

SPECIAL MEETING OF THE SUCCESSOR AGENCY TO THE  
COSTA MESA REDEVELOPMENT AGENCY

**September 27, 2012**

The City Council of the City of Costa Mesa, California met in a Special Adjourned meeting of the City of Costa Mesa City Council as Successor Agency to the Costa Mesa Redevelopment Agency on Thursday, September 27, 2012 at 4:00 p.m. in Conference Room 1A at City Hall, 77 Fair Drive, Costa Mesa.

The Agency Vice-Chair called the meeting to order.

**ROLL CALL:**

Members Present: Agency Vice-Chair James M. Righeimer  
Agency Member Wendy Leece  
Agency Member Stephen M. Mensinger  
Agency Member Gary Monahan

Members Absent: Agency Chair Eric R. Bever

Officials Present: Assistant CEO Rick Francis  
City Attorney Thomas Duarte  
Deputy CEO/Economic Development Director Peter Naghavi  
Finance/IT Director Bobby Young  
Assistant Finance Director Colleen O'Donoghue  
Agency Financial Consultant Celeste Brady

**Public Comments**

None

**NEW BUSINESS (01:06)**

1. Independent Accountant's Report of the Housing Due Diligence Review of the Low and Moderate Income Housing Fund Pursuant to Sections 34179.5 and 34179.6 of the Dissolution Act.

Finance/IT Director Bobby Young provided the staff report and explained that the special meeting was necessary due to the October 1<sup>st</sup> deadline for the Housing Due Diligence Review. Mr. Young provided background on the audit of the Successor Agency and the anticipated demand from the State.

Agency Member Leece inquired on Schedule 2 regarding transfer of property to the Costs Mesa Housing Authority (CMHA). Assistant Finance Director Colleen O'Donoghue provided an explanation of the land and assets held by the Redevelopment Agency and efforts by staff to discover the records. Agency Financial Consultant Celeste Brady provided further details and confirmed that the ground leases on three properties held by the Agency have been recorded.

Ms. Brady also provided background on the Neighborhood Stabilization Program (NSP) money that the City received, of which a portion was committed for affordable housing and two loans became assets to the Agency. Ms. Brady advised that the State had disallowed the two loans and she was working with staff at the Housing and Urban Development office to help the Agency keep the two loans.

Agency Member Leece inquired on the status of the Tru-Up payment. Ms. Brady stated that the Agency made the payment under protest and the California League of Cities had filed a lawsuit challenging the process for collecting these payments and referenced AB 1484.

**MOTION/SECOND: VICE CHAIR RIGHEIMER/AGENCY MEMBER LEECE: TO APPROVE A RESOLUTION OF THE SUCCESSOR AGENCY TO THE COSTA MESA REDEVELOPMENT AGENCY APPROVING THE INDEPENDENT ACCOUNTANT'S REPORT REGARDING THE HOUSING DUE DILIGENCE REVIEW CONDUCTED PURSUANT TO SECTION 34179.5 FOR THE LOW AND MODERATE INCOME HOUSING FUND AND AUTHORIZING STAFF TO TRANSMIT THE REPORT, ALONG WITH THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE, TO THE OVERSIGHT BOARD AND TO THE COUNTY AUDITOR-CONTROLLER, STATE CONTROLLER'S OFFICE, AND DEPARTMENT OF FINANCE PURSUANT TO SECTION 34179.6 OF THE DISSOLUTION ACT.**

**The motion carried by the following roll call vote:**

Ayes: Vice Chair Righeimer, Agency Member Mensinger, Agency Member Leece, Agency Member Monahan  
Noes: None  
Absent: Agency Member Bever

**CITY COUNCIL/SUCCESSOR AGENCY MEMBERS' COMMENTS AND SUGGESTIONS**

None

**ADJOURNMENT**

The Vice Chair adjourned the meeting at 4:15 p.m.

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Mayor of the City of Costa Mesa  
Vice Chair of the Successor Agency

ATTEST:

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City Clerk of the City of Costa Mesa  
Secretary of the Successor Agency

**SPECIAL MEETING OF THE CITY COUNCIL  
CITY OF COSTA MESA  
February 12, 2013**

The City Council of the City of Costa Mesa, California met in a Special Closed Session, on Tuesday, February 12, 2013 at 4:09 p.m. in Council Chambers, 77, Fair Drive, Costa Mesa.

The Mayor called the meeting to order.

**ROLL CALL:**

Council Members Present: Mayor James M. Righeimer  
Mayor Pro Tem Stephen M. Mensinger  
Council Member Sandra Genis  
Council Member Wendy Leece  
Council Member Gary Monahan

Council Members Absent: None

**PUBLIC COMMENTS:**

None Received.

**CLOSED SESSION**

Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Firefighters Association (CMFA), Costa Mesa Police Officers Association (CMPOA), Costa Mesa Police Management Association (CMPMA), Costa Mesa Fire Fighters Management Association, and Costa Mesa Division Managers Association pursuant to Government Code Section 54957.6

The City Attorney stated there would be no reportable action.

The Mayor recessed the meeting to Conference Room 1B for the closed session.

**ADJOURNMENT**

The special meeting adjourned at 4:39 p.m.

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Mayor of the City of Costa Mesa

ATTEST:

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City Clerk of the City of Costa Mesa

**SPECIAL MEETING OF THE CITY COUNCIL  
CITY OF COSTA MESA  
March 7, 2013**

The City Council of the City of Costa Mesa, California met in a Special Closed Session, on Thursday, March 7, 2013 at 4:30 p.m. in Council Chambers, 77, Fair Drive, Costa Mesa.

The Mayor called the meeting to order.

**ROLL CALL:**

Council Members Present: Mayor James M. Righeimer  
Mayor Pro Tem Stephen M. Mensinger  
Council Member Sandra Genis  
Council Member Wendy Leece  
Council Member Gary Monahan

Council Members Absent: None

**PUBLIC COMMENTS:**

None Received.

**CLOSED SESSION**

Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Firefighters Association (CMFA), Costa Mesa Police Officers Association (CMPOA), Costa Mesa Police Management Association (CMPMA), Costa Mesa Fire Fighters Management Association, and Costa Mesa Division Managers Association pursuant to Government Code Section 54957.6

The City Attorney stated there would be no reportable action.

The Mayor recessed the meeting to Conference Room 1B for the closed session.

**ADJOURNMENT**

The special meeting adjourned at 6:30 p.m.

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Mayor of the City of Costa Mesa

ATTEST:

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City Clerk of the City of Costa Mesa

**SPECIAL MEETING OF THE CITY COUNCIL  
CITY OF COSTA MESA  
May 14, 2013**

The City Council of the City of Costa Mesa, California met in a Special Closed Session, on Thursday, March 7, 2013 at 6:05 p.m. in Council Chambers, 77, Fair Drive, Costa Mesa.

The Mayor called the meeting to order.

**ROLL CALL:**

Council Members Present: Mayor James M. Righeimer  
Mayor Pro Tem Stephen M. Mensinger  
Council Member Sandra Genis  
Council Member Wendy Leece  
Council Member Gary Monahan

Council Members Absent: None

**PUBLIC COMMENTS:**

None Received.

**CLOSED SESSION**

Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Firefighters Association (CMFA), Costa Mesa Police Officers Association (CMPOA), Costa Mesa Police Management Association (CMPMA), Costa Mesa Fire Fighters Management Association, and Costa Mesa Division Managers Association pursuant to Government Code Section 54957.6

The City Attorney stated there would be no reportable action.

The Mayor recessed the meeting to Conference Room 1B for the closed session.

**ADJOURNMENT**

The special meeting adjourned at 8:00 p.m.

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Mayor of the City of Costa Mesa

ATTEST:

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City Clerk of the City of Costa Mesa

**MINUTES OF THE SPECIAL CLOSED SESSION MEETING  
OF THE COSTA MESA CITY COUNCIL**

**MAY 28, 2013**

**CALL TO ORDER**

The meeting was called to order by the Mayor at 6:00 p.m. in Conference Room 1A at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

**ROLL CALL**

Present: Mayor James M. Righeimer, Mayor Pro Tem Stephen M. Mensinger, Council Member Sandra Genis, Council Member Wendy Leece, Council Member Gary Monahan

Absent: None

**PUBLIC COMMENTS ON CLOSED SESSION ITEMS:**

None

**CLOSED SESSION**

The City Council recessed into closed session at 6:02 p.m. to consider the following item:

**CITY COUNCIL CLOSED SESSION:**

1. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Firefighters Association (CMFA), Costa Mesa Police Officers Association (CMPOA) and Costa Mesa Police Management Association (CMPMA), Costa Mesa Fire Management Association, and Costa Mesa Division Managers Association pursuant to California Government Code Section 54957.6

**CITY ATTORNEY CLOSED SESSION REPORT**

No reportable action.

**ADJOURNMENT:**

The special closed session was adjourned at 7:30 p.m.

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Mayor of the City of Costa Mesa

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City Clerk of the City of Costa Mesa

**MINUTES OF THE REGULAR MEETING OF THE COSTA MESA CITY COUNCIL, AND  
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY**

**June 4, 2013**

**CALL TO ORDER**

The meeting was called to order by the Mayor at 5:02 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

**ROLL CALL**

Present: Mayor Righeimer, Mayor Pro Tem Mensinger, Council Member Leece, Council Member Genis and Council Member Monahan

Absent: None

**PUBLIC COMMENTS ON CLOSED SESSION ITEMS** None

**CLOSED SESSION**

The City Council recessed into closed session at 5:07 p.m. to consider the following items:

1. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Firefighters Association (CMFA), Costa Mesa Police Officers Association (CMPOA) and Costa Mesa Police Management Association (CMPMA), Costa Mesa Fire Management Association, and Costa Mesa Division Managers Association pursuant to Government Code Section 54957.6
2. Conference with legal counsel regarding existing litigation: Costa Mesa Employees Association v. City of Costa Mesa, a municipal corporation, et al., Orange County Superior Court Case No. 30-2011 00475281, pursuant to Government Code Section 54956.9(a).
3. Conference with Labor Negotiator:  
Pursuant to Government Code Section 54957.6  
Negotiator: City Attorney  
Unrepresented Employee: Thomas R. Hatch, Chief Executive Officer
4. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION  
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: One case
5. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: People v. Acosta, Orange County Superior Court Case No. 06-HN-04320, pursuant to Government Code Section 54956.9(a).

The City Council reconvened at 6:00 p.m.

**CALL TO ORDER (00:00:06)**

**PLEDGE OF ALLEGIANCE (00:00:30)** – Mayor Righeimer

**MOMENT OF SOLEMN EXPRESSION (00:00:52)**

Pastor Bucky Dennis, Watermark Church.

**ROLL CALL (00:03:00)**

Present: Mayor Righeimer, Mayor Pro Tem Mensinger, Council Member Leece, Council Member Genis and Council Member Monahan.

Absent: None

Officials Present: Chief Executive Officer Thomas R. Hatch, City Attorney Thomas Duarte, Assistant Chief Executive Officer Rick Francis, Acting Economic and Development Services Director Claire Flynn, Public Services Director Ernesto Munoz, and City Clerk Brenda Green.

**CLOSED SESSION REPORT (00:03:18)**

The City Attorney stated that there was no reportable action.

**ANNOUNCEMENTS (00:03:25)**

“Costa Mesa Minute” was played featuring upcoming events and activities in the community.

**PRESENTATIONS (00:06:00)**

The Mayor recognized and presented the “Mayors Award” to the All American Boys Choir. (00:06:20)

Diane Hill provided a presentation on the technique of hands-only CPR. (00:17:31)

Sarah King from the Orange County Transportation Authority (OCTA) provided an update on the work being done at the Orange County line on the I-405 Connector. (00:24:20)

**PUBLIC COMMENTS (00:36:20)**

Reggie Mundekis, Orange, Orange County Fair Grounds Preservation Society Representative, invited the public to attend the Open House event at the Pacific Amphitheater on June 19<sup>th</sup> from 6 p.m. to 9 p.m. (00:37:10)

Sheila Pffalin, Costa Mesa, spoke regarding the proposed development on Banning Ranch. (00:38:57)

Beth Refakes, Costa Mesa, invited the public to the Costa Mesa Historical Society 60<sup>th</sup> Anniversary celebration on Sunday, June 9<sup>th</sup> from 1 p.m. to 4 p.m. (00:40:31)

Estefani Vega, Costa Mesa, expressed support for a teen center. (00:42:04)

Isabel Segura, Costa Mesa, expressed support for a teen center. (00:43:23)

Ivan Guerrero, Costa Mesa, expressed support for a teen center. (00:44:48)

Cristhian Morales, Costa Mesa, expressed support for a teen center. (00:46:13)

Cindy Brennaman, Costa Mesa, commended the success of the recent Costa Mesa events; and thanked the firefighters and police officers for their work. (00:48:45)

Eleanor Egan, Costa Mesa, requested continuance of the Banning Ranch agenda item. (00:51:49)

Barbara Austin, Costa Mesa, requested clarification regarding the proposed Charter. (00:53:22)

Greg Thunnell, Costa Mesa, spoke on crime in Costa Mesa and police staffing levels. (00:54:11)

Steve Ray, Costa Mesa, supports CPR training for the public. (00:57:21)

John Feeney, Costa Mesa, spoke on crime; and expressed opposition to the release of prisoners for nonviolent crimes. (00:58:58)

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

Mayor James M. Rigeimer spoke on the increase of crime in California; spoke on calls for services at motels; and expressed gratitude toward military service members. (01:00:18)

Mayor Pro Tem Steven Mensinger - None (01:05:25)

Council Member Genis thanked the Lions' Club and police department for the success of the Fish Fry event; spoke regarding a tour of Talbert Park with members from the County of Orange; expressed support for the formation of a volunteer program in Talbert Park; and encouraged the public to attend the Fairview Park Committee Meeting on Thursday, June 6<sup>th</sup>, 2013. (01:05:29)

Council Member Wendy Leece spoke on a crime article in the Daily Pilot; expressed opposition to the restructuring of the police department; and referenced the Neighborhood Improvement Task Force Quarterly Report. (01:08:26)

Council Member Monahan – None (01:16:17)

### **REPORT-CHIEF EXECUTIVE OFFICER (CEO) (01:16:22)**

CEO Thomas Hatch reported on his attendance at the International Conference of Shopping Centers (ICSC); spoke regarding the Costa Mesa Recreation Guide; the 60<sup>th</sup> Anniversary Event and the closure of Fair Drive.

**CONSENT CALENDAR (01:21:05)**

**MOTION:** Approve recommended actions for Consent Calendar Item Nos. 1 through 12 except for items 2 and 11

**MOVED/SECOND:** Council Member Monahan/Mayor Pro Tem Mensinger  
The motion carried unanimously.

**1. READING FOLDER**

- a. Claims received by the City Clerk: Angel Duarte; Ivin Mood; Rick Hartbrodt; Jennifer Pratt; Eileen Willis-Brown; and Bonnie Jean Bagdonas.

**ACTION:** Received and processed.

**3. WARRANT RESOLUTION 2474: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding City operating expenses for \$2,088,850.57.**

**ACTION:** Approved.

**4. WARRANT RESOLUTION 2475: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 13-10 "A" AND 13-11 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 13-10 "A" for \$-3,839.75, Payroll No. 13-11 for \$2,047,387.34 and City operating expenses for \$496,387.39.**

**ACTION:** Approved.

**5. TRAFFIC MANAGEMENT SERVICES AGREEMENT WITH THE 32<sup>ND</sup> DISTRICT AGRICULTURAL ASSOCIATION**

**ACTION:** Approved. City Council approved the 2013 contract for traffic management services between the Costa Mesa Police Department and the 32<sup>nd</sup> District Agricultural Association for all designated Interim Events of the Orange County Fair and Event Center; and authorized the Chief Executive Officer or his designee, to sign the contract. (The term of the agreement is April 01, 2013 through March 31, 2014 and the maximum amount shall not exceed \$70,000).

**6. TRAFFIC MANAGEMENT SERVICES AGREEMENT WITH THE 32<sup>ND</sup> DISTRICT AGRICULTURAL ASSOCIATION**

**ACTION:** Approved. City Council approved the 2013 contract for traffic management services between the Costa Mesa Police Department and the 32<sup>nd</sup> District Agricultural Association for the Orange County Fair; and authorized the Chief Executive Officer or his designee, to sign the contract. (The term of the agreement is July 12, 2013 through August 11, 2013 and the maximum amount shall not exceed \$400,000).

**7. FINAL MAP FOR TRACT NO. 17274 LOCATED AT 1036 AND 1042 W. 18<sup>th</sup> STREET, COSTA MESA, CALIFORNIA**

**ACTION:** Approved. City Council approved the Final Map for Tract No. 17274 and authorized signing of the Map by the City Clerk and the City Engineer.

**8. PROFESSIONAL ENGINEERING SERVICES FOR DESIGN OF THE FAIRVIEW ROAD AND WILSON STREET INTERSECTION IMPROVEMENTS**

**ACTION:** Approved. City Council awarded a Professional Services Agreement for design of the Fairview Road and Wilson Street Intersection Improvements to VA Consulting, Inc., 46 Discovery, Suite 250, Irvine, CA 92618, in the amount of \$141,093; and authorized the Mayor and the City Clerk to execute the Professional Services Agreement.

**9. COOPERATIVE AGREEMENT FOR SR-55 GATEWAY IMPROVEMENT PROJECT**

**ACTION:** Approved. City Council approved Cooperative Agreement 12-679 between the City of Costa Mesa and the State of California Department of Transportation (Caltrans) for the construction of the SR-55 Gateway Improvement Project; and authorized the Mayor and City Clerk to execute the agreement.

**10. PROFESSIONAL SERVICES AGREEMENT TO PROVIDE ENVIRONMENTAL CONSULTING SERVICES FOR A PROJECT ENVIRONMENTAL IMPACT REPORT FOR 236-UNIT APARTMENT AT 125 EAST BAKER STREET**

**ACTION:** Approved. City Council awarded contract to Atkins North America, Inc. in the amount of \$90,067.71 for the Baker Apartments at 125 East Baker Street Project Environmental Impact Report; and authorized Mayor and City Clerk to sign and execute the contract.

**12. EXTENSION OF EXISTING PROFESSIONAL SERVICES AGREEMENT WITH MANAGEMENT PARTNERS FOR INTERIM MANAGEMENT ASSISTANCE AND AUTHORIZATION OF AN ORGANIZATION AND OPERATIONAL REVIEW AUDIT OF THE COSTA MESA SENIOR CENTER**

**ACTION:** Approved. The City Council authorized the CEO to extend the existing Professional Services Agreement extension with Management Partners Inc., for interim management assistance, in an amount not to exceed \$100,000; and authorized an organizational and operational review audit of the Costa Mesa Senior Center as described in the attached proposal from Management Partners Inc. in an amount not to exceed \$26,500.

**ITEMS REMOVED FROM THE CONSENT CALENDAR (01:21:48)**

**2. MINUTES:** Special Study Session Meeting of April 23, 2013, and Special City Council Meeting of April 23, 2013. **(1:21:50)**

Council Member Leece requested to continue the item.

**MOTION/SECOND:** Council Member Leece/Council Member Genis  
The motion carried unanimously:

**ACTION:** Item continued to the June 18, 2013 Regular City Council Meeting.

**11. DIRECT THE FINANCE ADVISORY COMMITTEE TO STUDY THE CITY'S CURRENT BUSINESS LICENSE TAX STRUCTURE (01:22:12)**

Council Member Leece spoke regarding the letter received from Ed Fawcett, President/CEO Costa Mesa Chamber of Commerce and expressed support for a study on the item. (01:22:15)

Mayor Pro Tem Mensinger requested that staff provide a presentation on the existing modifications to the current system. (01:25:30)

Robin Leffler, Costa Mesa, expressed support of a study on this item. (01:25:55)

Ernie Feeney, requested that the letter from Ed Fawcett be provided to the public. (01:27:40)

Tom Pollit, Costa Mesa, spoke on the advantages of having lower business taxes. (01:28:11)

**MOTION/SECOND:** Council Member Leece/Mayor Pro Tem Mensinger  
The motion carried by the following roll call vote:

Ayes: Mayor Righeimer, Mayor Pro Tem Mensinger, Council Member Genis, Council Member Leece

Noes: Council Member Monahan

**ACTION:** City Council provided direction to the Financial Advisory Committee to study the City's business license tax structure.

Council Member Leece requested the letter from Ed Fawcett and the reports from the Consultant be provided on the City's website. (01:29:55)

**PUBLIC HEARINGS – (01:31:04)**

**1. PUBLIC HEARING FOR FISCAL YEAR 2013-2014 FUNDING PRIORITIES FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) (01:31:20)**

No public comments received.

**MOTION/SECOND:** Mayor Pro Tem Mensinger/Council Member Genis  
The motion carried unanimously:

**ACTION:** Item continued to the June 11, 2013 City Council Study Session and the June 18, 2013 Regular City Council Meeting.

**2. 2013-2014 COMMUNITY DEVELOPMENT BLOCK GRANT PUBLIC SERVICE GRANT ALLOCATIONS (01:32:03)**

Ernie Feeney, Costa Mesa, Costa Mesa Senior Center Board of Directors, inquired on the Senior Center budget. (01:32:40)

Mayor Righeimer indicated that staff members are not available to present the report and requested the item to be continued. (01:33:14)

**MOTION/SECOND:** Council Member Genis/Council Member Leece  
Ayes: Mayor Pro Tem Mensinger, Council Member Leece, Council Member Genis, Council Member Monahan  
Noes: None  
Abstain: Mayor Righeimer  
Motion carried 4-0-1.

**ACTION:** Item continued to June 18, 2013 Regular City Council Meeting.

**NEW BUSINESS ITEMS CONSIDERED OUT OF ORDER**

**2. URBAN MASTER PLAN SCREENING REQUEST (UMP-13-03) FOR A 38-UNIT LIVE/WORK DEVELOPMENT LOCATED AT 2023, 2025 AND 2027 PLACENTIA AVENUE (01:34:30)**

**MOTION/SECOND:** Council Member Leece/Mayor Pro Tem Mensinger  
The motion carried unanimously.

**ACTION:** Item continued to June 18, 2013 Regular City Council Meeting.

**3. NEWPORT BANNING RANCH TRAFFIC MITIGATION AGREEMENT (01:35:00)**

Council Member Genis expressed opposition to the Banning Ranch Agreement; indicated that the Banning Ranch Conservancy has filed a lawsuit; spoke on possible impacts to the City; and requested the City to table the item. (01:35:09)

**MOTION/SECOND:** Council Member Genis/ Mayor Righeimer  
Ayes: Mayor Righeimer, Mayor Pro Tem Mensinger, Council Member Genis, Council Member Monahan  
Noes: None  
Abstain: Council Member Leece  
Motion carried 4-0-1.

**ACTION:** Item tabled.

Council Member Genis stated that she would like to explore the possibility of the City joining the Banning Ranch Conservancy lawsuit. (01:39:43)

## PUBLIC HEARINGS

### 3. **BUSINESS IMPROVEMENT AREA (BIA) REAUTHORIZATION AND RESOLUTION TO LEVY ANNUAL ASSESSMENT (01:41:48)**

Staff report provided by Christine Cordon, Assistant Special Events Coordinator.

Council Member Genis requested a response to Mr. Mosher's letter. (01:44:25)

City Attorney Thomas Duarte replied that a response has been prepared and the response will be provided to Council. (01:44:42)

No public comments received.

**MOTION/SECOND:** Mayor Pro Tem Mensinger/Council Member Monahan  
The motion carried unanimously.

**ACTION:** City Council conducted a public hearing regarding the Business Improvement Area (BIA) reauthorization and approved Resolution No. 13-xx: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, LEVYING AN ANNUAL ASSESSMENT FOR FISCAL YEAR 2013-214 FOR A BUSINESS IMPROVEMENT AREA COVERING CERTAIN COSTA MESA HOTELS AND MOTELS.

## OLD BUSINESS - NONE

## NEW BUSINESS

### 1. **APPOINTMENTS TO COSTA MESA SENIOR CORPORATION BOARD OF DIRECTORS (01:46:48)**

No public comments received.

Council Member Leece nominated Barbara Echan, Kathleen Eric, and Ernie Feeney.

**MOTION/SECOND:** Council Member Leece/Council Member Monahan

The motion carried by the following roll call vote:

Ayes: Mayor Righaimer, Council Member Leece, Council Member Genis, Council Member Monahan

Noes: Mayor Pro Tem Mensinger

Motion carried 4-1:

**ACTION:** City Council appointed Barbara Echan, Kathleen Eric, and Ernie Feeney to the Costa Mesa Senior Corporation Board of Directors.

### 4. **ADOPT A RESOLUTION OPPOSING THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT'S PROPOSED AMENDED RULE 444 PROHIBITING OPEN BURNING ON BEACHES (01:49:54)**

Staff report provided by Thomas Hatch, Chief Executive Officer.

Mayor Righeimer expressed opposition to the AQMD amended Rule 444; spoke in support of the fire pits at the beaches; and expressed opposition to the interference of the AQMD into Coastal Commission matters. (01:51:13)

Mayor Pro Tem Mensinger agreed with Mayor Righeimer's comments and supports keeping the fire pits. (01:57:37)

Council Member Genis opined on the hypocrisy of those who have been charged with protecting our health; and that no one has demonstrated health risks caused by fire pits. (01:58:04)

Speaker stated his support of the resolution. (02:00:30)

Jay Humphrey, Costa Mesa, stated his support for the resolution. (02:00:51)

Joy Williams, Costa Mesa, stated her support for the resolution. (02:01:40)

**MOTION/SECOND:** Mayor Pro Tem Mensinger/Council Member Genis  
The motion carried unanimously:

**ACTION:** The City Council adopted a Resolution opposing the South Coast Air Quality Management District's proposed amended Rule 444 prohibiting open burning on beaches.

**5. CHARTER COMMITTEE APPOINTMENTS, RATIFICATION OF FACILITATORS AND MEETING SCHEDULE (02:02:46)**

Staff report by CEO Hatch and discussion followed on the role of the facilitators.

Council Member Leece stated the voters previously indicated they did not want a charter, and asked "why do we need a charter?" and spoke on potential conflicts between the facilitators and Council Members. (02:10:52)

Mayor Righeimer expressed that this charter needs to be written by the community, and that a charter is needed to take back local control from Sacramento and to save money. He also stated that he would not interfere in the committee process. (02:13:48)

James Bridges, Costa Mesa, stated it is not necessary to have a paid facilitator. (02:15:53)

Beth Refakes, Costa Mesa, expressed opposition to the two recommended facilitators and paying the facilitators. (02:17:51)

Harold Weitzberg, Costa Mesa, spoke on why he would like to be on the charter committee and is in favor of the facilitators to protect the minority voice. (02:20:00)

Tamar Goldmann, Costa Mesa, spoke that the public perception of the facilitators is already tainted. (02:21:33)

Robin Leffler, Costa Mesa, expressed opposition to the two recommended facilitators and spoke on the selection process for the committee members. (02:24:09).

Tom Pollitt, Costa Mesa, expressed that the facilitators should have good leadership skills and expressed hope that the charter document from the committee would garner unanimous support. (20:27:13)

Mary Ann O'Connell, Costa Mesa, expressed that there is no need to have facilitators. (02:28:50)

William Michael King, Costa Mesa, suggested waiting to hire the facilitators to see if needed. (20:30:10)

Dennis Popp, Costa Mesa, supported the hiring of professional and knowledgeable facilitators that are familiar with Costa Mesa. (20:31:09)

Sheila Pfafflin, Costa Mesa, expressed opposition to hiring facilitators. (02:33:20)

Speaker, expressed support for Dr. Bauermeister. (02:34:00).

Discussion ensued on the need to hire a facilitator and the role of the facilitator. (02:35:55)

**MOTION/SECOND:** Council Member Monahan/Mayor Pro Tem Mensinger:  
The motion carried unanimously:

1. City Council approved Dr. Bauermeister and Dr. Mike Decker as the facilitators for the charter committee; and
2. Approved the Charter Committee meetings to be held on the second and fourth Wednesday of each month at 6:00 p.m.

**Charter Committee Appointments:**

Each Council Members appointed one person as follows:

Mayor Pro Tem Mensinger appointed Lee Ramos.

Council Member Genis appointed Mary Ann O'Connell.

Council Member Monahan appointed Ron Amburgey.

Mayor Righeimer appointed William Fancher.

Council Member Leece appointed Hank Panian.

Nomination Process continued for five additional committee members:

Motion/Second: Council Member Monahan/Mayor Pro Tem Mensinger  
Motion: Appoint Brett Eckles to the Committee  
Motion carried: 4-1  
Ayes: Genis, Monahan, Mensinger, Righeimer  
Noes: Leece

Motion/Second: Mayor Righeimer/Council Member Monahan  
Motion: Appoint Tom Pollitt to the Committee  
Motion carried: 4-1  
Ayes: Genis, Monahan, Mensinger, Righeimer  
Noes: Leece

Motion/Second: Council Member Genis/Council Member Leece  
Motion: Appoint Harold Weitzberg to the Committee  
Motion failed: 2-3  
Ayes: Genis, Leece  
Noes: Mensinger, Monahan, Righeimer

Motion/Second: Mayor Pro Tem Mensinger/Mayor Righeimer  
Motion: Appoint Kevin Tobin to the Committee  
Motion carried: 3-2  
Ayes: Mensinger, Monahan, Righeimer  
Noes: Genis, Leece

Motion/Second: Council Member Leece/Council Member Genis  
Motion: Appoint Corinne Stover to the Committee  
Motion failed: 2-3  
Ayes: Genis, Leece  
Noes: Mensinger, Monahan, Righeimer

Motion/Second: Council Member Monahan/Mayor Pro Tem Mensinger  
Motion: Appoint Gene Hutchins to the Committee  
Motion unanimously carried.

Motion/Second: Mayor Righeimer/Mayor Pro Tem Mensinger  
Motion: Appoint Thomas Graham to the Committee  
Motion carried: 4-1  
Ayes: Genis, Monahan, Mensinger, Righeimer  
Noes: Leece

The following three names were selected by lot to be on the Committee:  
Kerry McCarthy, Andrew Smith, and Harold Weitzberg.

**6. OPERATION OF THE CITY OF COSTA MESA'S JAIL (03:20:34)**

Staff report provided by Thomas Hatch, Chief Executive Officer. (03:20:48)

Council Member Genis expressed her concern about the insurance limit of \$10 million in aggregate being inadequate. (03:28:45)

CEO Hatch stated the insurance limits have been reviewed and the amount is appropriate. (03:29:17)

Mayor Righeimer inquired on the \$10 million policy and liability concerns. (03:29:54)

Chief Gazsi replied that the policy would cover G4S personnel based on their insurance limits. (03:30:20)

Council Member Monahan inquired on comparable insurance policies in other cities. (03:30:59)

CEO Hatch replied that the amount was determined to be appropriate and the City could request an additional level of protection, if desired. (03:31:12)

Mayor Pro Tem Mensinger spoke about the Police Chief and City employees having oversight over G4S. (03:32:18)

Council Member Genis spoke on employee turnover and liability. (03:32:35)

Chief Gazsi spoke on the G4S training process, the pay rates and the continued employment of the current jail staff. (03:34:02)

Discussion ensued regarding turnover rates, Obama Care, and psychological factors. (03:35:12)

Council Member Leece questioned if the City has followed policy regarding outsourcing. (03:43:44)

CEO Hatch replied that the City has followed the proper policies. (03:44:38)

Discussion ensued regarding the transitional time period and current jail employees. (03:45:02)

City Attorney Duarte summarized the Appeals Court decision that allows the City to outsource jail services. (03:49:28)

Jennifer Muir, representative for the OCEA and CMCEA, spoke in opposition to the outsourcing of the City's jail services. (03:51:21)

Robin Leffler expressed concerns regarding booking time, pay rates, the employee turnover rate, the bid being antiquated, and the following of policy. (03:55:37)

Sheila Pffalin expressed concern regarding the pay rates and spoke on the Stanford Study. (03:59:19)

Tamar Goldmann inquired about the turnover rate, claim savings, and settlements that may be against G4S. (04:00:55)

**MOTION/SECOND:** Council Member Monahan/Mayor Pro Tem Mensinger

1. City Council approve the contract with G4S Secure Solutions for the operation of the City of Costa Mesa's Jail; and
2. Authorize the CEO to execute the contract; and
3. Authorize the CEO to administratively implement a transition plan.

Mayor Righimer spoke on the turnover rate, G4S pay rates vs. City pay rates, jail employees' options in law enforcement, and the savings that will occur from outsourcing through G4S and expressed his support for the item. (04:07:52)

Discussion ensued regarding the terms and conditions of the three-year contract. (04:09:04)

Council Member Leece expressed opposition to the item. (04:12:00)

Discussion ensued regarding the various operations and management staff that will be operating the jail, the psychological screening in the background process, and the prices and terms of the contract. (04:13:03)

Council Member Monahan expressed support of the process that the City went through and expressed support of the item. (04:16:48)

Council Member Genis requested that Council Member Monahan support an amendment to the motion: to direct the CEO to make every effort, in the transition, to find positions for the City's existing employees. (04:17:56)

Council Member Monahan agreed to the amendment. (04:18:32)

Mayor Pro Tem Mensinger agreed to second the motion with the amendment. (04:18:54)

**AMENDED MOTION/SECOND:** Council Member Monahan/Mayor Pro Tem Mensinger:

The motion carried by the following roll call vote:

Ayes: Mayor Righimer, Mayor Pro Tem Mensinger, Council Member Genis, Council Member Monahan

Noes: Council Member Leece

Motion carried 4-1:

**ACTION:**

1. City Council approved the contract with G4S Secure Solutions for the operation of the City of Costa Mesa's Jail; and
2. Authorized the CEO to execute the contract; and

3. Authorized the CEO to administratively implement a transition plan; and
4. Directed the CEO to make every effort, in the transition, to find positions for the City's existing employees.

**REPORT – CITY ATTORNEY**    None

The Mayor adjourned the meeting at 10:20 p.m.

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MAYOR

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CITY CLERK

**MINUTES OF THE REGULAR MEETING OF THE COSTA MESA CITY COUNCIL, AND  
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY**

**August 6, 2013**

**CALL TO ORDER**

The meeting was called to order by the Mayor at 5:00 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

**ROLL CALL**

Council Members Present: Mayor Rigueimer, Mayor Pro Tem Mensinger, Council Member Leece, Council Member Genis, and Council Member Monahan  
Council Members Absent: None

**PUBLIC COMMENTS ON CLOSED SESSION ITEMS**

No public comments.

**CLOSED SESSION**

The City Council recessed into closed session at 5:05 p.m. to consider the following items:

1. Conference with Rick Francis, Assistant Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Firefighters Association (CMFA), Costa Mesa Police Officers Association (CMPOA) and Costa Mesa Police Management Association (CMPMA), Costa Mesa Fire Management Association, and Costa Mesa Division Managers Association pursuant to California Government Code Section 54957.6
2. Conference with legal counsel regarding existing litigation: Costa Mesa Employees Association v. City of Costa Mesa, a municipal corporation, et al., Orange County Superior Court Case No. 30-2011 00475281, pursuant to California Government Code Section 54956.9(a).
3. Conference with Legal Counsel – Existing Litigation: Asociacion De Jornaleros De Costa Mesa and the Colectivo Tonantzin v. City of Costa Mesa; United States District Court, Central District, Court Case Number SACV10-00128 CJC (RNBx), pursuant to California Government Code Section 54956.9(a).

The City Council reconvened at 6:30 p.m.

**CALL TO ORDER (00:00:13)**

**PLEDGE OF ALLEGIANCE (00:00:17)** – Council Member Monahan

**MOMENT OF SOLEMN EXPRESSION – None (00:00:36)**

**ROLL CALL (00:00:42)**

Present: Mayor Righeimer, Mayor Pro Tem Mensinger, Council Member Leece, Council Member Genis, and Council Member Monahan.

Absent: None

Officials Present: Assistant Chief Executive Officer Rick Francis, Assistant City Attorney Yolanda Summerhill, Economic and Development Services Director Gary Armstrong, Public Services Director Ernesto Munoz, and City Clerk Brenda Green.

**CLOSED SESSION REPORT (00:00:55)**

The Assistant City Attorney stated that there was no reportable action.

**ANNOUNCEMENTS (00:01:10)**

"Costa Mesa Minute" was played featuring upcoming events and activities in the community.

**PRESENTATIONS (00:03:02)**

The Mayor recognized and presented the "Mayors Award" to The Grant Boys. (00:03:10)

Charlene Ashendorf spoke on the Scarecrow Festival and Workshop on Saturday, October 12 and Sunday, October 13, 2013 and the history of the Scarecrow Festival. (00:12:00)

**PUBLIC COMMENTS (00:15:41)**

Sue Lester, Costa Mesa, spoke on the success of the 60th Anniversary Event; thanked everybody involved; expressed concern with the financials and City policies related to the 60<sup>th</sup> Anniversary event. (00:16:08)

Lea Lowe, Costa Mesa, representing the Costa Mesa Foundation, spoke about the success of the Concerts in the Park series; thanked all the businesses and citizens that supported the event; and informed of the grants that have been made due to the fundraising efforts. (00:19:12)

Jenelle Godges, new Region Manager from Southern California Edison, introduced herself and spoke on Time-of-Use rates. (00:21:54)

John LeVere, Costa Mesa, thanked the Park Rangers and Police Officers at Lions Park and spoke on safety issues at Lions Park that need to be addressed. (00:24:04)

Cindy Black, Costa Mesa, expressed opposition to sports fields at Fairview Park. (00:26:03)

Greg Thunnel, Costa Mesa, spoke on historical issues and a variety of other issues. (00:28:05)

Jay Humphrey, Costa Mesa, thanked staff for the good public participation at the General Plan meetings and requested people attend the next meeting regarding land use issues on August 21, 2013. (00:32:08)

Terry Koken, Costa Mesa, expressed support of the Model Railroad at Fairview Park and requested extension of the Franchise Agreement. (00:33:44)

Robin Leffler, Costa Mesa, spoke regarding the Business License Tax discussion at the Finance Advisory Committee meeting; spoke on charters; and expressed support of a vote on raising the Business License Tax. (00:34:59)

Jennifer Muir, Costa Mesa, representing the OCEA; informed of the new OCEA website: [www.Costamesaworks.com](http://www.Costamesaworks.com); and expressed support for fruitful negotiations. (00:38:05)

James Bridges, Costa Mesa, spoke on a charter and the charter process. (00:39:19)

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

Council Member Monahan presented a special historical piece from Easy Pickings Antiques: the Costa Mesa Annual Report from 1965-1966. (00:41:33)

Mayor Righeimer spoke on the two Meet the Mayor meetings recently held, street improvements on the Eastside, the problems associated with group homes, and a nuisance ordinance to be considered at the September 3, 2013 City Council Meeting. (00:43:39)

Mayor Pro Tem Mensinger thanked the Costa Mesa Foundation for making a presentation; requested to have the Estancia Tewinkle Foundation and Costa Mesa High School make presentations and requested to receive a detailed explanation of the issues at Lions Park; spoke on the Business License Tax, the model trains at Fairview Park, and the Fairview Park Committee meetings scheduled. (00:52:12)

Council Member Genis thanked the Community Foundation for their efforts to organize the Concerts in the Park; spoke on the time conflict of the General Plan meeting and Fairview Park meeting; expressed concern with the public's altering of Fairview Park and items not going before the Fairview Park Committee. (00:57:42)

Council Member Leece requested that staff prepare a report on the 60<sup>th</sup> Anniversary finances; praised the Foundation for organizing the Concerts in the Park; expressed concern regarding the safety issues at Lions Park; requested to change the date of the Fairview Park Committee meeting; spoke about a ride along with a police officer, the Symphony at the Segerstrom Center, and a training at Crossing Church on August 14, 2013 regarding the homeless; requested up-to-date reports on the recruitment process for the new Finance Director. (01:01:00)

### **REPORT-CHIEF EXECUTIVE OFFICER (CEO) (01:09:40)**

Assistant CEO Rick Francis spoke on National Night Out and the recruitment process for a new Fire Chief; provided an update on the Lions Park security issue; highlighted that Dr. Michael Beals is the new President at Vanguard University; informed of the City's Blood Drive in the Emergency Operations Center on August 20, 2013 and the General Plan Workshop on August 21, 2013 at 6:00 p.m.; announced Finance Director Bobby Young's departure on August 23, 2013 and that the recruitment process for a new Finance and IT Director has already begun.

**CONSENT CALENDAR (01:14:53)**

**MOTION:** Approve recommended actions for Consent Calendar Item Nos. 1 through 9 except for Items 6, 7, and 9.

**MOVED/SECOND:** Mayor Righeimer/Council Member Monahan  
The motion carried unanimously.

**1. READING FOLDER**

- a. Claims received by the City Clerk: Doug Henke, Donald Hunt, Juan Carlos Falconi Garay, and Gissele Walseth

**ACTION:** Received and filed

**2. MINUTES:** Special Joint Meeting of the City Council and Planning Commission of May 13, 2013

**ACTION:** Approved

**3. WARRANT RESOLUTION 2482: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding City operating expenses for \$837,648.87.**

**ACTION:** Approved

**4. WARRANT RESOLUTION 2483: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 13-14 "A" AND 13-15 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 13-14 "A" for \$3,222.90, Payroll No. 13-15 for \$2,024,410.04 and City operating expenses for \$887,894.95.**

**ACTION:** Approved

**5. WARRANT RESOLUTION 2484: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding City operating expenses for \$405,247.43.**

**ACTION:** Approved

**8. RETENTION OF ENTERPRISE COUNSEL GROUP FOR SPECIAL COUNSEL LEGAL SERVICES**

**ACTION:**

City Council and Successor Agency authorized City CEO/Executive Director to execute a Retainer Agreement with the Enterprise Counsel Group (ECG) for special counsel legal services in connection with litigation (1) to challenge the State Department of Finance's (DOF) actions denying certain prior payments on, and the enforceability of, the loan between the former Costa Mesa Redevelopment Agency (now the Successor Agency) and City of Costa Mesa (City/Agency loan) under Section 34171(d) of the Dissolution Laws; and, (2) to implement reinstatement of the City/Agency loan pursuant to Section 34191.4(b) of the Dissolution Laws.

**ITEMS REMOVED FROM THE CONSENT CALENDAR (01:15:33)**

**6. AUTHORIZATION OF REFUND OF APPEAL FEE FOR PLANNING APPLICATION PA-13-04 AT 2157-2159 TUSTIN AVENUE (01:15:35)**

Council Member Monahan expressed opposition to the refund of the appeal fee. (01:15:40)

Council Member Genis expressed support of the refund of the appeal fee and spoke on the reason for the agenda item. (01:16:16)

Mayor Righeimer spoke on the reason for the refund of the appeal fee. (01:18:20)

Lance Ryan, representing the Catalina Shores Homeowners Association, expressed appreciation for bringing the item forward and complimented the developer for working with the HOA. (01:19:49)

**MOTION/SECOND:** Council Member Genis/Mayor Pro Tem Mensinger

The motion carried by the following roll call vote:

Ayes: Mayor Righeimer, Mayor Pro Tem Mensinger, Council Member Genis, Council Member Leece

Noes: Council Member Monahan

Motion carried 4-1.

**ACTION:**

City Council authorized refund in the amount of \$1,220.00 to Jonathan Atha, President of Catalina Shores Homeowners Association.

**7. PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF EAST 19<sup>TH</sup> STREET TRAFFIC CALMING IMPROVEMENTS (01:21:44)**

Council Member Leece expressed concerns regarding the improvements on Broadway. (01:21:46)

Council Member Genis expressed concern on the empirical studies on the Broadway project and whether the work done on Broadway would be permitted under the Master Plan on Arterial Highways. (01:22:24)

Staff report provided by Ernesto Munoz, Public Services Director. (01:24:03)

Mayor Pro Tem Mensinger spoke on the positive opinions he has received regarding the improvements on the Eastside and expressed support of the item. (01:28:31)

Barbara Beck, Costa Mesa, requested to postpone the item until after the Broadway project results have been studied and spoke on traffic safety issues. (01:29:38)

Cindy Neyland, Costa Mesa, praised City staff on the improvements on Broadway and expressed support of the improvements on East 19<sup>th</sup> Street. (01:32:59)

Beth Refakes, Costa Mesa, expressed opposition to the improvements made on Broadway and to the proposed improvements on East 19<sup>th</sup> Street. (01:34:07)

Jeff McConville, Costa Mesa, expressed support of the improvements made on Broadway and the project on East 19<sup>th</sup> Street. (01:36:53)

Robin Leffler, Costa Mesa, requested to change the design of the right-turn curbs. (01:39:12)

Discussion ensued regarding the design timeline, the grant, possible alterations to the project, and notification to the public. (01:41:45)

Mayor Pro Tem Mensinger requested staff to look at other streets to assist in the calming of the traffic. (01:47:30)

Assistant CEO Francis informed that staff will work on a study of the Broadway project that will include information that will be helpful for the East 19<sup>th</sup> Street project. (01:49:28)

**MOTION/SECOND:** Council Member Monahan/Mayor Pro Tem Mensinger  
The motion carried unanimously.

**ACTION:**

1. City Council awarded a Professional Services Agreement for the design of East 19<sup>th</sup> Street traffic calming improvements to CivilSource, Inc., 9930 Research Drive, Suite 200, Irvine, CA 92618, in the amount of \$93,995; and
2. Approved Budget Adjustment BA 14-005 in the amount of 48,995; and
3. Authorized the Mayor and the City Clerk to execute the Professional Services Agreement.

**9. PURCHASE OF DESKTOP COMPUTERS (01:50:17)**

Council Member Monahan stated concerns regarding out-of-date technology; requested release of a new RFP; expressed support of purchasing the computers in phases; and stated opposition to the contract. (01:50:23)

Discussion ensued regarding touch-screen computers, phasing in of the computers, the option to rebid, the number of computers required, timeline of the roll-out process, and HP vs. Dell. (01:53:24)

Terry Koken expressed support of replacing all the computers at once, using Windows 7, and purchasing HP computers. (02:05:38)

Beth Refakes expressed support of upgrading all at once and using Windows 7. (02:09:07)

**MOTION/SECOND:** Council Member Leece/Council Member Genis

**MOTION:** Approve and authorize the CEO to sign the purchase agreement in the amount of \$402,473 for desktop computers, with Golden Star Technology Inc. 13043 166<sup>th</sup> Street, Cerritos CA 90703.

Mayor Pro Tem Mensinger informed that he will not be supporting the item due to the out-of-date technology and expressed support for using Windows 8. (02:12:40)

Mayor Righeimer spoke on Windows 7 vs. Windows 8; requested release of a new RFP with newer technology requirements including: touch screens and wireless; and informed that he will not be supporting the item. (02:13:37)

Discussion ensued regarding the different bids received, the bid chosen, the reasons for the specificity of the bids, the process that staff followed, and all-in-one computers. (02:16:10)

Assistant CEO Francis informed that the City did have a consultant and that staff was balancing cost vs. newer technology, and taking into consideration staff training on Windows 8. (02:21:44)

The motion failed by the following roll call vote:

Ayes: Council Member Leece, Council Member Genis

Noes: Mayor Righeimer, Mayor Pro Tem Mensinger, Council Member Monahan

Motion failed 2-3.

**PUBLIC HEARINGS – None**

**OLD BUSINESS – None**

**NEW BUSINESS – None**

**REPORT – CITY ATTORNEY (02:25:15)**

The Mayor adjourned the meeting at 9:00 p.m.

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MAYOR

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CITY CLERK