

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, MARCH 21, 2017
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE
SPECIAL CLOSED SESSION – 5:30 P.M.
REGULAR MEETING – 6:00 P.M.

KATRINA FOLEY
Mayor

SANDRA L. GENIS
Mayor Pro Tem

JOHN B. STEPHENS
Council Member

JAMES M. RIGHEIMER
Council Member

ALLAN R. MANSOOR
Council Member

City Attorney
Thomas Duarte

City Manager
Thomas R. Hatch

CALL TO ORDER

The Special Closed Session meeting was called to order by the Mayor Pro Tem at 5:32 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

ROLL CALL

Present: Council Member Mansoor, Council Member Righeimer, Council Member Stephens, Mayor Pro Tem Genis, and Mayor Foley (arrived at 5:45 p.m.).

Absent: None

FOR INFORMATIONAL PURPOSES ONLY

The City Council recessed to Conference Room 5A at 5:35 p.m. for Special Closed Session to consider the following items:

1. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code
Name of Case: David William Palmblade and Judith Darlene Palmblade v. City of Costa Mesa, Orange County Superior Court Case No. 30-2016-00841782-CU-BC-CJC.

2. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

Property: 2501 Harbor Boulevard, Costa Mesa, CA 92626
APN: 420-012-16

Pursuant to Section 54956.8, California Government Code

Negotiating Parties: Richard Francis, Assistant City Manager and the State of California

Under Negotiation: Price and Terms

The City Council reconvened at 6:15 p.m.

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

CALL TO ORDER

The regular meeting was called to order by the Mayor at 6:15 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

NATIONAL ANTHEM Ms. Daisy Avila

PLEDGE OF ALLEGIANCE - Mayor Pro Tem Genis

MOMENT OF SOLEMN EXPRESSION

Pastor Mike Decker, Palm Harvest Church, Costa Mesa

ROLL CALL

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

Absent: None

CITY ATTORNEY CLOSED SESSION REPORT - NONE

COIN: Ex Parte Communications pursuant to Municipal Code Section 2-238 (b) – Mayor Foley stated she had communications with Captain Rob Gagne regarding firefighters' requests.

CONSENT CALENDAR

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

MOTION: Approve recommended actions for Consent Calendar item nos. 1 through 8 except **1, 4, 6, 7, and 8.**

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

- 2. WARRANT RESOLUTION NO. 2573 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 17-04 "A" FOR \$19,496.50 AND 17-05 FOR \$2,153,751.01; AND CITY OPERATING EXPENSES FOR \$746,272.20; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID**

ACTION:

City Council approved Warrant Resolution No. 2573.

- 3. MINUTES OF THE REGULAR CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY MEETING OF JANUARY 3, 2017**

ACTION:

City Council approved the minutes of January 3, 2017.

- 5. MEASURE M2 COMPREHENSIVE TRANSPORTATION FUNDING PROGRAM PROJECT DELAYS**

ACTION:

City Council authorized two-year delay in the implementation of three (3) transportation projects that have received Orange County Transportation Authority's (OCTA) Measure M2 Combined Transportation Funding Program grant funding from Fiscal Year 2016-17 to 2018-19.

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

CONSENSUS: NEW BUSINESS #1 LOS ANGELES CHARGERS USE AGREEMENT WAS HEARD OUT OF ORDER AND CONSIDERED NEXT.

NEW BUSINESS

1. LOS ANGELES CHARGERS USE AGREEMENT FOR JACK HAMMETT SPORTS COMPLEX

MOVED/SECOND: Council Member Stephens/Council Member Mansoor

MOTION: Approve the Use Agreement for the Los Angeles Chargers with the following additions: specify the hours of daily operation with flexibility to deviate with the written approval of City staff, a mediation provision, and a Chargers representative as a point of contact.

The motion carried by the following roll call vote:

Ayes: Council Member Mansoor, Council Member Righeimer, Council Member Stephens, and Mayor Pro Tem Genis.

Nays: None

Absent: None

Abstain: Mayor Foley (recused due to living within 500 feet of the Jack Hammett Sports Complex)

Motion carried: 4-0-0-1

ACTION:

City Council approved and authorized the City Manager to execute the Use Agreement for the Los Angeles Chargers to use the City's Jack Hammett Sports Complex for their annual summer training camp and related NFL Experience events which includes the opportunity for the community to view practices and included the following additions: specify the hours of daily operation with flexibility to deviate with the written approval of City staff, a mediation provision, and a Chargers representative as a point of contact.

THE CITY COUNCIL RESUMED THE MEETING IN ORDER WITH THE ITEMS REMOVED FROM THE CONSENT CALENDAR:

1. READING FOLDER Claims received by the City Clerk: Queena Chuang, Jerika W. Glatt, Rex Hardesty, Pamela Hibbs, Yong Kyu Lim, Zahrah Math, Omar Ortiz, Cecil V. Patterson, and Gil Pichon Sanchez.

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council received and filed.

4. CITY HALL - PURCHASE, REMOVAL, AND INSTALLATION OF PUBLIC ADDRESS SYSTEM

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council approved and authorized the City Manager to execute a purchase order with SimplexGrinnell LP, 12728 Shoemaker Avenue, Santa Fe Springs, CA 90670, for the removal, purchase, and installation of a Simplex 5100 Series Communication System, through the National Joint Powers Alliance (NJPA) Contract #031913-SGL Facility Security & Related Services, in the amount of \$110,607.74.

6. REMOVAL AND INSTALLATION OF RUBBER PLAYGROUND SAFETY SURFACE AT TEWINKLE PARK, ANGELS PLAYGROUND

MOVED/SECOND: Council Member Mansoor/Council Member Stephens

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council authorized the City Manager to execute a purchase order with No Fault Sports Group, LLC, 3112 Valley Creek Drive, Suite C, Baton Rouge, LA 70808 for the removal, purchase and installation of new rubber playground safety surface at Angels Playground located in Tewinkle Park through the National Joint Powers Alliance (NJPA) Contract # 082114-NFS, Playground and Athletic Surfacing, in the amount of \$123,705.

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7. FIREARMS PURCHASE WITH PROFORCE

MOVED/SECOND: Council Member Stephens/Council Member Righeimer

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council approved and authorized the City Manager to execute a purchase order with ProForce Law Enforcement, 3009 North Highway 89, Prescott, AZ, for the purchase of firearms and accessories to include magazines, holsters and lights, for \$84,565.68.

8. APPROVE GRANT WRITING AND ADVOCACY SERVICES AGREEMENT WITH TOWNSEND PUBLIC AFFAIRS

MOVED/SECOND: Council Member Stephens/Council Member Mansoor

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

1. City Council approved grant writing and Advocacy Services Agreement with Townsend Public Affairs in the amount of \$50,000 per year; and
2. Authorized the City Manager to execute agreement; and
3. Authorized the City Manager to approve and execute non-financial amendments to this agreement.

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

1. APPEAL OF PLANNING COMMISSION'S DECISION TO DENY A ONE-YEAR TIME EXTENSION FOR PLANNING APPLICATION PA-15-08 AND PARCEL MAP 2015-108 APPROVED FOR CONSTRUCTION AND SUBDIVISION OF A FOUR UNIT DETACHED RESIDENTIAL DEVELOPMENT AT 2068 MAPLE AVENUE

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

ORIGINAL MOTION: To uphold the Planning Commission's decision to deny the proposed one-year time extension for the project.

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The motion carried by the following roll call vote:

Ayes: Council Member Stephens, Mayor Pro Tem Genis, and Mayor Foley.

Nays: Council Member Mansoor and Council Member Righeimer.

Absent: None

Motion carried: 3-2

ACTION:

City Council upheld the Planning Commission's decision to deny the proposed one-year time extension for the project, described below:

1. **Planning Application PA-15-08** – Urban Master Plan for development of a four-unit detached residential project on a vacant parcel within an Urban Plan area; and
2. **Tentative Parcel Map 2015-108** – Subdivision of a 0.235-acre property into four fee-simple parcels in compliance with small lot subdivision standards.

OLD BUSINESS: NONE

NEW BUSINESS:

2. **CONSIDERATION OF DIRECT PARTNERSHIP WITH THE SCHOOL DISTRICT FOR THE SPORTS FACILITY IMPROVEMENTS GRANT PROGRAM**

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

MOTION: To adopt Resolution No. 17-20, authorizing City staff to work directly with the Newport-Mesa Unified School District in the administration of the Facility Improvements Grant Program and approve that any money be allocated on an alternating basis between Costa Mesa elementary schools and local high schools, and City staff to work with NMUSD on equitable allocation of the funds.

The motion carried by the following roll call vote:

Ayes: Council Member Stephens, Mayor Pro Tem Genis, and Mayor Foley.

Nays: Council Member Mansoor and Council Member Righeimer.

Absent: None

Motion carried: 3-2

ACTION:

1. City Council adopted Resolution No. 17-20, authorizing City staff to work directly with the Newport-Mesa Unified School District in the administration of the Facility Improvements Grant Program; and
2. Approved that any money be allocated on an alternating basis between Costa Mesa elementary schools and local high schools, and City staff to work with NMUSD on equitable allocation of the funds.

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The City Council recessed into a break at 11:10 p.m.

The City Council reconvened at 11:18 p.m.

3. NEW COSTA MESA COMMITTEES

MOVED/SECOND: Mayor Pro Tem Genis/ Mayor Foley

MOTION: To continue the meeting past midnight.

The motion carried by the following roll call vote:

Ayes: Council Member Mansoor, Council Member Stephens, Mayor Pro Tem Genis and Mayor Foley.

Nays: Council Member Righeimer

Absent: None

Motion carried: 4-1

ACTION:

City Council approved to continue the meeting past midnight.

The City Council provided directions on the following committee formations:

Open Space and Recreation Advisory Committee

MOVED/SECOND: Council Member Righeimer/Council Member Mansoor

MOTION: To receive and file and bring the item back when \$20,000 is in the account.

The motion carried by the following roll call vote:

Ayes: Council Member Mansoor, Council Member Righeimer and Council Member Stephens.

Nays: Mayor Pro Tem Genis and Mayor Foley.

Absent: None

Motion carried: 3-2

ACTION:

City Council received and filed and approved to bring the item back when \$20,000 is in the account.

Youth Sports Committee

MOVED/SECOND: Council Member Righeimer/Council Member Mansoor

MOTION: To receive and file.

The motion carried by the following roll call vote:

Ayes: Council Member Mansoor, Council Member Righeimer, and Mayor Foley.

Nays: Council Member Stephens and Mayor Pro Tem Genis

Absent: None

Motion carried: 3-2

FOR INFORMATIONAL PURPOSES ONLY

ACTION:

City Council received and filed.

The Youth Sports, Open Space & Recreation Advisory Committee

MOVED/SECOND: Mayor Foley/Mayor Pro Tem Genis

MOTION: To approve the Youth Sports, Open Space & Recreation Advisory Committee and adopt Resolution No. 17-19 with certain changes and additions.

The motion carried by the following roll call vote:

Ayes: Council Member Stephens, Mayor Pro Tem Genis, and Mayor Foley.

Nays: Council Member Mansoor and Council Member Righeimer.

Absent: None

Motion carried: 3-2

ACTION:

City Council approved the Youth Sports, Open Space & Recreation Advisory Committee and adopted Resolution No. 17-19 (Option 1) as follows:

“A Resolution of the City Council of the City of Costa Mesa, California establishing the Youth Sports, Open Space & Recreation Advisory Committee which shall encompass the Open Space and Recreation Advisory Committee (OSRAC) pursuant to Costa Mesa Measure Z, known as the Measure for Sensible Community Development and Development-Funded Open Space and Recreation. The Committee shall consist of seventeen (17) members. The Committee shall meet bi-monthly. Seven (7) of the members are set by Ordinance (Measure Z, adopted 11-8-16) known as the OSRAC:

1. The Mayor.
2. One (1) City Councilmember chosen by a majority of the City Council.
3. One (1) representative of a Costa Mesa flag football organization chosen by a majority of the City Council.
4. One (1) representative of a Costa Mesa youth baseball organization chosen by a majority of the City Council.
5. One (1) representative of a Costa Mesa youth soccer organization chosen by a majority of the City Council.
6. One (1) representative of the Newport Mesa Unified School District (“NMUSD”) chosen by a majority vote of the NMUSD trustees.
7. One (1) member from a properly formed and actively operating California corporation whose primary focus is issues of environmental concern chosen by a majority of the City Council

The remaining Committee members include:

8. One (1) representative of the Costa Mesa Chamber of Commerce.
9. One (1) representative of a new development located North of the I-405 freeway and West of Fairview impacted by the new Open Space and Public Park Impact Fee, as selected by the Chamber of Commerce.

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10. One (1) representative from the American Youth Soccer Organization Region 120 or Region 97 ratified by a majority of the City Council.
11. One (1) representative from a Newport-Mesa Soccer Club ratified by a majority of the City Council.
12. One (1) representative from the California Youth Soccer League ratified by a majority of the City Council.
13. One (1) representative from the Costa Mesa Amateur Athletic Association or Pop Warner Football ratified by a majority of the City Council.
14. One (1) representative from Costa Mesa Pony Baseball ratified by a majority of the City Council.
15. One (1) representative from the Athletic Department from either Costa Mesa High School or Estancia High School ratified by a majority of the City Council.
16. One (1) representative from either the American Little League or National Little League ratified by a majority of the City Council.
17. One (1) representative, who is a Costa Mesa resident affiliated with a sport such as: soccer, football, baseball, softball, volleyball, golf, swimming, gymnastics, track & field, tennis, cheerleading, dance, boxing and/or wrestling ratified by a majority of the City Council.

Fairview Park Steering Committee

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

MOTION: To approve the Fairview Park Steering Committee with seven voting members and two alternates, serving staggered four-year terms and selected by the City Council at-large; one City Council liaison and up to two Parks & Recreation Commission liaisons, both selected by the presiding officer of each body.

The motion carried by the following roll call vote:

Ayes: Council Member Stephens, Mayor Pro Tem Genis, and Mayor Foley.

Nays: Council Member Mansoor and Council Member Righeimer.

Absent: None

Motion carried: 3-2

ACTION:

City Council approved the Fairview Park Steering Committee with seven voting members and two alternates, serving staggered four-year terms and selected by the Council at-large; one City Council liaison and up to two Parks & Recreation Commission liaisons, both selected by the presiding officer of each body.

REPORT – CITY MANAGER - NONE

REPORT – CITY ATTORNEY - NONE

ADJOURNMENT – The Mayor adjourned the meeting at 12:35 a.m.