

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL, HOUSING
AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY**

December 6, 2016

CALL TO ORDER (00:00:01)

The meeting was called to order by the Mayor Pro Tem at 5:50 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

PLEDGE OF ALLEGIANCE (00:00:30) - Mayor Pro Tem Righeimer

MOMENT OF SOLEMN EXPRESSION (00:00:47)

Pastor Mike Gibson, Christ Lutheran Church, Costa Mesa

ROLL CALL (00:02:33)

Present: Council Member Foley, Council Member Genis, Mayor Pro Tem Righeimer and Council Member Monahan (arrived at 5:57 p.m.)

Absent: Mayor Mensinger

Officials Present: Chief Executive Officer Tom Hatch, City Attorney Thomas Duarte, Assistant Chief Executive Officer Richard Francis, Assistant Chief Executive Officer Tamara Letourneau, Development Services Department Consultant Jay Trevino, Interim Public Services Director Raja Sethuraman, and City Clerk Brenda Green.

CITY ATTORNEY CLOSED SESSION REPORT (00:02:49) - NONE

COIN: Ex Parte Communications pursuant to Municipal Code Section 2-238 (b) -

Council Member Foley stated that she met with the members of the bargaining unit to discuss operational matters, timeline and alternatives for negotiations.

ANNOUNCEMENTS (00:03:15)

"Costa Mesa Minute" was played featuring upcoming events and activities in the community.

PUBLIC COMMENTS (00:05:34)

Beth Refakes, Costa Mesa, requested an update on the Council Chambers renovation; and spoke on the airport issues. (00:06:14)

Tamar Goldmann, Costa Mesa, spoke on high density development and parking requirements. (00:07:48)

Ralph Taboada, Costa Mesa, spoke on sober living solutions; and eulogized Jeff Arthur. (00:10:18)

Dorothy Mcniff, Costa Mesa, spoke on the zoning application ZA-11-45 and the Beach Pit Barbeque restaurant. (00:13:02)

Robin Leffler, Costa Mesa, eulogized Jeff Arthur and praised Council Member Monahan. (00:17:10)

Steven Chan, Costa Mesa, spoke on the bass sound and business liquor license restrictions for the Holiday bar. (00:19:22)

Speaker, spoke on a fundraising effort for Standing Rock. (00:22:30)

Reggie Mundekis, spoke on the operations of the Orange County Fairgrounds. (00:24:59)

Flo Martin, Costa Mesa, spoke on the traffic and biking conditions on Merrimac Way. (00:27:41)

T. Koken, spoke on the election. (00:30:49)

Cindy Black, Costa Mesa, spoke on a Coastal Commission hearing on Friday, December 9, 2016 at Ventura City Hall. (00:32:27)

COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS (00:34:06)

Council Member Foley spoke on the Home Tour; meeting with Jose Solorio, Council Member Elect from Santa Ana, regarding airport issues, homelessness and tree grants; sober living homes briefing; Jeff Arthur and the Circle of Service program; and the Coastal Commission meeting.

Council Member Genis spoke on her attendance to the Southern California Economic Summit; sober living homes issues; airport issues; the Coastal Commission meeting; City Committees and Commissions; and remembering Pearl Harbor.

Council Member Monahan thanked Robin Leffler; spoke on sober living homes issues; the Beach Pit Barbeque; sidewalks on Merrimac Way; Fresh Beginning Ministries toy drive; and praised the Police and Fire Chiefs and the police reserves officers.

Mayor Pro Tem Righheimer spoke on parking solutions; and sober living homes.

REPORT – CHIEF EXECUTIVE OFFICER (CEO) (01:03:16)

CEO Tom Hatch spoke on the reimbursement the City received for the Trump rally; eulogized Jeff Arthur; provided status on the airport issues; and presented Fire Chief Dan Stefano with the Fire Chief certification.

CONSENT CALENDAR (01:11:04)

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 15 except for 5, 6, 13 and 14.

MOVED/SECOND: Council Member Monahan/Council Member Genis (01:11:32)

The motion carried by the following roll call vote:

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

Nays: None

Absent: Mayor Mensinger

Motion carried: 4-0-1

1. READING FOLDER

Claims received by the City Clerk: Nadeem Ahmed, Alain Gozukara and Ricardo Pasillas.

ACTION:

City Council received and filed.

2. WARRANT RESOLUTION NO. 2567 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 16-23 "A" FOR \$-496.60 AND 16-24 FOR \$2,180,896.38; AND CITY OPERATING EXPENSES FOR \$2,388,007.58; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

ACTION:

City Council approved Warrant Resolution No. 2567.

3. MINUTES OF THE REGULAR CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF NOVEMBER 15, 2016

ACTION:

City Council approved the minutes of November 15, 2016.

4. EMERGENCY PURCHASE FOR PROFESSIONAL INSPECTION SERVICES TO PROVIDE AS-NEEDED STAFF SUPPORT FOR COMMERCIAL INSPECTIONS

ACTION:

City Council received and filed.

7. MEASURE M2 EXPENDITURE REPORT

ACTION:

City Council adopted Resolution 16-87, approving the Measure M2 Expenditure Report.

8. FINAL MAP FOR TRACT NO. 17981 LOCATED AT 2626 HARBOR BOULEVARD, COSTA MESA, CALIFORNIA

ACTION:

City Council approved the Final Map for Tract No. 17981 and authorized signing of the Map by the City Clerk and the City Engineer.

9. FINAL MAP FOR TRACT NO. 17640 LOCATED AT 522 AND 526 BERNARD STREET, COSTA MESA, CALIFORNIA

ACTION:

City Council approved the Final Map for Tract No. 17640 and authorized signing of the Map by the City Clerk and the City Engineer.

10. NEW SIDEWALK AND PARKWAY MAINTENANCE PROJECT (PHASE I) CITY PROJECT NO. 16-07

ACTION:

1. City Council adopted the plans, specifications, and working details for the New Sidewalk and Parkway Maintenance Project (Phase I), City Project No. 16-07; and
2. Awarded a construction contract to C.J. Concrete Construction, Inc., 10142 Shoemaker Avenue, Santa Fe Springs, CA 90670 in the amount of \$1,930,725.00; and
3. Authorized the Mayor and the City Clerk to execute the Public Works Agreement.

11. PURCHASE AND INSTALLATION OF FUEL MANAGEMENT AND AUTHORIZATION SYSTEM

ACTION:

City Council approved and authorized the Chief Executive Officer to execute a purchase order with AssetWorks, 998 Old Eagle Road, Suite 1215, Wayne, PA 19087, for the Fuel Focus Automated Fuel and Fluid Management System, through the National Joint Powers Alliance (NJPA) Contract #051613-AWI Fleet Management and Related Technology Solutions, in the amount of \$172,000.

12. SMALLWOOD PARK IMPROVEMENTS PROJECT, CITY PROJECT NO. 14-13

ACTION:

1. City Council accepted the work performed by Micon Construction Inc. and authorized the City Clerk to file the Notice of Completion; and
2. Authorized the release of the Labor and Materials Bond seven (7) months after the 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.

15. UPGRADE OF CITY'S DOCUMENT MANAGEMENT SYSTEM TO LASERFICHE RIO

ACTION:

City Council authorized the Chief Executive Officer to execute a purchase order with ECS Imaging, Inc., for an upgrade of the City's document management system, from Laserfiche Avante, to Laserfiche Rio, in an amount not-to-exceed \$63,738.00, and renewal of licensing and maintenance services for up to five years at an annual cost of \$21,296.

OLD BUSINESS:

1. **SECOND 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 (01:12:01)**

Sheri Vander Dussen, Interim Assistant Development Services Director/
Community Improvement Division, presented the Staff Report. (01:12:45)

No public comments on the item.

MOVED/SECOND: Council Member Monahan/Council Member Foley (01:13:13)
The motion carried by the following roll call vote:

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

Nays: None

Absent: Mayor Mensinger

Motion carried: 4-0-1

ACTION:

City Council gave second reading and adopted Ordinance 16-14, to be read by title only, and further reading waived, for the 2016 Edition of the Model California Construction Codes.

ITEMS REMOVED FROM THE CONSENT CALENDAR

5. PROFESSIONAL ENGINEERING SERVICES TO PROVIDE AS-NEEDED STAFF SUPPORT FOR VARIOUS CAPITAL IMPROVEMENT PROGRAM PROJECTS (01:13:26)

Public Comments:

Robin Leffler, Costa Mesa, supports the hiring of permanent employees.
(01:13:52)

MOVED/SECOND: Council Member Monahan/Council Member Foley (01:14:58)
The motion carried by the following roll call vote:

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

Nays: None

Absent: Mayor Mensinger

Motion carried: 4-0-1

ACTION:

1. City Council approved the Contract Change Order No. 2 to the Professional Services Agreement with Civil Source, Inc., 9890 Irvine Center Drive, Irvine, California 92618, in the amount of \$350,000.00; and Contract Change Order No. 2 to the Professional Services Agreement with Interwest Consulting Group, Inc. 15140 Transistor Lane, Huntington Beach, California 92649 in the amount of \$400,000.00 to secure additional services on an as-needed basis, for Project/Construction Management and Public Works Inspection for various Council-approved Capital Improvement Program (CIP) projects; and
2. Authorized the Chief Executive Officer to execute the Contract Change Orders.

6. **FIRE STATION NO. 1 RECONSTRUCTION, CITY PROJECT NO. 16-16 (01:15:05)**

Public Comments:

Beth Refakes, Costa Mesa, requested clarification on the funding for the project. (01:15:28)

MOVED/SECOND: Council Member Monahan/Council Member Foley (01:17:04)

The motion carried by the following roll call vote:

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

Nays: None

Absent: Mayor Mensinger

Motion carried: 4-0-1

ACTION:

1. City Council adopted the plans, specifications, and working details for the Fire Station No. 1 Reconstruction, City Project No. 16-16; and
2. Waived a minor irregularity in the bid submitted by the apparent low bidder and award a construction contract to Horizons Construction Co. Int'l, Inc., 432 W. Meats Ave., Orange, California 92865, in the amount of \$7,767,000.00; and
3. Authorized the Mayor and the City Clerk to execute the Public Works Agreement.

13. **MEDIAN LANDSCAPE AND IRRIGATION IMPROVEMENTS PROJECT, CITY PROJECT NO. 16-19 (01:17:12)**

Public Comments:

Robin Leffler, Costa Mesa, spoke on the money savings, noticing, and materials for the project. (01:17:32)

Council Member Genis expressed concern on the agave plants. (01:22:44)

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Righeimer (01:24:07)

MOTION: To approve the recommended actions and include the approval of the proposed negotiation of the items under a contract change order (#4).

The motion carried by the following roll call vote:

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

Nays: Council Member Genis

Absent: Mayor Mensinger

Motion carried: 3-1-1

ACTION:

1. City Council adopted the plans, specifications, and working details for the Median Landscape and Irrigation Improvements Project, City Project No. 16-19; and
2. Awarded a construction contract to KASA Construction, Inc., 15148 Sierra Bonita Lane, Chino, CA 91710, in the amount of \$457,737.00; and
3. Authorized the Mayor and the City Clerk to execute the Public Works Agreement; and
4. Approved the proposed negotiation of the following items under a contract change order:
 - a. Delete the new irrigation controllers from the contract for a potential savings of \$48,000.00; and
 - b. Eliminate contingencies that will reduce the project by \$20,000.00; and
 - c. Reduce the quantity of boulders by up to 25% for a potential savings of up to \$2,500.00; and
 - d. Substitution of roses and agave plants with other species.

14. COOPERATIVE AGREEMENT FOR THE BICYCLE CORRIDOR IMPROVEMENT PROGRAM PROJECT - WEST 19TH STREET BICYCLE TRAIL (01:24:16)

Raja Sethuraman, Interim Public Services Director, presented the Staff Report. (01:25:15)

Discussion ensued on the construction of the project. (01:29:10)

Public Comments:

Wendy Leece, Costa Mesa, spoke on the review of the item by the Bikeway and Walkability committee and minimizing impacts to sensitive habitat areas. (01:34:45)

Jay Humphrey, Costa Mesa, spoke on minimizing impacts to sensitive habitat areas. (01:38:43)

Cindy Black, Costa Mesa, spoke in opposition to the agreement and the project. (01:40:00)

Kevin Nelson, San Clemente, spoke in preserving the natural environment; and in opposition to the agreement. (01:43:43)

Steve Ray, Banning Ray Conservancy, spoke in preserving the natural environment; review by the Coastal Commission; and protected habitat areas. (01:46:27)

Discussion ensued on the grant for the project and meeting with the Resource Agency. (01:48:44)

MOVED/SECOND: Mayor Pro Tem Righeimer/Council Member Monahan (02:00:54)

MOTION: To approve the recommended actions and staff to meet with the Resource Agency to discuss the design phases of the project.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Mayor Mensinger

Motion carried: 4-0-1

ACTION:

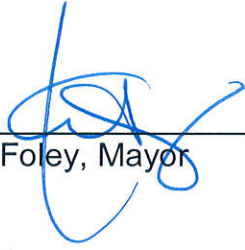
1. City Council approved the Cooperative Agreement between the City of Costa Mesa and the Orange County Transportation Authority (OCTA) for the Bicycle Corridor Improvement (BCI) Program project - West 19th Street Bicycle Trail; and
2. Authorized the Chief Executive Officer and City Clerk to review and accept minor revisions to the agreement and to execute the above agreement; and
3. Directed Staff to meet with the Resource Agency to discuss the design phases of the project.

Council Member Monahan thanked the staff for their service. (02:01:00)

REPORT – CITY ATTORNEY - NONE

ADJOURNMENT - The Mayor Pro Tem and City Council adjourned the meeting at 7:53 p.m. in memory of Jeff Arthur, Chair of the Pension Oversight Committee.

Minutes adopted on this 7th day of March, 2017.



Katrina Foley, Mayor

ATTEST:



Brenda Green, City Clerk