

AMENDED AGENDA*
CITY OF COSTA MESA
REGULAR CITY COUNCIL, HOUSING AUTHORITY, AND
SUCCESSOR AGENCY TO THE REDEVELOPMENT
AGENCY* MEETING

*** PRESENTATIONS – THE MAYOR’S AWARD HAS BEEN
REMOVED FROM THE AGENDA**

***NOTE: ALL AGENCY AND AUTHORITY MEMBERSHIPS ARE REFLECTED IN THE TITLE “COUNCIL MEMBER.”**

TUESDAY, FEBRUARY 16, 2016
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE
CLOSED SESSION – 5:00 P.M.
REGULAR MEETING – 5:45 P.M.

STEPHEN M. MENSINGER
Mayor

JAMES M. RIGHEIMER
Mayor Pro Tem

GARY MONAHAN
Council Member

SANDRA GENIS
Council Member

KATRINA FOLEY
Council Member

City Attorney
Thomas Duarte

Chief Executive Officer
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 \[www.costamesaca.gov\]\(http://www.costamesaca.gov\)](#)

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: 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 may be submitted to the City Clerk during the Public Comment period for non-agenda items, up to 6:40 p.m. or prior to the last speaker, whichever is earlier. Any speakers on non-agenda items not heard prior to 6:40 p.m. will be allowed to speak at the end of the meeting. Members of the public shall only address the City Council one time at any given meeting for non-agenda items. 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 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. 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 regarding anticipated litigation, significant exposure to litigation pursuant to California Government Code Section 54956.9(d)(4) for one potential case.
2. Conference with legal counsel regarding existing litigation: The Kennedy Commission; Mehrnoosh Barimani; Timothy Dadey; Denise Riddell; and Patricia Wagner v. City of Costa Mesa, a municipal corporation, Orange County Superior Court Case No. 30-2016-00832585-CU-WM-CJC, pursuant to California Government Code Section 54956.9(d)(1).
3. Conference with legal counsel regarding existing litigation: City of Costa Mesa, a municipal corporation, et al., v. Civic Center Barrio Housing, Orange County Superior Court Case No. 30-2014-00715552-CU-BC-CJC, pursuant to California Government Code Section 54956.9(d)(1).

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, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY – 5:45 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE Council Member Genis

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.]

Father Michael Hanifin, St. Joachim Catholic Church, 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 – Gordon Bowley~~

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COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

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

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. READING FOLDER

- a. Claims received by the City Clerk: Luis Silva Hernandez, Jesus Ibarra, Angela Leong, Eric Marienthal, and Maria T. Ortiz Ramirez.

RECOMMENDATION:

City Council receive and file.

2. WARRANT RESOLUTION NO. 2551 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 16-02 "A" FOR \$11,959.83; AND 16-03 FOR \$2,111,818.90; AND CITY OPERATING EXPENSES FOR \$1,888,638.31; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID – Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2551.

3. MINUTES OF THE REGULAR CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY – Chief Executive Officer's Department/ City Clerk's Office

RECOMMENDATION:

City Council approve the minutes of February 2, 2016.

4. [ADOPT RESOLUTIONS 16-06 AND 16-07 CONSENTING THE INCLUSION OF THE CITY OF COSTA MESA PROPERTIES IN THE CALIFORNIA HOME FINANCE AUTHORITY \(CHF\) PACE PROGRAMS AND ASSOCIATE MEMBERSHIP IN CALIFORNIA HOME FINANCE AUTHORITY TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES, ENERGY AND WATER EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING AN AMENDMENT TO A CERTAIN JOINT POWERS AGREEMENT RELATED THERETO](#) – Office of the Chief Executive Officer

RECOMMENDATION:

1. City Council review and adopt Resolution 16-06, consenting to Inclusion of Properties within the City’s Incorporated Area in the California Home Finance Authority (CHF) Community Facilities District No. 2014-1 (Clean Energy) to Finance Renewable Energy Generation, Energy Efficiency, Water Conservation and Electric Vehicle Charging Infrastructure Improvements and approving associate membership in CHF; and
2. City Council review and adopt Resolution 16-07, consenting to Inclusion of Properties within the City’s Incorporated Area in the California Home Finance Authority (CHF) PACE Program to Finance Renewable Energy Generation, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure and approving associate membership in CHF.

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

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

1. [AN ORDINANCE TO ADOPT CODE AMENDMENT CO-15-05: AN AMENDMENT TO TITLE 13 OF THE COSTA MESA MUNICIPAL CODE RELATED TO WATER EFFICIENT LANDSCAPE PLAN AND RELATED GUIDELINES](#) – Planning Division/Development Services Department

RECOMMENDATION:

1. City Council give first reading to Ordinance No. 16-03, to be read by title only, and further reading waived, to adopt Code Amendment CO-15-05 amending Costa Mesa Municipal Code Title 13 Chapter VII, Landscape Standards; and
2. City Council adopt Resolution No. 16-05, approving an update to the Water Efficient Landscape Guidelines.

OLD BUSINESS:

1. [REQUEST TO CLOSE OFF WALL OPENINGS ALONG VICTORIA STREET AND DORSET LANE](#) – Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council provide direction regarding residents' request to close off the wall openings to pedestrian access along Victoria Street at the following locations:
 1. Raleigh Avenue (south side of Victoria Street)
 2. Meyer Place (north side of Victoria Street)
 3. Miner Street (north side of Victoria Street)
 4. Wallace Avenue (south side of Victoria Street)
 5. Victoria Frontage (West)
 6. Victoria Frontage (East); and
2. City Council provide direction regarding residents' request to close off the wall opening to pedestrian access along Fairview Road at the following location:
 7. Dorset Lane at Fairview Road

NEW BUSINESS:

1. [URBAN MASTER PLAN SCREENING REQUEST \(UMP-15-05\) FOR A 3-UNIT DETACHED RESIDENTIAL DEVELOPMENT AT 1979 ANAHEIM AVENUE](#) – Planning Division/Development Services Department

RECOMMENDATION:

City Council provide feedback on proposed Urban Master Plan for a three-story, 3-unit detached residential development within the Mesa West Residential Ownership Urban Plan.

2. [FINANCIAL UPDATE INCLUDING: REVIEW OF JUNE 30, 2015 CAFR, FISCAL YEAR 2015-16 MID-YEAR BUDGET REPORT, AND FIVE-YEAR FINANCIAL PLAN](#) – Finance Department

RECOMMENDATION:

1. From the June 30, 2015 CAFR report:
 - a. City Council receive and file the Comprehensive Annual Financial Report; and
 - b. City Council approve FY 15-16 budget adjustments for \$980,153 in carry over prior year encumbrances to FY 15-16; and
 - c. City Council approve a FY 15-16 budget adjustment for, and the payment of, an additional \$500,000 to further reduce the Fire Side Fund debt.
2. From the FY 2015-16 Mid-year Budget report:
 - a. City Council receive and file this report; and
 - b. City Council approve recommended FY 2015-16 budget adjustments as listed; and
 - c. City Council add one new full-time Community Outreach Worker to support the Costa Mesa Housing Authority Rapid Re-housing Program; and
 - d. City Council authorize a transfer of funds from the Housing Authority Fund 222 to reimburse the General Fund expenses of \$309,515 used to pay off the loan balances of the program properties on 18th Street.
3. From the Five-year Financial Plan:
 - a. City Council receive and file the five-year plan; and
 - b. City Council provide direction to staff regarding issues raised in connection with the five-year financial plan and future priorities.

ITEMS REMOVED FROM THE CONSENT CALENDAR

REPORT – CITY ATTORNEY

ADJOURNMENT

UPCOMING COMMUNITY ACTIVITIES, EVENTS AND MEETINGS

- February 3 – 21, 2016 – **Lunar New Year – Year of the Monkey** – South Coast Plaza, 3333 Bristol Street, Costa Mesa. Every weekend will include prepared and choreographed crafts and entertainment, showcasing the best Lunar New Year celebration in Orange County
- Wednesday, February 17, 2016 through Sunday, March 6, 2016 – **Wicked**. Long before that girl from Kansas arrives in Munchkinland, two girls meet in the land of Oz - Segerstrom Center for the Arts, 600 Town Center Drive. For ticket information visit: <http://www.scfta.org/Events/Detail.aspx?id=12806>
- Thursday, February 18, 2016 – **Fight Club OC**, 7:00 p.m. – 10:00 p.m., Orange County's only professional boxing and professional mixed martial arts show on one night in a single venue. OC Fair and Event Center, 88 Fair Drive. For more information visit: <http://ns.ocfair.com/ocf2/calendar/ViewEvent.asp?EventId=3778>
- Friday, February 19, 2016 – **Walk with the Mayor** – 5:30 a.m. – 7:30 a.m. at Estancia High School Parking Lot, 2323 Placentia Avenue.
- Friday, February 19, 2016 – Sunday, February 21, 2016 – **7th Annual Pacific Coast Sportfishing Festival** – OC Fair and Event Center, 88 Fair Drive. Two-day sportfishing show with seminars, boats and tackle and equipment. For more information and event time's visit: <http://ns.ocfair.com/ocf2/calendar/ViewEvent.asp?EventId=3820>
- Saturday, February 20, 2016 - **Costa Mesa Slow-Pitch Softball Tournament**, 9:00 a.m., TeWinkle Park, 970 Arlington Dr. Deadline for registration is February 17, 2016. For more information or to register visit Cmhsbaseball.org or contact Coach Gary at pgrady@nmusd.us
- Sunday, February 21, 2016 – Costa Mesa Historical Society presents - **The Historic Yorba Cemetery**, 2:00 p.m. – 1870 Anaheim Ave. northwest corner of Lions Park complex. For more information visit: www.costamesahistory.org
- Monday, February 22, 2016 – **Movie Mondays “50 First Dates”** 12:45 p.m., Senior Center, 695 W 19th St., Popcorn and light refreshments provided
- Monday, February 22, 2016 – **Planning Commission Meeting** – 6:00 p.m. – Council Chambers – 77 Fair Drive., Costa Mesa
- Thursday, February 25, 2016 – **Second Annual Festival of Learning**, 5:00 p.m. – 7:00 p.m., Estancia High School, 2312 Placentia Ave. For more information visit: <http://web.nmusd.us/signatures>
- Thursday, February 25, 2016 – **Parks and Recreation Commission Meeting** – 6:00 p.m. – Council Chambers – 77 Fair Drive., Costa Mesa
- Friday, February 26, 2016 through Sunday, March 6, 2016 – **The Winter's Tale**, Vanguard University, Lyceum Theater off Newport Boulevard 500 Fair Dr. For more information please call box office at **714-668-6145**