

**REGULAR ADJOURNED/STUDY SESSION OF THE CITY COUNCIL  
CITY OF COSTA MESA**

**July 13, 2010**

The City Council of the City of Costa Mesa, California met in a regular Study Session on Tuesday, July 13, 2010 at 4:30 p.m. in Conference Room 1A of City Hall, 77 Fair Drive, Costa Mesa. The meeting was called to order by the Mayor.

**ROLL CALL:**

Council Members Present: Mayor Allan R. Mansoor  
Mayor Pro Tem Wendy Leece  
Council Member Katrina Foley  
Council Member Eric R. Bever  
Council Member Gary Monahan

Council Members Absent: None

Officials Present: City Manager Allan L. Roeder  
Assistant City Manager Thomas R. Hatch  
Deputy City Attorney Tom Duarte  
Planning Commissioner Jim Fitzpatrick  
Planning Commissioner Steve Mensinger  
Development Services Director Kim Brandt  
Public Services Director Peter Naghavi  
Transportation Services Manager Raja Sethuraman  
Maintenance Services Manager Bruce Hartley  
Assistant Streets Superintendent Rick Simons  
Senior Planner Mel Lee  
City Clerk Julie Folcik

**PUBLIC COMMENTS (00:00:19)**

Martin H. Millard, Costa Mesa, commented on Item No. 3 Street Sweeping, suggesting it would be cheaper to be privatized. (00:00:31)

Vita Vallez, Costa Mesa commented on Item No. 2 relative to amending Title 20 and indicated she prepared a packet for Council distributed earlier to the City Clerk. She stated the packet includes comments regarding Planning Commission items being submitted to Council expressing her concerns. (00:00:31)

Barry Friedland, Costa Mesa, referenced materials submitted to Council and expressed concern regarding the gradual deterioration of Costa Mesa neighborhoods. He expressed support for the Planning Commission and encouraged Council to apply strict enforcement of Title 20. (00:03:22)

Beth Refakes, Costa Mesa, commented regarding Item No. 3 noting that loss of revenue was one of the issues considered as needing additional review. She addressed Municipal Code revisions, supported the idea of enforcement and felt that most of the issues used as examples should've been taken care of previously. In addition, she requested consideration of car covers for automobiles parked on street and expressed interest in maintaining emergency services noting she prefers charging residents low monthly fees rather than one large fee. (00:04:20)

Tom Arnold, Costa Mesa, addressed the loss of quality and quantity of services due to the current economic conditions. He expressed appreciation to Council for seeking to be fiscally responsible noting that part of that approach is to recover costs of services wherever possible. He addressed the importance of maintaining quality of service for Emergency Medical Services. Mr. Arnold encouraged Council to closely review the related plans. (00:06:33)

## **ITEMS FOR DISCUSSION**

### **1. Maintaining the Standard of Care in Emergency Medical Services (EMS) (00:07:25)**

City Manager Allan L. Roeder introduced this item noting noted that elements of the plan were brought forth as part of the revenue options budget consideration. At the time it was not reviewed to the level it merited and therefore, the item was being presented at greater depth.

Fire Chief Mike Morgan provided a PowerPoint presentation addressing a history of Emergency Medical Services (EMS) including assignment of lead EMS roles to the Fire Service, the Costa Mesa Fire Department mission statement, specific elements of the mission statement and advancements of EMS and benefits of advancement. Fire Chief Morgan introduced Orange County EMSA Medical Director, Sam Stratton, M.D. and deferred to him to continue the presentation.

Dr. Stratton addressed key technological and procedural advances in EMS and the importance of proper oversight, continuing education, training, quality assurance and service improvement. He provided examples of technology, tools and related procedures and medications used by EMS providers. Dr. Stratton addressed expanding the scope of training for first-responders and EMS providers, good education, quality improvement, continuous skills improvement, monitoring and tracking.

Fire Chief Morgan addressed the costs of maintaining a modern EMS system. He noted that as technologies and procedures change, equipment needs to be upgraded and people need to be trained through continuous education. He introduced a proposed ALS Cost Recovery Plan that would not directly burden the citizens of Costa Mesa and deferred to CARE Ambulance representatives for a presentation.

Bill Weston, Director of Operations for CARE Ambulance introduced his colleague, Bob Barry, Director of Government Relations for CARE Ambulance. He addressed cost-recovery methodologies to help maintain high quality of EMS services for Costa Mesa without burdening its residents. Mr. Weston presented details on the existing types of

EMS billing, items covered and not-covered by insurance and related fees for residents and non-residents. He presented possible solutions including the implementation of an ALS Transport fee for residents and non-residents, waiving resident co-pays or deductibles for ALS charges, ceasing to subsidize federal and state government programs and billing private insurances for charges already approved and paid in other cities and counties. Mr. Weston addressed suggested charges, 2009 EMS response data and related revenues, examples of co-pays and deductibles, examples of charges under the various insurance plan options and what other surrounding cities are doing. Mr. Weston reported there are no benefits to CARE Ambulance except for "Good Will".

Discussion followed regarding possible impacts to Costa Mesa residents, changes in the program from what was presented several years ago, the need for funding in order to maintain a high-level of EMS, key differences between the original proposal and this one, rule changes, criteria for waiving fees and charges and directing staff to bring back a policy explaining the waiver and a resolution setting the rates at the August 2010 Council meeting. It was noted that the proposed fee-waiver program would be unique to the City of Costa Mesa.

## 2. Proposed Municipal Code Revisions and Code Enforcement Priorities (01:00:50)

Development Services Director Kim Brandt introduced Planning Commissioners Steve Mensinger and Jim Fitzpatrick and Senior Planner Mel Lee for this presentation.

Commissioner Fitzpatrick presented Title 20, Code Enforcement and addressed a previous joint study between Council and the Planning Commission as well as formal and informal meetings with residents noting that the results are a culmination of the investigations and community dialogue. Commissioner Fitzpatrick presented a list of general observations noting the City of Costa Mesa is a mature, built-out City. He addressed the lack of Homeowner Associations, voluntary compliance elements of the program and challenges with the current form of compliance, focusing on major and multiple violations and Code Enforcement related activities and costs.

Commissioner Mensinger continued with the presentation addressing examples of Code violations and absence and lack of clarity of enforcement.

Commissioner Fitzpatrick noted the recommendations do not involve re-writing Title 20, but rather enhance it. He addressed temporary signs on commercial properties, defining "temporary" and "events" and recommending that staff return with specific boundaries on times and definitions in concert with the Chamber of Commerce. Commissioner Fitzpatrick addressed prohibiting the storage of inoperative vehicles on residential properties and pilot programs for designated neighborhoods.

Discussion followed regarding directing staff to bring back examples of areas for designation of pilot programs along with a schedule. It was noted that criteria could be defined by pinpointing areas where there is a higher concentration of Code Enforcement and focusing on those areas.

Commissioner Mensinger reported that currently, there is no Code Enforcement tracking tool. He stated recommendations relative to having Code Enforcement report directly to the City Manager.

Discussion followed regarding the City Manager's Office current workload. It was noted that having Code Enforcement report directly to the City Manager is not a "best practice" policy, that the City of Newport Beach is the only city doing so and is currently looking at changing the policy so that Code Enforcement reports to either Public Works or Planning.

Ensuing discussion pertained to resident reactions to Code Enforcement issues, providing a system of checks-and-balances, lack of staff and funding, providing clear direction to Code Enforcement, the need for a tracking system and decreased property values and dealing with repeat violations.

Commissioner Mensinger addressed thresholds of pain regarding Code Enforcement violations, the need to address Code Enforcement issues, decreased property values and dealing with repeat violators.

Ms. Brandt noted that enforcement issues differ from property to property, that often, Code violations are corrected but as time goes by it reappears. She added that those violations that are paid but not corrected are turned over to the City Attorney's office and goes to court. She noted that difficult problems take a lot of staff time both in Code Enforcement and the City Attorney's office. Ms. Brandt stated staff can return with suggestions in terms of a citation issuance process including immediately citing repeat violators.

Discussion followed regarding accepting only some recommendations rather than all, current requirements regarding inoperative vehicles, options for presentation to Council including processing a Code Amendment, publicizing the changes and phasing-in the process.

Councilmember Foley approved moving forward with recommendations 1, 2 and 3 of the presentation, but not 4.

It was noted that Code Enforcement is good at discerning between inoperative and operative vehicles and that if a citation is issued in error, it would be up to the property owner's to demonstrate that it was an error and that would take care of the problem.

Discussion followed regarding providing information regarding a "fix-it" ticket process.

The Mayor indicated he would be in favor of recommendations 1, 2 and 3 coming forward to Council for consideration and action.

Discussion followed regarding outlining steps that people can expect through the various levels of non-compliance including the consequences of not complying with the Code.

3. Central County Corridor Major Investment Study Report (02:06:10)

Tammy Warren, Orange County Transportation Authority provided a PowerPoint presentation addressing the Central Corridor Major Investment Study. She presented a short background and addressed the study area, the integrated process and status, screening and evaluation, alternatives analysis, Measure M2 funding and projects, proposed improvements for Costa Mesa, details of the recommended locally preferred strategies and next steps.

Discussion followed regarding the need for balance and negative impacts of eliminating any of the components.

4. Street Sweeping Services Analysis (02:16:31)

Public Services Director Peter Naghavi introduced the changes within the Public Services Department due to the current economic conditions including budget and staff reductions.

Maintenance Services Manager, Bruce Hartley presented various options including the implementation of biweekly street sweeping. Other options include bringing it back to weekly levels, maintaining it at a biweekly level and the possibility of outsourcing the service and addressed the benefits and challenges of each option.

Discussion followed regarding enforcement-related revenues generated with the various options, related costs, costs of not meeting federal mandates, staffing levels and the enforcement process.

**COUNCIL MEMBERS REPORTS, COMMENTS, AND SUGGESTIONS (02:27:33)**

Council Member Foley reported that due to budget cuts, bathrooms are being closed in the afternoon at all the parks and asked what is being done to address this issue.

City Manager Roeder reported that staff has made accommodations for restrooms at all of the facilities holding evening events to be available for use.

**ADJOURNMENT**

The Mayor adjourned the Study Session at 7:00 p.m.

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Mayor of the City of Costa Mesa

ATTEST:

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Acting Deputy City Clerk of the City of Costa Mesa