

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

***PRESENTATION HAS BEEN REMOVED FROM THE AGENDA.**

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

TUESDAY, DECEMBER 6, 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 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 Mayor Mensinger

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 Gibson, Christ Lutheran 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:

~~Mayor's Award – Jim Jordan, Community Volunteer – Snoopy House~~

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. Speaker cards must 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. The three minute per speaker time limit may be extended for good cause by the Mayor or by a majority vote of City Council. Questions and comments made by public speakers may be addressed by the City Council during Council Comments or by the Chief Executive Officer during the CEO's Report.

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: Nadeem Ahmed, Alain Gozukara and Ricardo Pasillas.

RECOMMENDATION:

City Council receive and file.

2. WARRANT RESOLUTION NO. 2567 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 16-23 "A" FOR \$-496.60 AND 16-24 FOR \$2,180,896.38; AND CITY OPERATING EXPENSES FOR \$2,388,007.58; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID - Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2567.

3. MINUTES OF THE REGULAR CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF NOVEMBER 15, 2016 - Chief Executive Officer's Department/City Clerk's Office

RECOMMENDATION:

City Council approve the minutes of November 15, 2016.

4. **EMERGENCY PURCHASE FOR PROFESSIONAL INSPECTION SERVICES TO PROVIDE AS-NEEDED STAFF SUPPORT FOR COMMERCIAL INSPECTIONS** – Development Services Department/Building Division

RECOMMENDATION:

City Council receive and file.

5. **PROFESSIONAL ENGINEERING SERVICES TO PROVIDE AS-NEEDED STAFF SUPPORT FOR VARIOUS CAPITAL IMPROVEMENT PROGRAM PROJECTS** - Public Services Department/Engineering Division

RECOMMENDATION

1. City Council approve Contract Change Order No. 2 to the Professional Services Agreement with Civil Source, Inc., 9890 Irvine Center Drive, Irvine, California 92618, in the amount of \$350,000.00; and Contract Change Order No. 2 to the Professional Services Agreement with Interwest Consulting Group, Inc. 15140 Transistor Lane, Huntington Beach, California 92649 in the amount of \$400,000.00 to secure additional services on an as-needed basis, for Project/Construction Management and Public Works Inspection for various Council-approved Capital Improvement Program (CIP) projects; and
2. Authorize the Chief Executive Officer to execute the Contract Change Orders.

6. **FIRE STATION NO. 1 RECONSTRUCTION, CITY PROJECT NO. 16-16**
Public Services Department/Engineering Division

RECOMMENDATION

1. City Council adopt plans, specifications, and working details for the Fire Station No. 1 Reconstruction, City Project No. 16-16; and
2. Waive a minor irregularity in the bid submitted by the apparent low bidder and award a construction contract to Horizons Construction Co. Int'l, Inc., 432 W. Meats Ave., Orange, California 92865, in the amount of \$7,767,000.00; and
3. Authorize the Mayor and the City Clerk to execute the Public Works Agreement.

7. **MEASURE M2 EXPENDITURE REPORT** – Public Services Department and Finance Department

RECOMMENDATION:

City Council adopt Resolution 16-xx, approving the Measure M2 Expenditure Report.

8. **FINAL MAP FOR TRACT NO. 17981 LOCATED AT 2626 HARBOR BOULEVARD, COSTA MESA, CALIFORNIA**
Public Services Department/Engineering Division

RECOMMENDATION:

City Council approve the Final Map for Tract No. 17981 and authorize signing of the Map by the City Clerk and the City Engineer.

9. **FINAL MAP FOR TRACT NO. 17640 LOCATED AT 522 AND 526 BERNARD STREET, COSTA MESA, CALIFORNIA**
Public Services Department/Engineering Division

RECOMMENDATION:

City Council approve the Final Map for Tract No. 17640 and authorize signing of the Map by the City Clerk and the City Engineer.

10. **NEW SIDEWALK AND PARKWAY MAINTENANCE PROJECT (PHASE I) CITY PROJECT NO. 16-07** - Public Services Department/Engineering Division

RECOMMENDATION

1. City Council adopt plans, specifications, and working details for the New Sidewalk and Parkway Maintenance Project (Phase I), City Project No. 16-07; and
2. Award a construction contract to C.J. Concrete Construction, Inc., 10142 Shoemaker Avenue, Santa Fe Springs, CA 90670 in the amount of \$1,930,725.00; and
3. Authorize the Mayor and the City Clerk to execute the Public Works Agreement.

11. **PURCHASE AND INSTALLATION OF FUEL MANAGEMENT AND AUTHORIZATION SYSTEM**
Public Services Department/Maintenance Services Division

RECOMMENDATION

City Council approve and authorize the Chief Executive Officer to execute a purchase order with AssetWorks, 998 Old Eagle Road, Suite 1215, Wayne, PA 19087, for the Fuel Focus Automated Fuel and Fluid Management System, through the National Joint Powers Alliance (NJPA) Contract #051613-AWI Fleet Management and Related Technology Solutions, in the amount of \$172,000.

12. SMALLWOOD PARK IMPROVEMENTS PROJECT, CITY PROJECT NO. 14-13
Public Services Department/Engineering Division

RECOMMENDATION

1. City Council accept the work performed by Micon Construction Inc. and authorize the City Clerk to file the Notice of Completion; and
2. Authorize the release of the Labor and Materials Bond seven (7) months 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.

13. 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.

14. COOPERATIVE AGREEMENT FOR THE BICYCLE CORRIDOR IMPROVEMENT PROGRAM PROJECT - WEST 19TH STREET BICYCLE TRAIL - Public Services Department/Transportation Services Division

RECOMMENDATION

1. City Council approve the Cooperative Agreement between the City of Costa Mesa and the Orange County Transportation Authority (OCTA) for the Bicycle Corridor Improvement (BCI) Program project - West 19th Street Bicycle Trail; and
2. Authorize the Chief Executive Officer and City Clerk to review and accept minor revisions to the agreement and to execute the above agreement.

15. UPGRADE OF CITY'S DOCUMENT MANAGEMENT SYSTEM TO LASERFICHE RIO – City Clerk's Office

RECOMMENDATION

Staff recommends that the City Council authorize the Chief Executive Officer to execute a purchase order with ECS Imaging, Inc., for an upgrade of the City's document management system, from Laserfiche Avante, to Laserfiche Rio, in an amount not-to-exceed \$63,738.00, and renewal of licensing and maintenance services for up to five years at an annual cost of \$21,296.

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

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

OLD BUSINESS:

1. SECOND READING OF ORDINANCE 16-14 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

Economic/Development Services and Fire Departments

RECOMMENDATION:

City Council give second reading to Ordinance 16-14, to be read by title only, and further reading waived, for the 2016 Edition of the Model California Construction Codes. This procedure is in accordance with the California Govern Code Title 5, Division 1, Part 1, as published by the Building Standards Bulletin 16-01.

NEW BUSINESS: NONE

ITEMS REMOVED FROM THE CONSENT CALENDAR

CONTINUED PUBLIC COMMENTS

REPORT – CITY ATTORNEY

ADJOURNMENT

UPCOMING COMMUNITY EVENTS AND ACTIVITIES

Thursday, December 8, 2016 through Sunday, December 11, 2016 – **Open All Night**, Lyceum Theater, Newport Blvd. (Located on the Vanguard University campus). A comedy featuring well-known Christmas music, romance and colorful characters; Open All Night will warm your heart and remind you what the meaning of Christmas is. For more information, please call: (714) 668-6145.

Thursday, December 8, 2016 – **Fight Club OC**, 7-10 p.m., OC Fair and Event Center, 88 Fair Dr. Featuring professional boxing and professional mixed martial arts in one venue on one night. For more information, please visit: www.fightcluboc.com.

Friday, December 9, 2016 through Sunday, December 18, 2016 – **American Ballet Theatre The Nutcracker**, Segerstrom Center for the Arts, 600 Town Center Drive. This Southern California tradition returns with the American Ballet Theatre featuring over 100 performers. For more information, please visit: www.scfta.org.

Friday, December 9, 2016 through Sunday, December 11, 2016 – **Gem Faire**, OC Fair and Event Center, 88 Fair Drive. Featuring gems, beads, fine jewelry, costume jewelry and more from around the world. For more information, please visit: www.gemfaire.com.

Saturday, December 10, 2016 through Friday, December 23, 2016 – **Snoopy House Holiday Display**, 5:30-9 p.m., City Hall, 77 Fair Drive. Snoopy House celebrates 50 years. Enjoy scenes populated by “Peanuts” characters, nightly visits from Santa Claus, live performances, and freshly blown snow on Dec. 10, Dec. 17 and Dec. 23. For more information please email: jennifer.christ@costamesaca.gov.

Monday, December 12, 2016 – **Grocery Trips**, 10-11:30 a.m., Costa Mesa Senior Center, 695 W 19th St. Join the center for a monthly trip to the grocery store for all your grocery needs. Meet in the lobby the day of the trip and please register at the front desk. For more information, please contact the Center: (714) 327-7550.

Thursday, December 15, 2016 – **Breakfast with Santa**, 10 a.m.-12 p.m. Costa Mesa Senior Center, 695 W. 19th Street. Members of the senior community are invited to this annual tradition. Celebrate the holiday season and enjoy a delicious breakfast, games, and other activities including a visit with Santa Clause. RSVP with the front desk.

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.

Saturday, December 17, 2016 – **Snowland 2016**, 9 a.m.-12 p.m., Balearic Community Center, 1975 Balearic Drive. Enjoy a real snow play area, cookie decorating, hay wagon rides, bounce house and much more. For more information, please contact: (714) 540-7355.

Tuesday, December 20, 2016 – **Community Garden Trip**, 10:30-11:30 a.m., Costa Mesa Senior Center, 695 W. 19th St. The Senior Center has started a gardening program at the Hamilton Community Garden. Those interested in being part of this program, come on a day trip. For more information, contact (714) 327-7543.

Tuesday, December 27, 2016 through Friday, January 6, 2016 - **Winter Camp**, 7 a.m.-6 p.m. Camp Costa Mesa has you covered during the NMUSD holiday break. Intended for grades K-6th. Registration is currently open. For more information, including registration needs, please visit City Hall, the DRC, NCC or the City’s website.