

# **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, FEBRUARY 21, 2017  
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE  
CLOSED SESSION – 4:00 P.M.  
REGULAR MEETING – 6:00 P.M.**

**KATRINA FOLEY**  
Mayor

**SANDRA L. GENIS**  
Mayor Pro Tem

**JOHN B. STEPHENS**  
Council Member

**JAMES M. RIGHEIMER**  
Council Member

**ALLAN R. MANSOOR**  
Council Member

City Attorney  
**Thomas Duarte**

City Manager  
**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:**

Members of the public desiring to speak during the Public Comments period on a matter not on the agenda are not required to submit a speaker card but may choose to voluntarily complete a card for facilitation of the minutes and possible follow-up to their comments. Members of the public shall only address the City Council one time at any given meeting for non-agenda items. Each speaker is limited to three minutes.

### **PUBLIC COMMENTS – CONSENT CALENDAR:**

Members of the public desiring to speak on a consent calendar item shall submit such a request on a speaker card prior to the start of the Consent Calendar period. Each speaker is limited to three minutes.

### **PUBLIC COMMENTS – MATTER LISTED ON THE AGENDA:**

Members of the public desiring to speak during the Public Comments period on a matter listed on the agenda are not required to submit a speaker card but may choose to voluntarily complete a card for facilitation of the minutes and possible follow-up to their comments. Each speaker is limited to three minutes.

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. **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.
3. 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.
4. 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.

## **CLOSED SESSION – 4:00 P.M.**

### **CALL TO ORDER**

### **ROLL CALL**

### **PUBLIC COMMENTS**

Members of the public are welcome to address the City Council only on those items on the Closed Session agenda. Each member of the public will be given three minutes to speak.

1. Conference with legal counsel regarding existing litigation: Yellowstone Women's First Step House, Inc., and Sober Living Network, Inc. v. City of Costa Mesa; U.S. District Court, Central District of California Case No. SACV14-01852 JVS, pursuant to California Government Code Section 54956.9(d)(1).
2. Conference with Thomas R. Hatch, City Manager, and Labor Negotiator, Agency Negotiator regarding Costa Mesa Firefighters Association (CMFA), pursuant to California Government Code Section 54957.6.
3. Conference with Thomas R. Hatch, City Manager, and Labor Negotiator, Agency Negotiator regarding Costa Mesa Division Managers Association (CMDMA), pursuant to California Government Code Section 54957.6.
4. Conference with Thomas R. Hatch, City Manager, regarding Unrepresented Executive employees, pursuant to California Government Code Section 54957.6.

**The City Council, Housing Authority, and Successor Agency to the Redevelopment Agency will recess to Conference Room 5A for Closed Session at the conclusion of public comments.**

**REGULAR MEETING OF THE CITY COUNCIL, HOUSING AUTHORITY,  
AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY  
TUESDAY, FEBRUARY 21, 2017 – 6:00 P.M.**

**CALL TO ORDER**

**NATIONAL ANTHEM**

**PLEDGE OF ALLEGIANCE** Council Member Mansoor

**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 Jon Mestas, Newport Mesa 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.

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## **COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS**

*(Each council member is limited to four minutes. Additional comments will be heard at the end of the meeting)*

1. Council Member Mansoor
2. Mayor Foley
3. Mayor Pro Tem Genis
4. Council Member Stephens
5. Council Member Righeimer

### **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: Daniel A. Orozco and Victor Ou.

RECOMMENDATION:

City Council receive and file.

2. **WARRANT RESOLUTION NO. 2571 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 17-01 "A" FOR \$-555.17, 17-02 FOR \$2,144,676.36, 17-02 "A" FOR \$1,056.91 AND 17-03 FOR \$2,196,304.46; AND CITY OPERATING EXPENSES FOR \$4,356,164.35; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID** - Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2571.

3. **HARBOR BOULEVARD BIKE TRAIL PROJECT – CITY PROJECT NO. 14-14**  
Public Services Department

RECOMMENDATION:

1. City Council accept work performed by KASA 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.

4. **PROFESSIONAL SERVICES CONTRACT FOR PROJECT MANAGER FOR PHASE I: LAND MANAGEMENT SYSTEM SELECTION**  
Development Services Department

RECOMMENDATION:

1. City Council approve the Professional Services Agreement with Soft Resources Software Consulting, not to exceed \$100,000; and
2. Authorize the City Manager to sign the Professional Services Agreement with Soft Resources Software Consulting; and
3. Authorize the City Manager to sign the renewals of the approved Professional Services Agreement.

5. **RESOLUTION AUTHORIZING STREET CLOSURES FOR THE 2017 ORANGE COUNTY MARATHON**  
Public Services Department/Transportation Services Division

RECOMMENDATION:

City Council adopt Resolution 17-xx designating event routes for the 2017 Orange County (OC) Marathon and approve the temporary street closures for May 6, 2017, and May 7, 2017, as requested for the 2017 OC Marathon.

6. **YEAR FOUR OF THE SUPPORT PERIOD OF RIMINI STREET FOR ORACLE/PEOPLESOFT SUPPORT SERVICES**

Information Technology Department

RECOMMENDATION:

1. City Council authorize the City Manager to sign the Purchase Requisition for \$127,730 with Rimini Street, Inc. (Rimini), to continue providing support for the City's Oracle/PeopleSoft products for Year Four of the Support Period commencing on March 18, 2017; and
2. Authorize the City Manager to sign future purchase requisitions, as necessary, for the remainder of the Support Period.

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

**ITEMS REMOVED FROM THE CONSENT CALENDAR:**

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

1. **CIVIC OPENNESS IN NEGOTIATIONS (COIN) ORDINANCE FIRST PUBLIC HEARING OF THE ADOPTION OF THE 2016-2020 MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF COSTA MESA AND THE COSTA MESA CITY EMPLOYEES ASSOCIATION (CMCEA)**

City Manager's Office/Human Resources Division

RECOMMENDATION:

Staff recommends that the City Council:

1. Hold the first Public Hearing regarding the 2016-2020 Memorandum of Understanding (MOU) between the City of Costa Mesa and the Costa Mesa City Employees Association (CMCEA) as required by Civic Openness in Negotiations (COIN); and
2. Schedule the second and final Public Hearing as required by COIN for March 7, 2017.

2. **APPEAL OF ZONING APPLICATION ZA-16-34: MINOR CONDITIONAL USE PERMIT FOR TWO RESERVED PARKING SPACES LOCATED AT 3033 BRISTOL STREET, SUITE A**

Development Services Department/Planning Division

RECOMMENDATION:

City Council uphold, reverse or modify the Planning Commission's decision to deny the proposed project, described below:

- Planning Application ZA-16-34 – A Minor Conditional Use Permit (MCUP) to deviate from shared parking requirements to allow two reserved parking spaces in front of Suite A to accommodate patrons of the Watch Connection as follows:
  - Days: Tuesday – Saturday
  - Hours: 11AM – 2PM

**OLD BUSINESS:**

1. **EAST 19<sup>TH</sup> STREET SAFE ROUTE TO SCHOOL (SRTS) PROJECT FROM CHURCH STREET TO IRVINE AVENUE, FEDERAL PROJECT NO. SRTSL-5312 (089), CITY PROJECT NO. 16-17**

Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council adopt plans, specifications, and working details for hardscape and landscape improvements on East 19<sup>TH</sup> Street Safe Route to School (SRTS) Project from Church Street to Irvine Avenue, Federal Project No. SRTSL-5312 (089), City Project No. 16-17; and
2. Approve Budget Adjustment No. 17-007 in the amount of \$510,138.00; and
3. Waive minor irregularities in the bid submitted by the apparent low bidder, EBS General Engineering, Inc., and award a construction contract to EBS General Engineering, Inc., 1320 East 6th Street, Suite 100, Corona, California 92879 in the amount of \$1,164,580.00 (base bid plus additive bid item AD-1); and
4. Authorize the Mayor and the City Clerk to execute the Public Works Agreement.



**NEW BUSINESS:**

1. **AGREEMENTS FOR THE COMMUNITY BASED TRANSIT CIRCULATORS PROJECT** – Public Services Department/Transportation Services Division

RECOMMENDATION:

1. City Council approve Cooperative Agreement No. C-8-1482 between the Orange County Transportation Authority (OCTA) and the City of Costa Mesa for Project V Community-Based Transit Circulators Project; and
2. Approve Subrecipient Agreement with the Anaheim Transportation Network (ATN) as the transit service provider to administer, operate, maintain and manage the Project; and
3. Authorize the City Manager and City Clerk to execute the agreements and future amendments, as needed; and
4. Approve Budget Adjustment BA 17-009 in the amount of \$571,580 recognizing Measure M2 funds awarded for the project.

2. **TERMINATION OF PLANNING COMMISSION MEMBER**

City Manager's Office/City Clerk Division

RECOMMENDATION:

Mayor Pro Tem Genis is requesting that the City Council release Stephan Andranian from the Planning Commission.

**ADDITIONAL COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS**

**REPORT – CITY MANAGER**

**REPORT – CITY ATTORNEY**

**ADJOURNMENT**

## UPCOMING COMMUNITY EVENTS AND ACTIVITIES

Wednesday, February 22, 2017 – **Free Interview Techniques Workshop**, 2 p.m.-4 p.m., Costa Mesa Donald Dungan Library, 1855 Park Ave. Learn strategies for presenting the best you in a job interview. For more information, please call: (949) 646-8845

Wednesday, February 22, 2017 – **Lego Wednesdays**, 3:30-5 p.m., Costa Mesa Technology Library, 2263 Fairview Rd. Ste. A. Stop by for some fun and creative time. For more information, contact (949) 515-3970.

Wednesday, February 22, 2017 – **FAFSA Application Workshop No.3**, 4-6 p.m. Youth Employment Services, 114 E 19<sup>th</sup> St. The FAFSA application is due March 2. This is the 3<sup>rd</sup> and final FAFSA classes being offered by the Youth Employment Services and the Boys and Girls Club Central Orange Coast Program. For more information, please contact: (949) 642-0474.

Wednesday, February 22, 2017 – **After Hours Business Mixer**, 5-7 p.m. 695 Town Center Dr. Join the Costa Mesa Chamber of Commerce and Santa Ana Chamber for an after-hours business mixer, including raffle prizes and networking. For more information, please visit: [www.costamesachamber.com](http://www.costamesachamber.com).

Friday, February 24, 2017 through Sunday, March 5, 2017 – **The Importance of Being Earnest**, Lyceum Theatre, Vanguard University, 55 Fair Dr. All shows are presented at the Lyceum Theater located on the Vanguard University campus off Newport Boulevard. Ticket prices are \$15 for general admission and \$13 for seniors and groups. Tickets may be purchased at [www.vanguardtickets.com](http://www.vanguardtickets.com) or by calling the Vanguard University Theatre Department box office at 714-668-6145. For more information, please call: (714) 668-6145.

Friday, February 24, 2017 through Sunday, February 26, 2017 – **Gem Fair**, OC Fair and Event Center, 88 Fair Dr. Featuring the finest in gems, beads, minerals, equipment and more. For more information, please visit: [www.ocfair.com](http://www.ocfair.com).

Saturday, February 25, 2017 - **Vanguard University Jazz Festival 2017**, 8 a.m.- 5 p.m., Newport Mesa Church, 2599 Newport Blvd. Bands are given the chance to perform at a college venue and receive hands-on musical instruction from educators from all over the Southern California area. For more information, or to register, please call: (714) 669-6412.

Monday, February 27, 2017 – **Movie Monday**, 12:45 p.m.- 2:45 p.m. Costa Mesa Senior Center, 695 W. 19<sup>th</sup> St. Showing Florence Foster Jenkins. Popcorn will be provided.

Tuesday, February 28, 2017 – **Tuesday Night Bingo**, 5-7 p.m., Costa Mesa Senior Center, 695 W. 19<sup>th</sup> St. Presented by the Costa Mesa High School Boosters, this event is open to the public. Doors open at 5 p.m., and warm-ups begin at 6 p.m.

Tuesday, February 28, 2017 – **Heart Healthy Seminar**, 12-1 p.m., Costa Mesa Senior Center, 695 W. 19<sup>th</sup> St. Free seminar that will teach the risk factors, symptoms and signs. Register at the front desk.

Friday, March 3, 2017 – **First Friday Roadshow**, 5:30-7:30 p.m. City Hall parking lot, 77 Fair Dr. View classics, customs and exotics. Also, enjoy food, live entertainment and giveaways.