

**AMENDED AGENDA\***  
**CITY OF COSTA MESA**  
**REGULAR CITY COUNCIL AND SUCCESSOR AGENCY**  
**TO THE REDEVELOPMENT AGENCY\* MEETING**

\*NOTE: ALL AGENCY AND AUTHORITY MEMBERSHIPS ARE REFLECTED IN THE TITLE "COUNCIL MEMBER."

**\*PRESENTATION ON CRIME MAPPING HAS BEEN WITHDRAWN FROM  
THE AGENDA.**

**TUESDAY, AUGUST 1, 2017**  
**CITY COUNCIL CHAMBERS, 77 FAIR DRIVE**  
**SPECIAL CLOSED SESSION – 4:00 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**

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](mailto:cityclerk@costamesaca.gov)

## WELCOME TO THE CITY COUNCIL MEETING

### **PUBLIC COMMENTS – MATTER NOT LISTED ON THE AGENDA:**

Members of the public desiring to speak during the Public Comments period on a matter not on the agenda are not required to submit a speaker card but may choose to voluntarily complete a card for facilitation of the minutes and possible follow-up to their comments. Members of the public shall only address the City Council one time at any given meeting for non-agenda items. Each speaker is limited to three minutes.

### **PUBLIC COMMENTS – CONSENT CALENDAR:**

Members of the public desiring to speak on a consent calendar item shall submit such a request on a speaker card prior to the start of the Consent Calendar period. Each speaker is limited to three minutes.

### **PUBLIC COMMENTS – MATTER LISTED ON THE AGENDA:**

Members of the public desiring to speak during the Public Comments period on a matter listed on the agenda are not required to submit a speaker card but may choose to voluntarily complete a card for facilitation of the minutes and possible follow-up to their comments. Each speaker is limited to three minutes.

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.** All materials, pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. Kindly submit to the City Clerk **AS EARLY AS POSSIBLE, BUT NO LATER THAN 15 MINUTES PRIOR TO THE START OF THE MEETING.** Materials may also be e-mailed to [cityclerk@costamesaca.gov](mailto:cityclerk@costamesaca.gov).
2. **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.
3. 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 of 1990, Assistive Listening headphones located inside the Council Chambers are available at all Costa Mesa City Council meetings and can be checked out from the City Clerk. If you need special assistance to participate in this meeting, please contact the City Clerk at (714) 754-5225. Notification at least 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]. Language translation services are available for this meeting by calling (714) 754-5225 at least 48 hours in advance. Habrá servicio de interpretación disponible para éstas juntas llamando al (714) 754-5225 por lo menos con 48 horas de anticipación.

**COUNCIL MEMBER RIGHEIMER WILL BE ATTENDING THE SPECIAL  
CLOSED SESSION MEETING VIA TELECONFERENCE FROM:**

**Hyatt Regency Denver**

**Colorado Convention Center, Room 3217**

**650 15<sup>th</sup> Street**

**Denver, CO 80202**

**Phone Number: 303-436-1234**

**Special Closed Session meeting will  
commence at 5:00 p.m. Colorado time.**

**SPECIAL CLOSED SESSION – 4:00 P.M.**

**CALL TO ORDER**

**ROLL CALL**

**PUBLIC COMMENTS** - Members of the public (including members at the teleconference location) are welcome to address the City Council only on those items on the Special Closed Session agenda. Each member of the public will be given three minutes to speak.

**1. CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Subdivision (a) of Section 54957.6, California Government Code  
Agency Designated Representative: Tamara Letourneau, Assistant City Manager  
Name of Employee Organization: Costa Mesa Firefighters Association (CMFA).

**2. CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Subdivision (a) of Section 54957.6, California Government Code  
Agency Designated Representative: Tamara Letourneau, Assistant City Manager  
Name of Employee Organizations: Costa Mesa Division Managers Association and  
Unrepresented Executive Employees.

**3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code  
Name of Case: CMC, a group of patients collectively operating pursuant to Ca.  
Health & Safety Code § 11362.775, v. City of Costa Mesa, et al.,  
United States District Court, Central District of California, Case No. 8:16-cv-01690  
JLS (JCGx).

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

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code  
Name of Case: Timothy Dadey, et al. v. City of Costa Mesa, Orange County  
Superior Court of California, Case No. 30-2014-00757962-CU-CR-CJC.

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

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code  
Name of Case: The Kennedy Commission, et al. v. City of Costa Mesa, Orange  
County Superior Court of California, Case No. 30-2016-00832585-CU-WM-CJC.

**The City Council and Successor Agency to the Redevelopment Agency will recess to  
Conference Room 5A for Special Closed Session at the conclusion of public  
comments.**

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v.3, 7/31/17

**REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR  
AGENCY TO THE REDEVELOPMENT AGENCY  
TUESDAY, AUGUST 1, 2017 – 6:00 P.M.**

**CALL TO ORDER**

**NATIONAL ANTHEM**

**PLEDGE OF ALLEGIANCE**      Council Member Mansoor

**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 Wood, Redemption Church, 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. City Manager's Leadership Award, July 2017 – Julie Colgan, Administrative Secretary
2. Congratulations to Kelly Shelton, Executive Assistant to the City Manager, on her retirement.

~~3. Crime Mapping on the City website – Police Chief Robert Sharpnack~~

**PUBLIC COMMENTS – MATTER NOT LISTED ON THE AGENDA:**

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## **COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS**

*(Each council member is limited to four minutes. Additional comments will be heard at the end of the meeting)*

1. Council Member Mansoor
2. Mayor Foley
3. Mayor Pro Tem Genis
4. Council Member Stephens
5. Council Member Righeimer

### **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. [WARRANT RESOLUTION NO. 2581 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 17-13 "A" FOR \\$-118.99 AND 17-14 FOR \\$2,239,918.12; AND CITY OPERATING EXPENSES FOR \\$3,969,281.79; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID](#) - Finance Department

#### RECOMMENDATION:

City Council approve Warrant Resolution No. 2581.

2. [MEMORANDUM OF UNDERSTANDING FOR SCHOOL RESOURCE OFFICER PROGRAM – ACADEMIC YEAR 2017-2018](#)  
Police Department/Support Services Division

#### RECOMMENDATION:

City Council approve the Memorandum of Understanding (MOU) between the City of Costa Mesa and the Newport-Mesa Unified School District pertaining to the School Resource Officer program for academic year 2017-2018.

3. **AWARD THE PURCHASE OF A NEW 2017 CHEVROLET TAHOE FOR USE AS THE FIRE CHIEF FRONTLINE VEHICLE**

Public Services Department/Maintenance Services Division

RECOMMENDATION:

City Council approve and authorize the City Manager to execute a purchase order for a 2017 Chevrolet Tahoe 4-WD 4-Dr 1500 LT through the National Joint Powers Alliance (NJPA) Contract #120716-NAF, in conjunction with the National Auto Fleet Group, 490 Auto Center Drive, Watsonville, CA 95076, in the amount of \$57,500.49.

4. **APPROVE RESOLUTIONS FOR THE APPLICATION OF GRANT FUNDS FROM THE HABITAT CONSERVATION FUND PROGRAM FOR THE FAIRVIEW PARK VERNAL POOL RESTORATION PROJECT AND FOR THE APPLICATION OF GRANT FUNDS FROM THE OUTDOOR ENVIRONMENTAL EDUCATION FACILITIES GRANT FUND PROGRAM FOR THE FAIRVIEW PARK NATIVE HABITAT NURSERY PROJECT**

Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council adopt a Resolution for the submittal of a grant application to the California Department of Parks and Recreation, Habitat Conservation Fund Program for the Fairview Park Vernal Pool Restoration Project; and
2. Adopt a Resolution for the submittal of a grant application to the California Department of Parks and Recreation, Outdoor Environmental Education Facilities Grant Program for the Fairview Park Native Habitat Nursery Project; and
3. Authorize the Public Services Director as the City's authorized representative.

5. **CITYWIDE PARKWAY CONCRETE REPAIR AND NEW SIDEWALK CONSTRUCTION PROJECT - CITY PROJECT NO. 14-12**

Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council accept the work performed by C.J. Concrete Construction Inc. and authorize the City Clerk to file the Notice of Completion; and
2. Authorize release of the Labor and Material 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.

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6. **SCHOOL CROSSING GUARD SERVICES WITH ALL CITY MANAGEMENT SERVICES – CONTRACT AMENDMENT**

Public Services Department/Transportation Services Division

RECOMMENDATION:

1. City Council approve Amendment No. 2 to the Professional Services Agreement with All City Management Services (ACMS), 10440 Pioneer Blvd., Ste. No. 5, Santa Fe Springs, CA 90670, to provide school crossing guard services for one (1) year and increase the compensation by an amount of \$177,200; and
2. Authorize the City Manager to execute the Amendment.

7. **INSURANCE BROKER SERVICES** – City Manager/Human Resources Division

RECOMMENDATION:

Staff recommends that the City Council authorize the City Manager to execute the professional services agreement and two 1-year extensions with Alliant Insurance Services in the amount not to exceed \$46,750 annually.

8. **RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE EXECUTION AND DELIVERY OF A JOINT EXERCISE OF POWERS AGREEMENT (JPA) BETWEEN CITY AND HOUSING AUTHORITY** – Finance Department

RECOMMENDATION:

City Council adopt the City Council Resolution authorizing the City's execution and delivery of a Joint Exercise of Powers Agreement by and between the City and Housing Authority.

9. **AGREEMENT NUMBER THREE TO PROFESSIONAL SERVICES AGREEMENT WITH STRADLING YOCCA CARLSON & RAUTH, PC** – Finance Department

RECOMMENDATION:

1. City Council approve Amendment Number Three to Professional Services Agreement with Stradling Yocca Carlson & Rauth, PC in the cumulative amount of \$41,750.00 to provide public finance legal services for "2017 Refunding COPS" (Refunding of the \$29,960,000 City of Costa Mesa, 2007 Certificates of Participation - Police Facility Expansion Project) in connection to the debt financing of the Lions Park Projects; and
2. Authorize the City Manager and the City Clerk to execute Amendment Number Three.

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**ITEMS REMOVED FROM THE CONSENT CALENDAR:**

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

1. [CIVIC OPENNESS IN NEGOTIATIONS \(COIN\) ORDINANCE SECOND PUBLIC HEARING AND ADOPTION OF THE 2017-2022 MEMORANDUM OF UNDERSTANDING \(MOU\) BETWEEN THE CITY OF COSTA MESA AND THE COSTA MESA FIRE MANAGEMENT ASSOCIATION \(CMFMA\). THE ADOPTION OF THE ACCOMPANYING SALARY RESOLUTION AND ADOPTION OF THE CALPERS EMPLOYER PAID MEMBER CONTRIBUTION RESOLUTION](#) - City Manager’s Office/Human Resources Division

**RECOMMENDATION:**

1. City Council hold the second Public Hearing as required by COIN; and
2. Approve and adopt the 2017-2022 Memorandum of Understanding between the City of Costa Mesa and the CMFMA; and
3. Adopt Resolution No. 17-49, which provides for a 4.5%, 4.5%, 4%, 3%, 2% salary increases for CMFMA represented employees effective June 25, 2017, June 24, 2018, June 23, 2019, June 21, 2020 and June 20, 2021; and
4. Adopt Resolution No. 17-50, for paying and reporting the value of the Employer Paid Member Contribution (EPMC) related to the Costa Mesa Fire Management Association. The effective date of this Resolution is August 6, 2017; and
5. Adopt Resolution No. 17-51, for paying and reporting the value of the Employer Paid Member Contribution (EPMC) related to the Costa Mesa Fire Management Association. The effective date of this Resolution is June 24, 2018.



2. [CODE AMENDMENT CO-17-04 TO AMEND SECTIONS OF TITLE 13 OF THE COSTA MESA MUNICIPAL CODE \(PLANNING, ZONING & DEVELOPMENT\) RELATING TO APPLICATION SUBMITTAL REQUIREMENTS AND NOTICING FOR PUBLIC HEARINGS](#) -Development Services Department/Planning Division

RECOMMENDATION:

City Council introduce for first reading Ordinance No. 17-11, adopting Code Amendment CO-17-04 to modify the submittal requirements for all discretionary applications, and expand the notice provided for public hearings held by the Planning Commission and City Council.

**OLD BUSINESS:**

1. [HARBOR BLVD. MEDIAN ENHANCEMENT PROJECT](#)  
Public Services Department/Transportation Services Division

RECOMMENDATION:

City Council approve the conceptual layout of the proposed Harbor Boulevard Median Improvement Project; and authorize staff to proceed to final design and advertisement of the project for construction.

**NEW BUSINESS:**

1. [DESIGNATION OF VOTING DELEGATE AND VOTING DELEGATE ALTERNATE\(S\) FOR 2017 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE](#) – City Manager’s Office/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 2017 League of California Cities Annual Conference.

2. [FINANCE AND PENSION ADVISORY COMMITTEE ANNUAL REPORT](#)  
(NO STAFF REPORT ON THIS ITEM)

RECOMMENDATION:

City Council receive and file.

## **ADDITIONAL COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS**

### **REPORT – CITY MANAGER**

### **REPORT – CITY ATTORNEY**

### **ADJOURNMENT**

#### **UPCOMING COMMUNITY EVENTS AND ACTIVITIES**

Movie Mondays, Mondays, July 10 – August 7, 5:30 (movie begins approximately 8 p.m., Segertrom Center for the Arts Julianne & George Argyros Plaza, [www.scfta.org](http://www.scfta.org).

OC Fair, July 14 – August 13, Wednesdays – Sundays, [www.ocfair.com](http://www.ocfair.com).

Summertime Luau, Friday, Aug. 4, 7 – at 9 p.m., Downtown Aquatic Center, 1860 Anaheim Ave., [www.costamesaca.gov](http://www.costamesaca.gov)

Chargers training Camp, July 30 – August 22, Jack Hammett Sports Complex, 2750 Fairview Rd., times vary, [www.chargers.com/camp](http://www.chargers.com/camp).

20<sup>th</sup> Annual OCTC Pancake Breakfast 5K, Sunday, August 6, at 8 a.m., Fairview Park, Co-hosted by Estancia High School Cross Country Teams.

9<sup>th</sup> annual OC Fair 5K Fun Run, Sunday, August 6, at 8 a.m., OC Fair & Event Center, [www.ocfair.com](http://www.ocfair.com).

11<sup>th</sup> Annual Hi-Time Charity Chili Cook-off, Sunday, August 6, noon – 5 p.m., 250 Ogle Street, benefitting the Boys & Girls Club of Central Orange County.

Early College High School Ribbon Cutting Ceremony, Wednesday, August 9, at 8 a.m., Early College High School, 2990 East Mesa Verde Drive.

Senior Luau, Friday, August 11, from 5 – 7 p.m., Costa Mesa Senior Center, 695 W. 19<sup>th</sup> St., [www.costamesaca.gov/recreation](http://www.costamesaca.gov/recreation).

Chiefs for Charity Demolition Derby, Saturday, August 12, at 8 p.m., Action Sports Arena - OC Fair [www.ocfair.com](http://www.ocfair.com).

Movie in the Park – Moana, Wednesday, August 16, preshow begins at 5:30 p.m. – movie begins at dusk, TeWinkle Park – Angels Playground, 885 Junipero Dr., [www.costamesaca.gov](http://www.costamesaca.gov)

Pacific Symphony performs Jurassic Park, August 19, at 8 p.m., [Pacific Amphitheatre - OC Fair & Event Center, www.pacificsymphony.org](http://www.pacificsymphony.org)