

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."

***PRESENTATION OF THE COLORS HAS BEEN ADDED UNDER THE
PLEDGE OF ALLEGIANCE**

TUESDAY, OCTOBER 4, 2016
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE
CLOSED SESSION – 5:00 P.M. - 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

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

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 Staff at the Council Chambers entrance. Speaker cards may be submitted to the City Clerk staff 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 Staff. 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].

**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 **Presentation of the Colors – Boy Scout Troop 106**

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 Mike Decker, Palm Harvest 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 – Council Member Gary Monahan

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COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

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

Claims received by the City Clerk: Lori Bertrand and Paula Jameson.

RECOMMENDATION:

City Council receive and file.

2. WARRANT RESOLUTION NO. 2564 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 16-20 FOR \$2,181,042.74 AND CITY OPERATING EXPENSES FOR \$1,182,965.60; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2564.

3. MINUTES OF THE REGULAR CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF SEPTEMBER 20, 2016 AND SPECIAL CLOSED SESSION MINUTES OF SEPTEMBER 13, 2016 - Chief Executive Officer's Department/City Clerk's Office

RECOMMENDATION:

City Council approve the minutes of September 20, 2016 and September 13, 2016.

4. **CONTRACT AMENDMENT – COMPLETE LANDSCAPE CARE, INC.**
Public Services Department/Maintenance Services Division

RECOMMENDATION:

City Council approve and authorize the Chief Executive Officer and the City Clerk to execute Amendment #1 to the Professional Services Agreement with Complete Landscape Care, Inc. to increase the annual amount of the contract by \$10,600 and the unit pricing schedule for landscape maintenance tasks by 1.5%, based on the Consumer Price Index.

5. **AWARD THE PURCHASE OF A NEW 2017 CHEVROLET SUBURBAN 4 WD 4 DOOR 1500 LT** - Public Services Department/Maintenance Services Division

RECOMMENDATION

City Council approve and authorize the Chief Executive Officer to execute a purchase order for a 2017 Chevrolet Suburban 4WD 4Dr 1500 LT 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 \$58,748.79.

6. **PROPOSED MODIFICATIONS TO COSTA MESA HOMEBUYER ASSISTANCE AND SINGLE FAMILY HOME PROGRAM (FTHB) POLICIES, PROCEDURES AND GUIDELINES RELATING TO THE CONDITIONS AND REQUIREMENTS FOR REFINANCING OF FIRST MORTGAGES AND RESUBORDINATION OF FTHB SECOND MORTGAGES**
Development Services Department/Planning Department

RECOMMENDATION:

City Council and the Housing Authority direct the City of Costa Mesa's Chief Executive Officer and Executive Director of the Costa Mesa Housing Authority ("CEO/Executive Director") to modify the Costa Mesa Homebuyer Assistance and Single Family HOME Loan Program ("FTHB" or "Program") implementing the adopted policies, procedures and guidelines and working manual (together, "Program Policies") as detailed in the staff report.

7. **CITYWIDE PARKS MAINTENANCE AND LANDSCAPE CONTRACT**

Public Services Department/Maintenance Services Division

RECOMMENDATION:

1. City Council approve the Maintenance Services Agreement in the annual amount of \$2,099,567 and a 10% contingency, in an annual amount not to exceed \$209,957 for unforeseen cost and approval for Consumer Price Index (CPI) escalation and de-escalation to Marina Landscape Maintenance, Inc. for parks and landscape maintenance services for an initial term expiring on June 30, 2020, and optional two (2) one-year extensions for a total of five years; and
2. Authorize the Mayor and City Clerk to execute the agreement; and
3. Authorize the Chief Executive Officer and City Clerk to accept and execute future minor amendments and extensions to the agreement; and
4. Direct staff to work closely with Park Maintenance employees during this transition by providing necessary training in new service areas.

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

PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55): NONE

OLD BUSINESS:

1. **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.**

Development Services Department/Planning Division

RECOMMENDATION:

City Council give second reading to Ordinance 16-09, to be read by title only, and further reading waived, to adopt Code Amendment CO-16-03 amending Costa Mesa Municipal Code Title 13: Chapter II, II, IV, and Chapter V, Article 7 to establish the Institutional and Recreational - Multi-Use District and Rezone R-16-04 to rezone 2501 Harbor Boulevard to the new district.

2. [AN ORDINANCE TO ADOPT ZONING 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](#)

Development Services Department/Planning Division

City Council give second 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.

NEW BUSINESS:

1. [APPROVE A RESOLUTION FOR THE PARTNERING WITH THE ORANGE COUNTY PARKS DEPARTMENT IN ORDER TO APPLY FOR GRANTS AND OTHER FUNDING OPPORTUNITIES FOR THE TALBERT REGIONAL PARK FINAL HABITAT RESTORATION PLAN](#)

Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council adopt Resolution 16-xx for the partnering with the Orange County Parks Department for the purpose of applying for grants and other funding opportunities for the Talbert Regional Park Final Habitat Restoration Plan; and
2. Authorize the Public Services Director or his designee as the City's authorized representative.

2. [CALIFORNIA PROPOSITION 57 – CALIFORNIA PAROLE FOR NON-VIOLENT CRIMINALS AND JUVENILE COURT TRIAL REQUIREMENTS INITIATIVE](#) - Office of the Chief Executive Officer

RECOMMENDATION:

Per Council Policy 000-8, Mayor Mensinger is seeking City Council support in adopting a resolution of opposition regarding the “California Parole for Non-Violent Criminals and Juvenile Court Trial Requirements Initiative.” This measure is on the November 8, 2016 California state ballot as Proposition 57.

3. **MESA WATER DISTRICT ADVISORY MEASURE SEEKING PUBLIC INPUT REGARDING THE POTENTIAL CONSOLIDATION OF THE MESA WATER DISTRICT AND THE COSTA MESA SANITARY DISTRICT**

Office of the Chief Executive Officer

RECOMMENDATION:

Per Council Policy 000-8, Mayor Pro Tem Righeimer is seeking City Council support in adopting a resolution of support regarding Ballot Measure TT regarding the Mesa Water District Advisory Measure Seeking Public Input Regarding the Potential Consolidation of the Mesa Water District and the Costa Mesa Sanitary District.

ITEMS REMOVED FROM THE CONSENT CALENDAR

REPORT – CITY ATTORNEY

ADJOURNMENT

UPCOMING COMMUNITY EVENTS AND ACTIVITIES

Monday, October 5, 2016 – **Citizen’s Fire Academy**, 6:30-9 p.m. There will be eight Wednesday evening classes held and a Saturday class from 9 a.m.-noon. Meet members of the Costa Mesa Fire Department, experience firefighting training, possibly participate in a ride along and learn valuable fire prevention and emergency preparedness training. To register or for more information, please contact Brenda Emrick at brenda.emrick@costamesaca.gov

Thursday, October 6, 2016 – **Costa Mesa Public Safety Recognition Barbeque**, 11 a.m.-1 p.m. Orange County Fairgrounds, 88 Fair Drive, Costa Mesa. On duty or off, all are invited to attend and enjoy lunch and an opportunity to say hello to the men and women who serve. Police, Fire and Communications personnel are no cost and community and chamber members cost is \$10. For more information, please contact the chamber: (714) 885- 9095.

Thursday, October 6, 2016 through Wednesday, October 12, 2016 – **Angelitos Card Week 15th Anniversary**. South Coast Plaza, 3333 Bristol Street. The Angelitos Card offers South Coast Plaza shoppers the opportunity to assist Big Brother and Big Sisters Orange County and save 20 percent on purchases from participating stores. For more information, please visit: <http://angelitosdeoro.org/>

Friday, October 7, 2016 through Sunday, October 9, 2016– **Seegerstrom Center Jazz Weekend**. Renee and Henry Seegerstrom Concert Hall, 600 Town Center Drive. A celebratory weekend featuring music from the last 100 years of this musical genre in the concert hall. For more information, please visit: www.scfta.org

Saturday, October 8, 2016 – **Harbor Cornerstone Trail Ribbon Cutting and Bike Parade**, 9-11 a.m., NW corner of Harbor Blvd and Fair Dr. Come and enjoy the festivities as the City of Costa Mesa officially open the Harbor Cornerstone Trail with a celebratory ribbon cutting followed by a bike parade. Residents are invited to decorate their bikes, scooters, clothing, and even themselves and enjoy a 3.75-mile trail. For more information, please contact (714) 754-5300.

Sunday, October 9, 2016 – **Meet the Mayor**, 2-4 p.m. City Hall, 77 Fair Drive., Costa Mesa. Join Mayor Stephen Mensinger the 2nd Sunday of the month for a 2 hour open discussion of things related to Costa Mesa. For more information, visit: <http://www.costamesaca.gov/>.

Tuesday, October 11, 2016 – **Costa Mesa Boosters Bingo**. Costa Mesa Senior Center, 695 W 19th St. Held every Tuesday evening, door open at 5 p.m., early birds begin at 6 p.m. Intended for beginners and pros with progressive buy-in programs. Open to the community, enjoy free coffee and tea, popcorn and a brand new bingo machine. All proceeds benefit the students and go back to the schools. For more information visit: www.cmhsbingo.webstarts.com

Friday, October 14, 2016 – **Costa Mesa High School Mustangs Field Ribbon-Cutting Ceremony**, 5-5:30 p.m. Costa Mesa High School, 2650 Fairview Road. For more information, please visit: <http://cmhs.nmusd.us/>

Saturday, October 15, 2016 – **Fire Prevention Week Open House**, 10 a.m.-2 p.m. Fire Station 4, 2300 Placentia Ave. The theme this year is Super Safety Challenge Day. Come out and view emergency response equipment, watch Costa Mesa Fire and Rescue demonstrate lifesaving tools and fun activities for the entire to enjoy. For more information, please contact Brenda Emrick at brenda.emrick@costamesaca.gov

Saturday, October 15, 2016 through Sunday, October 16, 2016 – **Scarecrow and Pumpkin Festival**, Fairview Park, 2501 Placentia Ave, Costa Mesa, between Adams and Wilson. Enjoy this community tradition and bring the whole family. Pumpkin picking, fire truck ride, food and scarecrow contest. For more information, please visit: <http://www.costamesahistory.org/scarecrow.htm>