

ACTION REPORT
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."

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

CLOSED SESSION – 5:00 P.M.

ROLL CALL

Present: Council Member Foley, Council Member Genis, Council Member Monahan,
Mayor Pro Tem Righeimer and Mayor Mensinger

Absent: None

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).

FOR INFORMATIONAL PURPOSES ONLY

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.

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

Present: Council Member Foley, Council Member Genis, Council Member Monahan,
Mayor Pro Tem Righeimer, and Mayor Mensinger

Absent: None

CITY ATTORNEY CLOSED SESSION REPORT - NONE

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

CONSENT CALENDAR:

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 7 except for 2 and 6.

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

FOR INFORMATIONAL PURPOSES ONLY

1. READING FOLDER

- a. Claims received by the City Clerk: William David Keys

ACTION:

City Council received and filed.

3. MINUTES OF THE REGULAR CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY

ACTION:

City Council approved the minutes of May 3, 2016.

4. FAIRVIEW PARK CATTAIL REMOVAL PROJECT, CITY PROJECT NO. 15-14

ACTION:

1. City Council accepted the work performed by McNabb Construction Inc. and authorized the City Clerk to file the Notice of Completion; and
2. City Council authorized 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

ACTION:

1. City Council authorized 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 adopted Resolution No. 16-24, 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.

FOR INFORMATIONAL PURPOSES ONLY

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

ACTION:

1. City Council designated 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. City Council authorized 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** -----

ITEMS REMOVED FROM THE CONSENT CALENDAR

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

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motions carried: 5-0

ACTION:

City Council approved Warrant Resolution No. 2557.

FOR INFORMATIONAL PURPOSES ONLY

6. REQUEST FOR A “RESIDENT ONLY” PARKING RESTRICTION ON CLEVELAND AVENUE AND PAULARINO AVENUE

MOTION: To approve recommended actions 1 and 2 and also add Dorset Lane to the Resolution.

MOVED/SECOND: Mayor Mensinger/Council Member Genis

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motions carried: 5-0

ACTION:

1. City Council adopted Resolution No. 16-25 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 also added Dorset Lane from Cleveland Avenue to cul de sac West of Arthur Avenue.
2. City Council authorized the Transportation Services Manager to extend the “Resident Only” parking restriction for a maximum of 1,000 feet as needed.

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

1. 2015-2035 GENERAL PLAN AND DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) – SCH# 2015111068

MOTION: To not proceed with a residential analysis for the area north of the 405 freeway and west of Fairview Road. (01:53:04)

MOVED/SECOND: Mayor Pro Tem Righeimer/Mayor Mensinger

The motion carried by the following roll call vote:

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

Nays: Council Member Foley and Council Member Genis

Absent: None

Motion carried: 3-2

FOR INFORMATIONAL PURPOSES ONLY

SUBSTITUTE MOTION: To continue the item to a Special City Council Meeting of June 14, 2016 and Regular Meeting of June 21, 2016; directed staff to prepare the final EIR for the June 21, 2016 meeting and to agendize the public hearing at 8:00 p.m.

MOVED/SECOND: Council Member Genis/Council Member Foley

The motion carried by the following roll call vote:

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

Nays: Council Member Monahan

Absent: None

Motion carried: 4-1

ACTION:

1. City Council received the public comments on the General Plan and Draft EIR; and
2. City Council continued the item to a Special City Council Meeting of June 14, 2016 and Regular Meeting of June 21, 2016; directed staff to prepare the final EIR for the June 21, 2016 meeting and to agendize the public hearing at 8:00 p.m.

OLD BUSINESS:

1. **TEMPORARY WEB MASTER CONSULTANT SERVICES FOR THE DESIGN AND DEVELOPMENT OF THE CITY'S INTERNAL WEB PLATFORM AND APPLICATIONS**

MOTION: To approve the recommended action with a contract term of one year.

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

1. City Council authorized temporary web master services to rebuild and develop the internal web platform and applications; and
2. City Council authorized 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.

FOR INFORMATIONAL PURPOSES ONLY

MOTION: Continue the meeting past midnight.

MOVED/SECOND: Mayor Pro Tem Righeimer/Mayor Mensinger

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION: City Council approved to continue the meeting past midnight.

NEW BUSINESS:

1. **PARKS & RECREATION COMMISSION REVIEW OF TALBERT PARK RESTORATION PLAN**

MOVED/SECOND: Council Member Monahan/Council Member Genis

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council directed 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.

REPORT – CITY ATTORNEY - NONE

ADJOURNMENT – The Mayor and City Council adjourned the meeting at 12:23 a.m.