

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, SEPTEMBER 20, 2016
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE
CLOSED SESSION – NONE
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

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 Mayor Pro Tem 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.]

Pastor Rod Randall, Harbor Trinity Baptist Church, Costa Mesa

FOR INFORMATIONAL PURPOSES ONLY

ROLL CALL

Present: Council Member Foley (arrived at 6:15 p.m.), Council Member Genis, Council Member Monahan (arrived at 6:14 p.m.), Mayor Pro Tem Righeimer and Mayor Mensinger

Absent: None

CITY ATTORNEY CLOSED SESSION REPORT -

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

PUBLIC HEARING:

2. APPEAL OF CONDITIONAL USE PERMIT PA-16-48 FOR ARTS AND LEARNING CONSERVATORY AND SHARED PARKING REQUIREMENTS AT 3184 AIRWAY AVENUE, SUITE A

MOTION: To Continue Public Hearing item to the November 1, 2016 City Council meeting.

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

CONSENT CALENDAR:

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 13 except for 2, 4 and 11.

MOVED/SECOND: Council Member Monahan/Council Member Foley

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: Edwin Cruz, Cheryl Giacomino and Wallace M. Joan

ACTION:

City Council received and filed.

3. MINUTES OF THE REGULAR CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF SEPTEMBER 6, 2016

ACTION:

City Council approved the minutes of September 6, 2016.

5. REFUND OF CASH DEPOSIT IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS15-00689 FOR PARKWAY IMPROVEMENTS AT 1726 SUPERIOR AVENUE, COSTA MESA, CALIFORNIA

ACTION:

City Council approved the refund of cash deposit in connection with Encroachment Permit No. PS15-00689 in the amount of \$56,336.52 to Walgreens Family of Companies, 106 Wilmot Rd, Deerfield, IL 60015.

6. MEMORANDUM OF UNDERSTANDING FOR SCHOOL RESOURCE OFFICER PROGRAM – ACADEMIC YEAR 2016-2017

ACTION:

City Council approved the Memorandum of Understanding (MOU) between the City of Costa Mesa and the Newport-Mesa Unified School District pertaining to the School Resource Officer program for academic year 2016-2017.

7. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF COSTA MESA AUTHORIZING ACCEPTANCE OF GRANT AWARDS FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR THE “SELECTIVE TRAFFIC ENFORCEMENT PROGRAM”

ACTION:

1. City Council adopted Resolution 16-72 which authorizes the CEO or his designee to accept the grant awards from the California Office of Traffic Safety for the “Selective Traffic Enforcement Program” (STEP); and
2. Approved Budget Adjustment #17-003 for the total amount of \$165,000 to increase revenue and appropriation for overtime and professional development associated with the 2016 OTS STEP grant.

FOR INFORMATIONAL PURPOSES ONLY

8. **AWARD THE PURCHASE OF ONE NEW 2017 FORD SUPER DUTY F-450 DRW XL 2WD REGULAR-CAB TRUCK WITH CTEC DUMP BODY AND HOIST AND ONE NEW 2017 FORD SUPER DUTY F-350 DRW XL 2WD REGULAR-CAB TRUCK WITH CTEC STEEL BODY, HIGH PRESSURE WASHING PUMPS AND EQUIPMENT**

ACTION:

1. City Council approved and authorized the Chief Executive Officer to execute a purchase order for the purchase of one 2017 Ford Super Duty F-450 DRW XL 2WD regular-cab truck with a CTEC dump-body and hoist through the National Joint Powers Alliance (NJPA) contract #102811, in conjunction with the National Auto Fleet Group, 490 Auto Center Drive, Watsonville, CA 95076 in the amount of \$81,276.98; and
2. Approved and authorized the Chief Executive Officer to execute a purchase order for the purchase of one 2017 Ford F-350 DRW XL 2WD regular-cab truck with a CTEC utility body and high pressure spray pumps and equipment through the National Joint Powers Alliance (NJPA) contract #102811, in conjunction with the National Auto Fleet Group, 490 Auto Center Drive, Watsonville, CA 95076 in the amount of \$80,604.18.

9. **SOLE SOURCE PURCHASE FOR THE REPLACEMENT OF MOBILE RECEIVER RADIOS FOR THE ORANGE COUNTY 800 MHZ COUNTYWIDE COORDINATED COMMUNICATIONS SYSTEM UPGRADE**

ACTION:

City Council approved and authorized the Chief Executive Officer to sign the sole source purchase request for 517 mobile receiver radios and accessories identified as eligible for the radio promotion offered by Motorola in an amount not to exceed \$2,313,666.78.

10. **REQUEST FOR A “RESIDENT ONLY” PARKING RESTRICTION ON MILBRO STREET BETWEEN BAKER STREET AND POST ROAD**

ACTION:

1. City Council adopted Resolution No. 16-73 approving the implementation of a **“Resident Only”** parking restriction on Milbro Street between Baker Street and Post Road; and
2. Authorized the Transportation Services Manager to extend the **“resident only”** parking restriction for a maximum of 1,000 feet as needed.

FOR INFORMATIONAL PURPOSES ONLY

12. PROFESSIONAL SERVICES AGREEMENT WITH SHOW DEVELOPMENT WEST TO PROVIDE LIGHTING AND ENTERTAINMENT SERVICES FOR THE SNOOPY HOUSE HOLIDAY DISPLAY

ACTION:

City Council authorized the City CEO to enter into a Professional Services Agreement with Show Development West, to continue lighting and entertainment services for the Snoopy House Holiday display, for an additional two-year contract, in an amount not to exceed \$50,000.

13. COOPERATIVE PURCHASE OF OFFICE SUPPLIES THROUGH STAPLES ADVANTAGE

ACTION:

City Council approved a price agreement through National Joint Powers Alliance cooperative Contract #010615-SCC for the purchase and delivery of necessary and approved office supplies with Staples Advantage, for an initial term expiring on September 19, 2017, and optional three (3) one-year extensions.

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

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

1. PUBLIC HEARING FOR THE VACATION OF EXCESS RIGHT-OF-WAY AT 671-673 W. 17th STREET AT TWO LOCATIONS: W. 17th STREET AND SUPERIOR AVENUE

MOVED/SECOND: Council Member Monahan/Council Member Foley

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 adopted Resolution No. 16-65 ordering the vacation of a portion of West 17th Street and Superior Avenue Right-Of-Way (ROW); and

2. Authorized execution of the Quitclaim Deed by the Mayor and the City Clerk.

FOR INFORMATIONAL PURPOSES ONLY

3. **AN ORDINANCE TO ADOPT CODE AMENDMENT CO-16-03 – AMENDMENT TO TITLE 13, CHAPTER II (ZONING DISTRICTS ESTABLISHED); CHAPTER III (PLANNING APPLICATIONS), CHAPTER IV (CITYWIDE LAND USE MATRIX); CHAPTER V, ARTICLE 7 (DEVELOPMENT STANDARDS FOR INSTITUTIONAL AND RECREATIONAL AND INSTITUTIONAL AND RECREATIONAL SCHOOL DISTRICTS) TO INCLUDE THE INSTITUTIONAL AND RECREATIONAL - MULTI-USE DISTRICT ADOPTED UNDER THE 2015-2035 COSTA MESA GENERAL PLAN; AND TO REZONE 2501 HARBOR BOULEVARD TO INSTITUTIONAL AND RECREATIONAL - MULTI-USE.**

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

The motion carried by the following roll call vote:

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

Nays: Council Member Foley

Absent: None

Motion carried: 4-1

ACTION:

City Council gave first reading to Ordinance 16-09, to be read by title only, and further reading waived, to adopt Code Amendment CO-16-03 to amend Title 13: Chapter II (Zoning Districts Established), Chapter II (Planning Applications), Chapter IV (Citywide Land Use Matrix), and Chapter V, Article 7 (Development Standards for Institutional and Recreational and Institutional and Recreational School Districts) to include the Institutional and Recreational-Multi-Use District the corresponding district to the General Plan land use designation of Multi-Use Center which was adopted under the 2015-2035 Costa Mesa General Plan, including changes to Chapter 5 on the following:

Single Family Residential – Minimum Lot Size	Residential Development Not Permitted	6,000 s.f.
Minimum and maximum percent of site used for Single Family Residential	Residential Development Not Permitted	50%

The amendment will establish a new zoning district and associated standards for new development within this district. Rezone R-16-04 will rezone 2501 Harbor Boulevard, the current Fairview Developmental Center, from Institutional and Recreational to Institutional and Recreational - Multi-Use.

FOR INFORMATIONAL PURPOSES ONLY

- 4. AN ORDINANCE TO ADOPT CODE AMENDMENT CO-16-02 – AMENDMENT TO TITLE 13, CHAPTER V, ARTICLE 11 (DEVELOPMENT STANDARDS – MIXED-USE OVERLAY DISTRICT) TO INCLUDE THE HARBOR BOULEVARD MIXED-USE OVERLAY DISTRICT AND TO ADD A NEW ARTICLE (ARTICLE 12) PERTAINING TO THE RESIDENTIAL INCENTIVE OVERLAY DISTRICT AS ADOPTED UNDER THE 2015-2035 COSTA MESA GENERAL PLAN**

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

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

ACTION:

City Council gave first reading to Ordinance 16-10, to be read by title only, and further reading waived, to adopt Code Amendment CO-16-02 to amend Title 13, Chapter V, Article 11 (Development Standards – Mixed-Use Overlay District) to include the Harbor Boulevard Mixed-Use Overlay District and to add a new article (Article 12) pertaining to the Residential Incentive Overlay District as adopted under the 2015-2035 Costa Mesa General Plan. The amendment will establish standards for new development in these overlay districts.

OLD BUSINESS:

- 1. SECOND READING OF ORDINANCE 16-08: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA ADOPTING DA-16-03 APPROVING A FOURTH AMENDMENT TO THE SEGERSTROM HOME RANCH DEVELOPMENT AGREEMENT DA-00-01**

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:

City Council gave second reading and adopted Ordinance No. 16-08, to be read by title only, and further reading waived, approving a fourth amendment to the Segerstrom Home Ranch Development Agreement No. DA-00-01.

NEW BUSINESS:

1. APPOINTMENT TO SENIOR COMMISSION

MOTION: To appoint Gary Parkin to fill one vacancy on the Senior Commission.

MOVED/SECOND: Mayor Mensinger/Mayor Pro Tem Righeimer

The motion carried by the following roll call vote:

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

Nays: Council Member Foley

Absent: None

Motion carried: 4-1

ACTION:

City Council appointed Gary Parkin to fill one vacancy on the Senior Commission.

2. REQUEST TO CANCEL THE REGULARLY SCHEDULED CITY COUNCIL MEETING OF OCTOBER 18, 2016 AND CONSIDER A CALL FOR A SPECIAL CITY COUNCIL MEETING FOR EITHER OCTOBER 17 OR 19, 2016

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

The motion carried by the following roll call vote:

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

Nays: Council Member Genis and Council Member Foley

Absent: None

Motion carried: 3-2

ACTION:

1. City Council cancelled the regularly scheduled City Council meeting of October 18, 2016; and
2. Called for a Special City Council meeting on Monday, October 17th.

FOR INFORMATIONAL PURPOSES ONLY

ITEMS REMOVED FROM THE CONSENT CALENDAR:

2. **WARRANT RESOLUTION NO. 2563 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 16-18 FOR \$2,218,726.96, 16-18 "A" FOR \$-2,217.28, and 16-19 FOR \$2,181,414.07; AND CITY OPERATING EXPENSES FOR \$2,822,051.37; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID**

MOVED/SECOND: Council Member Monahan/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 Warrant Resolution No. 2563.

4. **AMENDMENT TO SITE LEASE AGREEMENT WITH T-MOBILE WEST TOWER LLC**

MOVED/SECOND: Council Member Monahan/Mayor Mensinger

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, and Mayor Mensinger

Nays: None

Absent: None

Abstain: Mayor Pro Tem Righeimer

Motion carried: 4-0-1

ACTION:

City Council approved the amendment to the Lease Agreement with T-Mobile West LLC for the cell tower located at Costa Mesa Tewinkle Park.

11. **PORTABLE OFFICE COMPLEX AND SITE CONSTRUCTION - CITY PROJECT NO. 16-15**

MOVED/SECOND: Council Member Monahan/Council Member Foley

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

ACTION:

1. City Council accepted the bid withdrawal from Patriot Contracting & Engineering; and
2. Rejected all bids; and
3. Adopted Resolution No. 16-74 declaring that the Portable Office Complex and Site Construction Project No. 16-15 can be performed more economically by employees of the City and authorizing this project to be done by force account (4/5 vote required); and
4. Authorized staff to negotiate contracts with qualified contractors and equipment vendors within the existing budgeted amount; and
5. Authorized the Chief Executive Officer and the City Clerk to execute the Public Works Agreements for this project.

REPORT – CITY ATTORNEY - NONE

ADJOURNMENT – The Mayor and City Council adjourned the meeting at 9:05 p.m.