting on October 17, 2016.

4. **RESOLUTION FOR COMPREHENSIVE TRANSPORTATION FUNDING PROGRAM APPLICATIONS**

ACTION:

City Council adopted Resolution No. 16-83, approving the submittal of grant applications for transportation improvement projects under the Orange County Transportation Authority's (OCTA) Comprehensive Transportation Funding Program (CTFP) for Fiscal Years 2017-18 through 2019-20.

FOR INFORMATIONAL PURPOSES ONLY

9. ESTABLISHMENT OF THE NEW CLASSIFICATION OF ASSISTANT BUILDING OFFICIAL

ACTION:

City Council adopted Resolution No. 16-84, which amends Resolution No. 08-59, establishing the new Assistant Building Official job classification; and corresponding salary range of \$7,937 - \$10,636 per month.

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

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

- FIRST READING OF ORDINANCE 16-14 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING SECTIONS 5-1, 5-1.1, AND 5-1.3 OF TITLE 5 AND SECTIONS 7-14 AND 7-15, AND DELETING SECTION 7-19 OF TITLE 7 OF THE COSTA MESA MUNICIPAL CODE BY ADOPTING THE 2016 EDITIONS OF THE CALIFORNIA CODES AND RELATED MODEL CODES WITH APPENDICES AND AMENDMENTS THERETO, AND REPEALING THE ADOPTION OF THE 2013 EDITIONS OF THE CALIFORNIA CODES AND AMENDMENTS THERETO, WITH THE EFFECTIVE DATE OF JANUARY 1, 2017**

MOVED/SECOND: Council Member Genis/Council Member Foley

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

ACTION:

- City Council adopted Resolution No. 16-85 of the City Council of the City of Costa Mesa, California, setting forth findings with respect to local climatic and geographic conditions within the City of Costa Mesa to allow certain modifications and changes to the California Building Code, California Residential Code, and California Fire Code as amended by the State of California; and
- Gave first reading to Ordinance 16-14, to be read by title only, and further reading waived, for the 2016 Edition of the Model California Construction Codes and set for second reading at the Council's Dec. 6, 2016 meeting.

FOR INFORMATIONAL PURPOSES ONLY

2. REVIEW OF PLANNING APPLICATION PA-16-55 FOR HOLIDAY (FORMERLY LION'S DEN AND MAISON) 719 WEST 19TH STREET

RECOMMENDATION:

City Council uphold, reverse, or modify the Planning Commission's decision to approve Conditional Use Permit PA-16-55 to allow live entertainment including, but not limited to, music, dancing, and open microphones, for an entertainment venue (Holiday, formerly Lion's Den and Maison) within 200 feet of residentially-zoned properties, and on-site valet parking. A current public entertainment permit allows disc jockey entertainment (DJ) and dancing. Proposed hours of operation are from 7:00 a.m. to 2:00 a.m., seven days a week; proposed hours for live entertainment are 11:00 a.m. to 2:00 a.m., seven days a week.

The Planning Commission's approval was called up for review by a Council Member.

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

MOTION: To continue the Public Hearing item to the January 3, 2016 City Council meeting.

The motion carried by the following roll call vote:

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

Nays: None

Abstain: Mayor Mensinger

Absent: Council Member Monahan

Motion carried: 3-0-1-1

ACTION:

City Council continued the Public Hearing item to the January 3, 2016 City Council meeting.

OLD BUSINESS:

1. SECOND READING OF ORDINANCE 16-12 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, FOR REZONE R-15-01 TO REZONE (OR CHANGE) A 3.18-ACRE SITE LOCATED AT 375 BRISTOL STREET FROM PDC (PLANNED DEVELOPMENT COMMERCIAL) TO C2 (GENERAL BUSINESS DISTRICT) FOR A SELF-STORAGE FACILITY AND RETAIL BUILDING AT 375 BRISTOL STREET

MOVED/SECOND: Council Member Foley/Council Member Genis

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

FOR INFORMATIONAL PURPOSES ONLY

ACTION:

City Council gave second reading and adopted Ordinance 16-12, to be read by title only, and further reading waived, for R-15-01 to rezone (or change) a 3.18-acre site from PDC (Planned Development Commercial) to C2 (General Business District).

- 2. SECOND READING OF ORDINANCE 16-13 OF THE CITY OF COSTA MESA, CALIFORNIA, FOR REZONE R-16-02 TO REZONE A 23.4-ACRE SITE LOCATED AT 1375 SUNFLOWER AVENUE AND 3370 HARBOR BOULEVARD FROM INDUSTRIAL PARK (MP) TO PLANNED DEVELOPMENT COMMERCIAL (PDC) AND ZONING CODE AMENDMENT TO TITLE 13, CHAPTERS IV AND V RELATED TO LAND USE MATRIX, FLOOR AREA RATIOS AND PLANNED DEVELOPMENT STANDARDS**

MOVED/SECOND: Council Member Foley/Council Member Genis

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

ACTION:

City Council gave second reading and adopted Ordinance No. 16-13, to be read by title only, and further reading waived, for Rezone Application R-16-02 to rezone a 23.4-acre site consisting of three parcels (APNs: 140-041-24, 140-041-40, 140-041-62) from Industrial Park (MP) Planned Development Commercial (PDC) consistent with the 2015-2035 General Plan; and, Code Amendment CO-16-05 to Title 13, Chapters IV and V related to land use matrix, floor area ratios and Planned Development Commercial standards as related to the site.

NEW BUSINESS:

- 1. GENERAL PLAN SCREENING GPS-16-05 FOR PROPOSED SELF-STORAGE FACILITY AT 390 FORD ROAD AND 1957 NEWPORT BOULEVARD WITH A 1.50 FAR INCLUDING BASEMENT FLOOR AREA**

MOVED/SECOND: Council Member Foley/Mayor Mensinger

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

FOR INFORMATIONAL PURPOSES ONLY

ACTION:

City Council denied the General Plan amendment request for processing to increase the allowable Floor Area Ratio (FAR) for three parcels located within the "General Commercial" General Plan land use designation from 0.75 for very low trip generator use to 1.50 FAR.

- 2. URBAN MASTER PLAN SCREENING REQUEST (UMP-16-01) FOR A MIXED-USE DEVELOPMENT IN THE SOUTH BRISTOL ENTERTAINMENT & CULTURAL ARTS (SOBECA) URBAN PLAN CALLED "THE PLANT" AT 769 BAKER STREET AND 2972 CENTURY PLACE**

ACTION:

City Council provided feedback on a proposed Urban Master Plan for a mixed use development within the South Bristol Entertainment & Cultural Arts (SoBECA) Urban Plan.

ITEMS REMOVED FROM THE CONSENT CALENDAR

- 2. WARRANT RESOLUTION NO. 2566 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 16-23 FOR \$2,188,504.75 AND 16-22 "A" FOR \$-2842.06; AND CITY OPERATING EXPENSES FOR \$1,249,115.17; 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, Mayor Pro Tem Righeimer and Mayor Mensinger

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

ACTION:

City Council approved Warrant Resolution No. 2566.

FOR INFORMATIONAL PURPOSES ONLY

5. **MEDIAN LANDSCAPE AND IRRIGATION IMPROVEMENTS PROJECT, CITY PROJECT NO. 16-19**

RECOMMENDATION:

1. City Council adopt plans, specifications, and working details for the Median Landscape and Irrigation Improvements Project, City Project No. 16-19; and
2. Award a construction contract to KASA Construction, Inc., 15148 Sierra Bonita Lane, Chino, CA 91710, in the amount of \$ 457,737.00; and
3. Authorize the Mayor and the City Clerk to execute the Public Works Agreement.

SUBSTITUTE MOTION/SECOND: Council Member Foley/Council Member Genis
SUBSTITUTE MOTION: To continue the item to the December 6, 2016 City Council meeting.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

ACTION:

City Council continued the item to the December 6, 2016 City Council meeting.

6. **FINAL MAP FOR TRACT NO. 18006 LOCATED AT 326 22ND STREET AND 2212, 2216 AND 2220 SANTA ANA AVENUE, COSTA MESA, CALIFORNIA**

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

Abstain: Mayor Mensinger

Absent: Council Member Monahan

Motion carried: 3-0-1-1

ACTION:

City Council approved the Final Map for Tract No. 18006 and authorized signing of the Map by the City Clerk and the City Engineer.

FOR INFORMATIONAL PURPOSES ONLY

7. FUNDING FOR LEGAL SERVICES AGREEMENT WITH BEST BEST & KRIEGER

RECOMMENDATION:

It is recommended that the City Council authorize additional funding of \$75,000 for the special counsel legal services agreement with Best Best & Krieger (BB&K) for legal services relating to environmental and election issues.

SUBSTITUTE MOTION/SECOND: Council Member Foley/Council Member Genis

SUBSTITUTE MOTION: To continue the item to the January 17, 2017 City

Council meeting.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

ACTION:

City Council continued the item to the January 17, 2017 City Council meeting.

8. KIMLEY-HORN AND ASSOCIATES PROFESSIONAL SERVICES CONTRACT AMENDMENT

MOVED/SECOND: Mayor Pro Tem Righeimer/Mayor Mensinger

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

ACTION:

1. City Council approved Amendment Two to the existing Professional Services Agreement with Kimley-Horn and Associates to perform community improvement consulting services in an additional amount not to exceed \$250,000 and extend the term of the agreement through June 30, 2017; and
2. Authorized the CEO and City Clerk to execute the agreement; and
3. Authorized the CEO and City Clerk to accept and execute future amendments to the agreement.

REPORT – CITY ATTORNEY - NONE

ADJOURNMENT – The Mayor and City Council adjourned the meeting at 10:44 p.m.