

1 for my English, because my language is Spanish,
2 but I came to this country 30 years ago. I've
3 been a resident and now an American citizen.
4 I've lived in Cost Mesa for four years. This is
5 my town. I had to move to the border of Santa
6 Ana and Fountain Valley for reason for my school
7 for my kids for Santa Barbara. I have a
8 beautiful wife, - - kids, and God has provided
9 for me. And I'm so happy here to present my
10 life, because when I came to this country, I
11 came illegal, and I came thanks to my wife. I
12 got a resident. I got my American-ship. And
13 I've been working by the state for 22 years.
14 And I'm so happy. I've known Mr. Lee for about
15 20 years from Garden Grove. He gave me the
16 permission to do my plan that I have been
17 suffering too many robberies.

18
19 MR. MENSINGER: Mr. Chair, I just want to
20 ask him a question.

21 MR. GARCIA: Too many robberies is why I
22 tried to buy a main place to recycle. But I
23 feel bad for these things. I've been trying to
24 work the best I can - - and Rebecca know. And
25 I'm here, and I just want to say if you revoke

2 the license, I'm happy. I know God will
3 provide, and I want to say thank you for
4 everything. My English is very bad, but I want
5 to, any questions you can ask.

6 MR. RIGHEIMER: Okay, thank you.

7 MR. MENSINGER: Mr. Chair.

8 MR. RIGHEIMER: Commissioner Mensinger.

9 MR. MENSINGER: Mr. Garcia I just want to
10 say, first of all I want to say thanks for
11 providing a great service. I think recycling
12 all of us agree up here, we want to make sure we
13 clear the air on this, recycling is important
14 for our community. As a matter of fact, we do a
15 lot of it in all the youth sports that all of us
16 give time to - - or Estancia [phonetic]. We're
17 all actively involved in all kinds of elements
18 of the green process. And I just want you to
19 understand this is not about you. It's about
20 the people in the community that are being
21 affected by this particular use, and there are
22 concerns about--

23 MR. RIGHEIMER: [Interposing] Okay. Is
24 there a question for the applicant?

25 MR. MENSINGER: Mr. Garcia, so you do live

2 in Costa Mesa?

3 MR. GARCIA: I used to live in Costa Mesa
4 for four years.

5 MR. MENSINGER: You live in Costa Mesa?

6 MR. GARCIA: No.

7 MR. MENSINGER: You don't live in Costa
8 Mesa?

9 MR. GARCIA: No.

10 MR. MENSINGER: Okay. You live in Fountain
11 Valley now?

12 MR. GARCIA: It's one house only divided.

13 MR. MENSINGER: Okay, and you're the owner
14 of this business, correct?

15 MR. GARCIA: Yes.

16 MR. MENSINGER: You're the sole owner?

17 MR. GARCIA: Yes.

18 MR. MENSINGER: That's the only question I
19 have for you.

20 MR. GARCIA: Thank you.

21 MR. RIGHEIMER: Any other questions for the
22 applicant.

23 MR. JIM FITZPATRICK: Mr. Chair.

24 MR. RIGHEIMER: Commissioner Fitzpatrick.

25 MR. FITZPATRICK: Thank you. So I consider

2 myself to be a green and sustainable guy, and
3 I'm a champion and advocate for many things
4 green and in particular recycling. I always
5 think we can do more to reduce, reuse, and
6 recycle. So I'm going to ask a couple of
7 questions on some solutions. But first, I just
8 had some fact-based questions. When you did
9 your education and outreach program, did you
10 invite any commissioners or city staff to the
11 event?

12 MS. CHEN: No. We passed out flyers in the
13 neighborhood, in the shopping mall, and we did
14 it in both Spanish and English. And then when
15 we did not, we had about just over 20 people
16 attend, and because we weren't happy about the
17 attendance, we had hoped for more, that's when
18 we went ahead and sent letters individually to
19 each of the folks who had signed the recent
20 petition. So we really were trying to do what
21 we could to kind of reach out.

22 MR. FITZPATRICK: Okay. Did you contact
23 Smart and Final?

24 MS. CHEN: No, we did not.

25 MR. FITZPATRICK: Okay. Could you put up

1 those pictures again that we just went through?
2 No, they were the ones that the applicant
3 shared.

4
5 MR. RIGHEIMER: The applicant's pictures?

6 MR. FITZPATRICK: Yes, sorry about that.
7 Not that one. It might have been the one just
8 before it. Yes, okay. So in this view, the
9 cars that are parked in Smart and Final, are
10 those Garcia Recycling customers?

11 MS. CHEN: I can't tell from this picture,
12 but sometimes yes, there is crossover. Some of
13 the customers do park in that lot and walk over.
14 It goes both ways. As there are customers who
15 park in the Lion's Den lot and go to Smart and
16 Final, so it goes both ways.

17 MR. FITZPATRICK: Okay. Could you go down a
18 couple more? Keep going. Yes, same thing here.
19 And then one more, Mel. Yes, so the claim is
20 that if Garcia's was not available that these
21 residents would not recycle.

22 MS. CHEN: Yes. We've heard that from
23 folks, and they just can't walk to the nearest
24 facility. It's not within walking distance.

25 MR. FITZPATRICK: What would they do with

1
2 that?

3 MS. CHEN: They probably would either not
4 pick up the recycling, because I know that a lot
5 of folks pick up the recycling off the streets.
6 So either they wouldn't pick up the recycling or
7 I'm not sure what they would do. I think we are
8 just going to speculate.

9 MR. FITZPATRICK: I just don't, I haven't
10 seen that much trash that exists in the city of
11 Costa Mesa. We've got a lot of code
12 enforcement. We street sweep once a week, and
13 then the sanitary district has demonstrated that
14 if those are left in the residential trash
15 containers that all that does get recycled. So
16 I'm not in support of your claim that that would
17 wind up in landfills.

18 MALE VOICE: Mr. Chairman, may I recommend
19 that at this point we just ask questions about
20 the presentation rather than provide any input?

21 MR. RIGHEIMER: Commissioner?

22 MR. FITZPATRICK: Thank you. So as I read
23 your documents here, honestly I think we come to
24 the same conclusions. I think this is a very, a
25 big business. Four million pounds is a lot of

2 recyclables.

3 MR. RIGHEIMER: Commissioner, if we can get
4 to the questions.

5 MR. FITZPATRICK: So with that, I am trying
6 to understand what opportunities there are to
7 modify the existing operation. And as I see on
8 handwritten page eight, we could stage a truck
9 or put a wrought iron fence. Are those the only
10 two options that you've come up with?

11 MS. CHEN: We have not come up with any of
12 the alternatives. Those alternatives were
13 developed by city staff, and they have not been
14 discussed with Garcia Recycling.

15 MR. FITZPATRICK: So then no recommendations
16 have come forward then?

17 MS. CHEN: We are more than happy to talk to
18 city staff about that, about potential
19 modifications, but at this point we haven't
20 started that discussion. We have worked with
21 the city addressing various concerns including,
22 for instance, the fact that the signage, they
23 didn't like the signage. We had the containers
24 painted. And also, we installed landscaping at
25 the request of the city. But as far as the

2 fence or any of the conditions that were set
3 forth in the agenda packet, we have not
4 discussed that with the city yet, but we're
5 happy to.

6 MR. FITZPATRICK: Thank you.

7 MR. MENSINGER: Mr. Chair.

8 MR. RIGHEIMER: Commissioner Mensinger.

9 MR. MENSINGER: Just a question for staff.

10 I'm just curious, Mel, are there any other
11 businesses in the city of Costa Mesa that
12 operate out of 20-foot or 40-foot containers,
13 basically shipping containers besides recycling?

14 MR. LEE: Not that I can think of off hand,
15 no.

16 MR. MENSINGER: So would it be safe to say
17 there are none in the urban corridor.

18 MR. LEE: Yes, that would be correct.

19 MR. MENSINGER: The revitalized corridor.
20 Mrs. Chen, I'm just curious as a resident and a
21 planning commissioner, why wouldn't you or your
22 client come to the city with some solutions to
23 those pictures?

24 MR. RIGHEIMER: Commissioner Mensinger, I'm
25 going to call that question out of line. If you

2 have a question for her--

3 MR. MENSINGER: [Interposing] That's what
4 I'm asking. Why wouldn't she come to the--

5 MR. RIGHEIMER: [Interposing] That's not
6 what we're here, I'm not looking for her to
7 figure out what she could do or couldn't do.
8 I'm going to look at what the application is.

9 MR. MENSINGER: Let me rephrase the
10 question. Do you have any idea why your client
11 hasn't come up with any solutions?

12 MR. RIGHEIMER: I'm going to call that
13 question out of line.

14 MR. MENSINGER: That's fine. No further
15 questions.

16 MR. RIGHEIMER: No further questions. Any
17 other questions from commissioners? I have a
18 question if--

19 MR. FITZPATRICK: [Interposing] I have a
20 quick question.

21 MR. RIGHEIMER: Mr. Fitzpatrick.

22 MR. FITZPATRICK: Is it an option to put a
23 truck? Is it an option to put a truck in this
24 facility as a potential solution? Is that even
25 a consideration?

1
2 MR. LEE: I don't believe that's actually
3 reflected in our recommended conditions of
4 approval. I think that the way that it's worded
5 is just basically the containers without the
6 truck. But that's certainly an option the
7 commissioners can consider.

8 MR. MILES: Again, I think, as Patricia kind
9 of mentioned, we're at a phase where we're
10 discussing a potential revocation or
11 modification of the existing use permit. We've
12 done our diligence to try to establish what the
13 basis of the complaints were so that we can
14 address those complaints. Discussions about
15 what might be in the cooperative spirit
16 accomplished I think is something that needs to
17 be discussed, and these concepts I just,
18 unfortunately we haven't addressed those. But I
19 think as Patricia has mentioned that Garcia
20 Recycling is ready, willing, and able to work
21 cooperatively with city staff like they have in
22 the past to address any reasonable suggestions
23 from the city.

24 MR. RIGHEIMER: Thank you. I have a
25 question for Ms. Chen, I guess. If we go to

2 page 25, the actual CUP, the MCUP ZA-92-10, do
3 you have that? I'm looking at conditions of
4 approval.

5 MS. CHEN: Sorry, which packet?

6 MR. RIGHEIMER: The first packet. And it
7 would have been pages 23, 24, 25. Correct, it's
8 the July packet.

9 MS. CHEN: Yes.

10 MR. RIGHEIMER: Okay, and on page 25, number
11 three, it reads any and all containers with a
12 maximum of two shall be located at the northwest
13 corner of the site, as shown in the approved
14 plans, and shall maintain a minimum set back of
15 20 feet from the front property line. Staff,
16 can you bring the picture up that we just had a
17 second ago? Just back up a couple of pictures.
18 Back up one more, I guess. Back up another one.
19 Back up one more. I guess this picture will
20 show in here I think we can agree that the truck
21 there is not a container.

22 MS. CHEN: It is a truck. It has a
23 container on it. And the reason why we think
24 that the two permits have to be read together is
25 because if you look on page 20 of the same

2 packet, and this is for the original '89 permit,
3 it says for the description of the project it
4 says my plan is to park at the location above
5 one ton truck to buy aluminum cans, plastic
6 bottles, and glass bottles. So together it
7 seems to us, and you know, it may be just a tiny
8 bit gray, but together it seems to me that the
9 two permits would allow for one truck and one
10 container.

11 MR. RIGHEIMER: Okay, and can you tell me
12 how many tons that truck is?

13 MR. GARCIA: Three ton truck.

14 MS. CHEN: Three ton truck.

15 MR. RIGHEIMER: It's a three ton truck?

16 Okay. And as you follow on number three it says
17 and shall maintain a minimum set back of 20 feet
18 from the front of the property line. Is the
19 front of that truck 20 feet from the property
20 line? Answer through your attorney, please.

21 MR. MILES: The response is that the belief
22 is that the set back is in excess of 20 feet.

23 MR. RIGHEIMER: For the front of the truck.

24 MR. MILES: From the front of the truck.

25 MR. RIGHEIMER: Okay.

2 MR. MILES: And again, well.

3 MR. RIGHEIMER: Go ahead. And then, Ms.
4 Chen, what are the number of employees out at
5 the property?

6 MS. CHEN: At any given time there are three
7 or four employees at the facility, four if it's
8 very busy.

9 MR. RIGHEIMER: So if I was at the property
10 at ten o'clock on Saturday morning and I saw
11 seven employees with hats on getting stuff out I
12 would have been mistaken?

13 MR. GARCIA: [Inaudible.]

14 MR. RIGHEIMER: You need to be on the
15 record.

16 MR. MILES: Again, the questions right now I
17 think are, one, outside of the staff report,
18 have no relationship to the complaints that
19 we've been trying to determine what the concerns
20 are. And it's a little bit difficult right now
21 for us to give you a legitimate and competent
22 answer. I think the essence of Garcia
23 Recycling's comment is that there is a
24 responsiveness to the volume of recycled
25 materials that are being generated and processed

1 through the facility. And one point I think
2 that we'd like to point out is that Mondays, for
3 example, are a very busy day, because the other
4 recycling facilities are closed on Mondays. So
5 Garcia Recycling provides a very invaluable
6 service to the community on Mondays. I suspect
7 that the point is that there are up to four
8 employees as a standard, and it probably
9 deviates from that given the need to respond to
10 volume. But I don't believe that there's any
11 condition in the CUP that mandates what amount
12 of employees can be assisting at Garcia
13 Recycling.

14
15 MR. RIGHEIMER: Thank you. Okay, and
16 lastly, the property at Smart and Final, the
17 application does not have a CUP to operate
18 business from Smart and Final, the Smart and
19 Final property next door, it's 709. It's not
20 part of this application.

21 MS. CHEN: The application I think speaks
22 for itself.

23 MR. RIGHEIMER: Okay, and then do employees
24 from Garcia's go over to cars and trucks and
25 unload from the Smart and Final property?

2 MS. CHEN: I don't know the answer to that.

3 MR. RIGHEIMER: Okay, thank you. Any other
4 questions? Counsel, I know you have some
5 comments you want to make with regards to the
6 presentation.

7 MALE VOICE: If you want, as far as some of
8 the legal issues that have raised, with regard
9 to the Goat Hill Tavern, earlier I didn't
10 mention this because I figured the commission
11 understands it. But I think it bears repeating.
12 I concur with counsel with regard to the impact
13 of Goat Hill Tavern as far as what has to be
14 shown. You're not looking at a new CUP with an
15 applicant requesting a CUP in this area. The
16 only, it's a higher level of showing that has to
17 come to show that it's a public nuisance, not
18 that it's just not a good fit, but that it's a
19 public nuisance. And Counselor Chen was correct
20 in the code sections she sited and showed you up
21 on the screen. They are correct with regard to
22 what a public nuisance is. It is described in
23 the civil code, which is referenced in the Costa
24 Mesa municipal code 3479 and 3480. What they
25 presented there was correct. What I mentioned

1
2 earlier is Goat Hill Tavern does not say, cannot
3 be applied to say that the evidence as shown is
4 inadequate to find a public nuisance. Ms. Chen
5 didn't go on and evaluate the evidence, and you
6 can consider that. But Goat Hill Tavern isn't
7 saying to you that you can't find that there's a
8 public nuisance. That is your job to determine
9 whether there is a public nuisance or not.
10 CEQUA does have, it is true and cases have held
11 that sometimes categorical exemption doesn't
12 remove the project from CEQUA analysis. And
13 there is an exception to it, and the exception
14 is even though a categorical exemption may
15 apply, if it has a significant impact on the
16 environment, then you have to look past the
17 categorical exemption. And therefore, it
18 wouldn't apply. Sometimes something might fit
19 into a categorical exemption but it's having an
20 impact on the environment, and that's what CEQUA
21 is all about. So you can consider that. This
22 is the first I've heard that the applicant, and
23 maybe I didn't see all the information, two
24 things. It indicated that there's an opposition
25 to the revocation of the first CUP. The staff

1 has indicated that the second one, the minor CUP
2 was replacing the first one. Now, there's a
3 contest that I first hear tonight that they want
4 both CUPs. And then, Ms. Chen said it was a
5 little bit of a gray area. I think it's a big
6 gray area when you try to put both CUPs
7 together, which are talking about two separate
8 locations, and then saying that you can have a
9 truck there. We haven't researched that issue
10 because I didn't hear it until tonight. And as
11 far as the question about three or four
12 employees and if someone witnesses seven
13 employees, even though the number of employees
14 isn't in the conditions, I think it's in a quasi
15 judicial proceeding it would be appropriate to
16 test the credibility of any witnesses that are
17 providing you evidence. And Mr. Garcia did talk
18 to you about certain things. And if he
19 indicates there are three or four employees and
20 you've been out there and saw a different
21 number, I think that's something you can
22 consider with regard to credibility of the
23 witness. And then, there was an argument about
24 20 years of no code enforcement and all of a
25

1 sudden you're doing a revocation. I don't know,
2 just because, you know, and I'm not sure whether
3 there has been known code enforcement, but I
4 don't think that's a bar to you reviewing it now
5 if a public nuisance exists there. Again, a
6 much higher standard than if this was a new
7 application. Do you have any questions?

8
9 MR. MCCARTHY: Yes, Mr. Chair.

10 MR. RIGHEIMER: Commissioner McCarthy.

11 MR. MCCARTHY: We keep talking about the
12 public nuisance, but again, this goes back to
13 the question that I asked Mel earlier about
14 Costa Mesa's code gives two bases for
15 modification or revocation of the CUP, the
16 public nuisance standard, which you've discussed
17 and has been discussed in the presentation, or
18 the applicant's failure to meet their conditions
19 of approval, correct?

20 MALE VOICE: That's correct. Either one or
21 both would be something that you should be
22 considering when looking at this whole issue.

23 MR. MCCARTHY: Okay, but the heightened
24 standards that you were alluding to as far as
25 the public nuisance component of it, are you

2 interpreting the Goat Hill case to mean that
3 it's a heightened standard applied to the
4 failure to meet the original conditions of
5 approval also? Or is that only as it pertains
6 to the public nuisance complaint?

7 MALE VOICE: Well, yes. As far as
8 violations of conditions of approval, if there's
9 a constant violation of the conditions of
10 approval and it doesn't seem that you can get
11 compliance with those, that's something you can
12 consider. That's a different level. A new
13 applicant hasn't violated conditions. So what
14 they're trying to do is contrast what a new
15 applicant would be like and what level you have
16 to look. You're just looking for a good fit.
17 But after there is a vested property right, once
18 you, you know, a type of vested property right,
19 once you give them permission for the use, now
20 it can't be that it's not just a good fit. You
21 have to either find that it's a public nuisance
22 or they're just not living up to the conditions
23 of approval that you set on them. Those are the
24 things you can look at. Does that help?

25 MR. MCCARTHY: Yes.

2 MR. RIGHEIMER: Any more comments from the
3 city attorney?

4 MR. MENSINGER: Mr. Chair.

5 MR. RIGHEIMER: Commissioner Mensinger.

6 MR. MENSINGER: This is for the city
7 attorney. So is a three ton truck being used
8 there a violation when they're allowed a one ton
9 truck? I just want to make sure I understand
10 that:

11 MALE VOICE: I'm sorry, what was that?

12 MR. MENSINGER: Their CUP allows for a one
13 ton truck.

14 MR. RIGHEIMER: Well, let's not, we can't
15 state that it does. There's a discussion
16 whether both CUPS are in effect or just one.
17 But if both were in effect I guess is the
18 question.

19 MR. MENSINGER: So can I, I guess--

20 MALE VOICE: [Interposing] If the condition
21 says you can only have a one ton truck there,
22 now again, I haven't read the CUP. But if it
23 says you can only have a one ton truck there and
24 they have a three ton truck, that would seem to
25 be a violation.

2 MR. MENSINGER: Okay, thank you.

3 MR. FITZPATRICK: Mr. Chair.

4 MR. RIGHEIMER: Commissioner Fitzpatrick.

5 MR. FITZPATRICK: I have another point of
6 clarification on handwritten page 22, the
7 schedule of recycling purchases. The 4.1 or so
8 million pounds, is that for Garcia's Costa Mesa
9 or all Garcias?

10 MS. CHEN: It's for that facility.

11 MR. RIGHEIMER: Any other questions? Okay,
12 we have a public hearing here. At this point,
13 members of the public can come up to the
14 microphones. Please give me your name and
15 address, and you will have three minutes to
16 speak to the issues.

17 MR. EDWARD CARMONE: Thank you. My name is
18 Edward Carmone [phonetic]. I live at 752 Center
19 Street, right around the corner. Could ask that
20 that slide, that overhead slide be shown right
21 at the very, very beginning?

22 MR. RIGHEIMER: On the presentation of our
23 staff or from Ms. Chen's staff?

24 MR. CARMONE: It was from the commission's
25 slide.

2 MR. RIGHEIMER: Okay, Mel. Okay.

3 MR. CARMONE: It's an overhead shot showing
4 19th Street and Wallace.

5 MR. RIGHEIMER: I'm going to hold for one
6 second. Can I answer your question?

7 FEMALE VOICE: I'm sorry. I don't mean to
8 interrupt, but this individual spoke at the last
9 hearing, and I think you, at least at the last
10 hearing said that was going to be his only
11 opportunity to speak.

12 MR. RIGHEIMER: Thank you. Sir, did you
13 speak at the last hearing?

14 MR. CARMONE: Yes, I did.

15 MR. RIGHEIMER: Okay, if you already spoke
16 at the last hearing, I can't have testimony from
17 you at this hearing. Is there anybody else? I
18 think your wife can do it for you. You don't
19 have to write your name. You can speak to this
20 without writing your name. Just make sure
21 before we leave we have it.

22 MS. FRANCA CARMONE: My name is Franca
23 Carmone, and I live at 752 Center Street. And I
24 have no objections about the recycling. In
25 fact, we love recycling. The only objections we

1 have is the location. I think there are other
2 locations that could be considered, and it would
3 be better. Nineteenth Street is a beautiful
4 street now. They've remodeled or redid it with
5 the lamps, beautiful lamps and et cetera, and
6 now this really detracts from it. There are a
7 lot of people coming around with large bags of
8 cans. I think if it would be in a different
9 location, maybe where you have more commercial
10 places like, well, like Pamona and 17th Street,
11 where they have the - - houses, that would also
12 be close to the people that could take their
13 recycling goods. It would be close to them, so
14 in case they think this is the best place to be,
15 because most of the people live around there who
16 collect these things. And they can walk to it.
17 So it's just the noise, and it does collect a
18 lot of people pick up cans, and they just take
19 it over there, and then they go. There are a
20 lot of liquor stores there, so they go and buy
21 some liquor with a little bit of money they make
22 there. And you can see a lot of people getting
23 around there that are homeless. So I would, my
24 only objection is if he could relocate someplace
25

2 else it would be nice. That's it.

3 MR. RIGHEIMER: Thank you.

4 MS. CARMONE: Thank you.

5 MS. CLAUDETTE MCKILLIAN: Mr. Chairman,
6 commission, I'm Claudette McKillian. My first
7 time I've ever attended a city hall meeting, but
8 this situation was important to me, so that's
9 why I'm here. With what Mrs. Carmone said in
10 wanting Mr. Garcia to relocate, maybe the soup
11 kitchen, maybe that should be relocated. And
12 what was mentioned about the businesses across
13 the street, a pawn shop, liquor store, soup
14 kitchen, a beauty salon which is right across
15 the street failed to be mentioned. I'm here in
16 favor of Mr. Garcia and his recycling business,
17 and I think one of the most important things
18 that have not been mentioned this evening is the
19 jobs that he provides for the young men that
20 work for him. I believe in capitalism. He is
21 providing jobs for people that don't have jobs
22 nowadays. I think it's important. He has been
23 in business for 20 years. He's a good American
24 citizen. All the legalities have been mentioned
25 by the attorneys, and I think that the recycling

1 place should stay. I see no reason why his
2 permit should not be reinstated. He's a
3 businessman. He's provided entrepreneurship.
4 This country was built on that. I think that
5 should be considered in your decision. I am
6 personally going to report this meeting, things
7 that we go to and attend for the Balboa Bay
8 Republican Women, and I know they will all be in
9 support of you, Mr. Garcia. Thank you.
10

11 MR. RIGHEIMER: Thank you. Anyone else want
12 to speak? Just come to the podium.

13 MR. VINCE PONICO: Good evening. My name is
14 Vince Ponico [phonetic], 20912 Skimmer Lane,
15 Huntington Beach. I have been a customer of Mr.
16 Garcia for over ten years and I'm here to show
17 my support for Garcia Recycling. The complaints
18 against this company are unjust. Garcia
19 Recycling provides a valuable service to the
20 city of Cost Mesa, such as preserving our
21 environment, employment in a struggling economy,
22 and providing cash to individuals who take the
23 time to recycle their reusables. Please give
24 Garcia Recycling a chance to survive. Thank
25 you.

2 MR. RIGHEIMER: Thank you. Anyone else want
3 to speak? If you're going to speak, please come
4 down. It will be a little quicker.

5 MR. CHUCK PERRY: My name is Chuck Perry,
6 425 East Bay Street in Costa Mesa. I've been a
7 long-time resident here since 1958. I've dealt
8 with Mr. Garcia's business for a number of
9 times, and I just had a couple of questions. In
10 the very beginning it seemed to me when he first
11 started there was one container there. Now,
12 there's a truck parked on a concrete culvert
13 there and another container beside it. And if
14 they're doing four million pounds, what did they
15 do in the beginning when you guys gave them the
16 permission to be there? That's kind of one of
17 my questions. I don't know what it was in the
18 beginning, but I'm sure it's changed. What
19 happens when it goes from four million to eight
20 million? Do we have three containers sitting
21 there? Is that the next step? I'm kind of
22 asking what's the business plan here for the
23 city. Is having a truck and a container a
24 business plan? And the second thing and the
25 most upsetting thing to me is the way that they

2 do their bottles. What they do is they take
3 them from one container and to get the liquids
4 out so that they're not, you're not being given
5 cash for that liquid, they dump them into
6 another, and the liquids go all over the ground.
7 And they have people that clean it up, and they
8 sweep it, but what happens to the liquids when
9 it starts to rain? It goes down into our sewer
10 system, and that's a question I think you guys
11 have to really look at. I'm not the complainant
12 here. I just was interested in it, because I
13 saw it. Those are kind of the questions I have.
14 Thank you very much.

15 MR. RIGHEIMER: Thank you. Anybody else
16 from the public want to speak? Name and
17 address, please.

18 MR. ERIC LARSON: Eric Larson, 168 East
19 Wilson, Costa Mesa. We've been recycling with
20 Garcia's for about ten years, that's me and my
21 small family. We've never seen any of the
22 violations that were mentioned. Formerly, we
23 lived on Shalimar Street in the early '70s when
24 the area wasn't so upgraded as it is today.
25 These are hardworking individuals, and we need

1
2 this facility in Costa Mesa, because there are
3 not many options on that side of town. The
4 thing that I'd like to say the most is the money
5 that we received from this recycling facility is
6 spent in this adjacent area here from the food
7 shops to the nearest gas station, which is on
8 the corner of - - and 19th. And we're
9 approximately responsible for about 200 pounds a
10 week, well, a month. Excuse me, a month. In my
11 heyday when I was doing it more for a full-time
12 basis, I was bringing in maybe three times that
13 much. And that's all coming from Costa Mesa and
14 money in return is being spent in Costa Mesa in
15 those vicinity pictured up here. That's all I
16 have.

17 MR. RIGHEIMER: Thank you. Anybody else
18 want to speak? And if you're going to speak,
19 please come to the microphone. It will speed it
20 up a little bit, thank you.

21 MS. LAVON LARSON: My name is Lavon Larson.
22 I live at 168 East Wilson Street in Costa Mesa.
23 I find that when I go to the recycling place the
24 four, five gentlemen that he has working for
25 him, they are polite, they are speedy, they

1 accurately weigh, and they are very helpful. If
2 I had a heavy container, they would even help me
3 take it out of my car. As a senior citizen, I
4 really like that. They are needed. I need the
5 money from my recycling to buy the gas, and when
6 I was there, everything was clean. And I
7 understand when everybody has gone home they
8 sweep the parking lot, and they also wash it
9 down. I don't know if it goes into any sewer,
10 but they are very neat people. Thank you.

11
12 MR. RIGHEIMER: Thank you. Anybody else
13 want to speak? Seeing nobody else coming to the
14 microphone, I'm going to go ahead and close.
15 I'm sorry, call the applicant for rebuttal. And
16 there is not a time limit.

17 MR. MILES: Thank you, Mr. Chairman. I'll
18 keep it brief. I just wanted to reiterate the
19 Goat Hill Tavern decision. I think your deputy
20 city attorney and us are on the same page. I
21 just would like to point out that, you know, the
22 point is that in weighing evidence and this
23 commission deciding do you have the goods, do
24 you have the evidence that's necessary to revoke
25 or even modify this use permit. The Goat Hill

1 Tavern decision makes it clear that the
2 reviewing court is going to exercise independent
3 judgment, and that's something you should keep
4 into consideration. It's not an abuse of
5 discretion standard, and there's not going to be
6 deference to the commission. The court is going
7 to weigh it in its own eyes. And that's where
8 factually, if you look at the Goat Hill Tavern
9 decision, you'll see that the City of Costa Mesa
10 observed or received complaints, numerous
11 complaints that were documented about public
12 urination, intoxication in the vicinity. They
13 documented it. They took formal action. One of
14 the things that is glaringly missing here, and
15 it's always suspect in a nuisance proceeding or
16 in a revocation proceeding where you have no
17 evidence of citation, notice of violation, a
18 formal code enforcement proceeding. Typically,
19 an administrative body as this would prefer to
20 insulate itself before jumping right into
21 possibly damaging a property right and possibly
22 violating civil rights. And as a prefatory
23 action typically you would see something like an
24 administrative citation that would give the
25

2 permit holder an opportunity to address the
3 concern or the causable action which we are
4 continuing to struggle to define. In terms of,
5 if we're talking about let's think creatively
6 how do we resolve this, and we're talking about
7 possibly this second phase of what can, as a
8 good neighbor, or what cooperatively can be
9 accomplished, we might think about that. I
10 think there is an entire proceeding, an
11 administrative process that has been overlooked
12 that could have been a better vehicle I think to
13 start to get at that is there a legitimate
14 concern and can Garcia Recycling address that
15 concern before its fundamental vested property
16 rights are at issue. To address the two
17 containers and truck issue, again, there's
18 really not a slippery slope problem here. I
19 understand the concern that what was the start
20 point? How much tonnage was there? Is this
21 going to go to eight million pounds of recycle
22 material? The point is that Garcia Recycling is
23 limited to two containers. There's never going
24 to be more unless there's a modification of the
25 CUP. So the volume is controlled by that

1 condition, and that's typically what a CUP is
 2 supposed to do. It's not a use of property by
 3 right, but it's a use of property that's
 4 understood as compatible with appropriate
 5 conditions. And I think that's why the '92
 6 permit has the two container language. And
 7 again, the gray area or what we're debating
 8 about whether or not the container can be on a
 9 truck, really, the reality is that those
 10 containers have to be on-loaded, off-loaded from
 11 a truck. So it makes the process a lot more
 12 efficient when you have a truck that counts as
 13 the container. That's the, you know, if you
 14 want to get into the minutia of the gray area
 15 and debate that, that's been going on for a
 16 decade. And that's why I point to the issue of
 17 celerity and why I think it's important to look
 18 at the Goat Hill Tavern decision, and you will
 19 see that nothing remotely like this fact pattern
 20 was presented in that case. In that case, the
 21 court very clearly established that the evidence
 22 was insufficient to revoke the permit and
 23 pointed out that it's an independent judgment
 24 standard of review. And it's because you are

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2 implicating a fundamental vested property right.
3 Thank you.
4 MR. RIGHEIMER: Thank you. Okay, I'm going
5 to close the public hearing, and I'll take a
6 motion or comments from the commission.
7 Commissioner Mensinger.
8 MR. MENSINGER: Mr. Chair, I'd like to make
9 a motion. Based on the evidence in the record
10 and findings contained in Exhibit A, the
11 planning commission hereby revokes zoning
12 application ZA-89-25 and ZA-92-10 with respect
13 to the property described above.
14 MR. RIGHEIMER: I have a motion. Do I have
15 a second?
16 MALE VOICE: Second for discussion.
17 MR. RIGHEIMER: I have a motion, a second,
18 discussion.
19 MALE VOICE: I have a question for counsel.
20 The concept of vested right. If 20 years ago we
21 approved let's say a little coffee shop and it
22 turned out to be Starbucks 20 years later, I
23 guess my point is at what point would this stop?
24 Could it go to 20 million pounds, or because we
25 have one container and they decide to have 20

1 trucks there continuously pulling it out,
2 storing it, taking it away? At what point do
3 vested rights have to be balanced with kind of
4 what's going on in the neighborhood and kind of
5 20 years later?
6

7 MALE VOICE: Well, an option that you have
8 before you obviously is a CUP modification to
9 address the current issue if you believe that
10 there is a public nuisance there and that it can
11 be dealt with with additional conditions.
12 That's how you would deal with it as it goes
13 forward. But if something doesn't rise to the
14 level of public nuisance, the vested right is
15 going to continue. You wouldn't have the
16 ability to consider a modification or revocation
17 or anything like that. Except for the other
18 avenue that was mentioned earlier, if somebody
19 is continually violating the conditions of
20 approval, that's really a separate approach.
21 That's a different issue. I think the first one
22 is what you're talking about. Does that answer
23 your question?

24 MALE VOICE: Yes.

25 MALE VOICE: The reason why I'm supporting

2 Commissioner Mensinger's motion is that rather
3 than dispute what I see are the opportunity to
4 dispute some factual representation here, I
5 don't think they're material. But I agree with
6 the findings that there is a significant volume
7 here. And I'm challenged to try and figure out
8 myself how to modify, and I can't figure out how
9 to screen or block or relocate where you abut
10 residential. So I'm not presented with any
11 modification options here today, and that's why
12 I'm supporting the motion. Thank you.

13 MR. MCCARTHY: Mr. Chair.

14 MR. RIGHEIMER: Commissioner McCarthy.

15 MR. MCCARTHY: I talked to a lot of the west
16 side residents that I know about this project,
17 and they raised their concerns to me. I saw the
18 problems with this project. My concern of
19 course, again, is looking through the conditions
20 of approval from '92. I'm struggling to find
21 something that I can hang my hat on as far as a
22 specific violation. That defaults me to the
23 public nuisance argument. And while I have a
24 lot of problems with this project, I really,
25 really do, I think there are a lot of things

1
2 going wrong, Mr. Garcia, on your project down
3 there. I think your counsel is looking at this
4 thing through rose colored glasses, or maybe
5 they're just portraying that to us. I did go
6 out there and see this, and I was flabbergasted.
7 It's the first time that I've lived here that
8 I've been embarrassed to be in Costa Mesa, to
9 drive through that shopping center and see
10 what's going on there. The parking impacts, the
11 homelessness and vagrancy that we can blame the
12 soup kitchen all we want, but there are people
13 carrying cans. So it all falls down on Garcia.
14 The concern that I have is again that I don't
15 know at this point that the record contains
16 enough evidence to find the public nuisance, and
17 that's what I'm grappling with right now as a
18 planning commissioner, not as a resident of
19 Costa Mesa. As a resident of Costa Mesa, the
20 fact that this is on our urban path right down
21 19th Street is just, it's shocking to me that we
22 allow this. But I just don't see enough to go
23 down that path of public nuisance, which is why
24 I can't support the motion unfortunately.

25 MR. CLARK: Mr. Chair.

2 MR. RIGHEIMER: Vice Chair.

3 MR. CLARK: I'm going to start in one
4 director. Commissioner Mensinger, and at the
5 risk of having you go on at length, could you
6 give me a little better detail of why you
7 motioned the way you did?

8 MR. MENSINGER: I'm sorry. What is your
9 question?

10 MR. CLARK: Can you explain yourself as to
11 why you chose that motion? I have no reasoning
12 from you for the motion. I'm not arguing that
13 it's a good or bad reasoning. I don't know what
14 it is.

15 MR. MENSINGER: Commissioner Clark, it just
16 goes back, this goes back several months from
17 contacts and letters from the community, some
18 folks in the audience and some not in the
19 audience. I believe that when this use was
20 approved for a CUP it was an apple, and today
21 it's an orange. And it doesn't take a genius to
22 go out there and look at the facility and see
23 how much volume is being done out of this
24 location to understand that this is a nuisance.
25 You know, I'll say this quite often. People are

1
2 attracted to communities, and we as a city need
3 to continue to attract new people. And it's
4 very difficult to do when uses become nuisances.
5 And clearly this, besides the violations that
6 have been noted, and besides the findings that
7 staff has given us eloquently here in one
8 through seven, this, I would love to see Mr.
9 Garcia in another location that is not on 19th
10 Street near all these homes and that affects all
11 these residents. So I hope that answers your
12 question.

13 MR. CLARK: As well as I can expect. This
14 is a challenging issue. I unfortunately agree
15 with both commissioners so far, which is not a
16 good place to be in this. I've been past this
17 facility on many occasions as well, and although
18 I'm not sure I echo entirely my embarrassment at
19 Costa Mesa driving by, I certainly understand
20 the sentiment. I don't find that the facility
21 is an asset in looks to Costa Mesa. I think we
22 have issues there. However, that being said, so
23 far I have nothing in the record that gives me
24 the ability to certainly not have a warm and
25 fuzzy feeling about trying to revoke the

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2 permits. We don't have a consistent evidence of
3 violations of the original CUP. However, the
4 counsels almost made an argument in favor of
5 that all by themselves by calling into account
6 the original CUP that says a one ton truck, and
7 we obviously have a three ton truck sitting
8 right in the picture that has consistently been
9 there. That's not sufficient for me to be a
10 complete violation at the level that I think is
11 warranted. We have no code enforcement actions.
12 I've got nothing to base violations on. And
13 although I have heard that we have public
14 comments to the contrary, we certainly do not
15 have a lot of public comments saying we don't
16 like the facility. As a matter of fact, we've
17 got evidence in the record of 500 people signing
18 that they liked the facility. So unfortunately
19 I can't go for a public nuisance at that point.
20 So as much as I would admonish the applicant to
21 work with staff to clean this up, and I admonish
22 staff to get code enforcement all over this so
23 there is actually evidence, I'm going to offer
24 substitute motion that we receive and file.
25 MR. RIGHEIMER: I have a motion. Do I have

1 a second:

2 MALE VOICE: Second for discussion.

3 MR. CLARK: It's always for discussion.

4 MR. RIGHEIMER: Is there any discussion to
5 receive and file:

6 MALE VOICE: Mr. Chair.

7 MR. RIGHEIMER: Please.

8 MALE VOICE: After I listened to both
9 commissioners communicate that they have
10 observed issues, you're not going to even
11 attempt to modify or make any recommendations
12 or?
13

14 MALE VOICE: Mr. Chair, I guess the concern
15 that I've been grappling with is how do we
16 modify this to address the concerns that have
17 been raised to me by the community, the
18 vagrancy, the noise, the odor, et cetera, that I
19 have personally seen exist but unfortunately
20 aren't in the record to the degree that they
21 should be. And I don't know how to modify that
22 to ameliorate those. That's the concern that I
23 have.

24 MR. CLARK: Mr. Chair.

25 MR. RIGHEIMER: Commissioner.

2 MR. CLARK: Just in answer to Commissioner
3 Fitzpatrick, and I think it deserves an answer.
4 I agree with Commissioner McCarthy. We don't
5 have evidence in the record. My personal
6 driving by once or twice doesn't constitute
7 enough record to modify. What am I going to
8 modify? I don't have evidence in the record
9 that says this is the problem. What do we do to
10 fix it? I'm just not seeing that. I don't have
11 anything that I can work with on that. And
12 here's what I think happens at this point.
13 Either the applicant cleans it up because they
14 work with city officials and it improves, or the
15 applicant doesn't and code enforcement gives us
16 a case to work with, and it shows up back here
17 and we deal with it then. But we've got to have
18 evidence on the record, and I personally do not
19 see it.

20 MR. RIGHEIMER: Let me see if I can get some
21 evidence on the record here. Can we go to the
22 staff July 11 report, page 20, the photo? There
23 are a lot of reasons that people may or may not
24 like this on the property. I'm not concerned
25 why they may or may not like it, but like any

1
2 other project, it has rules to follow by and to
3 work by in there. I think on the record we have
4 that over 4.2 million pounds is run through this
5 operation here. I think if we look on picture
6 page 20, the picture in here, we're showing, can
7 you pull that one up at all?

8 MALE VOICE: You said handwritten page 20?

9 MR. RIGHEIMER: It's handwritten on the
10 July. Do you have the photo? Well, I'll
11 describe the photo for you. It's taken from the
12 Smart and Final parking lot. It's people with
13 bags of cans in the Smart and Final parking lot
14 bringing over to the property. What you've got
15 here is an operation, an industrial operation
16 doing 4.2 million pounds that the parking lot
17 becomes full of people over at Smart and Final.
18 You cannot do ten pounds of business in a five
19 pound bag, and they cannot limit the amount of
20 business and work they do to the area that they
21 have. And so therefore, they have customers who
22 come over to the Smart and Final parking lot,
23 based on this picture and other evidence given
24 by Smart and Final, to operate here. And
25 they're not allowed to do that. They also have

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brought in a three ton truck that does not sit 20 feet back from the front of the property over in there. Based on how many employees are out there, I guess we can get into that issue in here. But the intensity of volume done on this property is not the issue if it stays on this property, if it does not stay on this property when you have customers doing it. Several weeks ago we had here another recycling property that came to us. It's different because of the fact that they were going for a CUP, so there's a different standard. I understand that point. But we went through it and said could they do the business on the property there and not affect the neighboring properties or the impact on the street. What we have evidence here for is that this cannot be contained on this property here, that over the years based on Smart and Final's testimony that they use their parking lot to do it. And in fact, looking at photos, the parking lot becomes full with this in here. And so it's the amount of volume, based on the fact that it goes over the property line, and they don't have a CUP to go on the

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2 neighboring property. And that's why I would
3 speak against this motion to receive and file
4 and then go back to the original motion.

5 MALE VOICE: Mr. Chair.

6 MR. RIGHEIMER: Commissioner.

7 MALE VOICE: I'm interested in this
8 argument. So the argument is that because
9 they've expanded beyond their original approval
10 to operate the facility that now they have
11 violated their 192 conditions of approval for
12 operating a facility.

13 MR. RIGHEIMER: Correct. We have evidence
14 in the record showing that the other property
15 next door has to be used in order for this to do
16 the intensity of the 4.2 million pounds a year.
17 So the motion on here right now is to receive
18 and file. And vice chair and then--

19 MALE VOICE: Mr. Chair, I withdraw my second
20 to the motion to receive and file.

21 MR. RIGHEIMER: Seeing no second, is there
22 any other second for the motion to receive and
23 file. Seeing none, we'll go back to the
24 original motion. Do you have any more comments
25 on the original motion.

2 MR. CLARK: All right, Mr. Chair, your
3 evidence is sufficient in the sense that we've
4 got not just a truck that's not quite the right
5 size but literally is spilling over onto another
6 piece of property which is clearly not part of
7 the CUP. Now, my quandary at that point is I
8 would like to, because we have a lot of public
9 input that supports this facility and the use of
10 this facility, find a way to modify the
11 conditions of approval to keep this facility
12 operational if at all possible. I think it
13 behooves us to exhaust any possibility of
14 modification prior to revocation. So that being
15 said, I mean, it's going to take me a minute to
16 look at the conditions that are here and if
17 there are other ones that are, you know, other
18 commissioners would be interested in, I'm
19 certainly amenable to talking about that.

20 MR. RIGHEIMER: Commissioner Mensinger, and
21 then Commissioner McCarthy.

22 MR. MENSINGER: Mr. Chair, I'm not sure if
23 it's appropriate at this point to grant
24 Commissioner Clark the time to figure out how to
25 make modifications to something that's he's

1
2 already made a motion to receive and file on.

3 MR. RIGHEIMER: He has the right to do that
4 as a commissioner.

5 MR. MCCARTHY: Mr. Chair.

6 MR. RIGHEIMER: Commissioner McCarthy.

7 MR. MCCARTHY: So then the basis of your
8 findings regarding the, for lack of a better
9 term, expansion outside of their conditions of
10 approval would be under 1329, the section of
11 their not adhering to their conditions of
12 approval versus the public nuisance argument
13 that's been, you know, we've got the kind of
14 either, or, or both options as far as the
15 findings. Then, you would, as far as your
16 motion is concerned, find the revocation based
17 on being out of compliance with 1329 of the
18 municipal code regarding not meeting their
19 conditions of approval for the expansion of the
20 operation, correct?

21 MR. RIGHEIMER: Correct. I'm giving
22 Commissioner Vice Chair a chance to look over.

23 MALE VOICE: Mr. Chairman, if I may. I
24 think the motion on the floor is with the
25 findings that are in Exhibit A which are the

2 public nuisance, so that's what the motion is
3 that has been seconded.

4 MR. RIGHEIMER: So then we have to add in,
5 we have to modify it or I could make a
6 substitute motion.

7 MALE VOICE: Or you can make an amendment to
8 the motion to add additional findings.

9 MALE VOICE: Mr. Chair, since I was the
10 maker of the motion, I'll make the motion that
11 we allow Commissioner Clark the time to modify
12 the motion, my motion.

13 MR. RIGHEIMER: Well, just modify, modify
14 for--

15 MALE VOICE: We're not sure what.

16 MR. RIGHEIMER: No, which one was it again?
17 13?

18 MALE VOICE: Mr. Chair, can we take a
19 recess? Would that be possible? That would be
20 great.

21 MR. RIGHEIMER: I will go ahead and take a
22 recess. Ten minute recess.

23 [Music]

24 MR. RIGHEIMER: Okay, we are back. Please
25 take your seats. At this time we had a motion

2 and a second to revoke. I think adding to that
3 we had to also add the municipal code section
4 with regards to a violation of the actual
5 conditions of the CUP and add a finding. I
6 scratched this out, and I'm not an attorney, so
7 help me with this, Mel. Number eight, scale and
8 intensity. With 4.2 million pounds of the
9 recycling the center is so large as to spill
10 over into neighboring properties. Customers
11 routinely park and unload from 709, Smart and
12 Final. Go ahead.

13 MALE VOICE: Yes, we can incorporate that
14 language into the final findings.

15 MR. RIGHEIMER: Thank you. Commissioner.

16 MALE VOICE: Just to be clear, the findings
17 under A are going to delete reference to the
18 public nuisance.

19 MR. RIGHEIMER: Correct.

20 MALE VOICE: Okay, thank you.

21 MR. RIGHEIMER: Or amend it to. Leave
22 nuisance and--

23 MALE VOICE: [Interposing] My understanding
24 is you're finding public nuisance and you're
25 finding a violation of the CUP in that it is

1 expanded beyond the scope of the CUP. It's
2 both.
3

4 MR. RIGHEIMER: Okay.

5 MR. CLARK: Mr. Chair.

6 MR. RIGHEIMER: Vice Chair Clark.

7 MR. CLARK: I have found what I hope will be
8 an acceptable substitute motion.

9 MR. RIGHEIMER: Please.

10 MR. CLARK: Mr. Chair, I'm going to move
11 that based on the evidence in the record and the
12 findings contained in Exhibit A, which happens
13 to be handwritten page eight, the planning
14 commission hereby revokes ZA-89-25 and modifies
15 ZA-92-10 with respect to the property above.
16 Modification to ZA-92-10 is shown in Exhibit B,
17 which happens to be on page nine, handwritten
18 page nine. It relates to the clarification that
19 the minor conditional use permit is an
20 independent permit not related to any previous
21 approvals of the recycling facility, and B,
22 addition of new conditions of approval.

23 MR. RIGHEIMER: And the additional of the
24 conditions of approval are?

25 MR. CLARK: There are on page eight.

2 MR. RIGHEIMER: B.

3 MR. CLARK: Page eight and I think nine.

4 Nine and ten, sorry.

5 MR. RIGHEIMER: I'm seeing page 11 here. Am
6 I missing something?

7 MALE VOICE: Page nine and ten.

8 MR. CLARK: Nine and ten.

9 MR. RIGHEIMER: Is the findings for
10 approval. And then the conditions are 11? Oh,
11 okay. Sorry. Wrong one. Sorry. Do I have a
12 second? It dies for lack of a second. Back to
13 the main motion. Any other comments from the
14 commissioners? Seeing no, we will call for a
15 question.

16 FEMALE VOICE: Motion carried, four to one,
17 Clark voting no.

18 MR. RIGHEIMER: This item can be appealed to
19 the city council within seven days, and the next
20 city council meeting is when, Mr. Conner or Mr.
21 Corey?

22 MALE VOICE: The next council meeting is
23 next Tuesday.

24 MR. RIGHEIMER: All right. Thank you very
25 much.

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2 MALE VOICE: Mr. Chair, before we move to
3 the next item, can I make a recommendation that
4 we put together a team to try and figure out
5 some additional ways to recycle in this city?

6 MR. RIGHEIMER: I think if you want to bring
7 that issue up after this as a completely
8 separate issue, we can discuss it. Okay, next
9 item. Corey, help me. I'm lost. Item four.

10 [END AUGUST 9, 2010 PC ITEM 3 MP3]

C E R T I F I C A T E

I, Kelly Jo Eldredge certify that the foregoing transcript of the Costa Mesa Planning Commission Meeting, August 9, 2010 was prepared using standard electronic transcription equipment and is a true and accurate record.

Signature: _____

Kelly Jo Eldredge

Date: August 23, 2010