

**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."

**\*CHANGES TO CLOSED SESSION ITEMS.**

**TUESDAY, FEBRUARY 20, 2018**  
**CITY COUNCIL CHAMBERS**  
**77 FAIR DRIVE, COSTA MESA, CALIFORNIA**  
**CLOSED SESSION – 4:00 P.M.**  
**REGULAR MEETING – 6:00 P.M.**

**SANDRA L. GENIS**  
Mayor

**ALLAN R. MANSOOR**  
Mayor Pro Tem

**KATRINA FOLEY**  
Council Member

**JOHN B. STEPHENS**  
Council Member

**JAMES M. RIGHEIMER**  
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's 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.

**CLOSED SESSION – 4:00 P.M.**

**CALL TO ORDER**

**ROLL CALL**

**PUBLIC COMMENTS** - Members of the public are welcome to address the City Council only on those items on the Closed Session agenda. Each member of the public will be given a total of three minutes to speak on all items on the Closed Session agenda.

**1. 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.

**2. 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.

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

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code  
Name of Case: Orange County Catholic Worker, an unincorporated association: Lisa Bell, Shawn Carroll, Melissa Fields, Larry Ford, Cameron Ralston, Kathy Schuler, Gloria Shoemake, as individuals v. Orange County, City of Anaheim, City of Costa Mesa, and City of Orange, United States District Court for the Central District of California – Southern Division, Case No. 8:18-cv-00155.

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

~~Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code  
Name of Case: Yellowstone Women's First Step House, Inc., and Sober Living Network, Inc. v. City of Costa Mesa, U.S. District Court, Central District of California, Case No. SACV14-01852-JVS.~~

**4. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION  
INITIATION OF LITIGATION – ONE POTENTIAL CASE**

Pursuant to Subdivision (d)(4) of Section 54956.9, California Government Code

**ADDED:**

**5. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION  
INITIATION OF LITIGATION – ONE POTENTIAL CASE**

Pursuant to Subdivision (d)(2) of Section 54956.9, California Government Code

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

**REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR  
AGENCY TO THE REDEVELOPMENT AGENCY**

**TUESDAY, FEBRUARY 20, 2018 – 6:00 P.M.**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE** Council Member Foley

**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 David Manne, Calvary Chapel 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. Mayor's Award – Ms. Janet Krochman

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

### **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. READING FOLDER**

Claims received by the City Clerk: David Brantley, Kevin Canada, Doug Gorrie and Irene E. Weis.

#### RECOMMENDATION:

City Council receive and file.

2. [WARRANT RESOLUTION NO. 2592 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 18-01 "A" FOR \\$822.00, 18-02 FOR \\$2,353,556.88 AND 18-03 FOR \\$2,468,629.72; AND CITY OPERATING EXPENSES FOR \\$2,779,536.39; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID](#) - Finance Department

#### RECOMMENDATION:

City Council approve Warrant Resolution No. 2592.

3. [AWARD THE PURCHASE OF THREE NEW 2018 FORD K8A POLICE INTERCEPTORS UTILITY PATROL VEHICLES WITH CODE 3 UPFITTING](#)  
Public Services Department/Maintenance Services Division

RECOMMENDATION:

City Council approve and authorize the City Manager to execute purchase orders for the purchase of three (3) new 2018 Ford K8A Police Interceptor Utility body with code 3 upfitting with the National Auto Fleet Group, 490 Auto Center Drive, Watsonville, CA 95076 for a total amount of \$152,474.76 through the National Joint Powers Alliance (NJPA) contract #120716.

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

ITEMS REMOVED FROM THE CONSENT CALENDAR:

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

1. [APPEAL OF THE PLANNING COMMISSION'S DENIAL OF CONDITIONAL USE PERMIT PA-16-18 TO ALLOW A SOBER LIVING FACILITY SERVING 34 ADULTS IN SIX UNITS OPERATED BY SOCAL RECOVERY AT 175 EAST 21ST STREET, INCLUDING AN APPEAL OF A DENIAL OF A REQUEST FOR A REASONABLE ACCOMMODATION FROM A LAND USE REQUIREMENT](#)  
Development Services Department/Planning Division

RECOMMENDATION:

City Council adopt Resolution No. 18-xx, upholding the Director's denial of the request for reasonable accommodation and upholding the Planning Commission's denial of Conditional Use Permit PA-16-18.

2. [APPEAL OF THE PLANNING COMMISSION'S DENIAL OF SPECIAL USE PERMIT SL-15-0010 FILED BY SOCAL RECOVERY TO OPERATE A SOBER LIVING HOME SERVING SIX MEN AT 783 HUDSON AVENUE](#)  
Development Services Department/Planning Division

RECOMMENDATION:

City Council adopt Resolution No. 18-xx, upholding the decision of the Planning Commission to deny the Special Use Permit.

3. **APPEAL OF THE PLANNING COMMISSION'S DENIAL OF SPECIAL USE PERMIT SL-15-0011 FILED BY SOCAL RECOVERY TO OPERATE A SOBER LIVING HOME SERVING SIX MEN AT 208 CECIL PLACE**

Development Services Department/Planning Division

RECOMMENDATION:

City Council adopt Resolution No. 18-xx, upholding the decision of the Planning Commission to deny the Special Use Permit.

**OLD BUSINESS: NONE**

**NEW BUSINESS:**

1. **PILOT PROGRAM FOR PORTABLE RESTROOMS** – Office of the City Council

RECOMMENDATION:

Council Member John Stephens is requesting the City Council consider a partnership with the Costa Mesa Sanitary District (CMSD) to implement a six-month pilot mobile restroom program for the homeless population and appropriate \$21,500 for the pilot program via the City's contingency fund.

2. **AIRPORT ISSUES CONCERNING JOHN WAYNE AND LONG BEACH AIRPORTS** - Development Services Department/Planning Division

RECOMMENDATION:

City Council direct staff to do any or all of the following:

1. Continue to monitor the airport noise issues and explore/implement public feedback portals on the City's Website;
2. Send the letter to Jetblue;
3. Seek a contract with a consultant to represent the City for noise issues and contracts;
4. Seek a proposal for a preliminary aircraft noise study;
5. Explore the possibility of creating an Airport Noise Issues Committee.

3. **CANDIDATE FORUMS** – City Manager’s Office

RECOMMENDATION:

City Council provide direction regarding City staff’s participation in videotaping of candidate forums and the inclusion of such forums on the City’s cable television channel (CMTV3) and website.

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

**REPORT – CITY MANAGER**

**REPORT – CITY ATTORNEY**

**ADJOURNMENT**

**UPCOMING COMMUNITY EVENTS AND ACTIVITIES**

Thursday, February 22, 2018 – **Free FAFSA Workshop**, 4-5:30 p.m. Youth Employment Services (YES) 114 E. 19<sup>th</sup> St. YES and Boys and Girls Club of Central Orange Coast have collaborated to offer a last chance workshop to help with the FAFSA application. For more information, please email: [michelle@yesworks.org](mailto:michelle@yesworks.org)

Thursday, February 22, 2018 – **Fairview Commons Grand Opening**, 3-6 p.m., 2283 Fairview Rd. Costa Mesa. Take a tour and enjoy refreshments, food, photo booth and live entertainment. For more information, please contact: 949-646-6300.

Friday, February 23, 2018 – **Tech Talk**, 1-2 p.m., Costa Mesa Senior Center, 695 W. 19<sup>th</sup> St. Learn all the features that your cell phone has to offer. Registration is required. For more information, please call: 714-327-7550.

Saturday, February 24, 2018 - **SOCO Farmers Market**, 9 a.m.-2 p.m., SOCO and The OC Mix, 3315 Hyland Ave. Over 30 vendors showcase the best that California farmers and local food artisans have to offer. Live music, knife sharpening and free balloon animals for the kids. A free pet sitting service is also offered on the last Saturday of each month. For more information, visit [www.farmermark.com](http://www.farmermark.com).

Tuesday, February 27, 2018 – **Costa Mesa High School Boosters Bingo**, 5-8 p.m., Costa Mesa Senior Center, 695 W. 19<sup>th</sup> St. Proceeds benefit Costa Mesa High School athletics.

Tuesday, February 27, 2018 – **Toddler Story Time**, 10:30 a.m., Costa Mesa Donald Dungan Library, 1855 Park Ave. Every Tuesday at 10:30 a.m., please join the library for toddler story time and adventure. For more information, please contact: 949-646-8845.



Wednesday, February 28, 2018 – **On P.A.R. Social**, 5-6:30 p.m., Costa Mesa Senior Center, 695 W. 19<sup>th</sup> St. Join the Senior Center for socialization and discussion of programming, activities and resources. Light refreshments will be served. For more information, please contact: 714-327-7550.

Thursday, March 1, 2018 – **Children’s Movie Day**, 3:30 p.m., Costa Mesa Donald Dungan Library, 1855 Park Ave. Free and open to the public, every Thursday you’re invited to enjoy a movie at the library. For more information, please contact: 949-646-8845.

Friday, March 2, 2018 – **Public Art Dedication**, 1-2 p.m., City Hall Front Lawn, 77 Fair Dr. The Cultural Arts Committee presents a public art dedication, featuring The Artist’s Vision, Repurposed Steel. The event will include live music and refreshments. For more information, please call: 714-754-5052.

Tuesday, March 6, 2018 – **OCC-CMCC Joint Breakfast Learning Series**, 8-10 a.m. Orange Coast College Ronnenberg Center 101. Learn how to build the customer relationship and generate repeat business. For more information, please visit: [www.costamesachamber.com](http://www.costamesachamber.com)

Saturday, March 10, 2010 – **Turf Removal and Water Efficient Landscape Workshop**, 8:30 a.m.- noon, Mesa Water District Boardroom, 1965 Placentia Ave. Participants will learn about using water wisely outdoor, including turf removal and garden design and maintenance.