

*Minutes
2/5/2008*

ADOPTING SCHEDULES OF RATES, FEES, AND CHARGES FOR FISCAL YEAR 2007-2008 FOR SERVICES PROVIDED BY THE CITY OF COSTA MESA.

Finance Director Marc Puckett summarized the staff report and along with Budget and Research Officer Bobby Young responded to questions from the Council.

Council Member Foley inquired as to the increase of the fees for the rental of the public pool by residential/non-profit group. Administrative Services Director Steve Mandoki responded to the question that the fees were previously under market.

MOTION: Adopt Resolution No. 08-12.

Moved by Mayor Eric Bever, seconded by Council Member Wendy Leece.

Council Member Foley requested that the maker of the motion to consider amending the fees for residential/non-profit pool rental by reducing the amount to 35 dollars.

Mayor Bever did not agree with making the amendment to the fee schedule.

SUBSTITUTE MOTION: Adopt Resolution No. 08-12, as amended, by increasing the fee for the Downtown Recreation Center pool rental for resident/non-profit to \$45.

Moved by Mayor Pro Tem Allan Mansoor, seconded by Council Member Katrina Foley.

The substitute motion carried by the following roll call vote:

Ayes: Council Member Linda Dixon, Council Member Katrina Foley,
Council Member Wendy Leece, Mayor Pro Tem Allan Mansoor,
Mayor Eric Bever

Noes: None.

Absent: None.

3. PUBLIC HEARING: Establishment of a Development Impact Fee For Library Services:

(a) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA ADDING CHAPTER XV OF TITLE 13 OF THE COSTA MESA MUNICIPAL CODE RELATING TO THE LIBRARY IMPACT FEE

(b) Determine finding that fees will be used to construct a new library within Civic Center Park or another location and/or if plans for new construction are not finalized within four (4) years then revenue generated from impact fee may be used to refurbish, reconstruct, or expand existing library facilities.

Assistant City Manager Tom Hatch and Legislative and Public Affairs Manager Ann Shultz presented the report and responded to questions from the Council.

Bruce Garlich, Costa Mesa, Friends of the Costa Mesa Libraries, pointed out that while the money generated from the proposed impact fee would not support the building of a library it would support the upgrading of existing facilities; and encouraged the Council's support of Option 4 that would provide direction to staff to look at other funding mechanisms.

Eleanor Egan, Costa Mesa, cautioned the Council as to the perception as to their lack of support for a new library if the proposed impact fees were not supported; and she responded to inaccuracies in a letter presented by the Building Industry Association.

Kevin Koon, Costa Mesa, spoke in support of the proposed initiative and encouraged the Council to look at the funding obtained by San Marino's new public library.

Bruce Garlich, Costa Mesa, asked Council to also consider Certificates of Participation as a funding mechanism.

Council Member Foley asked if Council Member Dixon would consider adding to the motion that at the time that the ordinance is brought back for second reading that language for a sunset clause be added to the ordinance should a bond measure be approved. Council Member Dixon agreed to add that to the motion.

Mayor Bever asked if the motion would include a reimbursement of the fees paid. Council Member Dixon stated that it would not, as she did not feel it would be necessary. Council Member Foley agreed as she felt that it should not fully be the burden of the community and that it was fair to have a small portion contributed by the development community.

Council Member Dixon referencing the staff report, pointed out that comparisons in the library space available in each of the surrounding cities and commented that Costa Mesa with 16,000 square feet of available library space falls short of that which is needed based upon the population and felt that this was a good opportunity to do something for the community.

Mayor Pro Tem Mansoor expressed concern relative to adding fees to development on the Westside that the City is trying to encourage. He felt

that there were other options that could be considered such as a citywide bond. He felt that the current proposal would not provide the amount of money needed.

Council Member Leece commented that there is a need to understand the current needs for a new library and felt it is worthy of studying a state of the art library.

Council Member Foley inquired of a sunset clause could be incorporated in the structure of the proposed impact fee to terminate should a bond be passed by the voters. The City Attorney and the City Manager responded to her questions relative to initiating a bond or partnering with other agencies relative to a bond for funding of libraries.

Mayor Bever supported the concept of a citywide bond whereby it would be the community as a whole who would be financially supporting a community library. He did not feel the money generated by the proposed fee would be sufficient and was not supportive of imposing such a financial burden on the developers.

MOTION: Introduce Ordinance 08-4, for first reading, to be read by title only and to waive further reading; to charge up to \$500 per single family unit and \$510 per multi-family unit; and if the Ordinance is adopted, to find that the fees will be used to construct a new library and if the plans for new construction are not finalized within four years, then the impact fee revenue would be used to refurbish, reconstruct, or expand existing library facilities; to continue to pursue alternative financing options to include a citywide bond measure and for staff to return with the necessary process.

Moved by Council Member Linda Dixon, seconded by Council Member Katrina Foley.

SUBSTITUTE MOTION: Received and filed report, and direct staff to prepare a report for Council consideration that will provide a variety of funding mechanisms, including but not limited to a bond measure or a Certificate of Participation (COP).

Moved by Mayor Pro Tem Allan Mansoor, seconded by Council Member Wendy Leece.

Mayor Pro Tem Mansoor clarified his request that there be a report provided on a variety of funding options to include bond issue.

Council Member Leece did not feel that it would be prudent to add a fee to the developers fees in the current economy, but supported working with the Library foundation to see what their vision for a library is.

Council Member Dixon did not feel that there was the opposition to the impact fee nor would the fees discourage development. She felt it was an opportunity for the community to move forward.

Council Member Foley asked Mayor Pro Tem Mansoor if he would consider adding direction to continue to pursue alternative financing options and for staff to continue to work with the Library foundation relative to the campaign. Mayor Pro Tem Mansoor after inquiring about process felt that the option provided for the collaborative effort.

Council Member Leece felt that the citywide bond issue would be better option for Costa Mesa. Council Member Foley reminded the Council on the uncertainty that may come from placing a bond on the ballot. Supports the idea of the bond but is concerned about the likeliness of it passing but felt there was a compromise with some funding by the proposed impact fee. In support of fundraising for a new library, Council Member Foley suggested the organizing of an annual gala event as a major fundraiser that would include the City and other private entities in sponsoring.

Mayor Bever felt the Council as a whole supports the libraries and felt that a bond issue would produce the money necessary.

Council Member Foley clarified her support of the substitute motion stating that she is supportive of moving forward in the pursuing of a bond measure. Council Member Dixon explained her reason for opposition to the substitute motion as she felt that both options could be pursued.

The substitute motion carried by the following roll call vote:

Ayes: Council Member Katrina Foley, Council Member Wendy Leece,
Mayor Pro Tem Allan Mansoor, Mayor Eric Bever

Noes: Council Member Linda Dixon

Absent: None.

VIII. OLD BUSINESS

There was no Old Business scheduled.

IX. NEW BUSINESS

There was no New Business scheduled.

X. REPORTS

The City Manager reminded the City Council that the Study Session of February 12, 2008, will be followed by a Joint Meeting with the Planning Commission for a preview of the draft Housing Element; reported on the badge pinning of seven new Fire Fighters that joined the Costa Mesa Fire Department; and advised of discussions with the City of Newport Beach and the Orange County Transportation Authority (OCTA) on the "Go Local" application to link John Wayne Airport to Metrolink.