

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, MAY 20, 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

SPECIAL CLOSED SESSION – 4:30 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 three minutes to speak.

1. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organization: Costa Mesa Police Officers Association (CMPOA), pursuant to California Government Code Section 54957.6.
2. 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.
3. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organization: Costa Mesa Fire Fighters Association (CMFA), and Costa Mesa Fire Fighters Management Association, pursuant to California Government Code Section 54957.6.
4. Conference with legal counsel regarding existing litigation: City of Costa Mesa, et al v. Michael Cohen, et al, Sacramento County Superior Court, Case No. 34-2013-80001675, pursuant to California Government Code Section 54956.9(a).

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REGULAR MEETING OF THE CITY COUNCIL, SUCCESSOR AGENCY TO
THE REDEVELOPMENT AGENCY AND SPECIAL JOINT MEETING WITH
THE COSTA MESA HOUSING AUTHORITY – 6 P.M.**

CITY ATTORNEY CLOSED SESSION REPORT- None

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

CONSENT CALENDAR:

MOTION: Approved recommended actions for Consent Calendar Items Nos. 1-6.

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Mensinger

The motion carried by the following roll call vote:

Ayes: Council Member Genis, Council Member Leece, Council Member Monahan, Mayor Pro Tem Mensinger, and Mayor Righeimer.

Nays: None

Absent: None

Motion carried: 5-0

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: Jorge Urbano-Miguel; Yolanda Arroyo; Dillion Giedt; Ronald Campbell; Leonard Tovar; and Brenda Hale.

ACTION: Received and filed.

3. **WARRANT RESOLUTION 2515: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 14-09 "A", 14-10, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 14-09 "A" for \$1,997.16, Payroll No. 14-10 for \$2,097,288.29, and City operating expenses for \$2,170,529.84.**

ACTION: Approved Warrant Resolution No. 2515, to be read by title only and further reading waived.

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4. A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA AND THE COSTA MESA HOUSING AUTHORITY ADOPTING A BUDGET FOR THE HOUSING AUTHORITY FOR FISCAL YEAR 2014-2015

ACTION:

City Council and Housing Authority adopted Resolution No. 14-29, to be read by title only and waived further reading, approving the Housing Authority Budget for Housing and Community Development (HCD) expenses for FY 14-15.

5. RESOLUTIONS RELATING TO THE CALLING OF THE GENERAL MUNICIPAL ELECTION ON NOVEMBER 4, 2014

ACTION:

1. City Council Adopted Resolution No. 14-26, to be read by title only and waived further reading, calling and giving notice to conduct a General Municipal Election on November 4, 2014 for the election of two members to the City Council; and
2. Adopted Resolution No. 14-27, to be read by title only and waived further reading, requesting the Orange County Board of Supervisors to consolidate the General Municipal Election with the Statewide General Election and to issue instruction to the Orange County Registrar of Voters Elections Department to provide specific services in the conduct of the consolidated election; and
3. Adopted Resolution No. 14-28, to be read by title only and waived further reading, adopting regulations pertaining to Candidates Statements.

6. PROFESSIONAL SERVICES AGREEMENT FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE FIRE STATION #4 (PLACENTIA) RENNOVATION/ADDITION PROJECT

ACTION:

1. City Council awarded a Professional Services Agreement to IDS Group for architectural and engineering services for the extension of the apparatus bay and the addition of a vehicle storage building at fire station 4 in the amount of \$57,820; and
2. Authorized an additional contingency appropriation of \$14,000 for services which may include AutoCAD conversion of as-built plans, geotechnical investigation, and pre-construction destructive testing; and
3. Authorized the Mayor to execute the Professional Services Agreement.

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

Consensus : Public Hearing Item 1 moved to after New Business.

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OLD BUSINESS

- 1. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, GRANTING APPROVAL TO ADOPT REZONE R-13-02 FOR A REZONE (OR CHANGE) OF THE ZONING CLASSIFICATION OF THE 4.17-ACRE DEVELOPMENT SITE FOR THE 125 EAST BAKER APARTMENT PROJECT FROM COMMERCIAL LIMITED (CL) TO PLANNED DEVELOPMENT RESIDENTIAL – HIGH DENSITY (PDR-HD) AT 125 EAST BAKER STREET**

MOTION/SECOND: Council Member Monahan/Mayor Pro Tem Mensinger

The motion carried by the following roll call vote:

Ayes: Council Member Genis, Council Member Monahan, Mayor Pro Tem Mensinger, and Mayor Righeimer.

Nays: Council Member Leece

Absent: None

Motion carried: 4-1

ACTION:

City Council adopted Ordinance No. 14-05, to be read by title only and waived further reading.

- 2. AN ORDINANCE OF THE CITY OF COSTA MESA, CALIFORNIA, GRANTING APPROVAL TO ADOPT ZONING CODE AMENDMENT CO-13-02 TO AMEND COSTA MESA MUNICIPAL CODE TITLE 13 FOR A SITE-SPECIFIC DENSITY OF 58 DWELLING UNITS PER ACRE FOR THE 125 EAST BAKER APARTMENT PROJECT. THE AMENDMENT IS PROPOSED TO THE FOLLOWING CODE SECTION IN TITLE 13 OF THE COSTA MESA MUNICIPAL CODE: TABLE 13-58 (PLANNED DEVELOPMENT STANDARDS) TO ALLOW A SITE-SPECIFIC DENSITY OF 58 DWELLING UNITS PER ACRE FOR THIS PROJECT AT 125 EAST BAKER STREET**

MOTION/SECOND: Council Member Monahan/Mayor Pro Tem Mensinger

The motion carried by the following roll call vote:

Ayes: Council Member Genis, Council Member Monahan, Mayor Pro Tem Mensinger and Mayor Righeimer.

Nays: Council Member Leece

Absent: None

Motion carried: 4-1

ACTION:

City Council adopted Ordinance No. 14-06, to be read by title only and waived further reading.

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NEW BUSINESS

1. GENERAL PLAN SCREENING GPS-14-02 FOR PROPOSED 236-UNIT RESIDENTIAL APARTMENT PROJECT AT 2277 HARBOR BOULEVARD

MOTION/SECOND: Council Member Monahan/Mayor Pro Tem Mensinger

The motion carried by the following roll call vote:

Ayes: Council Member Leece, Council Member Monahan, Mayor Pro Tem Mensinger, and Mayor Righeimer

Nays: Council Member Genis

Absent: None

Motion carried: 4-1

ACTION:

City Council accepted the General Plan amendment request for processing to amend the land use designation from General Commercial to Planned Development Residential related to development of a 236-unit apartment complex project.

~~2. RENEWAL OF THE USER AGREEMENT WITH HARBOR SOARING SOCIETY – ITEM REMOVED FROM THE AGENDA~~

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

1. APPEAL OF THE REVOCATION OF PLANNING APPLICATION PA-99-09 – A CONDITIONAL USE PERMIT ALLOWING EXTENDED OCCUPANCY ROOMS AT THE SANDPIPER MOTEL LOCATED AT 1967 & 1977 NEWPORT BOULEVARD

MOTION/SECOND: Council Member Leece/Council Member Genis

MOTION:

Conclude that there are insufficient findings that the Sandpiper Motel has been operated in violation of the conditions of approval of Conditional Use Permit PA-99-09 or as a public nuisance. The existing conditions of approval regulating the motel would remain as originally approved.

The motion failed by the following roll call vote:

Ayes: Council Member Genis and Council Member Leece

Nays: Mayor Pro Tem Mensinger and Mayor Righeimer

Absent: None

Recused: Council Member Monahan

Motion failed: 2-2

MOTION/SECOND: Mayor Righeimer/Mayor Pro Tem Mensinger

MOTION:

Uphold the Planning Commission's determination that the Sandpiper Motel has been operated in violation of the conditions of approval in Conditional Use Permit PA-99-09 and/or as a public nuisance, such that revocation of the CUP is justified; and revoke, or in lieu of revocation, amend the conditions of the CUP.

The motion failed by the following roll call vote:

Ayes: Mayor Pro Tem Mensinger and Mayor Righeimer

Nays: Council Member Genis and Council Member Leece

Absent: None

Recused: Council Member Monahan

Motion failed: 2-2

ITEMS REMOVED FROM THE CONSENT CALENDAR - None

REPORT – CITY ATTORNEY- None

ADJOURNMENT – The Mayor and City Council adjourned the meeting at 12:37 p.m. to Regular Meeting, June 3, 2014.