

ACTION REPORT: For Informational Purposes Only

ACTION REPORT

**CITY OF COSTA MESA CITY COUNCIL, AND SUCCESSOR
AGENCY TO THE REDEVELOPMENT AGENCY* AND SPECIAL
AGENDA FOR THE COSTA MESA HOUSING AUTHORITY*
TUESDAY, JANUARY 7, 2014**

JAMES M. RIGHEIMER
Mayor

STEPHEN MENSINGER
Mayor Pro Tem

SANDRA GENIS
Council Member

GARY MONAHAN
Council Member

WENDY LEECE
Council Member

City Attorney
Thomas Duarte

Chief Executive Officer
Thomas R. Hatch

CLOSED SESSION – 5:00 P.M.

1. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organization: Costa Mesa City Employee Association (CMCEA), pursuant to California Government Code Section 54957.6.
2. Conference with legal counsel regarding existing litigation: Costa Mesa Employees Association v. City of Costa Mesa, a municipal corporation, et al., Orange County Superior Court Case No. 30-2011 00475281, pursuant to California Government Code Section 54956.9(a).
3. Conference with legal counsel regarding existing litigation: City of Costa Mesa v. D'Alessio Investments, LLC, a Nevada Corporation; et al.: Orange County Superior Court Case No. 30-2011-00468876, pursuant to California Government Code Section 54956.9(a).

**REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR
AGENCY TO THE REDEVELOPMENT AGENCY – 6 P.M.**

CITY ATTORNEY CLOSED SESSION REPORT - NONE

- COIN: Ex Parte Communications pursuant to Municipal Code Section 2-238 (b) - None

ACTION REPORT: For Informational Purposes Only

CONSENT CALENDAR

MOTION: Approved recommended actions for Consent Calendar Item Nos. 1 through 17 except for Items 3, 4, 5, 6, 7, 8, 9, 10, 13, and 14.

MOVED/SECOND: Mayor Pro Tem Mensinger/Council Member Genis
The motion carried unanimously:

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**

ACTION: City Council waived reading in full of Ordinances and Resolutions and approval and adoption of same by reading title only.

2. **READING FOLDER**

a. Claims received by the City Clerk: Akil Carter; and Hooshang Pakfar.

ACTION: Received and filed.

11. **REFUND OF CASH DEPOSIT IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS12-00154 FOR STREET IMPROVEMENTS AT 2059 HARBOR BLVD, COSTA MESA, CALIFORNIA**

ACTION: City Council approved the refund of cash deposit in connection with Encroachment Permit No. PS12-00154 in the amount of \$26,937, to West Coast Self Storage Group LLC, 4012 148th St SE Mill Creek, WA 98012.

12. **STREETSCAPE AND MEDIAN DEVELOPMENT STANDARDS**

ACTION: City Council authorized staff to issue a Request for Proposal (RFP) to secure consultant services to assist in revising the Streetscape and Median Development Standards.

15. **PURCHASE OF MICROSOFT OFFICE PROFESSIONAL 2013 LICENSES THROUGH THE MICROSOFT ENTERPRISE AGREEMENT**

ACTION: City Council approved the purchase of Microsoft Office Professional Plus licenses through the Microsoft Enterprise Agreement (EA) Program for 448 desktop computers from CompuCom Systems in the amount of \$181,690.88. This amount will be payable in two equal payments of \$90,845.44, with the first payment due in January 2014 (FY 13-14) and the second payment due in July 2014 (FY 14-15).

ACTION REPORT: For Informational Purposes Only

16. **MINUTES:** Regular Meeting of November 5, 2013; Special Study Session of November 12, 2013; Regular Study Session of November 12, 2013; and Regular Meeting/Special Joint Meeting with the Costa Mesa Housing Authority of November 19, 2013.

ACTION: Approved.

17. **PROPOSED TRANSFER OF GENERAL PARTNER OF 72-UNIT COSTA MESA FAMILY VILLAGE AFFORDABLE HOUSING PROJECT - REQUEST TO CMHA, AS GROUND LESSOR, FROM SHAPELL, AS GENERAL PARTNER OF GROUND LESSEE, FOR CONSENT TO TRANSFER GENERAL PARTNERSHIP INTEREST IN LESSEE UNDER THREE GROUND LEASES AND RELATED INSTRUMENTS TO WHOLLY-OWNED SUBSIDIARY OF SHAPELL**

ACTION: City Council authorized CMHA Executive Director to sign the Consent Letter substantially in the form attached and return it to Shapell.

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

1. **PA-89-36 A2/PA-87-133 A1 (ZA-13-22) AMENDMENT TO PLANNED SIGN PROGRAMS FOR METRO POINTE OFFICE AND RETAIL CENTER 901 SOUTH COAST DRIVE & 950 SOUTH COAST DRIVE**

MOTION/SECOND: Mayor Righeimer/Council Member Genis

The motion carried by the following roll call vote:

Ayes: Council Member Genis, Council Member Leece, Council Member Monahan, Mayor Righeimer

Nays: None

Recused: Mayor Pro Tem Righeimer

Motion carried: 4-0-1

ACTION: City Council upheld the Planning Commission's decision to approve the project, with changes.

ACTION REPORT: For Informational Purposes Only

OLD BUSINESS

1. **SECOND READING OF THE EXCESSIVE USE OF RESOURCES ORDINANCE: “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADDING CHAPTER VI (COST RECOVERY FOR EXCESSIVE USE OF RESOURCES DUE TO NUISANCE ACTIVITIES AT LODGING ESTABLISHMENTS) OF TITLE 14 (POLICE AND LAW ENFORCEMENT) OF THE COSTA MESA MUNICIPAL CODE REGARDING COST RECOVERY FOR EXCESSIVE USE OF POLICE SERVICES”.**

MOTION/SECOND: Mayor Righeimer/Council Member Monahan

The motion carried by the following roll call vote:

Ayes: Council Member Monahan, Council Member Mensinger, and Mayor Righeimer

Nays: Council Member Genis, Council Member Leece

Absent: None

Motion carried: 3-2

ITEMS REMOVED FROM THE CONSENT CALENDAR

3. **WARRANT RESOLUTION 2502: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding City operating expenses for \$644,278.01.**

MOTION/SECOND: Mayor Righeimer/Council Member Leece

The motion was carried unanimously.

ACTION: Approved Warrant Resolution No. 2502, to be read by title only and further reading waived.

4. **WARRANT RESOLUTION 2503: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 13-24 “A” AND 13-25 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 13-24 “A” for \$720.78, Payroll No. 13-25 for \$2,269,045.92 and City operating expenses for \$964,749.23.**

MOTION/SECOND: Mayor Righeimer/Mayor Pro Tem Mensinger

The motion was carried unanimously.

ACTION: Approved Warrant Resolution No. 2503, to be read by title only and further reading waived.

5. **WARRANT RESOLUTION 2504: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding City operating expenses for \$948,972.90.**

ACTION REPORT: For Informational Purposes Only

MOTION/SECOND: Council Member Monahan/Mayor Pro Tem Mensinger
The motion was carried unanimously.

ACTION: Approved Warrant Resolution No. 2504, to be read by title only and further reading waived.

6. **WARRANT RESOLUTION 2505: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 13-25 "A" AND 13-26 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 13-25 "A" for \$0.00, Payroll No. 13-26 for \$2,188,009.22 and City operating expenses for \$1,638,928.46.**

MOTION/SECOND: Mayor Righeimer/Mayor Pro Tem Mensinger
The motion was carried unanimously.

ACTION: Approved Warrant Resolution No. 2505, to be read by title only and further reading waived.

7. **WARRANT RESOLUTION 2506: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding City operating expenses for \$554,182.55.**

MOTION/SECOND: Council Member Monahan/Mayor Pro Tem Mensinger
The motion was carried unanimously.

ACTION: Approved Warrant Resolution No. 2506, to be read by title only and further reading waived.

8. **FINAL MAP FOR TRACT NO. 17501 LOCATED AT 1527 NEWPORT BOULEVARD, COSTA MESA, CALIFORNIA**

MOTION/SECOND: Mayor Righeimer/Council Member Monahan
The motion was carried unanimously.

ACTION: City Council approved the Final Map for Tract No. 17501 and authorized signing of the Map by the City Clerk and the City Engineer.

9. **FINAL MAP FOR TRACT NO. 17554 LOCATED AT 132, 134, & 140 INDUSTRIAL WAY, COSTA MESA, CALIFORNIA**

MOTION/SECOND: Mayor Righeimer/Council Member Monahan
The motion was carried unanimously.

ACTION: City Council approved the Final Map for Tract No. 17554 and authorized signing of the Map by the City Clerk and the City Engineer.

ACTION REPORT: For Informational Purposes Only

10. FINAL MAP FOR TRACT NO. 17519 LOCATED AT 2157 AND 2159 TUSTIN AVENUE, COSTA MESA, CALIFORNIA

MOTION/SECOND: Mayor Righeimer/Council Member Monahan
The motion was carried unanimously.

ACTION: City Council approved the Final Map for Tract No. 17519 and authorized signing of the Map by the City Clerk and the City Engineer.

13. HARBOR BOULEVARD AND ADAMS AVENUE INTERSECTION IMPROVEMENTS – CONSTRUCTION MANAGEMENT AND INSPECTION SUPPORT SERVICES

MOTION/SECOND: Council Member Monahan/Mayor Pro Tem Mensinger
The motion was carried unanimously.

ACTION:

1. City Council awarded a Professional Services Contract for an amount not to exceed \$192,400 to Onward Engineering, 300 South Harbor Boulevard, Suite 814, Anaheim, CA 92805, for Construction Management and Inspection Support Services for the Harbor Boulevard – Adams Avenue project; and
2. Authorized the Mayor and the City Clerk to execute the Professional Services Agreement.

14. EXTENSION OF EXISTING PROFESSIONAL SERVICES AGREEMENTS FOR INTERIM IT DIRECTOR AND IT CONSULTANT

MOTION/SECOND: Council Member Monahan/ Mayor Righeimer
The motion was carried unanimously.

ACTION: City Council authorized the City CEO to extend the following existing Professional Services Agreements by approving the following amendments:

1. Amendment One to the contract with NexLevel Information Technology, Inc. (NexLevel IT) for Interim IT Director, in an amount not to exceed \$55,000.00, for a total contract amount of \$104,920.00; and
2. Amendment Two to the contract with Scientia Consulting Group, Inc. (Scientia) for an IT Consultant to assist with technical support functions, in an amount not to exceed \$55,000.00, for a total contract amount of \$103,000.00.

REPORT – CITY ATTORNEY - None

**ADJOURNMENT – To Special Joint Study Session with the Planning Commission,
January 14, 2014, 4:30 p.m.**