

AGENDA

CITY OF COSTA MESA

REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY* MEETING

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

TUESDAY, NOVEMBER 21, 2017
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE
SPECIAL CLOSED SESSION – 5:00 P.M.
REGULAR MEETING – 6:00 P.M.

SANDRA L. GENIS
Mayor

ALLAN R. MANSOOR
Mayor Pro Tem

KATRINA FOLEY
Council Member

JOHN B. STEPHENS
Council Member

JAMES M. RIGHEIMER
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

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.** All materials, pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. Kindly submit to the City Clerk **AS EARLY AS POSSIBLE, BUT NO LATER THAN 15 MINUTES PRIOR TO THE START OF THE MEETING.** Materials may also be e-mailed to cityclerk@costamesaca.gov.
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. 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.

SPECIAL CLOSED SESSION – 5:00 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 Special Closed Session agenda. Each member of the public will be given three minutes to speak.

1. PUBLIC EMPLOYMENT, REQUEST FOR SPECIAL LEAVE OF ABSENCE

Pursuant to Subdivision (b)(1) of Section 54957, California Government Code

**2. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION
INITIATION OF LITIGATION – 1 POTENTIAL CASE**

Pursuant to Subdivision (d)(4) of Section 54956.9, California Government Code

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

REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY

TUESDAY, NOVEMBER 21, 2017 – 6:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE Council Member Foley

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 Peter Cropsey, First Love Church

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. Mr. Shepard Fairey – Baker Block Mural
2. City of Costa Mesa Open Budget

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

COUNCIL MEMBER COMMITTEE 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 Foley
2. Mayor Genis
3. Council Member Stephens
4. Council Member Righeimer
5. Mayor Pro Tem Mansoor

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: Sydney Gielow, Kip Hancock and Jayne Kacer.

RECOMMENDATION:

City Council receive and file.

2. [**WARRANT RESOLUTION NO. 2587 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 17-21 "A" FOR \\$76.88; AND 17-22 FOR \\$2,348,508.46; AND CITY OPERATING EXPENSES FOR \\$2,390,718.67; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID**](#) - Finance Department

RECOMMENDATION:

City Council approve Warrant Resolution No. 2587.

3. [**MEASURE M2 EXPENDITURE REPORT**](#)
Public Services Department/Finance Department

RECOMMENDATION:

City Council adopt Resolution No. 17-xx, approving the Measure M2 Expenditure Report.

4. **WEST BAY STREET IMPROVEMENTS PROJECT- CITY PROJECT NO. 17-06 (CDBG)** - Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council accept the work performed by Copp Contracting, Inc. and authorize the City Clerk to file the Notice of Completion; and
2. Authorize release of the Labor and Material 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.

5. **MESA VERDE MEDIAN LANDSCAPE AND IRRIGATION IMPROVEMENTS PROJECT - CITY PROJECT NO. 16-19**

Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council accept the work performed by KASA Construction, Inc. and authorize the City Clerk to file the Notice of Completion; and
2. Authorize release of the Labor and Material 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.

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

ITEMS REMOVED FROM THE CONSENT CALENDAR:

AGENDA CONTINUED ON THE NEXT PAGE.

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

1. **EXTENSION OF URGENCY ORDINANCE NO. 17-04 TO ADOPT CODE AMENDMENT CO-16-06 AMENDING AND RENAMING ARTICLE 20 (MARIJUANA AND/OR MEDICAL MARIJUANA USES AND ACTIVITIES) OF CHAPTER IX (SPECIAL LAND USE REGULATIONS) OF TITLE 13 (PLANNING, ZONING AND DEVELOPMENT), SECTIONS 13-200.84, 13-200.86 AND 13-200.87, RELATING TO CULTIVATION OF MARIJUANA AND CERTAIN MARIJUANA RELATED USES**

Development Services Department/City Attorney's Office

RECOMMENDATION:

City Council introduce and adopt Ordinance No. 17-16, extending Urgency Ordinance No. 17-04 to adopt Code Amendment CO-16-06 amending and renaming Article 20 (Marijuana and/or medical marijuana uses and activities) of Chapter IX (Special Land Use Regulations) of Title 13 (Planning, Zoning and Development), Sections 13-200.84, 13-200.86 and 13-200.87, relating to cultivation of marijuana and certain marijuana related uses, and approve the Report of the City Council regarding the extension thereof.

2. **PUBLIC HEARING FOR THE VACATION OF A PORTION OF SIDEWALK AND LANDSCAPE EASEMENT AT 585 AND 595 ANTON BOULEVARD**

Public Services Department/Engineering Division

RECOMMENDATION:

1. City Council adopt Resolution ordering the vacation of a portion of Sidewalk and Landscape Easement at 585 and 595 Anton Boulevard; and
2. Authorize execution of the Quitclaim Deed by the Mayor and the City Clerk.

AGENDA CONTINUED ON THE NEXT PAGE.

3. **ANNUAL REVIEW OF THE CITYWIDE TRAFFIC IMPACT FEE PROGRAM**
Public Services Department/Transportation Services Division

RECOMMENDATION:

City Council adopt the Resolution No. 17-xx to approve the recommendations by the Traffic Impact Fee Ad Hoc Committee and staff as follows:

1. Continue the current traffic impact fee of \$181 per Average Daily Trip (ADT); and
2. Continue the incentive program for new developments by assessing traffic impact fees on an incremental basis for the first 100 trips; and
3. Approve the annual accounting of the Citywide Traffic Impact Fee Program.

OLD BUSINESS: NONE

NEW BUSINESS: NONE

ADDITIONAL COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS

REPORT – CITY MANAGER

REPORT – CITY ATTORNEY

ADJOURNMENT

UPCOMING COMMUNITY EVENTS AND ACTIVITIES

Friday, November 24 through Sunday, December 24, 2017 – A Christmas Carol. South Coast Repertory, 655 Town Center Drive. Nineteenth –century London comes to life with a timeless Dickens classic. For more information, please visit: www.scr.org.

Saturday, November 25, 2017 – **How to Grow an Herb Garden**, 9:30-11:30 a.m., OC Fair and Event Center, 88 Fair Drive. Part lecture, part workshop, this is a garden class that will teach techniques and care. For more information, please visit: www.ocfair.com/gardenclass.

Saturday, November 25, 2017 – **SOCO Farmers Market**, 9 a.m.-2 p.m., SOCO and the OC Mix, 3315 Hyland Ave. Over 30 vendors, live music, knife sharpening and free balloons for kids. For more information, please visit: www.farmermark.com

Saturday, November 25, 2017 – **Small Business Saturday**. Shop small and shop at your local small businesses.

Saturday, November 25 and Sunday, November 26, 2017 – **Crossroads of the West Gun Show**, OC Fair and Event Center, 88 Fair Drive. Two day western American and gun show. For more information, please visit: www.crossroadsgunshows.com.

Monday, November 27, 2017 – **SOCO After Dark**, 6-10 p.m. Soco and the OC Mix, 3315 Hyland Ave. Enjoy eats and live music in the SOCO courtyard. For more information, please visit: www.socoandtheocmix.com.

Tuesday, November 28, 2017 – **Toastmasters**, 7-8:30 p.m. Mesa Verde United Methodist Church, 1700 W. Baker St., Rm 17. Practice public speaking with an encouraging set of peers. For more information, please call: (714) 662-3000.

Thursday, November 30, 2017 – **Early College Information Night**, 6:30-7:30 p.m., 2990 Mesa Verde Dr. E. Head to the multipurpose room for an informational evening.

Thursday, December 7, 2017 – **4th Annual Costa Mesa Home Tour**, 3-7 p.m. Reception takes place at the Pottery Barn, South Coast Plaza. Event proceeds benefit the Costa Mesa High School Foundations. For more information visit: www.costamesahometour.com.

Thursday, December 14, 2017 – **Breakfast with Santa**, 10 a.m.-12 p.m. Registration is currently open. Enjoy a celebration of the holiday season with a delicious breakfast, a visit from Santa Claus and a good time with friends. For more information visit: www.costamesaca.gov/recreation.

Thursday, December 14, 2017 through Saturday, December 23, 2017 – **Snoopy House Holiday Display**, 5:30-9 p.m., City Hall, 77 Fair Drive. Snoopy House celebrates 51 years. Enjoy scenes populated by “Peanuts” characters, nightly visits from Santa Claus, live performances, and freshly blown snow on select days.