

WARRANT INFORMATION for July 1, 2014

Payment Ref.	Date	Remittance to:	Remittance ID:	Payment Amount	Explanation of payment
0180885	6/20/14	BrandU	22518	\$2,390.60	What department is this for? Recreation – Summer Camp 2014 T-shirts.

From: LETOURNEAU, TAMARA
Sent: Friday, June 27, 2014 3:43 PM
To: SANDRA GENIS
Cc: HATCH, THOMAS
Subject: RE: Permits for Gliders at Fairview Park

Sandy,

Tom said that you wanted a breakdown on the number of permits for gliders at Fairview Park. As of today the number of permits now totals 278, of which **232 are non-residents** and **46 are residents**.

Kind regards,

Tammy

Tamara S. Letourneau
Assistant Chief Executive Officer
City of Costa Mesa
(714) 754-5122

From: LETOURNEAU, TAMARA
Sent: Tuesday, June 03, 2014 10:17 AM
To: SANDRA GENIS
Cc: HATCH, THOMAS
Subject: Permits for Gliders at Fairview Park

Sandy,

I understand that you asked for the number of permits for gliders at Fairview Park. There are 268 permits for gliders at Fairview Park. Please let me know if you have any further questions.

Kind regards,

Tammy

Tamara S. Letourneau
Assistant Chief Executive Officer
City of Costa Mesa
(714) 754-5122

From: LETOURNEAU, TAMARA

Sent: Tuesday, July 01, 2014 12:19 PM

To: CITY COUNCIL; Gary Monahan

Cc: HATCH, THOMAS

Subject: Newport Harbor Baseball Association and AYSO 97 - Resident/Non-Resident Statistics

City Council,

A council member requested information regarding the number of residents and non-residents in the Newport Harbor Baseball Association and AYSO 97. The information is below:

Newport Harbor Baseball Association (Spring 2014 rosters for reference only)

Total Participants 591 (581 Male, 10 Female)

184	Residents	31%
407	Non-Residents	69%

AYSO 97 (Fall 2013 rosters used for Fall 2014 allocation)

Total Participants 1,517(801 Male, 716 Female)

681	Residents	44.89%
836	Non-Residents	55.11%

Kind regards,

Tammy

Tamara S. Letourneau
Assistant Chief Executive Officer
City of Costa Mesa
(714) 754-5122



July 1, 2014

Dear City Council Members,

This letter is an official request by the Matt Leinart Flag Football League to be granted provisional Group 3 status for a period of one year. Our organization has been predominantly Newport Beach residents, and as such our residency rate still falls below city requirements. We are slowly growing our Costa Mesa resident base, but we believe we are still a couple of seasons away from meeting the cities residency policies. I believe this provision has previously been granted to AYSO 97 and to Newport Harbor area baseball. We are a community based organization with great relationships within the city, and have been a long time contributing partner to Costa Mesa Pop Warner, AYSO Region 97 and Costa Mesa City high schools. In addition to our financial contribution we also employ several high school coaches, players and trainers within our organization. Our goal is to be able to give back to the local Costa Mesa High Schools on a yearly basis. Thank you in advance for your consideration.

Sincerely,



Ryan Leinart
 Executive Director
 Matt Leinart Flag Football

From: Moyer, Cheryl@MBC

Sent: Tuesday, July 01, 2014 12:11 PM

To: GREEN, BRENDA

Cc: Russ Moyer

Subject: Public comment for tonight's meeting re: Joann Street bike trail security cameras

Hello Costa Mesa City Council,

We are working the Little League fireworks booth tonight, otherwise we would be there to address this important issue in person. We live directly behind the Joann Street bike trail and next to one of the access points. We love the bike trail but in the past 6 months, safety has become a huge issue as well as an increase in vandalism and loitering. We find beer bottles and trash back there every time we use the bike trail. We call the graffiti hotline almost weekly to report new graffiti. We have seen multiple homeless people sleeping on the bike trail. We want to call the police several times a week to report these issues, but we realize they are short staffed and we don't want to take them away from more important matters going on in our city. We have two elementary aged children and this is not the neighborhood we want for my kids. We want our kids to be able to ride around the block using the trail, but they can't because it isn't safe enough.

Having security cameras on the bike trail would be a great deterrent for all of the problems we have going on back there. The city has spent a lot of money to beautify this great bike trail. Let's find ways to keep it a safe place for all of our residents to use and enjoy.

Thank you,
Russ and Cheryl Moyer

GENE HUTCHINS


Costa Mesa, CA 92626

July 1, 2014

Mayor and City Council
City of Costa Mesa
Fair Drive
Costa Mesa, CA 92628

Re: Draft Charter and July 1, 2014 Public Hearing

Dear Mayor Righeimer and Council Members:

I am writing to express my support for the Draft Charter and for placement of the Charter on the November 2014 ballot. The Charter is an important and timely financial document that should help the City avoid employee retirement benefits that carry high risks. Also, the Charter should help the City save money at a time when the City is facing a mountain of debt that CalPERS wants paid over the next 25 to 30 years.

As the City examines the past 15 years and the need for a Charter, a question for the Council might be – If the law allowed, should the City invest say \$50 million of its cash reserves in the stock market to increase income? If not, then why would the City want to be 100% responsible for \$500 million +/- of employee pension funds that CalPERS invests in the stock market and high risk real estate assets? Is a City the type of entity that should take big risks?

A summary of comments and questions regarding individual provisions is attached for your information and consideration.

Thank you for your efforts to improve the City of Costa Mesa.

Sincerely,


Gene Hutchins
Member of the Charter Committee and
Pension Oversight Committee
Writing as an individual citizen

CITY OF COSTA MESA

DRAFT CHARTER / PUBLIC HEARING

JULY 1, 2014

COMMENTS and QUESTIONS

Section 104. Powers. and Section 806. Construction and Interpretation.

As commented by Council Member Genis at the June 3, 2014 Public Hearing, these two Sections would appear to give the City and the City Council significant new powers over any matter which is a municipal affair. Do these Sections really include significant new powers?

I recently spoke with a municipal law attorney that has charter city clients and is independent of Costa Mesa and its outside counsel. He thinks Sections 104 and 806 help make the individual provisions work and such language would not be unusual in a City Charter. He suggested that those concerned should specifically identify the powers the City Council does not already have under general law. Then examine their impact. His comments were informal and verbal.

Following Public Comments at the Public Hearing, I hope Council Member Genis and other Council Members are allowed to specifically identify any new powers the City Council does not already have under general law. They should describe the impact they think those new powers would have on the City and its residents.

Before a vote on the Charter, the City's outside Counsel should address any concerns regarding specific new powers as compared to general law and their impact on the City and its residents.

A question to the City's outside Counsel: Would the Charter give the City Council new powers to adopt resolutions and ordinances; change election rules; approve development projects; approve variances; increase development densities or residential units per acre; change land use or zoning; sell or lease City owned real estate; select contractors for City projects; approve someone in a Council Member's family seeking an employment position with the City, seeking contract work with the City, seeking approval of a personal development project; or approve an increase in the compensation or benefits payable to Council Members?

Section 302. Presiding Officer.

Public comment - "Please clarify Section 302". How does this provision work in the event of a mid-year replacement of a Council Member by special election or by Council appointment? Would the Mayor and Mayor Pro Tempore be re-appointed to a new two-year term?

Section 304. Council Member Compensation.

Should California Government Code section 36516 also be added here? Code Sections attached.

Section 600. Retirement Benefits.

This provision would require voter approval of 2/3rds for any increase in a defined benefit plan (pension plan) or the establishment of a defined contribution plan (457(b) plan) with matching contributions. Public comment – “If voters did not approve a proposed benefit, then the City might be uncompetitive in hiring the best qualified personnel”. Would this Section 600 make the City uncompetitive in hiring?

Since the City currently provides employees hired on or after 1/1/2013 with pension benefits under PEPRA, the City can continue to provide such pension benefits to new employees after the November election. This should allow the City to be competitive in hiring the best personnel.

Under Section 600, the City could establish a 457(b) plan that would allow employee contributions and prohibit City contributions, since such a plan would not be paid for by the City nor would the City be liable. This would add to the City’s competitiveness in hiring.

Note - Defined contribution plans can ~~be~~ also be financially dangerous unless there is a formal agreement that any City funding may be reduced or eliminated at the sole discretion of the city.

Note - As previously noted by the City’s outside Counsel, the phrase “post-retirement” should be changed to “post-employment”.

Section 601. Financial analysis.

The Pension Oversight Committee (POC) recommended that this provision be added to the Charter so that all individuals (CEO, Council Members, Voters) involved in the process of approving an increase in a pension or other defined retirement benefit would have specific information about the present value of the benefits employees would receive and the related cost, liability, and high risks to the City. In the event the City Council did not want to expand the Charter, the POC alternately recommended that Section 601 be included in a City ordinance. This is a very important disclosure provision that needs to be included in the Charter or in a related ordinance.

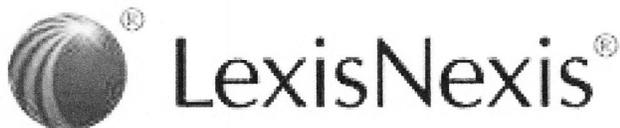
Section 602. Civic openness. Very much needed after the huge losses the City has suffered

Section 702. Prevailing Wages.

The City shall not require payment of prevailing wages unless required by the funding source. This saves the City money and also increases the City’s ability to outsource and save more money. Unfortunately, the State passed a law (SB 7) last year that eliminates State funding to any Charter City that does not require prevailing wages. This law is now being challenged by several Charter Cities in court. The outcome of that suit is unknown. If the State wins and SB 7 become law then the value of Section 702 will depend on how much money the City will save from open bidding and increased outsourcing vs. how much funding the City will lose from the State on City projects.

Section 802. Outsourcing.

This is at the option of the City and it can save the City money.



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*** This document is current through Chapter 22 of ***
the 2014 Regular Session of the 2013-2014 Legislature.

GOVERNMENT CODE
Title 4. Government of Cities
Division 3. Officers
Part 1. General

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Gov Code § 36516 (2014)

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§ 36516. Compensation of council members under ordinance

(a)

(1) A city council may enact an ordinance providing that each member of the city council shall receive a salary based on the population of the city as set forth in paragraph (2).

(2) The salaries approved by ordinance under paragraph (1) shall be as follows:

(A) In cities up to and including 35,000 in population, up to and including three hundred dollars (\$300) per month.

(B) In cities over 35,000 up to and including 50,000 in population, up to and including four hundred dollars (\$400) per month.

(C) In cities over 50,000 up to and including 75,000 in population, up to and including five hundred dollars (\$500) per month.

(D) In cities over 75,000 up to and including 150,000 in population, up to and including six hundred dollars (\$600) per month.

(E) In cities over 150,000 up to and including 250,000 in population, up to and including eight hundred dollars (\$800) per month.

(F) In cities over 250,000 population, up to and including one thousand dollars (\$1,000) per month.

(3) For the purposes of this subdivision, the population of a city shall be determined by the last preceding federal census, or a subsequent census, or estimate validated by the Department of Finance.

(4) The salary of council members may be increased beyond the amount provided in this subdivision by an ordinance or by an amendment to an ordinance, but the amount of the increase shall not exceed an amount equal to 5 percent for each calendar year from the operative date of the last adjustment of the salary in effect when the ordinance or amendment is enacted. No ordinance shall be enacted or amended to provide automatic future increases in salary.

(b) Notwithstanding subdivision (a), at any municipal election, the question of whether city council members shall receive a salary for services, and the amount of that salary, may be submitted to the electors. If a majority of the electors voting at the election favor it, all of the council members shall receive the salary specified in the election call. The salary of council members may be increased beyond the amount provided in this section or decreased below the amount in the same manner.

(c) Unless specifically authorized by another statute, a city council may not enact an ordinance providing for compensation to city council members in excess of that authorized by the procedures described in subdivisions (a) and (b). For the purposes of this section, compensation includes payment for service by a city council member on a commission, committee, board, authority, or similar body on which the city council member serves. If the other statute that authorizes the compensation does not specify the amount of compensation, the maximum amount shall be one hundred fifty dollars (\$150) per month for each commission, committee, board, authority, or similar body.

(d) Any amounts paid by a city for retirement, health and welfare, and federal social security benefits shall not be included for purposes of determining salary under this section, provided that the same benefits are available and paid by the city for its employees.

(e) Any amounts paid by a city to reimburse a council member for actual and necessary expenses pursuant to Section 36514.5 shall not be included for purposes of determining salary pursuant to this section.

(f) A city council member may waive any or all of the compensation permitted by this section.

HISTORY:

Added Stats 1949 ch 79 § 1. Amended Stats 1963 ch 1998 § 2; Stats 1965 ch 286 § 3; Stats 1st Ex Sess 1966 ch 12 § 4, effective April 11, 1966; Stats 1968 ch 642 § 1; Stats 1972 ch 591 § 1; Stats 1974 ch 1378 § 2; Stats 1984 ch 100 § 2; Stats 2005 ch 178 § 1 (AB 11), effective January 1, 2006; Stats 2009 ch 332 § 68 (SB 113), effective January 1, 2010.

NOTES:

Amendments:

1963 Amendment:

Added "; however, the prohibition herein expressed shall not prevent the adjustment of the compensation of all members of a council serving staggered terms whenever one or more members of such council becomes eligible for a salary increase by virtue of his beginning a new term of office."

1965 Amendment:



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GOVERNMENT CODE
Title 4. Government of Cities
Division 3. Officers
Part 1. General

GO TO CALIFORNIA CODES ARCHIVE DIRECTORY

Cal Gov Code § 36515 (2014)



§ 36515. Compensation of council member filling vacancy

The compensation of a city council member appointed or elected to fill a vacancy is the same as that payable to the member whose office was vacated.

HISTORY:

Added Stats 1949 ch 79 § 1. Amended Stats 2010 ch 38 § 11 (AB 1668), effective January 1, 2011, ch 699 § 13 (SB 894), effective January 1, 2011.

NOTES:

Amendments:

2010 Amendment:

Substituted "council member" for "councilman". (As amended Stats 2010 ch 699, compared to the section as it read prior to 2010. This section was also amended by an earlier chapter, ch 38. See *Gov C § 9605*.)

Historical Derivation:

Based on Stats 1883 ch 49 § 855, as amended Stats 1909 ch 100 § 1, Stats 1931 ch 132 § 6, Stats 1933 ch 516 § 8,