

# **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."

**TUESDAY, NOVEMBER 15, 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](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 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 of 1990, Assistive Listening headphones located inside the Council Chambers are available at all Costa Mesa City Council meetings and can be checked out from the City Clerk. If you need special assistance to participate in this meeting, please contact the City Clerk at (714) 754-5225. Notification at least 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]. Language translation services are available for this meeting by calling (714) 754-5225 at least 48 hours in advance. Habrá servicio de interpretación disponible para éstas juntas llamando al (714) 754-5225 por lo menos con 48 horas de anticipación.

**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 Phil Eyskens, The Lighthouse 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:**

Estancia Sister City Presentation

**PUBLIC COMMENTS – MATTER NOT LISTED ON THE AGENDA:**

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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

Claims received by the City Clerk: James Faulkner

#### RECOMMENDATION:

City Council receive and file.

2. WARRANT RESOLUTION NO. 2566 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 16-23 FOR \$2,188,504.75 AND 16-22 "A" FOR \$-2842.06; AND CITY OPERATING EXPENSES FOR \$1,249,115.17; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID - Finance Department

#### RECOMMENDATION:

City Council approve Warrant Resolution No. 2566.

3. MINUTES OF THE REGULAR AND SPECIAL CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF NOVEMBER 1, 2016 AND OCTOBER 17, 2016

Chief Executive Officer's Department/City Clerk's Office

#### RECOMMENDATION:

City Council approve the minutes of the regular meeting on November 1, 2016 and special meeting on October 17, 2016.

4. **RESOLUTION FOR COMPREHENSIVE TRANSPORTATION FUNDING PROGRAM APPLICATIONS**

Public Services Department/Transportation Services Division

RECOMMENDATION:

City Council adopt Resolution 16-xx approving the submittal of grant applications for transportation improvement projects under the Orange County Transportation Authority's (OCTA) Comprehensive Transportation Funding Program (CTFP) for Fiscal Years 2017-18 through 2019-20.

5. **MEDIAN LANDSCAPE AND IRRIGATION IMPROVEMENTS PROJECT, CITY PROJECT NO. 16-19** - Public Services Department/Engineering Division

RECOMMENDATION

1. City Council adopt plans, specifications, and working details for the Median Landscape and Irrigation Improvements Project, City Project No. 16-19; and
2. Award a construction contract to KASA Construction, Inc., 15148 Sierra Bonita Lane, Chino, CA 91710, in the amount of \$ 457,737.00; and
3. Authorize the Mayor and the City Clerk to execute the Public Works Agreement.

6. **FINAL MAP FOR TRACT NO. 18006 LOCATED AT 326 22ND STREET AND 2212, 2216 AND 2220 SANTA ANA AVENUE, COSTA MESA, CALIFORNIA –**

Public Services Department/Engineering Division

RECOMMENDATION:

City Council approve the Final Map for Tract No. 18006 and authorize signing of the Map by the City Clerk and the City Engineer.

7. **FUNDING FOR LEGAL SERVICES AGREEMENT WITH BEST BEST & KRIEGER** – Office of the CEO

RECOMMENDATION:

It is recommended that the City Council authorize additional funding of \$75,000 for the special counsel legal services agreement with Best Best & Krieger (BB&K) for legal services relating to environmental and election issues.

8. **KIMLEY-HORN AND ASSOCIATES PROFESSIONAL SERVICES CONTRACT AMENDMENT** – Office of the CEO

RECOMMENDATION:

Staff recommends that the City Council:

1. Approve Amendment Two to the existing Professional Services Agreement with Kimley-Horn and Associates to perform community improvement consulting services in an additional amount not to exceed \$250,000 and extend the term of the agreement through June 30, 2017; and
2. Authorize the CEO and City Clerk to execute the agreement; and
3. Authorize the CEO and City Clerk to accept and execute future amendments to the agreement.

9. **ESTABLISHMENT OF THE NEW CLASSIFICATION OF ASSISTANT BUILDING OFFICIAL** – Office of the CEO/Human Resources Division

RECOMMENDATION:

Staff recommends that the City Council:

Adopt Resolution No. 16-xx, which amends Resolution 08-59, establishing the new Assistant Building Official job classification; and corresponding salary range of \$7,937 - \$10,636 per month.

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

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

1. [FIRST READING OF ORDINANCE 16-XX OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING SECTIONS 5-1, 5-1.1, AND 5-1.3 OF TITLE 5 AND SECTIONS 7-14 AND 7-15, AND DELETING SECTION 7-19 OF TITLE 7 OF THE COSTA MESA MUNICIPAL CODE BY ADOPTING THE 2016 EDITIONS OF THE CALIFORNIA CODES AND RELATED MODEL CODES WITH APPENDICES AND AMENDMENTS THERETO, AND REPEALING THE ADOPTION OF THE 2013 EDITIONS OF THE CALIFORNIA CODES AND AMENDMENTS THERETO, WITH THE EFFECTIVE DATE OF JANUARY 1, 2017](#)

Development Services Department/Fire Department

**RECOMMENDATION:**

1. City Council adopt Resolution 16-xx of the City Council of the City of Costa Mesa, California, setting forth findings with respect to local climatic and geographic conditions within the City of Costa Mesa to allow certain modifications and changes to the California Building Code, California Residential Code, and California Fire Code as amended by the State of California; and
  2. Give first reading to Ordinance 16-xx, to be read by title only, and further reading waived, for the 2016 Edition of the Model California Construction Codes and set for second reading at the Council's Dec. 6, 2016 meeting. This procedure is in accordance with California Government Code Title 5, Division 1, Part 1, as published by the Building Standards Bulletin 16-01.
2. [REVIEW OF PLANNING APPLICATION PA-16-55 FOR HOLIDAY \(FORMERLY LION'S DEN AND MAISON\) 719 WEST 19<sup>TH</sup> STREET](#)

Development Services Department/Planning Department

**RECOMMENDATION:**

City Council uphold, reverse, or modify the Planning Commission's decision to approve Conditional Use Permit PA-16-55 to allow live entertainment including, but not limited to, music, dancing, and open microphones, for an entertainment venue (Holiday, formerly Lion's Den and Maison) within 200 feet of residentially-zoned properties, and on-site valet parking. A current public entertainment permit allows disc jockey entertainment (DJ) and dancing. Proposed hours of operation are from 7:00 a.m. to 2:00 a.m., seven days a week; proposed hours for live entertainment are 11:00 a.m. to 2:00 a.m., seven days a week.

The Planning Commission's approval was called up for review by a Council Member.

**OLD BUSINESS:**

1. [SECOND READING OF ORDINANCE 16-12 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA FOR REZONE R-15-01 TO REZONE \(OR CHANGE\) A 3.18-ACRE SITE LOCATED AT 375 BRISTOL STREET FROM PDC \(PLANNED DEVELOPMENT COMMERCIAL\) TO C2 \(GENERAL BUSINESS DISTRICT\) FOR A SELF-STORAGE FACILITY AND RETAIL BUILDING AT 375 BRISTOL STREET](#)

Development Services Department/Planning Division

**RECOMMENDATION:**

City Council give second reading to Ordinance 16-12, to be read by title only, and further reading waived, for R-15-01 to rezone (or change) a 3.18-acre site from PDC (Planned Development Commercial) to C2 (General Business District).

2. [SECOND READING OF ORDINANCE 16-13 OF THE CITY OF COSTA MESA, CALIFORNIA FOR REZONE R-16-02 TO REZONE A 23.4-ACRE SITE LOCATED AT 1375 SUNFLOWER AVENUE AND 3370 HARBOR BOULEVARD FROM INDUSTRIAL PARK \(MP\) TO PLANNED DEVELOPMENT COMMERCIAL \(PDC\) AND ZONING CODE AMENDMENT TO TITLE 13, CHAPTERS IV AND V RELATED TO LAND USE MATRIX, FLOOR AREA RATIOS AND PLANNED DEVELOPMENT STANDARDS](#)

Development Services Department/Planning Division

**RECOMMENDATION:**

City Council give second reading to Ordinance 16-13, to be read by title only, and further reading waived, for Rezone Application R-16-02 to rezone a 23.4-acre site consisting of three parcels (APNs: 140-041-24, 140-041-40, 140-041-62) from Industrial Park (MP) Planned Development Commercial (PDC) consistent with the 2015-2035 General Plan; and, Code Amendment CO-16-05 to Title 13, Chapters IV and V related to land use matrix, floor area ratios and Planned Development Commercial standards as related to the site.



## NEW BUSINESS:

1. [GENERAL PLAN SCREENING GPS-16-05 FOR PROPOSED SELF-STORAGE FACILITY AT 390 FORD ROAD AND 1957 NEWPORT BOULEVARD WITH A 1.50 FAR INCLUDING BASEMENT FLOOR AREA](#)

Development Services Department/Planning Division

### RECOMMENDATION:

City Council accept or deny General Plan amendment request for processing to increase the allowable Floor Area Ratio (FAR) for three parcels located within the "General Commercial" General Plan land use designation from 0.75 for very low trip generator use to 1.50 FAR.

2. [URBAN MASTER PLAN SCREENING REQUEST \(UMP-16-01\) FOR A MIXED-USE DEVELOPMENT IN THE SOUTH BRISTOL ENTERTAINMENT & CULTURAL ARTS \(SOBECA\) URBAN PLAN CALLED "THE PLANT" AT 769 BAKER STREET AND 2972 CENTURY PLACE](#)

Development Services Department/Planning Division

### RECOMMENDATION:

City Council provide feedback on a proposed Urban Master Plan for a mixed use development within the South Bristol Entertainment & Cultural Arts (SoBECA) Urban Plan.

## ITEMS REMOVED FROM THE CONSENT CALENDAR

## CONTINUED PUBLIC COMMENTS

## REPORT – CITY ATTORNEY

## ADJOURNMENT

### UPCOMING COMMUNITY EVENTS AND ACTIVITIES

Wednesday, November 16, 2016 – **Eating Vegetable Healthy**, 1-2 p.m., Costa Mesa Senior Center, 695 W. 19<sup>th</sup> Street. Learn about produce and the benefits of vegetables nutrition. Register at the front desk.

Thursday, November 17, 2016 – **90-Minute Breakfast Boost**, 7 a.m.-8:45 p.m., Costa Mesa Country Club, 1701 Golf Course Drive. State of the Chamber Presentation. The Chamber's new management team will share their thoughts and upcoming plans for the organization. For more information, please visit: [www.costamesachamber.com/](http://www.costamesachamber.com/)

Thursday, November 17, 2016 – **Senior's Thanksgiving Dinner**, 5-7 p.m., Senior Center, 695 W. 19<sup>th</sup> Street. Enjoy an evening of delicious food and great company. For more information, please contact the front desk: (714) 327-7550.

Friday, November 18, 2016 through Sunday, November 20, 2016 – **Mikhailovsky Ballet Le Corsaire**, Segerstrom Center for the Arts, 600 Town Center Drive. Mikhailovsky Ballet from St. Petersburg, Russia returns to SCFTA with the American premiere of their production, Le Corsaire. For more information, please visit: [www.scfta.org](http://www.scfta.org).

Tuesday, November 22, 2016 through Sunday, November 27, 2016 – **Mamma Mia the Musical**, Segerstrom Center for the Arts, 600 Town Center Drive. The ultimate feel-good show that includes all the greatest hits. For more information, please visit: [www.scfta.org](http://www.scfta.org).

Thursday, November 24, 2016 through Friday, November 25, 2016 – **Thanksgiving Holiday-City Hall CLOSED**. 77 Fair Drive. In observance of the Thanksgiving holiday, City Hall will be closed Thursday and Friday, reopening on Monday, November 28. For questions, please call: (714) 754-5000.

Wednesday, November 30, 2016 – **Understanding Your Smart Phone**, 2:30-3:30 p.m. Senior Center, 695 W. 19<sup>th</sup> Street. It's important to know the basics so you can stay in touch, learn the fundamentals in this one-day seminar. Register at the front desk.

Thursday, December 1, 2016 – **Costa Mesa Home Tour**, 3-8 p.m., Room and Board at SoCo Collection, 3323 Hyland Ave. Trees are trimmed and decorations are hung. Enjoy music performances, shop for the holidays and learn design and style tips from top OC designers. For more information, please visit: <http://www.costamesahometour.com/>

Friday, December 2, 2016 - **First Friday Roadshow**, 5:30-7:30 p.m., City Hall, 77 Fair Drive. Classics, customs and exotics all in one place. Enjoy food vendors, giveaways and live music.

Saturday, December 3, 2016 – **Segerstrom Ranch Historical Site**, 9 a.m.- noon. 3315 Fairview Road, Costa Mesa. Located between South Coast Drive and the I-405, the grounds around the historic Segerstrom home and barn will be open to the public. RSVP during normal business hours at: (714) 546-0110.

Saturday, December 10, 2016 through Friday, December 23, 2016 – **Snoopy House**, City Hall, 77 Fair Drive. Snoopy House holiday display is celebrating 50 years. Featuring holiday scenes populated by the "Peanuts" characters, this display will be in front of City Hall, with live music, free photos with Santa Claus and train rides. For more information, please visit: [www.costamesaca.gov](http://www.costamesaca.gov).

Friday, December 16, 2016 through Sunday, January 1, 2017 – **Winter Fest 2016-2017**, OC Fair and Event Center, 88 Fair Drive. A giant wonderland featuring an ice rink, 130-foot ice slide, carolers, and Santa Claus. Visit the OC Fair and Event center website for ticket information.