

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

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

**\*CLOSED SESSION ITEM # 2 HAS BEEN ADDED**

**TUESDAY, MAY 17, 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 \[www.costamesaca.gov\]\(http://www.costamesaca.gov\).](#)

**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](mailto: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 existing litigation: Lenard Tovar vs. City of Costa Mesa, et al, Superior Court of California, County of Orange, Case No. 30-2015-00778027-CU-PO-CJC, pursuant to California Government Code Section 54956.9(d)(1).
2. Conference with legal counsel regarding anticipated litigation, significant exposure to litigation pursuant to California Government Code Section 54956.9(d)(2) for 1 potential case.

**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 Monahan

**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 Tim McCalmont, Presbyterian Church of the Covenant, 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 – John Carpenter, Teacher and Coach at Estancia High School

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## COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

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

### 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: William David Keys

#### RECOMMENDATION:

City Council receive and file.

#### 2. WARRANT RESOLUTION NO. 2557 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 16-10 FOR \$2,169,362.19; AND CITY OPERATING EXPENSES FOR \$1,920,968.70; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

Finance Department

#### RECOMMENDATION:

City Council approve Warrant Resolution No. 2557.

#### 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 May 3, 2016.

4. **FAIRVIEW PARK CATTAIL REMOVAL PROJECT, CITY PROJECT NO. 15-14**  
Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council accept the work performed by McNabb Construction Inc. and authorize the City Clerk to file the Notice of Completion; and
2. City Council authorize the release of the Labor and Materials Bond one (1) year after the filing date; release of the Faithful Performance Bond one (1) year after the filing date; and release of the retention monies 35 days after the Notice of Completion filing date.

5. **2015 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) PROGRAM ALLOCATION IN AN AMOUNT NOT TO EXCEED \$16,710.00**

Police Department/Support Services Division

RECOMMENDATION:

1. City Council authorize the Chief Executive Officer or his designee to execute the Agreement to Transfer Funds for the 2015 Emergency Management Performance Grant (EMPG) Program; and
2. City Council adopt Resolution No. 16-xx, which authorizes the Chief Executive Officer or his designee to accept the funds for the Emergency Management Performance Grant (EMPG) Program, in an amount not to exceed \$16,710.00 to purchase a free-standing Smartboard and display cart, mini DVD writer, display adaptor, desktop mini sec/dual vesa sleeve wireless mouse, and seven lap top computers dedicated to the City's Emergency Operations Center (EOC). This acquired equipment will support new technology requirements and provide improvements to support emergency management.

6. **REQUEST FOR A "RESIDENT ONLY" PARKING RESTRICTION ON CLEVELAND AVENUE AND PAULARINO AVENUE**

Public Services Department/Transportation Services Division

RECOMMENDATION:

1. City Council adopt Resolution No. 16-xx approving the implementation of a "Resident Only" parking restriction on Cleveland Avenue between Paularino Avenue and Dorset Lane, Paularino Avenue Westbound between Coolidge Avenue and Van Buren Avenue, and Paularino Avenue Eastbound between Van Buren Avenue and the alley east of Paularino Avenue; and
2. City Council authorize the Transportation Services Manager to extend the "Resident Only" parking restriction for a maximum of 1,000 feet as needed.

7. **APPOINTMENT OF CITY NEGOTIATORS FOR THE COSTA MESA CITY EMPLOYEES ASSOCIATION MEET AND CONFER AND AUTHORIZATION TO PROCEED WITH THE FINANCIAL ANALYSIS OF THE CURRENT MOU PER THE COIN ORDINANCE** – Chief Executive Officer’s Office

RECOMMENDATION:

Staff recommends that the City Council:

1. Designate Tamara S. Letourneau, Assistant Chief Executive Officer and Steven Berliner, Partner, Liebert Cassidy Whitmore as the City’s representatives in negotiations with the Costa Mesa City Employees Association (CMCEA); and
2. Authorize staff to have the independent fiscal analysis of the current CMCEA Memorandum of Understanding (MOU) completed per the requirements of the COIN Ordinance.

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

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

1. **2015-2035 GENERAL PLAN AND DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) – SCH# 2015111068**  
Development Services Department/Planning Division

RECOMMENDATION:

1. City Council receive overview presentation of General Plan and Draft EIR and public comments; and
2. City Council continue to City Council Meeting of June 7, 2016.

**OLD BUSINESS:**

1. [TEMPORARY WEB MASTER CONSULTANT SERVICES FOR THE DESIGN AND DEVELOPMENT OF THE CITY'S INTERNAL WEB PLATFORM AND APPLICATIONS](#) – Information Technology Department

RECOMMENDATION:

Staff recommends that the City Council:

1. Requested Services – Authorize temporary web master services to rebuild and develop the internal web platform and applications; and
2. Compensation for Requested Services – Authorize the City CEO to sign the Professional Services Agreement with Robert Half Technology, d.b.a. Protiviti Government Services, in an annual contract amount not to exceed \$178,000.00.

**NEW BUSINESS:**

1. [PARKS & RECREATION COMMISSION REVIEW OF TALBERT PARK RESTORATION PLAN](#) - Chief Executive Office

RECOMMENDATION:

Staff requests that the City Council provide direction on assigning the Parks and Recreation Commission to review the Talbert Regional Park Final Habitat Restoration Plan and make recommendations to the City Council for potential joint restoration projects between the City and the County of Orange.

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

**REPORT – CITY ATTORNEY**

**ADJOURNMENT**



## UPCOMING COMMUNITY ACTIVITIES, EVENTS AND MEETINGS

Tuesday, May 17, 2016 through Sunday, May 29, 2016– **Newsies**, Segerstrom Center for the Arts, 600 Town Center Drive. Direct from Broadway comes NEWSIES, the smash-hit, crowd-pleasing new musical from Disney. Winner of the 2012 Tony Awards for Best score and Best Choreography. For more information, visit: <http://www.scfta.org>

Thursday, May 19, 2016 – **Elementary School College Night**, 5:30 p.m.-7:30 p.m., Costa Mesa High School/Middle School Enclave, 2650 Fairview Rd. Learn about college and career readiness. For more information, contact Allison Hatch at: [ahatch@nmusd.us](mailto:ahatch@nmusd.us) .

Friday, May 20, 2016 – **Walk with the Mayor**, 5:30 a.m.-7:30 a.m., Estancia High School parking lot, 2323 Placentia Ave. On the third Friday of each month, residents can participate in the Walk and Talk with the Mayor for an approximately 90-minute walk. For more information, call: (714) 754-5107.

Friday, May 20, 2016 – **Costa Mesa Chamber Student Awards Breakfast**, 7:15 a.m.-9 a.m. The Westin South Coast Plaza, 686 Anton Blvd. For more information, visit: [www.costamesachamber.com](http://www.costamesachamber.com)

Saturday, May 21, 2016 – **48<sup>th</sup> Annual Speedway**, 6 p.m.-10 p.m. OC Fair and Event Center, 88 Fair Drive. The most exciting, colorful and unpredictable live action racing event in the nation. For more information visit: <http://www.ocfair.com/ocf2/>

Saturday, May 21, 2016 – **Tour de OC**, Tour de OC is a 100% volunteer driven event with **25** mile, **55** mile and **100** mile routes with an expo, raffle and refreshments at well-staffed rest stops. Participants can ride as far as you like. If you choose not to complete the course, a team will pick you up. For more information visit: <http://www.TourdeOC.org>

Saturday, May 21, 2016 through Sunday, May 22, 2016 – **Orange County Model Engineers Train Ride**, 10:30 a.m.-3:30 p.m. Fairview Park, 2501 Placentia Ave. Trains on public ride days are made up of 4 to 6 bench cars that seat 5 to 6 adults and children per car. For more information, visit: <http://www.ocmetrains.org/>

Monday, May 23, 2016– **Movie Monday**, 12:45 p.m.-2:45 p.m., Costa Mesa Senior Center, 695 W 19<sup>th</sup> St. Showing the film “Unbroken.” Based on a true story of an American Pilot held captive during WWII. For more information, call: (714) 327-7550.

Wednesday, May 25, 2016– **Movies in the Park**, 5:45 p.m., Balearic Park, behind Balearic Community Center, 1975 Balearic Dr. Family friendly event showing the film Minions. Guests are encouraged to bring a blanket or lawn chair. For more information, call: (714) 754-5065.

Friday, May 27, 2016– **Memorial Day Luncheon**, 11:30 a.m.-1 p.m., Costa Mesa Senior Center, 695 W 19<sup>th</sup> St. In honor of those who have fallen, join the Senior Center for music and lunch, register at the front desk. For more information, call: (714) 754-5065.