

**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."

**TUESDAY, NOVEMBER 18, 2014**  
**CITY COUNCIL CHAMBERS, 77 FAIR DRIVE**  
**CLOSED SESSION – 5:00 P.M.**  
**REGULAR MEETING – 6:00 P.M.**

**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**

**Note regarding agenda-related writings or documents provided to a majority of the City Council after distribution of the City Council agenda packet (GC §54957.5):**

[Any related writings or 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 writings and documents may be posted—whenever possible or as part of the agenda—on the city's website at \[www.costamesaca.gov\]\(http://www.costamesaca.gov\).](#)

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 [Brenda.Green@costamesaca.gov](mailto:Brenda.Green@costamesaca.gov).

## WELCOME TO THE CITY COUNCIL MEETING

**PUBLIC COMMENTS – MATTER NOT LISTED ON THE AGENDA:** If you wish to address the City Council on a matter not on the agenda, please complete and submit a yellow speaker card to the City Clerk. Speaker cards must be submitted to the City Clerk either prior to the first Public Comment period or prior to the Continued Public Comment period. Up to ten speakers will be given time to address the City Council during the first Public Comment period following Presentations. The Continued Public Comment period will be held at the end of the agenda after Items Removed from Consent Calendar. Members of the public shall only address the City Council one time at any given meeting under either Public Comment period. Speakers may only complete one card per person. Each speaker is limited to three minutes.

**PUBLIC COMMENTS – MATTER LISTED ON THE AGENDA:** If you wish to address the City Council on a matter listed on the agenda, please complete and submit a green speaker card to the City Clerk. Speaker cards must be submitted prior to the start of Public Comments on the item. Please identify which item on the agenda you would like to address. Each speaker is limited to three minutes.

The speaker cards are located on the table at the entrance to the City Council Chamber.

**Please take notice that** the order of scheduled agenda items may be modified by the Mayor or the City Council during the course of the meeting, so please stay alert.

1. Any written communications, photos, or other material for distribution to the City Council must be submitted to the City Clerk **NO LATER THAN 15 MINUTES PRIOR TO THE START OF THE MEETING.** Any materials to be displayed on the overhead projector at the Council meeting must be submitted to the City Clerk **NO LATER THAN 15 MINUTES PRIOR TO THE START OF THE MEETING.**
2. In accordance with Costa Mesa Municipal Code, Sec. 2-64 (1): No person in the audience shall engage in disorderly, disruptive, disturbing, delaying or boisterous conduct.
3. **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.
4. In accordance with City Council Policy 000-11, and among other requirements, any video submitted for display at a public meeting must have been previously reviewed by staff to verify appropriateness for general audiences. A copy of this policy is available at City Hall during normal office hours.
5. 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, if you need special assistance to participate in this meeting, please contact the City Clerk at (714) 754-5225. Notification of 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].

## CLOSED SESSION – 5:00 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 three minutes to speak.

1. Conference with Legal Counsel - Potential Litigation: Two Cases, Pursuant to Government Code Section 54956.9(d)(4)

**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 – 6 P.M.

### CALL TO ORDER

**PLEDGE OF ALLEGIANCE** Mayor 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.]*

Ryan Zuniger, Grace Fellowship Church

### 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:** Purple Heart City Proclamation Presentation to Dannie Watkins, Commander of Chapter 752 Military Order.

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## **COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS**

1. Mayor Pro Tem Mensinger
2. Council Member Genis
3. Council Member Leece
4. Council Member Monahan
5. Mayor Righeimer

## **REPORT – CHIEF EXECUTIVE OFFICER (CEO)**

### **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 Adopt and Approve Ordinances and Resolutions by Reading Title Only, and Further Reading Waived.

## 2. READING FOLDER

- a. Claims Received by the City Clerk: Enterprise Rent-A-Car, Interinsurance Exchange of the Automobile Club of Southern California, as Subrogee for Jill Pereira, James & Laura Bryan, and GEICO, as Subrogee for Jamie Leeds.

### RECOMMENDATION:

City Council Receive and File.

3. WARRANT RESOLUTION NO. 2525 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 14-21 "A" FOR \$157,350.30 AND 14-22 for \$2,143,406.15; AND CITY OPERATING EXPENSES FOR \$2,965,916.94; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID. – Finance Department

### RECOMMENDATION:

Approve Warrant Resolution No. 2525, to be Read by the Title Only, and Waive Further Reading.

4. PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF MEDIANS AND ENTRY MONUMENT SIGN – Public Services Department/Engineering Division

### RECOMMENDATION:

City Council Authorize Execution of a Professional Services Agreement with Asakura Robinson Company, 445 Santa Ana Av., Newport Beach, California 92663, in an Amount Not-to-Exceed \$68,350 for Design Services.

5. MINUTES OF THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY MEETINGS OF DECEMBER 3, 2013, JANUARY 21, 2014, APRIL 1, 2014, AND MAY 6, 2014; AND THE REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY AND THE SPECIAL JOINT MEETING WITH THE HOUSING AUTHORITY OF JANUARY 7, 2014 – Chief Executive Officer's Department/City Clerk's Office

### RECOMMENDATION:

City Council Approve the Minutes.

6. **FINAL MAP FOR TRACT NO. 17705 FOR PROPERTY LOCATED AT 2294 PACIFIC AV.** – Public Services Department/Transportation Services Division

RECOMMENDATION:

City Council Adopt Resolution No. 14-xx, to be Read by Title Only and Waive Further Reading; Approve the Final Map of Tract No. 17705; and Authorize Vacation of a Twenty-Five Foot Portion of a Thirty-Foot Wide Public Utility Easement.

7. **PROPOSED 177-UNIT LIVE/WORK AND LOFT DEVELOPMENT AT 671 W. 17<sup>TH</sup> STREET** – Development Services/Planning Division

RECOMMENDATION:

City Council Approve a Professional Services Agreement with PlaceWorks in the Amount of \$86,165, to Provide Environmental Consulting Services for an Initial Study/Mitigated Negative Declaration, and Authorize CEO to Sign Extensions or Renewals of the Contract.

8. **ADOPTION OF THE FY 2014-2015 STATEMENT OF INVESTMENT POLICY -**  
Finance Department

RECOMMENDATION:

City Council and Successor Agency Adopt Resolutions, to be Read by Title Only and Waive Further Reading, Approving the Statement of Investment Policies for Fiscal Year 2014-2015 and Delegating Investment Activities to the City Treasurer.

9. **LANDSCAPE AND TURF MAINTENANCE OF PARKWAYS, MEDIANS, AND FIRE STATIONS** – Public Services, Engineering/Design

RECOMMENDATION:

City Council Authorize Execution of an Amendment to the Performance Services Agreement with Midori Gardens, Inc., Extending the Term to February 28, 2015, in the Amount of \$37,051.67 Per Month.

10. **LANDSCAPE AND TURF MAINTENANCE OF PARKS, FACILITIES, AND SPORTS FIELDS** – Public Services, Engineering/Design

RECOMMENDATION:

City Council Authorize Execution of an Amendment to the Performance Services Agreement with SpectrumCare Landscape, Extending the Term to February 28, 2015, in the Amount of \$29,560.53 Per Month.

11. **MODIFICATION TO THE BUSINESS IMPROVEMENT AREA (BIA) TO ADD BLVD HOTEL FOR THE COLLECTION OF ASSESSMENTS** – Office of the Chief Executive Officer

RECOMMENDATION:

City Council Approve Resolution No. 14-XX, to be Read by Title Only and Further Reading Waived, Declaring the City's Intention to Modify the BIA to Include Certain Hotels and Motels in the Area, and Setting a Public Hearing for January 20, 2014.

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

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

1. **ANNUAL REVIEW OF THE CITYWIDE TRAFFIC IMPACT FEE PROGRAM**  
Public Services/Transportation Division

RECOMMENDATION:

City Council Adopt Resolution No. 14-xx, to be Read by Title Only and Further Reading Waived; Approve Continuation of the Current Traffic Impact Fee of \$181 per Average Daily Trip (ADT) for New Development in the City of Costa Mesa; Continue the Incentive Program for New Developments by Assessing Traffic Impact Fees on an Incremental Basis for the First 100 Trips; and Approve the Annual Accounting of the Citywide Traffic Impact Fee Program.

2. **PROPOSED 393-UNIT MID-RISE RESIDENTIAL DEVELOPMENT, "SYMPHONY APARTMENTS" TO BE LOCATED AT 585 AND 595 ANTON BLVD.** – Development Services/Planning Division

RECOMMENDATION:

1. City Council Adopt Resolution No. 14-xx, to be Read by Title Only and Further Reading Waived, Approving the Addendum to the Final Program Environmental Impact Report No. 1052 and Final Master Plan PA-14-11; and
2. Adopt Resolution No. 14-xx, to be Read by Title Only and Further Reading Waived, Approving Park Mitigation Agreement between the Wilson Meany, LP and the City of Costa Mesa to Fund Future Parkland Related Improvements or Acquisitions.

**OLD BUSINESS**

1. **ADOPTION OF ORDINANCE AMENDING CHAPTER IV OF TITLE 12 OF THE COSTA MESA MUNICIPAL CODE, ESTABLISHING A SENIOR COMMISSION THAT WILL SERVE AS AN ADVISORY COMMISSION TO THE CITY COUNCIL ON MATTERS RELATED TO THE OPERATION OF THE COSTA MESA SENIOR CENTER** – Parks and Community Services Department

RECOMMENDATION:

City Council Give Second Reading, to be Read by Title Only and Further Reading Waived, and Adopt Ordinance No. 14-14.

**NEW BUSINESS**

1. **HOST TOWN PARTICIPATION FOR THE 2015 SPECIAL OLYMPICS WORLD GAMES** – Office of the Chief Executive Officer

RECOMMENDATION:

City Council Provide Direction to Staff Regarding Participation.



2. [TWO MEDICAL MARIJUANA INITIATIVE PETITIONS QUALIFYING FOR BALLOT; CONSIDERATION OF ADOPTING NEW ORDINANCE, ORDERING ELECTION OR ORDERING REPORT; CONSIDERATION OF CITY MEDICAL MARIJUANA MEASURE\(S\)](#) – City Attorney’s Office; City Clerk’s Office

RECOMMENDATION:

A. It is recommended that the City Council:

1. Accept the Certificate of Sufficiency issued by the County of Orange Registrar of Voters regarding: An Initiative to Allow Operation of Up to Eight Medical Marijuana (Cannabis) Businesses in the City of Costa Mesa; and
2. Accept the Certificate of Sufficiency issued by the County of Orange Registrar of Voters regarding: An Initiative to Allow Operation of up to Four Licensed Medical Marijuana Businesses in City of Costa Mesa.

B. Further, it is recommended that the City Council approve (for each initiative) one of the following options:

1. Adopt the ordinance (for either initiative), without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented (authorized by the Election Code, yet not recommended); or
2. Order a special election (for either initiative), to be held pursuant to subdivision (a) of Election Code § 1405 [which states that the election for a municipal initiative that qualifies shall be held not less than 88 nor more than 103 days after the date of the order of election], at which the ordinance, without alteration, shall be submitted to a vote of the voters of the city; or
3. Order a regular election (for either initiative), to be consolidated with the next “regularly scheduled general election for members of the governing body of the local government,” pursuant to Article XIII C § 2(b) of the California Constitution, which would be November 8, 2016; or
4. Order a report pursuant to Election Code § 9212 (for either initiative) at the regular meeting at which the certification of the petition is presented.

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

**CONTINUED PUBLIC COMMENTS**

**COUNCIL MEMBER COMMENTS ON CONTINUED PUBLIC COMMENTS**

**REPORT – CITY ATTORNEY**

**ADJOURNMENT – To Regular Meeting – December 2, 2014 at 5:00 p.m.**

**UPCOMING COMMUNITY EVENTS AND ACTIVITIES**

- Canvas Costa Mesa: An Art Event, November 21<sup>st</sup> from 7:00 p.m. - 10:00 p.m., at The LAB: 2930 Bristol St., Costa Mesa
- City Hall Closed for Thanksgiving November 27 and 28, 2014.