

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."

*** CLOSED SESSION #5 HAS BEEN ADDED.**

TUESDAY, SEPTEMBER 18, 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 or by clicking [here](#).

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.

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.** Materials can be e-mailed to cityclerk@costamesaca.gov. 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.**
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 LABOR NEGOTIATORS

Pursuant to Section 54957.6, California Government Code

Agency Designated Representative: Tamara Letourneau, Assistant City Manager

Name of Employee Organization: Costa Mesa Police Management Association (CMPMA)

2. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Section 54957.6, California Government Code

Agency Designated Representative: Tamara Letourneau, Assistant City Manager

Name of Employee Organization: Costa Mesa Police Association (CMPA)

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, Central District of California – Southern Division, Case No. 8:18-cv-00155.

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

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

5. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code

Name of Case: County of Orange, Orange County Flood Control District, City of Costa Mesa, City of Orange, and City of Anaheim v. California Department of Public Health; Karen L. Smith, in her official capacity as Director and State Public Health Officer, Orange County Needle Exchange Program, Superior Court of the State of California, County of San Diego, Hall of Justice Center Courthouse, Case No. 37-2018-00039176-CU-MC-CTL.

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, SEPTEMBER 18, 2018 – 6:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE Council Member 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 Christine Wallington, Costa Mesa Seventh Day Adventist

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: NONE

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

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. **PROCEDURAL WAIVER: MOTION TO APPROVE THE READING BY TITLE ONLY OF ALL ORDINANCES AND RESOLUTIONS. SAID ORDINANCES AND RESOLUTIONS THAT APPEAR ON THE PUBLIC AGENDA SHALL BE READ BY TITLE ONLY AND FURTHER READING WAIVED**

RECOMMENDATION:

City Council/Agency Board/Authority Board waive reading of Ordinances and Resolutions.

2. **READING FOLDER**

Claims received by the City Clerk: Matthew Bays and Brandon Hargraves

RECOMMENDATION:

City Council receive and file.

3. **WARRANT RESOLUTION NO. 2605 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL NOS. 18-16 "A" FOR \$2,633,511.87; 18-17 FOR \$-504.40; 18-17 "A" FOR \$54.68; AND 18-18 FOR \$2,457,604.52; AND CITY OPERATING EXPENSES FOR \$5,093,638.87; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID**

Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2605.

4. **MINUTES OF THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY MEETING OF SEPTEMBER 4, 2018**
City Manager's Office/City Clerk Division

RECOMMENDATION:

City Council approve the minutes of September 4, 2018.

5. **PROPOSED CHANGES TO THE NOVEMBER, DECEMBER AND JANUARY CITY COUNCIL MEETING SCHEDULE** – City Manager's Office

RECOMMENDATION:

Staff recommends that the City Council:

1. City Council change the City Council meeting schedule in the month of November to provide for one regular meeting on the second Tuesday of the month rather than meetings on the first and third Tuesdays of the month through the adoption of Resolution 18-xx; and
2. For 2018, hold the previously cancelled second City Council meeting in December on December 18, 2018; and
3. Cancel the regularly scheduled City Council meeting on January 1, 2019 due to the New Year's Day holiday; and,
4. Set the City Council goal setting retreat for Friday, January 25, 2019 from 9 am – 3 pm.

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

Public Services Department/Transportation Services Division

RECOMMENDATION:

City Council adopt Resolution No. 18-xx, approving the submittal of a grant application for transportation improvement projects under the Orange County Transportation Authority's (OCTA) Comprehensive Transportation Funding Program (CTFP) for Fiscal Years 2018-19 through 2020-21.

7. **TEMPORARY LOCATION FOR CITY COUNCIL MEETINGS**

City Manager's Office

RECOMMENDATION:

Staff recommends that the City Council:

1. Adopt Resolution No. 18-xx, temporarily moving the meeting location of regular City Council meetings to the Costa Mesa Senior Center for the duration of the City Hall First Floor and City Council Chambers Improvement Project; and
2. Authorize staff to determine the appropriate locations for other City commission and committee meetings ordinarily held in Council Chambers.

AT THIS TIME COUNCIL WILL ADDRESS ANY ITEMS PULLED FROM THE CONSENT CALENDAR

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

PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55): NONE

OLD BUSINESS:

1. **AMENDMENT TO CITY ATTORNEY RETAINER AGREEMENT WITH JONES & MAYER** – City Manager's Office

RECOMMENDATION:

Staff recommends that the City Council:

1. Approve the proposed Amendment Number One to Amended Retainer Agreement for City Attorney Services between Jones & Mayer and the City of Costa Mesa; and
2. Authorize the City Manager to execute the agreement and future amendments to the agreement.

2. **SECOND READING AND ADOPTION OF ORDINANCE NO. 18-10; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA AMENDING ARTICLE 2.5, CHAPTER V, OF TITLE 13 (ZONING CODE), RELATING TO SMALL LOT SUBDIVISIONS** - Development Services Department

RECOMMENDATION:

City Council give second reading and adopt Ordinance No. 18-10, to be read by title only, adopting Code Amendment CO-18-02 to amend the Costa Mesa Municipal Code.

NEW BUSINESS:

1. NON-COMMERCIAL PORTABLE SIGNS

Development Services Department/Planning Division

RECOMMENDATION:

City Council provide direction to staff regarding non-commercial portable signs.

2. RESOLUTION FOR Tanager BICYCLE TRAIL EXTENSION

Public Services Department/Transportation Services Division

RECOMMENDATION:

City Council adopt Resolution No. 18-xx, opposing any future consideration of a bicycle or pedestrian trail connecting the existing trail east of Golf Course Drive to Fairview Park between the Costa Mesa Country Club and Tanager Drive homes.

3. CAPITAL IMPROVEMENT FUNDING REALLOCATIONS AND LIONS PARK PLAYGROUND IMPROVEMENTS

Public Services Department/Finance Department

RECOMMENDATION:

Staff recommends that the City Council:

1. Authorize cancellation of the Costa Mesa High School Stadium Bleachers Project with the remaining balance of \$660,000 (\$625,000 in the Capital Improvement Fund and \$35,000 in the Park Development Fund) and the Costa Mesa High School Football Field Project with the remaining balance of \$285,000 in the Capital Improvement Fund, and allocate these funds for the Lions Park Playground Improvements Project; and
2. Transfer \$1,100,000 from the allocated Capital Improvement Fund for Jack Hammett Field Improvements to the Lions Park Playground Improvements Project; and
3. Approve a budget adjustment transferring appropriations collectively amounting to \$2,045,000 to fund the design and construction of the Lions Park Playground Improvements Project.

ADDITIONAL COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

REPORT – CITY MANAGER

REPORT – CITY ATTORNEY

ADJOURNMENT – Adjourn in memory of Costa Mesa Police Officer Oscar Reyes.

UPCOMING COMMUNITY EVENTS AND ACTIVITIES

Thursday, September 20, 2018 – **Pet Preparedness Day**, 5:30- 7:30 p.m., Bark Park, 890 Arlington Dr. Join the Costa Mesa pet team for this free emergency preparedness information and resources event including low-cost dog vaccine clinic. For more information, please call: 714-754-4918.

Friday, September 21 through Sunday, September 23, 2018 – **Costa Mesa Fish Fry**, Fairview Park. One of Costa Mesa's oldest traditions, the Fish Fry is filled with three days of live bands, carnival rides, beer garden and fish. For more information, please visit: www.cmnhlions.com

Friday, September 21, 2018 – **Photo Contest Submission Deadline**. Share your creativity by participating in the first Parks and Community Services photo contest. For rules and submission information, please call 714-754-5300 or visit <http://www.costamesaca.gov/photocontest>.

Saturday, September 22, 2018 – **Cruisen For A Cure**, 6 a.m. – 4 p.m., OC Fair and Event Center, 88 Fair Dr. One-day charity car show with over 3,500 vehicles on display and over 200 vendors and exhibitors. For more information, please visit: www.ocfair.com

Sunday, September 23, 2018 – **Costa Mesa Community Run**, 6:30 a.m. – noon. Free parking at Estancia High School, 2323 Placentia Ave. Packet pick up begins at 6:30 a.m. and the 5K and 10K begins at 8:30 a.m. Enjoy a cross country and trail run event through Fairview Park.

Sunday, September 23, 2018 – **First Friday Roadshow Fish Fry Car Show**, 12 – 4 p.m. Fairview Park. The FFRS & the CMNH Lion's Club partner for the 3rd annual community car show at the Fish Fry.

Tuesday, September 25, 2018 – **Traffic & Public Safety Community Meeting**, 6:30 – 8 p.m. Corner of Victoria Street and American Avenue - across the street from Victoria Elementary School. Council Member Katrina Foley invites residents to discuss traffic and safety issues near the Victoria Street & Pomona Avenue neighborhoods.

Saturday, Sept. 29, 2018 – **Fire Station No. 1 Ribbon Cutting Ceremony**, 10 a.m. Costa Mesa Fire Station No. 1, 1570 Adams Ave., Costa Mesa. The City of Costa Mesa invites residents to celebrate the opening of the new Fire Station No. 1 with a ribbon cutting, station tours, lite bites and beverages and fire apparatus displays.

Wednesday, October 3, 2018 – **On PAR Social (On programs, activities, and resources.)** 5-6:30 p.m., Costa Mesa Senior Center, 695 W. 19th St., Costa Mesa. Join the Senior Center staff outside on the new front patio for a celebration of this addition and learn about the resources and activities offered by the Senior Center. Guided tours and light refreshment provided. For more information, please call: 714-327-7550.

Saturday, October 20, 2018 – **Fall in Love with the Westside**, 9 a.m. – 3 p.m., Estancia High School parking lot, 2323 Placentia Ave. Local artisans market, community art collaboration, pumpkin patch, kids activities and more.

Thursday, October 25, 2018 – **Hoag Flu Shot Clinic**, 10 a.m.- 12 p.m., Costa Mesa Senior Center, 695 W. 19th St., Costa Mesa. Hoag hospital will provide flu shots to adult ages 50 and older. Shots are limited, so registration is required. Please contact the Senior Center: 714-327-7550.