

UNOFFICIAL UNTIL APPROVED

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

February 18, 2014

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

Council Members Absent: None

PUBLIC COMMENTS ON CLOSED SESSION ITEMS - NONE

CLOSED SESSION

The City Council recessed into Closed Session at 5:00 p.m. to consider the following items:

1. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organization: Costa Mesa City Employee Association (CMCEA), pursuant to California Government Code Section 54957.6.
2. Conference with legal counsel regarding existing litigation: John Doe v. City of Costa Mesa, District Court for the Central District of California, Case No. SACV12-1665-AG(RNBx), pursuant to California Government Code Section 54956.9(a).
3. Conference with legal counsel regarding existing litigation: Acosta v. City of Costa Mesa, et al, Case No. SACV06-233 DOC (MLGx), 9th Cir. Case # 10-56854, pursuant to California Government Code Section 54956.9(a).
4. Conference with legal counsel regarding existing litigation: City of Costa Mesa, et al v. Michael Cohen, et al, Sacramento County Superior Court, Case No. 34-2013-80001675, pursuant to California Government Code Section 54956.9(a).

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

CALL TO ORDER (00:00:10)

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

MOMENT OF SOLEMN EXPRESSION (00:01:00) –

Pastor Tim McCalmont, Presbyterian Church of the Covenant

ROLL CALL (00:03:20)

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, Assistant Chief Executive Officer/Administrative Director Tamara Letourneau, Economic and Development Services Director Gary Armstrong, Public Services Director Ernesto Muñoz, and City Clerk Brenda Green.

CLOSED SESSION REPORT (00:03:35) - None

- COIN: Ex Parte Communications pursuant to Municipal Code Section 2-238 (b) – None

ANNOUNCEMENTS (00:03:50)

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

PRESENTATIONS (00:05:50) - NONE

PUBLIC COMMENTS (00:06:40)

Beth Refakes, Costa Mesa, inquired on the status of a Veteran's hall; commented on converting the Neighborhood Community Center (NCC) to a library; and expressed concern with having no meeting place for the Veteran's group. (00:07:37)

Speaker, spoke on a Court case against the Police. (00:09:34)

Robin Leffler, Costa Mesa, spoke on items being placed on the Consent Calendar; the budget; and thanked Fire and Police personnel for the way they handled a situation. (00:11:55)

Tim Louis, Costa Mesa, spoke to a business issue on his property. (00:14:20)

Greg Thunnel, Costa Mesa, spoke on a political ad. (00:17:17)

James Bridges, Costa Mesa, spoke on the public comment section; Committee meetings; and the Neighborhood Task Force. (00:20:30)

Cindy Brennehan, Costa Mesa, spoke on the release of the 60th Anniversary documents; and requested a formal meeting on the 60th Anniversary event. (00:23:25)

Al Melone, Costa Mesa, spoke on the budget, deficits and surpluses. (00:26:10)
Lent Redman, Costa Mesa, spoke on a development from Hamilton to Charlie; and the irrigation. (00:29:20)

Sue Lester, Costa Mesa, asked for clarification on public comments; and spoke on the 60th Anniversary Committee event. (00:32:53)

COUNCIL MEMBER'S REPORTS, COMMENTS, AND SUGGESTIONS (00:35:45)

Mayor Righeimer spoke on the quality of Costa Mesa employees; the Senior Center; and the Workers Compensation report. (00:35:55)

Mayor Pro Tem Mensinger spoke regarding money allocated for sidewalk and curb replacements; and thanked Mr. Redman for his son's community service. (00:40:15)

Council Member Genis spoke on the drought conditions. (00:41:25)

Council Member Leece spoke on the tree removal petition approved by the Planning Commission; the homeless; a Basketball tournament on March 15th, 2014 from 11:00 a.m. to 3:00 p.m.; the 60th Anniversary event documents; space for teen programs; requested to pull item nine; and on the memo by CEO Hatch regarding budget policies. (00:43:00)

Council Member Monahan – None (00:49:34)

REPORT- CHIEF EXECUTIVE OFFICER (CEO) (00:49:50)

Chief Executive Officer Hatch spoke on the budget and reserves; expanding the library; Worker Compensation issues; City Youth programs; the Costa Mesa Community Improvement Program; and the softball and flag football programs.

CONSENT CALENDAR (01:12:10)

MOTION: Approved recommended actions for Consent Calendar Item Nos. 1 through 9 except for Item 9.

MOVED/SECOND: Mayor Pro Tem Mensinger/Council Member Leece

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

1. **PROCEDURAL WAIVER: MOTION TO APPROVE THE READING BY TITLE ONLY OF ALL ORDINANCES AND RESOLUTIONS. SAID ORDINANCES AND RESOLUTIONS THAT APPEAR ON THE PUBLIC AGENDA SHALL BE READ BY TITLE ONLY AND FURTHER READING WAIVED**

ACTION:

City Council waived reading in full of Ordinances and Resolutions and approval and adoption of same by reading title only.

2. **READING FOLDER**

- a. Claims received by the City Clerk: Jim Eckis; Bryan Meisner; and Adelaide Garulle.

ACTION: Received and filed.

3. **WARRANT RESOLUTION 2509: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 14-02 "A" AND 14-03 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 14-02 "A" for \$-113.10, Payroll No. 14-03 for \$1,995,329.60 and City operating expenses for \$1,289,244.38.**

ACTION: Approved Warrant Resolution No. 2509, to be read by title only and further reading waived.

4. **PROJECT SPECIFIC PROGRAM SUPPLEMENTS TO THE MASTER AGREEMENT NO. 00144S – STATE FUNDED PROJECTS: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING THE DIRECTOR OF PUBLIC SERVICES TO SIGN PROGRAM SUPPLEMENT AGREEMENTS TO THE ADMINISTERING AGENCY-STATE AGREEMENT NO. 00144S FOR STATE FUNDED PROJECTS".**

ACTION:

City Council adopted Resolution No. 14-07, to be read by title only and further reading waived, authorizing the Public Services Director to execute all Project Specific Program Supplements to the Administering Agency – State Agreement No. 00144S for State Funded Projects.

5. PROFESSIONAL ENGINEERING SERVICES TO PROVIDE AS-NEEDED STAFF SUPPORT FOR VARIOUS CAPITAL IMPROVEMENT PROGRAM PROJECTS

ACTION:

1. City Council awarded a contract to Onward Engineering, Corp., 300 S. Harbor Blvd., Suite 814, Anaheim, California 92805, in an amount not to exceed \$200,000 to provide Project/Construction Management and Public Works Inspection staff support as-needed for various Capital Improvement Program (CIP) projects, and authorized the Mayor and the City Clerk to execute the Professional Services Agreement; and
2. Awarded a contract to Civil Source, Inc., 9890 Irvine Center Drive, Irvine, California 92618, in an amount not to exceed \$200,000 to provide Project/Construction Management and Public Works Inspection staff support as-needed for various Capital Improvement Program (CIP) projects, and authorized the Mayor and the City Clerk to execute the Professional Services Agreement.

6. AMENDMENT THREE TO THE PROFESSIONAL SERVICES AGREEMENT WITH KEYSER-MARSTON ASSOCIATES CONSULTING

ACTION:

1. City Council, Successor Agency to the Redevelopment Agency and Housing Authority approved Amendment Three, revising existing cap of \$140,000 not to exceed \$200,000 to the Professional Services Agreement with Keyser Marston Associates (KMA) Consulting; and
2. Authorized the City Chief Executive Officer to sign Amendment Three to the Professional Services Agreement with KMA Consulting.

7. RECOGNIZE AND ALLOCATE HOME PROGRAM INCOME

ACTION:

1. City Council, Successor Agency to the Redevelopment Agency and Housing Authority recognized \$247,050 in HOME program income funds and allocated these funds for HOME Administration and the HOME Single Family Rehabilitation Program; and
2. Authorized the City Chief Executive Officer to appropriate any additional HOME program income for FY 2013-2014; and
3. Approved Budget Adjustment No. 14-025 in the amount of \$247,050 to increase revenue and appropriate HOME program income fund to Housing and Community Development's operating budget.

8. RIMINI STREET ORACLE/PEOPLESOFT SUPPORT SERVICES CONTRACT

ACTION:

City Council authorized the City CEO or his designee to sign the Master Services Agreement and Purchase Requisition for \$110,338 with Rimini Street Incorporated to replace Oracle Corporation in providing support for the City's Oracle/PeopleSoft products.

PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55) - NONE

OLD BUSINESS – NONE

NEW BUSINESS (01:12:30)

1. **CITY COUNCIL AND SUCCESSOR AGENCY APPROVAL OF: “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA APPROVING AN AGREEMENT TO RE-ESTABLISH LOAN PURSUANT TO SECTION 34191.4 BY AND BETWEEN THE CITY OF COSTA MESA AND THE SUCCESSOR AGENCY TO THE COSTA MESA REDEVELOPMENT AGENCY” AND “A RESOLUTION OF THE SUCCESSOR AGENCY TO THE COSTA MESA REDEVELOPMENT AGENCY APPROVING AN AGREEMENT TO RE-ESTABLISH LOAN PURSUANT TO SECTION 34191.4 BETWEEN THE CITY OF COSTA MESA AND THE SUCCESSOR AGENCY TO THE COSTA MESA REDEVELOPMENT AGENCY; DIRECTING SUBMITTAL OF SUCH LOAN AGREEMENT TO THE OVERSIGHT BOARD TO CONSIDER THAT THE LOAN AGREEMENT WAS FOR LEGITIMATE REDEVELOPMENT PURPOSES; AND MAKING OF THE FINDING IN CONNECTION THEREWITH”. (01:13:00)**

Staff report provided by Special Counsel Celeste Brady. (01:13:15)

Discussion ensued regarding the loan; the ROPS schedule; and payment of enforcement obligations. (01:16:11)

MOVED/SECOND: Council Member Monahan/Council Member Genis

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

1. City Council adopted Resolution No. 14-08, to be read by title only and waived further reading, approving an Agreement to Re-Establish Loan between the City of Costa Mesa and the Successor Agency to the Costa Mesa Redevelopment Agency following the obtaining of a Finding of Completion Pursuant to Section 34191.4 of the Dissolution Laws.

MOVED/SECOND: Council Member Monahan/Council Member Genis

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

2. Successor Agency adopted Resolution No. 14-09, to be read by title only and waived further reading, approving Agreement to Re-Establish Loan between the City of Costa Mesa and the Successor Agency to the Costa Mesa Redevelopment Agency following the obtaining of a Finding of Completion Pursuant to Section 34191.4 of the Dissolution Laws; Directing Submittal of such Loan Agreement to the Oversight Board to Consider and Find that the City/Agency Loan was for legitimate Redevelopment Purposes; and making other findings in connection therewith.

2. **REVIEW AND APPROVAL OF THE SUCCESSOR AGENCY'S ADMINISTRATIVE BUDGET FOR THE 14-15A SIX-MONTH FISCAL PERIOD OF JULY 1, 2014 TO DECEMBER 31, 2014: "A RESOLUTION OF THE SUCCESSOR AGENCY TO THE COSTA MESA REDEVELOPMENT AGENCY APPROVING THE SUCCESSOR AGENCY'S ADMINISTRATIVE BUDGET FOR THE 14-15A SIX-MONTH FISCAL PERIOD OF JULY 1, 2014 TO DECEMBER 31, 2014 PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(j)". (01:19:00)**

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Mensinger

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

Successor Agency adopted Resolution No. 14-10, to be read by title only and waived further reading, approving the Successor Agency's Administrative Budget for the 14-15A six-month fiscal period of July 1, 2014 to December 31, 2014 pursuant to Health and Safety Code Section 34177(j) of the Dissolution Laws.

3. **REVIEW AND APPROVAL OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE 14-15A SIX-MONTH FISCAL PERIOD OF JULY 1, 2014 TO DECEMBER 31, 2014: "A RESOLUTION OF THE SUCCESSOR AGENCY TO THE COSTA MESA REDEVELOPMENT AGENCY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE 14-15A FOR THE SIX-MONTH FISCAL PERIOD OF JULY 1, 2014 TO DECEMBER 31, 2014, SUBJECT TO SUBMITTAL TO, AND REVIEW BY THE OVERSIGHT BOARD AND THE DOF PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE, DIVISION 24, PART 1.85, AS AMENDED BY ASSEMBLY BILL 1484; AUTHORIZE POSTING AND TRANSMITTAL THEREOF". (01:19:25)**

MOVED/SECOND: Council Member Leece/Council Member Monahan

The motion carried by the following roll call vote:

Ayes: Council Member Genis, Council Member Leece, Council Member Monahan, Mayor Pro Tem Mensinger, and Mayor Righheimer

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

Successor Agency adopted Resolution No. 14-11, to be read by title only and waive further reading, approving the Recognized Obligation Payment Schedule for the 14-15A six-month fiscal period of July 1, 2014 to December 31, 2014 ("ROPS 14-15A"), subject to submittal to and review by the Oversight Board and then by the State Department of Finance ("DOF"). Further, the Assistant Finance Director, in consultation with legal counsel, shall be authorized to request and complete meet and confer session(s) with the DOF and authorized to make augmentations, modifications, additions or revisions as may be necessary or directed by DOF.

4. **PROFESSIONAL SERVICES AGREEMENT FOR PURCHASE AND INSTALLATION OF EMERGENCY VEHICLE PREEMPTION (EVP) SYSTEM (01:19:44)**

Staff report provided by Fire Chief Dan Stefano. (01:20:10)

Discussion ensued on increasing the number of intersections for signal preemption; Fire Station number 6; paramedics and rescue ambulances; grant funding; and personnel savings. (01:22:10)

Beth Refakes, Costa Mesa, spoke in support of this item. (01:27:14)

MOVED/SECOND: Council Member Monahan/Mayor Righheimer (01:29:15)

Discussion ensued regarding cost sharing of signal preemption from the City of Santa Ana; implementing the plan; and emergency vehicles. (01:29:30)

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

1. City Council awarded a Professional Services Agreement for the purchase and installation of Emergency Vehicle Preemption (EVP) devices utilizing Global Traffic Technologies (GTT) Global Positioning System (GPS) technology at 25 intersection locations, in 20 fire department emergency vehicles and integrating the equipment in a central system located at the Traffic Management Center (TMC) through DDL Traffic, Inc. in the amount of \$234,236.60 (inclusive of sales tax); and
 2. Authorized the Mayor to execute the Professional Services Agreement.
5. **SUMMER YOUTH PROGRAM: ESTABLISH CITY PARTICIPATION WITH EXISTING YOUTH SUMMER RECREATION PROGRAM IN PARTNERSHIP WITH NEWPORT-MESA UNIFIED SCHOOL DISTRICT (01:33:45)**

Staff report provided by CEO Hatch. (01:34:10)

Discussion ensued on marketing of the program. (01:39:50)

Council Member Genis spoke in support of the program. (01:44:29)

Mayor Pro Tem Mensinger spoke in support of fundraising for the arts. (01:45:15)

MOVED/SECOND: Council Member Genis/Mayor Pro Tem Mensinger

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council approved the summer youth program and directed staff to establish participation with an existing youth summer recreation program in partnership with the Newport-Mesa Unified School District and authorized funding to be included in the FY 2014-2015 budget.

6. FIRST READING OF THE ORDINANCE PROVIDING FOR REWARDS FOR INFORMATION LEADING TO THE APPREHENSION OF VANDALS (01:45:40)

Staff report provided by CEO Hatch. (01:46:00)

Mr. Redman, spoke on current vandalism in the Hamilton community garden. (01:47:10)

MOVED/SECOND: Council Member Genis/Council Member Leece

Council Member Genis pledged individuals to report vandalism at Fairview Park. (01:48:30)

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council approved for first reading, Ordinance No. 14-02, to be read by title only and waived further reading, regarding rewards for information leading to the apprehension of individuals who vandalize public property.

7. REPEAL OF COSTA MESA MUNICIPAL CODE CHAPTER XIII SEX OFFENDER PARK EXCLUSION ORDINANCE (01:49:11)

Staff report provided by City Attorney Thomas Duarte. (01:49:20)

MOVED/SECOND: Council Member Monahan/Council Member Leece

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council approved for first reading, Ordinance No. 14-03, to be read by title only and waived further reading.

ITEMS REMOVED FROM THE CONSENT CALENDAR (01:50:30)

9. FISCAL YEAR 2013-14 MID-YEAR BUDGET REPORT (01:50:40)

Discussion ensued on the allocation of contingency funds; the journal entry for the community foundation; the fund balance and reserves; the pocket park playground; charter facilitation; teen centers; and funding for the library. (01:51:25)

Cindy Brenneman, Costa Mesa, spoke on the Kaboom projects; and spoke on the general fund. (02:01:45)

Robin Leffler, Costa Mesa, expressed concern on not having a Public Hearing and a Presentation for this item. (02:03:45)

MOVED/SECOND: Council Member Monahan/Council Member Genis

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

1. City Council approved the recommended uses of the remainder of the FY 2012-13 surplus as follows:
 - a. Increased the Information Technology budget by \$758,770 for the remainder of the infrastructure backbone project (general fund portion) and approved this as a budgeted expense rather than a non-interest bearing loan as originally planned; and
 - b. Increased the General Fund transfer to the Capital Improvement Program Fund by \$300,000; and
 - c. Saved the remaining \$1,568,000 in General Fund balance; and
2. Approved the recommended increase of the FY 2013-14 General Fund revenue budget by \$1,900,000 and increased the FY 2013-14 General Fund appropriations by \$1,568,000; and
3. Approved the allocation of appropriations from the General Fund contingency account to the General Fund departments/projects including the final \$18,717.03 transfer to the Costa Mesa Community Foundation; and
4. Adjusted the budgets of certain non-General Funds as follows:
 - a. Adjusted the Capital Improvement Projects Fund for the Council Chambers audio/visual equipment upgrade; and
 - b. Adjusted the Narcotic Asset Forfeiture Fund; and
 - c. Adjusted the budgets of the Measure M2 Funds 415 and 416; and

- d. Established the new Nuisance Abatement Relocation Assistance Fund as directed by the City's Public Nuisance Abatement Ordinance Section 20-32(b).

CONTINUED PUBLIC COMMENTS - NONE

COUNCIL MEMBER COMMENTS ON CONTINUED PUBLIC COMMENTS - NONE

REPORT – CITY ATTORNEY - NONE

ADJOURNMENT (02:04:40)

The Mayor adjourned the meeting at 8:04 p.m.

MAYOR

CITY CLERK

UNOFFICIAL UNTIL APPROVED

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

February 4, 2014

CALL TO ORDER

The meeting was called to order by the Mayor at 4:45 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

ROLL CALL

Council Members Present: Mayor Righeimer, Mayor Pro Tem Mensinger, Council Member Leece, Council Member Genis (arrived at 5:05 p.m.) and Council Member Monahan (arrived at 4:48 p.m.).

Council Members Absent: None

PUBLIC COMMENTS ON CLOSED SESSION ITEMS - NONE

CLOSED SESSION

The City Council recessed into Closed Session at 4:47 p.m. to consider the following items:

1. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organization: Costa Mesa City Employee Association (CMCEA), 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).

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

CALL TO ORDER (00:00:08)

PLEDGE OF ALLEGIANCE (00:00:34) – Council Member Monahan

MOMENT OF SOLEMN EXPRESSION (00:00:46)

Pastor Phil Eyskens, Lighthouse Church

ROLL CALL (00:02:50)

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, Assistant Chief Executive Officer/Administrative

Services Director Tamara Letourneau, Economic and Development Services Director Gary Armstrong, Public Services Director Ernesto Munoz, and City Clerk Brenda Green.

CLOSED SESSION REPORT (00:03:00) - NONE

ANNOUNCEMENTS (00:03:07)

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

PRESENTATIONS (00:05:55)

Maryann Dunham, Event Chair, from Relay for Life announced upcoming events and presented a Proclamation to the City Council.

PUBLIC COMMENTS (00:11:52)

Mohammad Tavassol, Costa Mesa, spoke on a rehabilitation loan from the city. (00:12:27)

Greg Thunnel, Costa Mesa, spoke on a newspaper article; on the 60th Anniversary documents and the audit. (00:13:45)

Mary Ann O'Connell, Costa Mesa, commented on the 60th Anniversary documents and the CEO. (00:17:00)

Robin Leffler, Costa Mesa, spoke on street improvement projects. (00:18:22)

Joy Williams, Costa Mesa, spoke on the 60th Anniversary documents. (00:21:21)

Sue Lester, Costa Mesa, spoke on the 60th Anniversary documents and the CVB payments. (00:23:37)

Kim Debroux, Costa Mesa, requested an appeal to a decision made by the Parks and Recreation Commission and submitted petitions regarding tree removals. (00:26:43)

Flo Martin, Costa Mesa, spoke on the 60th Anniversary documents; and auditor letters. (00:31:14)

Perry Valentine, Costa Mesa, spoke on the 60th Anniversary documents; auditor letters; and CVB payments. (00:34:33)

Tamar Goldmann, Costa Mesa, spoke on the 60th Anniversary documents; auditor letters and CVB payments. (00:37:20)

COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (00:39:19)

Council Member Monahan reported his attendance at a Newport Beach City Council meeting where he presented a plaque on behalf of the City to the Corona Del Mar High School Varsity Football team. (00:39:35)

Mayor Righeimer spoke on the 60th Anniversary documents; indicated a need to have a system in place with checks and balances; spoke on the audit process; and the Marine's 1/5 dinner. (00:40:20)

Mayor Pro Tem Mensinger spoke on the Marine's 1/5 dinner; and oversight of payments for the 60th Anniversary event. (00:47:00)

Council Member Genis spoke on the Marine's 1/5 dinner; the 60th Anniversary event and the need to adhere to the law and procedures; and Fairview Park and deed restrictions. (00:48:00)

Council Member Leece addressed Ms. Debroux's concerns on the Park and Recreation decision regarding trees; spoke on Mr. Muhammad's issue; spoke on the Relay for Life event; spoke on supporting the Marines and the Military Affairs Committee; spoke on the 60th Anniversary event; requested an update on the Senior Center audit; the Memorandum of Understanding with the Costa Mesa Police Association; and requested a formal opinion pertaining to the Mayor's lawsuit. (00:54:20)

City Attorney Duarte indicated that they are reviewing the information regarding removal of trees. (00:55:15)

Public Services Director Ernesto Muñoz indicated that the removal of trees will temporarily be put on hold. (00:55:30)

REPORT-CHIEF EXECUTIVE OFFICER (CEO) (01:02:00)

CEO Thomas Hatch addressed the 60th Anniversary event concerns and treatment of volunteers; spoke on the comments from the public and City Council; reviewed the 60th Anniversary Executive Summary and reforms that will be instituted; and spoke regarding the Senior Center Audit.

CONSENT CALENDAR (01:15:20)

MOTION: Approved recommended actions for Consent Calendar Item Nos. 1 through 7 except for Items 3, 4 and 7.

MOVED/SECOND: Council Member Monahan/Council Member Leece

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

1. **PROCEDURAL WAIVER: MOTION TO APPROVE THE READING BY TITLE ONLY OF ALL ORDINANCES AND RESOLUTIONS. SAID ORDINANCES AND RESOLUTIONS THAT APPEAR ON THE PUBLIC AGENDA SHALL BE READ BY TITLE ONLY AND FURTHER READING WAIVED**

ACTION:

City Council waived reading in full of Ordinances and Resolutions and approval and adoption of same by reading title only.

2. **READING FOLDER**

- a. Claims received by the City Clerk: Julian Solomons; Breanna Badorek; Stephanie De La Cruz; and Mary Goggin.

ACTION: Received and filed.

5. **PROFESSIONAL ENGINEERING SERVICES FOR DESIGN OF BRISTOL STREET IMPROVEMENTS**

ACTION:

1. City Council awarded a Professional Services Agreement for design of the Bristol Street Improvements to Anderson Penna Partners, Inc., 20280 Acacia Street, Suite 100, Newport Beach, CA 92660, in the amount of \$109,300; and
2. Authorized the Mayor and the City Clerk to execute the Professional Services Agreement.

6. **PROFESSIONAL ENGINEERING SERVICES FOR DESIGN OF RED HILL AVENUE MEDIAN IMPROVEMENTS**

ACTION:

1. City Council awarded a Professional Services Agreement for design of the Red Hill Avenue Median Improvements to CNC Engineering, 2121 Alton Parkway, Suite 200, Irvine, CA 92606, in the amount of \$105,551; and
2. Authorized the Mayor and the City Clerk to execute the Professional Services Agreement.

NEW BUSINESS (01:16:00)

1. URBAN MASTER PLAN SCREENING REQUEST (UMP-13-09) FOR A 33-UNIT LIVE/WORK DEVELOPMENT LOCATED AT 765 W. 16TH STREET (01:16:17)

Staff report provided by Mino Ashabi, Senior Planner. (01:17:00)

Discussion ensued regarding roof decks; parking; mixed use development; the entrance to Banning Ranch on 16th Street; traffic impacts; dedication to widen 16th Street; impacts due to new land uses; site plan, and minimum ground work space. (01:25:45)

Kim Prijatel, City Ventures, spoke on the project and doing a traffic analysis. (01:28:10)

Discussion ensued on conducting a traffic analysis; on site amenities; parking spaces; and landscape setback requirements. (01:33:44)

Susan Shaw, Costa Mesa, expressed concerns on density and traffic. (01:35:40)

Chris McEvoy, Costa Mesa, expressed concern with traffic; lack of parking and open space; and is opposed to high density development. (01:37:00)

Jay Humphrey, Costa Mesa, concerned with cumulative traffic impacts and enforcing areas as live/work units. (01:39:20)

Greg Thunnell, Costa Mesa, expressed concerns with parking, traffic and density. (01:41:45)

Robin Leffler, Costa Mesa, spoke on the live/work unit developments; expressed concerns with traffic, density, public safety, and shade and shadows. (01:44:00)

Terry Koken, Costa Mesa, inquired on the 119 square feet work space. (01:46:50)

Beth Refakes, Costa Mesa, expressed concern with trip generation impacts, setbacks, landscaping, density, shades and shadow; and to take into account the cumulative effects. (1:47:22)

Tamar Goldmann, Costa Mesa, expressed concerns with high density and parking; and spoke on young families who want to purchase land. (01:49:45)

Council Member Monahan supports the project; indicated minimal traffic impacts; the parking meets standards; and that the 119 square feet work area is large enough for an office. (01:52:18)

Mayor Righeimer spoke regarding setbacks; spoke on parking and traffic; indicated concerns with space that can be made into a bedroom; and spoke on having a good traffic plan. (01:55:50)

Council Member Genis expressed concern with the 119 square feet office area; spoke on setbacks, shades and shadows; and requested a tract map. (02:01:43)

Council Member Leece inquired on the reduction of office square footage to 119 and on a HOA. (02:05:03)

Ms. Prijatel spoke on the intended uses for live/work unit areas; and an HOA. (02:06:00)

Discussion ensued regarding the square footage for the office space; parking; traffic and garages used for parking not storage. (02:07:35)

A ten minute break was taken at 8:13 p.m. (02:12:10)

The City Council resumed at 8:23 p.m. (02:22:10)

2. REQUEST FOR AN INTERPRETATION OF GENERAL PLAN AND ZONING CONSISTENCY FOR A PLANNED DEVELOPMENT COMMERCIAL SITE AT THE SOUTHWEST CORNER OF HARBOR BLVD. AND HAMILTON STREET (02:22:10)

Staff report provided by Minoo Ashabi, Senior Planner. (02:22:25)

Mayor Righimer spoke on the history of the site and project; indicated that the project is less dense with the same parking standards. (02:29:28)

Mayor Pro Tem Mensinger spoke on an alternative to having a car wash; and needing renovation on Charlie Street. (02:32:35)

Council Member Monahan agreed with Mayor Pro Tem Mensinger's comments; and indicated that the project could rejuvenate the area. (02:33:55)

Council Member Genis inquired on the placing of the live/work units in the back instead of on Harbor Blvd.; and spoke in support of making Harbor Blvd. look more vibrant. (02:34:58)

Mayor Pro Tem Mensinger spoke on the project's street view presented on pg.17 of the report. (02:39:08)

Flo Martin, Costa Mesa, spoke on parking, water shortage and drought conditions. (02:40:12)

Chris McEvoy, Costa Mesa, spoke on work space requirements and density and traffic concerns. (02:43:20)

Greg Thunnell, Costa Mesa, opposes the project. (02:45:19)

Greg Sullivan, Newport Beach, supports the project. (02:48:20)

Eric Nelson, Newport Beach, supports the project. (02:49:50)

Beth Refakes, Costa Mesa, spoke in support of the project but expressed concern on the location of the live/work units; and spoke on the slide gate at the entrance and traffic. (02:51:05)

Tamar Goldmann, Costa Mesa, expressed concerns with this type of development. (02:53:44)

Robin Leffler, Costa Mesa, expressed opposition to the live/work units; concerned with traffic and cumulative effects of the project and density. (02:56:40)

Discussion ensued on a General Plan Amendment; a letter received from Ready Rentals; and existing negative conditions that could be resolved through Public Services. (03:00:00)

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

Council Member Genis indicated the project is not consistent with the Planned Development Commercial (PDC) zone; and will not support the motion. (03:04:41)

Council Member Leece stated she will not support the motion; and spoke on having a General Plan amendment and on the letter from Ready Rentals. (03:07:38)

Mayor Righeimer spoke in support of the project; spoke on energizing the area, consolidating parcels and creating jobs. (03:09:03)

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

The motion carried by the following roll call vote:

Ayes: Council Member Monahan, Mayor Pro Tem Mensinger, and Mayor Righeimer

Nays: Council Member Genis, and Council Member Leece

Absent: None

Motion carried: 3-2

ACTION:

1. City Council provided feedback on the General Plan and Zoning consistency for a proposed 28-unit residential project containing seven live/work units at the southwest corner of Hamilton Street and Harbor Boulevard; and
 2. Authorized the applicant to proceed with the project as a master plan subject to approval by the Planning Commission, authorized preparation of the appropriate CEQA documents, and that the project may be all residential with no commercial.
3. **GENERAL PLAN SCREENING GPS-13-04- FOR PROPOSED 28-UNIT RESIDENTIAL PROJECT AT 1239 VICTORIA STREET (03:12:35)**

Staff report provided by Mino Ashabi, Senior Planner. (03:13:00)

Mayor Righeimer spoke on traffic trips reduction. (03:16:30)

Council Member Genis spoke on a General Plan Amendment; and high density. (03:18:00)

Eric Nelson, Applicant, Trumark Homes, spoke on the project; parks fees and a tract map. (03:20:20)

Discussion ensued on traffic safety; design compatibility with the project next door; HOA's; acquiring an easement; traffic reduction; streetscape; and visitor parking. (03:21:27)

Chris McEvoy, Costa Mesa, spoke in opposition to the project due to density; and is concerned with safety and lack of parking. (03:29:45)

Jay Humphrey, Costa Mesa, expressed concerns with the lack of parking, guest parking and safety. (03:32:45)

Greg Thunnell, Costa Mesa, concerned with traffic safety; and spoke on the sale of units. (03:35:55)

Robin Leffler, Costa Mesa, spoke on General Plan Amendments; and asked not to consider General Plan Amendments until the process is complete. (03:38:50)

Tom Pollitt, Costa Mesa, thanked the City Council for improving the City and for their efforts; spoke on low density projects; and water supply. (03:42:40)

Tamar Goldmann, Costa Mesa, spoke on density and project compatibility with the neighborhood; parking; and jobs. (03:45:20)

Mayor Pro Tem Mensinger spoke on pensions and parking. (03:48:00)

MOVED/SECOND: Council Member Monahan/Mayor Righeimer (03:50:33)

Council Member Leece spoke on zoning; density; traffic; and provided parking recommendations. (03:51:00)

Council Member Genis spoke on public noticing. (03:54:35)

MOVED/SECOND: Council Member Monahan/Mayor Righeimer

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council accepted the General Plan amendment to change the land use designation from General Commercial to High Density Residential to facilitate development of a 28-unit single-family detached residential project.

Council Member Monahan was excused from the meeting at 9:58 p.m. (03:57:50)

4. **REORGANIZATION IN THE DEVELOPMENT SERVICES DEPARTMENT (03:57:55)**

Staff report presented by Tom Hatch, Chief Executive Officer. (03:58:00)

Mayor Pro Tem Mensinger spoke on staffing; authorizing a consulting account, and the need for a Deputy Director of Public Works. (04:03:15)

Council Member Leece asked for staff to bring back a staff report justifying the need for the position in the Public Services Department; inquired on a survey in the Planning Department; and expressed concern on wait times and telephone calls. (04:06:00)

Development Services Director Gary Armstrong spoke regarding customer service; and keeping track of wait times and building inspections. (04:08:30)

Discussion ensued on an Economic Development Director position and an Economic Development strategy. (04:10:25)

Perry Valantine, Costa Mesa, spoke on current staff levels; and supports staff recommendations. (04:14:30)

Don Lamm, supports staff recommendations. (04:17:05)

Mayor Righeimer spoke on staffing levels. (04:19:28)

Mayor Pro Tem Mensinger recommended not having an Economic Development Director position at this point but perhaps a consultant. (04:20:20)

MOTION: Adopt recommendations from staff without the Economic Development Director position. (04:22:00)

MOVED/SECOND: Mayor Pro Tem Mensinger/Mayor Righeimer

SUBSTITUTE MOTION: Adopt recommendations from staff and hire the Economic Development Director position. (04:22:22)

MOVED: Council Member Genis

CEO Hatch reviewed staff's recommendation and indicated that he can come back with a plan for Economic Development. (04:24:00)

Council Member Genis withdrew her substitute motion. (04:25:43)

ORIGINAL MOTION: Adopt recommendations from staff without the Economic Development Director position.

MOVED/SECOND: Mayor Pro Tem Mensinger/Mayor Righeimer

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

ACTION:

1. The City Council eliminated the following Development Services positions:

Inspection Services

- 1.5 FTEs (Part-Time Permit Technician and a Senior Combination Inspector)
- 2 Contract Combination Inspectors
- 1 Part-Time Combination Inspector
- 1 Part-Time Inspector

Plan Check Services

- 1 Building Technician (full-time)
- 1 Contract Building Technician II; and

2. Authorized the following Development Services positions:

Inspection Services

- 1 Permit Processing Specialist
- 5 Building Inspectors

Plan Check Services

- 1 Part-time Plan Checker
- 2 Building Technician II

Planning

- 1 Principal Planner
- 1 Associate Planner
- 1 Assistant Planner; and

3. Appropriated \$250,000 from the General Fund fund balance to fund these positions for the remainder of FY 13-14; and
4. Appropriated \$150,000 from the General Fund fund balance to Development Services for general consulting assistance needed.

5. UPDATE TO THE OPEN SPACE MASTER PLAN OF PARKS AND RECREATION (04:27:05)

Ernesto Muñoz, Public Services Director provided a staff report and presented a PowerPoint slide show of completed projects. (04:27:25)

Discussion ensued on park fees; how to pay for park projects; and community meetings. (04:32:48)

Jay Humphrey, Costa Mesa, asked for a needs analysis; asked for Council Policy 500-01 be eliminated; and spoke on park fees (04:35:10)

Anna Vrska, Costa Mesa, supports data reports and the item. (04:37:37)

Robin Leffler, Costa Mesa, agreed with Mr. Humprey's and Ms. Vrska's comments; and asked if the community meetings will be recorded. (04:39:09)

MOVED/SECOND: Mayor Pro Tem Mensinger/Council Member Genis

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

ACTION:

City Council authorized staff to issue a Request for Proposals (RFP's) to secure consultant services to assist with the update to the Open Space Master Plan of Parks and Recreation (Master Plan).

6. PENSION COST REDUCTION RECOMMENDATIONS- FIRST STEPS (04:40:57)

A break was taken at 10:42 p.m. (04:41:15)

The meeting reconvened at 10:48 p.m. (04:48:18)

Presentation by Jeff Arthur, Chair, Pension Oversight Committee and Steven Dunivent, Interim Finance Director. (04:49:23)

Discussion ensued on increase in rates; unfunded liabilities; the Fire Side fund; cash balance and cash flow impact; and pension cost reduction (05:12:00)

John Stephens, Costa Mesa, supports the recommendations. (05:45:02)

Tom Pollit, Costa Mesa, thanked the Committee for their work and report; and spoke on retirement benefits. (05:46:00)

Robin Leffler, Costa Mesa, commended the Committee on their work; spoke on the Fire Side fund; and the Public Employment Retirement System. (05:47:55)

Mayor Righeimer spoke on the budget; paying down the Fire Side fund; and pension plans for employees. (05:50:40)

MOVED/SECOND: Mayor Righeimer/Council Member Leece (05:57:00)

Council Member Genis stated that she supports this item but wants to address this in the overall budget. (05:57:50)

MOVED/SECOND: Mayor Righeimer/Council Member Leece

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

ACTION:

1. The City Council:
 - a. Received and filed the Pension Oversight Committee Report; and
 - b. Approved the distribution of the Committee Facts Volumes 1, 2, and 3; and
 - c. Provided direction regarding the Committee's future activities; and
2. Authorized the lump-sum prepayment of the City's annual required contribution for the Miscellaneous Plan beginning in July 2014; and
3. Authorized the use of the City's annual savings from the lump-sum prepayment of the Miscellaneous Plan to make additional payments to the Fire Side Fund beginning in July 2014 with the goal of paying off this fund early; and
4. Authorized the Finance Director, with the concurrence of the City CEO, to annually review recommended actions two and three and implement or suspend them each fiscal year as appropriate to the City's financial condition at the time; and
5. Authorized a one-time additional \$1,000,000 payment to the Fire Side Fund this fiscal year using funds that were budgeted in FY 2012-2013 and FY 2013-14; and
6. Authorized continuing the practice of budgeting an additional \$500,000 per year for the purpose of paying down unfunded pension liabilities.

ITEMS REMOVED FROM THE CONSENT CALENDAR (05:59:50)

MOTION: Continue the meeting past midnight (05:59:33)

MOTION/SECOND: Mayor Righeimer/Council Member Leece

The motion to continue past midnight was carried by the following roll call vote:

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

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

3. **WARRANT RESOLUTION 2508: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 14-01 "A" AND 14-02 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 14-01 "A" for \$1,478.41, Payroll No. 14-02 for \$2,039,185.12 and City operating expenses for \$2,085,916.53. (05:59:45)**

Greg Thunnell, Costa Mesa, spoke regarding warrant payments and interim positions. (06:00:10)

MOTION/SECOND: Mayor Righeimer/Mayor Pro Tem Mensinger

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

ACTION: Approved Warrant Resolution No. 2508, to be read by title only and further reading waived.

4. **FINAL MAP FOR TRACT NO. 17198 LOCATED AT 2013-2029 ANAHEIM AVENUE, COSTA MESA, CALIFORNIA (06:03:19)**

MOTION/SECOND: Mayor Righeimer/Mayor Pro Tem Mensinger

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

ACTION:

City Council approved the Final Map for Tract No. 17198 and authorized signing of the Map by the City Clerk and the City Engineer.

7. **PROFESSIONAL ENGINEERING SERVICES FOR DESIGN OF PLACENTIA AVENUE MEDIAN IMPROVEMENTS (06:03:25)**

Discussion ensued on the start location of the project; enhancing safety and matching funds for the project. (06:03:35)

MOTION/SECOND: Council Member Leece/Council Member Genis

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

ACTION:

1. Awarded a Professional Services Agreement for design of the Placentia Avenue Median Improvements to Onward Engineering, 300 S. Harbor Boulevard, Suite 814, Anaheim, CA 92805, in the amount of \$119,670; and
2. Approved Budget Adjustment BA 14-023 in the amount of \$20,000 towards the project; and
3. Authorized the Mayor and the City Clerk to execute the Professional Services Agreement and the Budget Adjustment.

CONTINUED PUBLIC COMMENTS (06:08:30)

Jay Humphrey, Costa Mesa, spoke on the previous Charter Measure. (06:08:40)

Anna Vrska, Costa Mesa, thanked Council Member Leece for helping her understand the financials of the City; thanked City Clerk Green for providing her with a Public Records Request log; and identified items of concerns on the 60th Anniversary event. (06:10:05)

Roger Chadderdom, Costa Mesa, spoke on the Athletic Use and Allocation policy; expressed concern on not being able to play at the park on Friday nights; and wants Robert Knapp reinstated. (06:12:40)

Cindy Brenneman, Costa Mesa, spoke regarding the 60th Anniversary documents; the Costa Mesa Community Foundation; inquired as to when the 60th Anniversary Committee will meet again and if there will be a Study Session to review the findings. (06:16:10)

REPORT – CITY ATTORNEY (06:19:10)

COUNCIL MEMBER COMMENTS ON CONTINUED PUBLIC COMMENTS (06:19:20)

Council Member Leece would like an investigation into Mr. Chadderdom's concerns; agreed with Ms. Brenneman's comments on the need of having another 60th Anniversary Committee meeting.

The Mayor adjourned the meeting at 12:21 a.m.

MAYOR

CITY CLERK

UNOFFICIAL UNTIL APPROVED

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

MARCH 4, 2014

CALL TO ORDER

The meeting was called to order by the Mayor at 4:30 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

ROLL CALL

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

Council Members Absent: None

PUBLIC COMMENTS ON CLOSED SESSION ITEMS - NONE

CLOSED SESSION

The City Council recessed into closed session at 4:35 p.m. to consider the following items:

1. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organization: Costa Mesa City Employee Association (CMCEA), pursuant to California Government Code Section 54957.6.
2. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organization: Costa Mesa Police Officers Association (CMPOA), pursuant to California Government Code Section 54957.6.
3. Conference with legal counsel regarding existing litigation: Ress Financial Corporation, a California Corporation v. Thomas Hewko, an individual, and City of Costa Mesa, a public entity, et al., Orange County Superior Court Case No. 30-2013-00661459-CU-OR-CJC, pursuant to California Government Code Section 54956.9(a).

Mayor Righeimer and Mayor Pro Tem Mensinger recused themselves from Closed Session item number 2 due to a possible conflict.

The City Council reconvened at 6:16 p.m.

CALL TO ORDER (00:00:15)

PLEDGE OF ALLEGIANCE (00:00:30) – Mayor Pro Tem Mensinger

MOMENT OF SOLEMN EXPRESSION (00:00:50)

Pastor Mike Gibson, Christ Lutheran Church and School

ROLL CALL (00:02:21)

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, Assistant Chief Executive Officer/Administrative Services Director Tamara Letourneau, Economic and Development Services Director Gary Armstrong, Public Services Director Ernesto Munoz, and City Clerk Brenda Green.

CLOSED SESSION REPORT (00:02:34)

City Attorney Duarte reported on Closed Session item 3:

(5-0 vote) – City Council approved a settlement wherein the City would receive \$121,000 dollars.

- COIN: Ex Parte Communications pursuant to Municipal Code Section 2-238 (b) - None

ANNOUNCEMENTS (00:02:50)

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

PRESENTATIONS (00:05:19)

Colin McCarthy and Ron Amburgey of Costa Mesa United provided a financial report on grant monies for Costa Mesa United.

Arbor Day "March 7, 2014" Presentation by Jerry Klemer, Arbor Day Chairman, Rotary Club of Newport-Balboa.

PUBLIC COMMENTS (00:13:00)

Scott Morlan, Costa Mesa, spoke on an article in the Orange County Register. (00:13:40)

Chuck Perry, Costa Mesa, spoke on behalf of Jean McMann and thanked the Mayor for helping Anchor Trailor Park. (00:14:45)

Lisa Morlan, Costa Mesa, spoke on group homes and properties that exhibit nuisance behaviors and inquired on the task force. (00:15:45)

Harold Weitzberg, Costa Mesa, spoke on in-fill projects; and spoke on parking and density. (00:18:00)

Phil Morello, Costa Mesa, spoke on behalf of the Wallace Area Improvement Group; and spoke on efforts and accomplishments of neighborhood cleanup. (00:20:25)

Sue Lester, Costa Mesa, spoke on the cost of police officer recruitments. (00:23:50)

Margaret Mooney, Costa Mesa, expressed support for City employees and the Police department; and spoke on the Mayor's comments on an article in the Orange County Register. (00:27:47)

Kim Hendricks, Costa Mesa, spoke regarding Fairview Park. (00:30:59)

Anna Vrska, Costa Mesa, spoke on the Park's and Recreation Commission Field Allocation. (00:33:00)

Tamar Goldmann, Costa Mesa, spoke on police staffing, recruitment and retention. (00:35:05)

COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (00:38:20)

Mayor Pro Tem Mensinger thanked the reserve officers and Costa Mesa United for their efforts. (00:38:30)

Council Member Genis spoke on Mr. Morlan's comments; requested a report on nuisance citations; announced the basketball tournament and a Community Fair at Lions Park on March 15th; the Fairgrounds Open House on March 11th, 2014; Planting Day at Fairview Park on March 16th, 2014; spoke on March as Women's History month and March 8th, 2014 as International Women's Day; and acknowledged Norma Hertzog for being the first woman Council Member. (00:39:50)

Council Member Leece spoke on the committee recruitments; thanked Costa Mesa United for their presentation; announced a Relay for Life event and the Mayor's breakfast on March 14th, 2014; spoke on field usage; spoke on traffic and density concerns; asked staff to update pictures in the Urban Master Plan; spoke on group homes; thanked Mr. Morello; spoke on the vernal pools; and spoke on Police Department staffing and an article in the Orange County register. (00:42:50)

Council Member Monahan (00:54:00) – None

Mayor Righeimer spoke on the Preserve Our Neighborhood Committee; spoke on group homes; announced the names of the members to serve on the Committee: Lisa Morlan, Tim Sesler, Keri McCarthy, Larry Weichman, Jeremy Broderick, Scott McCave, and Joe McGreevy; spoke on the Police Department and staffing levels; the helicopter program; police contract pay increase; pension costs, and support for the Police Department. (00:54:55)

REPORT-CHIEF EXECUTIVE OFFICER (CEO) (01:08:55)

CEO Thomas Hatch spoke on providing office space to veterans at the Westside substation; spoke on field usage concerns from neighbors at Vanguard University; provided a motel and group homes status update; and spoke on employee recruitments and staffing levels.

Director of Public Services Ernesto Muñoz spoke regarding alleys, grants and the vernal pools. (01:14:45)

CONSENT CALENDAR (01:25:14)

MOTION: Approved recommended actions for Consent Calendar Item Nos. 1 through 8 except for Items 6, 7 and 8.

MOVED/SECOND: Council Member Monahan/Council Member Leece

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

1. **PROCEDURAL WAIVER: MOTION TO APPROVE THE READING BY TITLE ONLY OF ALL ORDINANCES AND RESOLUTIONS. SAID ORDINANCES AND RESOLUTIONS THAT APPEAR ON THE PUBLIC AGENDA SHALL BE READ BY TITLE ONLY AND FURTHER READING WAIVED**

ACTION:

City Council waived reading in full of Ordinances and Resolutions and approval and adoption of same by reading title only.

2. **READING FOLDER**

- a. Claims received by the City Clerk: Lloyd Collins; David DeMarco; David Calvin; and Elizabeth Wood.

ACTION: Received and filed.

3. **WARRANT RESOLUTION 2510: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 14-04 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 14-04 for \$2,034,031.11 and City operating expenses for \$1,453,522.45.**

ACTION: City Council approved Warrant Resolution No. 2510, to be read by title only and further reading waived.

4. **PARK AVENUE ALLEY (ALLEY NO. 10), BAKER STREET ALLEY (ALLEY NO. 44), AND FULLERTON AVENUE ALLEY (ALLEY NO. 104) IMPROVEMENT PROJECT – CITY PROJECT NO. 13-03**

ACTION:

1. City Council accepted the work performed by Grigolla & Sons Construction Company, Inc. and authorized the City Clerk to file the Notice of Completion; and
2. Authorized to Release the Labor and Material Bond seven (7) months after the filing date; release the Faithful Performance Bond one (1) year after the filing date; and release the retention monies 35 days after the Notice of Completion filing date.

5. REFUND OF CASH DEPOSIT IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS13-00456 FOR PARKWAY IMPROVEMENTS AT 3180 AIRWAY AVENUE, COSTA MESA, CALIFORNIA

ACTION:

City Council approved the refund of cash deposit in connection with Encroachment Permit No. PS13-00456 in the amount of \$18,896.59 to Synder Langston, 17962 Cowan, Irvine, CA 92614.

PUBLIC HEARINGS – (01:25:50)

1. AN ORDINANCE OF THE CITY COUNCIL OF COSTA MESA, CALIFORNIA, ADOPTING ZONING CODE AMENDMENT CO-13-04 AMENDING TITLE 13, CHAPTERS I, IV, AND V RELATED TO DEFINITIONS, LAND USE MATRIX AND NEW ARTICLE 13-42

Staff report provided by Minoo Ashabi, Principal Planner. (01:25:55)

Discussion ensued regarding a letter received from the Building Industry Association (BIA); minimum open space; automatic roll up doors; rear yards for one story developments; requirements for Homeowners and Maintenance Associations; existing zoning; and CEQA exemption. (01:38:16)

Beth Refakes, Costa Mesa, spoke on neighborhoods, open space, and tandem parking. (01:49:27)

Peter Nagavi, San Clemente, spoke in support of the Ordinance. (01:52:33)

Colin McCarthy, Costa Mesa, spoke on a BIA meeting regarding small lot ordinances; spoke on density; parking; deviations; variations; homeownership opportunities; and expressed support for the Ordinance. (01:55:14)

Chris Kerstner, Costa Mesa, spoke regarding living space and backyards; and HOA fees. (01:58:35)

Victor Cao, BIA, spoke in support of the small lot Ordinance. (02:00:35)

Mary Godwin, Costa Mesa, spoke in opposition of the Ordinance. (02:03:50)

Emily McKenzie, Costa Mesa, spoke in opposition of the Ordinance. (02:07:30)

Peter Zehnder, Costa Mesa, spoke in support of the Ordinance. (02:12:05)

Margaret Mooney, Costa Mesa, spoke in opposition of the Ordinance. (02:13:40)

Jennifer Robbins, Costa Mesa, spoke to an issue at her residence and expressed concerns regarding building, health and safety violations. (02:16:00)

Anna Vrska, Costa Mesa, spoke in opposition of the Ordinance. (02:20:05)

Tamar Goldmann, Costa Mesa, spoke in opposition of the Ordinance. (02:23:22)

Chad Brown, Irvine, spoke in support of the Ordinance. (02:26:30)

Chris McEvoy, Costa Mesa, spoke in opposition of the Ordinance. (02:29:05)

Matt Hamilton, Costa Mesa, spoke in support of the Ordinance. (02:31:15)

Bryan Coggins, Costa Mesa, spoke in support of the Ordinance. (02:32:35)

Discussion ensued on driveway width and a housing needs assessment. (02:34:40)

MOVED/SECOND: Council Member Righeimer/Council Member Monahan (02:37:20)

Mayor Righeimer expressed concern with tandem parking in garages. (02:37:24)

Mayor Pro Tem Mensinger spoke on homeownership opportunities and parking. (02:41:28)

Council Member Genis spoke on the reduction of open space; windows; distance between buildings; opposed to the 10 foot setbacks; spoke on tandem parking; the 5 foot encroachment; an environmental determination; and CEQA training for staff. (02:43:23)

Council Member Leece expressed concern with traffic noise; overcrowding; reducing open space; and does not support the item. (02:47:11)

MOTION: To approve as recommended, with one change regarding no tandem parking. (02:50:20)

MOVED/SECOND: Council Member Righeimer/Council Member Monahan

The motion carried by the following roll call vote:

Ayes: Council Member Monahan, Mayor Pro Tem Mensinger, and Mayor Righeimer

Nays: Council Member Genis and Council Member Leece

Absent: None

Motion carried: 3-2

ACTION:

City Council approved and gave first reading of Ordinance No. 14-04, to be read by title only and waived further reading, adding new regulations for small lot subdivisions in multiple family residential zones and urban plan areas and no tandem parking.

Break- 9:05-9:18 p.m.

2. **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, UPHOLDING THE PLANNING DIVISION'S ZONING APPROVAL OF BUILDING PERMIT APPLICATION (BC13-00844) FOR CONSTRUCTION OF ADDITIONS TO THE FIRST AND SECOND STORY OF AN EXISTING TWO-STORY RESIDENCE (03:01:44)**

Staff report provided by Antonio Gardea, Senior Planner. (03:02:35)

Michael York, attorney representing the two Appellants, indicated that he submitted a letter; spoke on the impact of the second story addition and extension on the subject property. (03:10:00)

George Youssef, Costa Mesa, requested denial of the proposed application. (03:15:15)

Marcia Young, Costa Mesa, spoke on the impacts the proposed additions will have on her privacy and light. (03:21:40)

Discussion ensued on the existing deck; square footage; and open space ratio. (03:24:49)

Craig Holiday, applicant, spoke on his intent of expanding and improving his house; spoke on the tree removal; zero lot line regulations; and demonstrated photographs of impacts to his neighbors. (03:26:47)

Michael York, Attorney representing two Appellants, spoke on the impacts of privacy, light, air and view to Ms. Young's property. (03:37:09)

Discussion ensued on adding a tree as a condition; approval from the HOA and architectural review board; and mitigating the loss of light. (03:38:52)

MOTION: To uphold the Planning Division's zoning approval with the condition of adding a tree or screening. (03:46:10)

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Mensinger

Discussion ensued on the lot size; open space; and the zero lot line. (03:46:40)

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council approved Resolution No. 14-13, to be read by title only and waived further reading, upholding the Planning Commission's decision to affirm the Planning Divisions zoning approval to allow construction of first and second story additions to an existing two-story residence subject to conditions of approval.

3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, TO UPHOLD THE PLANNING COMMISSION'S ACTION AND TO APPROVE PLANNING APPLICATION MASTER PLAN PA-13-21, AND TENTATIVE TRACT MAP 17658 FOR DEVELOPMENT OF 36-UNIT LIVE/WORK AND RESIDENTIAL PROJECT AT 2023, 2025 AND 2027 PLACENTIA AVENUE (03:48:35)

Staff presentation provided by Minoo Ashabi, Principal Planner. (03:49:08)

Discussion ensued on the visibility clearance; the use of the building; existing traffic; and structures at the westerly edge of the site. (03:58:35)

Council Member Genis inquired on placing a condition of a no roof deck; and inquired on vapor soil studies. (04:01:20)

Principal Planner Ashabi stated that the building is not designed for roof decks. (04:01:49)

Kim Prijatel, City Ventures, spoke on soil vapors and a health risk assessment. (04:03:16)

Council Member Genis inquired on how to protect the neighbors from toxic materials in the soil. (04:03:56)

Kim Prijatel, City Ventures, indicated that the Department of Health ensures they follow standards; indicated that they work with AQMD and that a full abatement is done prior to demolition. (04:05:15)

Council Member Genis inquired on the provision of park fees; and inquired if the City is actively seeking any sites. (04:05:34)

Public Services Director Muñoz indicated that park needs and possible open spaces is part of the Open Space Master Plan update. (04:06:41)

Council Member Genis asked if an environmental analysis was done for a structure of over 30 feet. (04:07:15)

Principal Planner Minoo indicated that with the revised plan there are no impacts to the residential properties. (04:08:05)

Stephanie Leiter, Appellant Representative, indicated that the owners object to this site plan; spoke on the shared driveway by easement; trip generation; zoning approval impacting her clients property rights; access in and out to Placentia; reconfiguring the site in a different way; and urged not to approve the plan. (04:09:00)

Kim Prijatel, City Ventures, displayed an aerial photo of the site, existing site conditions, and surrounding uses; spoke on traffic, community outreach meetings, plan revisions and the current site plan. (04:18:23)

Discussion ensued regarding parking spaces; easements; square footage; open space; and garages. (04:27:20)

Tamar Goldmann, spoke on the size of the work space; noise; and density. (04:34:14)

Discussion regarding deviations. (04:37:15)

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Mensinger (04:40:40)

Mayor Righeimer stated he is in favor of the newly proposed plan. (04:41:35)

Discussion regarding the driveway approach. (04:41:50)

Stephanie Leiter, Appellant Representative, indicated that her client's preference is the original plan. (04:43:10)

Council Member Genis stated she will not support the motion; spoke on setbacks; workspace; and ratio of open to enclosed parking. (04:45:00)

Council Member Leece expressed concern on the joint use of the road; and indicated that she will not support the motion. (04:46:15)

Mayor Righeimer spoke on parking standards; vehicles backing out; and the easement. (04:46:45)

Council Member Leece spoke on the deviations. (04:49:25)

Mayor Righeimer expressed support with the revised plan. (04:50:00)

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Mensinger

The motion carried by the following roll call vote:

Ayes: Council Member Monahan, Mayor Pro Tem Mensinger, and Mayor Righeimer

Nays: Council Member Genis and Council Member Leece

Absent: None

Motion carried: 3-2

(04:50:52)

ACTION:

City Council approved Resolution No. 14-14, to be read by title only and waived further reading, upholding the Planning Commission's decision to approve the proposed project, described below:

The proposed project involves development of 30 three-story live/work units and six two-story residential units at 2023, 2025, and 2027 Placentia Avenue. The project proposal includes the following:

1. Adoption of an Initial Study/Mitigated Negative Declaration; and
2. Planning Application PA-13-21 – Urban Master Plan for development of a 36-unit live/work and residential project on two industrial zoned parcels within the Mesa West Bluffs Urban Plan Area. The project includes the following deviations:
 - Deviation from live/work standards to allow six residential units with no workspace; and

- Deviation from the minimum work space requirement for 24 units (250 SF required, 118 SF proposed for 24 units); and
 - Deviation from rear setback requirement abutting residential zone (20 feet required, 10 feet proposed for first floor); and
3. Tentative Tract Map 17658 – Subdivision of a 1.88-acre property for condominium purposes to allow private sale and ownership of the 36 live/work and residential units.

OLD BUSINESS (04:50:56)

1. **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADDING SECTION 11-15 TO CHAPTER 1 (GENERAL) OF TITLE 11 (OFFENSES-MISCELLANEOUS) OF THE COSTA MESA MUNICIPAL CODE, RELATING TO REWARDS FOR INFORMATION LEADING TO THE ARREST AND CONVICTION OF PERSONS VANDALIZING CITY PROPERTY (04:50:57)**

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Mensinger (04:51:40)

Council Member Leece spoke on an inquiry made by a resident regarding incorporation of private property into the Ordinance; and asked to post information on crime stoppers on the website. (04:51:50)

Mayor Pro Tem Mensinger inquired on the steps to incorporate the language of private property in the Ordinance. (04:53:13)

SUBSTITUTE MOTION: To add Public Property. (04:55:32)

MOVED: Mayor Pro Tem Mensinger
Motion died for a lack of a second

ORIGINAL MOTION: For second reading of Ordinance (04:55:40)

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Mensinger

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council approved and gave second reading of Ordinance No. 14-02, to be read by title only and waived further reading, relating to rewards for information leading to the arrest and conviction of persons vandalizing City property.

Mayor Righeimer requested a private property Ordinance. (04:55:56)

1. **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REPEALING CHAPTER XIII TO TITLE 11 OF THE COSTA MESA MUNICIPAL CODE, RELATING TO SEX OFFENDERS PROHIBITED FROM CITY PARKS AND SPORTS FACILITIES (04:56:17)**

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Mensinger

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council approved and gave second reading of Ordinance No. 14-03, to be read by title only and waived further reading, which repeals Chapter XIII to Title 11 of the Costa Mesa Municipal Code relating to Sex Offenders Prohibited from City Parks and Sports Facilities.

NEW BUSINESS - NONE

ITEMS REMOVED FROM THE CONSENT CALENDAR (04:56:35)

6. **COOPERATIVE AGREEMENTS FOR THE BICYCLE CORRIDOR IMPROVEMENT PROGRAM PROJECTS (04:56:45)**

Council Member Genis inquired on an archeological monitor for work at Fairview Park; and spoke on the drainage for vernal pools. (04:56:44)

Council Member Leece inquired on the location and operation of the Placentia Avenue signal. (04:57:20)

Public Services Director Muñoz spoke on the purpose of the signal; visibility of the signal and safety. (04:58:00)

Cindy Black, Costa Mesa, spoke on the bicycle path; the vernal pools; parking; and removal of vegetation. (04:59:30)

Director of Public Services Muñoz spoke on the bicycle trail; and the water shed. (05:00:00)

Council Member Leece inquired if in compliance with the Master Plan. (05:02:00)

Director of Public Services Muñoz responded yes. (05:02:10)

Council Member Genis spoke on the water puddles on the trail; and consulting with Fish and Wildlife. (05:02:15)

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Mensinger (05:03:25)

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

1. City Council approved Cooperative Agreements between the City of Costa Mesa and the Orange County Transportation Authority (OCTA) for four (4) Bicycle Corridor Improvement (BCI) Program projects; and
2. Authorized the Mayor and City Clerk to execute the above agreements.

7. PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF THE CITYWIDE SCHOOL ZONE TRAFFIC CALMING PROJECT (05:03:48)

Council Member Genis asked if the Master Plan will include more schools; and spoke on Wilson Elementary not being included. (05:03:50)

Director of Public Services Muñoz spoke on grant application eligibility for improvements; and indicated that many improvements will affect Wilson Elementary. (05:04:04)

Council Member Leece inquired on including Wilson Elementary. (05:05:30)

MOVED/SECOND: Council Member Leece/Mayor Pro Tem Mensinger (05:05:50)

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

1. City Council awarded a Professional Services Agreement to KOA Corporation, 2141 W. Orangewood Avenue, Suite A, Orange, CA 92868, in the amount of \$63,500; and
2. Authorized the Mayor and the City Clerk to execute the Professional Services Agreement.

8. **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DESIGNATING THE EVENT ROUTE AND STREET CLOSURES FOR THE 2014 ORANGE COUNTY MARATHON 050602)**

Mayor Righeimer recused himself as he indicated that he sold the organization furniture. (05:06:10)

Discussion ensued on donations to City programs. (05:06:30)

Director of Public Services Muñoz indicated that the marathon does contribute funding to charities and schools; and the applicant will be fully reimbursing the City. (05:07:55)

Council Member Leece spoke on advertising for the event. (05:08:52)

Director of Public Services Muñoz spoke on community outreach; and written notifications to those impacted. (05:09:12)

Council Member Leece inquired if the money is going to Costa Mesa organizations. (05:11:28)

Gary Kutcher, OC Marathon Director, spoke on fees associated with this event; scholarships to Costa Mesa students; hotels being reserved for the event; and keeping impacts to a minimum. (05:12:00)

MOVED/SECOND: Council Member Monahan/Council Member Genis

The motion carried by the following roll call vote:

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

Nays: None

Recused: Mayor Righeimer

Motion carried: 4-0-1

ACTION:

City Council adopted Resolution No. 14-12, to read by title only and waived further reading, designating the event route for the 2014 Orange County (OC) Marathon and approved the temporary street closures for May 4, 2014, as requested for the 2014 OC Marathon.

CONTINUED PUBLIC COMMENTS – (05:15:30)

Cindy Black, Costa Mesa, spoke on the grant announcement for the 19th street bike path; and on the Talbert Park bike path. (05:15:53)

COUNCIL MEMBER COMMENTS ON CONTINUED PUBLIC COMMENTS - NONE

REPORT – CITY ATTORNEY - NONE

ADJOURNMENT - The Mayor adjourned the meeting at 11:34 p.m.

MAYOR

CITY CLERK

UNOFFICIAL UNTIL APPROVED

MINUTES OF THE CITY COUNCIL STUDY SESSION MEETING

MAY 13, 2014

CALL TO ORDER

The meeting was called to order by the Mayor at 4:36 p.m. in Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

ROLL CALL

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

Council Members Absent: Council Member Monahan

Officials Present: CEO Thomas Hatch, Assistant CEO Rick Francis, Assistant CEO Tamara Letourneau, City Attorney Thomas Duarte, Economic and Development Services Director Gary Armstrong, Public Services Director Ernesto Munoz, and City Clerk Brenda Green.

PUBLIC COMMENT (00:01:23)

Harold Weitzberg, Costa Mesa, spoke regarding dialogue. (00:01:23)

Robin Leffler, Costa Mesa, spoke on starting the meeting at a later time. (00:02:35)

Tom Pollitt, Costa Mesa, spoke regarding no increase to expenses. (00:04:30)

Jay Humphrey, Costa Mesa, spoke on the Capital Improvement Budget and safety budget. (00:05:13)

Beth Refakes, Costa Mesa, spoke on the senior center budget; drought conditions; and the community center, library funding. (00:06:22)

STAFF REPORT

1. FISCAL YEAR 2014-2015 PRELIMINARY OPERATING AND CAPITAL IMPROVEMENT BUDGET

CEO Hatch provided an overview of the budget. (00:08:45)

Presentation by Stephen Dunivent, Interim Finance Director. (00:17:40)

Discussion regarding fund balance and reserves. (00:48:34)

Discussion regarding legal fees and consulting fees. (00:54:53)

Discussion regarding budget priorities and reserves. (00:58:30)

Discussion regarding the police department budget and staffing levels. (01:06:00)

Discussion regarding fire station repairs, fire department staffing levels, and retirements costs. (01:15:15)

Presentation by CEO Hatch on the Capital Improvement Program. (01:26:30)

Discussion regarding the tree planting program; lighting at Fairview Park and the Balearic Center. (01:46:40)

Discussion regarding signage and branding. (01:55:28)

Harold Weitzberg, Costa Mesa, spoke regarding the police and fire staffing levels. (01:59:16)

Mayor Righeimer spoke regarding the police and fire staffing levels; reserves, the tree planting program; and alleys. (02:00:50)

Council Member Leece spoke regarding the library and police staffing levels. (02:07:15)

Council Member Genis spoke regarding fire station repairs and animal shelter services. (02:10:53)

Mayor Pro Tem Mensinger spoke regarding the library. (02:13:00)

CEO Hatch spoke regarding financing the library and fire station improvements. (02:15:00)

The Mayor adjourned the meeting at 6:52 p.m.

MAYOR

ATTEST:

CITY CLERK

UNOFFICIAL UNTIL APPROVED

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

MAY 20, 2014

CALL TO ORDER

The meeting was called to order by the Mayor at 4:30 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

ROLL CALL

Council Members Present: Mayor Righeimer (arrived at 4:45 p.m.), Mayor Pro Tem Mensinger, Council Member Leece, Council Member Genis (arrived at 4:45 p.m.) and Council Member Monahan

Council Members Absent: None

PUBLIC COMMENTS ON CLOSED SESSION ITEMS - NONE

CLOSED SESSION

The City Council recessed into closed session at 4:35 p.m. to consider the following items:

1. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organization: Costa Mesa Police Officers Association (CMPOA), pursuant to California Government Code Section 54957.6.
2. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organization: Costa Mesa City Employee Association (CMCEA), pursuant to California Government Code Section 54957.6.
3. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organization: Costa Mesa Fire Fighters Association (CMFA), and Costa Mesa Fire Fighters Management Association, pursuant to California Government Code Section 54957.6.
4. Conference with legal counsel regarding existing litigation: City of Costa Mesa, et al v. Michael Cohen, et al, Sacramento County Superior Court, Case No. 34-2013-80001675, pursuant to California Government Code Section 54956.9(a).

Mayor Righeimer and Mayor Pro Tem Mensinger recused themselves from Closed Session item number 1 due to a possible conflict.

The City Council reconvened at 6:04 p.m.

CALL TO ORDER (00:00:14)

PLEDGE OF ALLEGIANCE (00:00:36) – Mayor Pro Tem Mensinger

MOMENT OF SOLEMN EXPRESSION (00:00:57)

Doug Jacks, Palm Harvest Church

ROLL CALL (00:01:26)

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, Assistant Chief Executive Officer/Administrative Services Director Tamara Letourneau, Economic and Development Services Director Gary Armstrong, Transportation Services Manager Raja Sethuraman, and City Clerk Brenda Green.

CITY ATTORNEY CLOSED SESSION REPORT (00:01:45) - NONE

- COIN: Ex Parte Communications pursuant to Municipal Code Section 2-238 (b) - None

ANNOUNCEMENTS (00:01:50)

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

PRESENTATION (00:00:00) - NONE

PUBLIC COMMENTS (00:04:52)

Harold Weitzberg, Costa Mesa, spoke regarding a new development project on Victoria. (00:05:00)

Mary Ann Dunham, Costa Mesa, spoke on the Relay for Life event. (00:08:08)

Charles Mooney, Costa Mesa, spoke on the Library and Community Center. (00:10:00)

Beth Refakes, Costa Mesa, spoke regarding the budget meeting; development in the airport area; and use of the substation for the American Legion Post. (00:11:26)

Al Melone, Costa Mesa, spoke regarding animal control services; and the dog park. (00:14:38)

Chuck Perry, Costa Mesa, thanked Council on road repairs; Dan Joyce; the Community Center and Library; and Estancia's High School class reunion. (00:17:42)

Laurene Keane, Costa Mesa, spoke regarding the 60th Anniversary; crime statistics; and displacement of apartment tenants. (00:19:47)

Robin Leffler, Costa Mesa, spoke on public safety and police patrols; and the Charter. (00:22:10)

Chris McEvoy, Costa Mesa, spoke regarding a political flyer; high density units; and traffic. (00:25:12)

Teresa Drain, Costa Mesa, spoke regarding the 60th Anniversary event. (00:28:10)

COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (00:29:12)

Mayor Pro Tem Mensinger - spoke on the library; election year comments; and the police helicopter and patrols. (00:29:12)

Council Member Genis – spoke on the scholars who were recognized by the Chamber of Commerce; the Library Foundation event; the Harbor Lawn Memorial Day Ceremony; airport expansion and compatibility; animal control issues; and the fire at Talbert Park. (00:32:35)

Council Member Leece – spoke on the Library Foundation event; library improvements; the dog park; the Senior Center; the American Legion; congratulated Christian Hernandez; addressed public comments; spoke on the enforcement of commercial vehicles parking in residential areas; and attorney fees. (00:36:05)

Council Member Monahan – None. (00:45:29)

Mayor Righeimer – spoke on the ICSC Conference; the substation for the American Legion; the Senior Center and the Library; airport expansion; and spoke on police patrols and hiring of police officers. (00:45:31)

REPORT- CHIEF EXECUTIVE OFFICER (CEO) (00:53:58)

CEO Thomas Hatch spoke on the American Legion Post awards to police and fire; the Charter; the dog park; the library; and Fire Department staffing levels.

CONSENT CALENDAR (00:55:52)

MOTION: Approve recommended actions for Consent Calendar Items Nos. 1-6.

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Mensinger

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

- 1. PROCEDURAL WAIVER: MOTION TO APPROVE THE READING BY TITLE ONLY OF ALL ORDINANCES AND RESOLUTIONS. SAID ORDINANCES AND RESOLUTIONS THAT APPEAR ON THE PUBLIC AGENDA SHALL BE READ BY TITLE ONLY AND FURTHER READING WAIVED**

ACTION:

City Council waived reading in full of Ordinances and Resolutions and approval and adoption of same by reading title only.

2. READING FOLDER

- a. Claims received by the City Clerk: Jorge Urbano-Miguel; Yolanda Arroyo; Dillion Giedt; Ronald Campbell; Leonard Tovar; and Brenda Hale.

ACTION: Received and filed.

3. WARRANT RESOLUTION 2515: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 14-09 "A", 14-10, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 14-09 "A" for \$1,997.16, Payroll No. 14-10 for \$2,097,288.29, and City operating expenses for \$2,170,529.84.

ACTION: Approved Warrant Resolution No. 2515, to be read by title only and further reading waived.

4. A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA AND THE COSTA MESA HOUSING AUTHORITY ADOPTING A BUDGET FOR THE HOUSING AUTHORITY FOR FISCAL YEAR 2014-2015

ACTION:

City Council and Housing Authority adopted Resolution No. 14-29, to be read by title only and waived further reading, approving the Housing Authority Budget for Housing and Community Development (HCD) expenses for FY 14-15.

5. RESOLUTIONS RELATING TO THE CALLING OF THE GENERAL MUNICIPAL ELECTION ON NOVEMBER 4, 2014

ACTION:

1. City Council Adopted Resolution No. 14-26, to be read by title only and waived further reading, calling and giving notice to conduct a General Municipal Election on November 4, 2014 for the election of two members to the City Council; and
2. Adopted Resolution No. 14-27, to be read by title only and waived further reading, requesting the Orange County Board of Supervisors to consolidate the General Municipal Election with the Statewide General Election and to issue instruction to the Orange County Registrar of Voters Elections Department to provide specific services in the conduct of the consolidated election; and
3. Adopted Resolution No. 14-28, to be read by title only and waived further reading, adopting regulations pertaining to Candidates Statements.

6. PROFESSIONAL SERVICES AGREEMENT FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE FIRE STATION #4 (PLACENTIA) RENNOVATION/ADDITION PROJECT

ACTION:

1. City Council awarded a Professional Services Agreement to IDS Group for architectural and engineering services for the extension of the apparatus bay and the addition of a vehicle storage building at fire station 4 in the amount of \$57,820; and
2. Authorized an additional contingency appropriation of \$14,000 for services which may include AutoCAD conversion of as-built plans, geotechnical investigation, and pre-construction destructive testing; and
3. Authorized the Mayor to execute the Professional Services Agreement.

Consensus: Public Hearing Item 1 moved to after New Business.

OLD BUSINESS – (00:57:00)

1. **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, GRANTING APPROVAL TO ADOPT REZONE R-13-02 FOR A REZONE (OR CHANGE) OF THE ZONING CLASSIFICATION OF THE 4.17-ACRE DEVELOPMENT SITE FOR THE 125 EAST BAKER APARTMENT PROJECT FROM COMMERCIAL LIMITED (CL) TO PLANNED DEVELOPMENT RESIDENTIAL – HIGH DENSITY (PDR-HD) AT 125 EAST BAKER STREET (00:57:10)**

Public Comments:

Robin Leffler, Costa Mesa, spoke regarding the neighborhood manufacturing business. (00:57:49)

Tamar Goldman, Costa Mesa, spoke in support of the manufacturing business. (01:01:10)

Council Member Leece expressed concerns on traffic and density. (01:02:52)

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

The motion carried by the following roll call vote:

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

Nays: Council Member Leece

Absent: None

Motion carried: 4-1

ACTION:

City Council adopted Ordinance No. 14-05, to be read by title only and waived further reading.

2. **AN ORDINANCE OF THE CITY OF COSTA MESA, CALIFORNIA, GRANTING APPROVAL TO ADOPT ZONING CODE AMENDMENT CO-13-02 TO AMEND COSTA MESA MUNICIPAL CODE TITLE 13 FOR A SITE-SPECIFIC DENSITY OF 58 DWELLING UNITS PER ACRE FOR THE 125 EAST BAKER APARTMENT PROJECT. THE AMENDMENT IS PROPOSED TO THE FOLLOWING CODE SECTION IN TITLE 13 OF THE COSTA MESA MUNICIPAL CODE: TABLE 13-58 (PLANNED DEVELOPMENT STANDARDS) TO ALLOW A SITE-SPECIFIC DENSITY OF 58 DWELLING UNITS PER ACRE FOR THIS PROJECT AT 125 EAST BAKER STREET (01:03:44)**

Public Comments:

Robin Leffler, Costa Mesa, spoke on the General Plan process. (01:04:35)

Tamar Goldmann, Costa Mesa, spoke on density and affordable housing. (01:05:40)

Kathy Esfahani, Costa Mesa, spoke on affordable housing. (01:07:25)

Mayor Pro Tem Mensinger read into the record a letter received from Todd Perkins in support of the project. (01:16:20)

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

The motion carried by the following roll call vote:

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

Nays: Council Member Leece

Absent: None

Motion carried: 4-1

ACTION:

City Council adopted Ordinance No. 14-06, to be read by title only and waived further reading.

NEW BUSINESS – (01:17:04)

1. **GENERAL PLAN SCREENING GPS-14-02 FOR PROPOSED 236-UNIT RESIDENTIAL APARTMENT PROJECT AT 2277 HARBOR BOULEVARD (01:17:10)**

Public Comments:

Donald Lamm, Applicant, spoke on the project. (01:28:12)

Harold Weitzberg, Costa Mesa, spoke on affordable housing. (01:46:00)

Beth Refakes, Costa Mesa, spoke regarding low income housing. (01:49:00)

Dianne Russell, Costa Mesa, spoke on affordable housing. (01:51:45)

Cynthia McDonald, Costa Mesa, spoke on density and park fees. (01:55:10)

Margaret Mooney, Costa Mesa, spoke on affordable housing. (01:58:20)

Mick Meldrum, Vice President, ICI Development Co., spoke in support of the project. (01:59:20)

Kathy Esfahani, Affordable Housing Coalition, spoke regarding affordable housing. (02:01:10)

Jay Humphrey, Costa Mesa, spoke on affordable housing and the height of the project. (02:04:15)

Tamar Goldmann, Costa Mesa, spoke on affordable housing. (02:07:30)

Robin Leffler, Costa Mesa, spoke on density and the height of the project. (02:09:14)

Council Member Leece spoke on affordable housing. (02:12:35)

Council Member Genis spoke on traffic concerns; calls for service; high density and economic impacts. (02:16:30)

Mayor Pro Tem Mensinger spoke regarding poor living conditions at the motel and affordable housing. (02:20:20)

Mayor Righeimer spoke on police issues at the motel; affordable housing; and the forty units per acre ratio. (02:27:00)

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

The motion carried by the following roll call vote:

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

Nays: Council Member Genis

Absent: None

Motion carried: 4-1

ACTION:

City Council accepted the General Plan amendment request for processing to amend the land use designation from General Commercial to Planned Development Residential related to development of a 236-unit apartment complex project.

**~~2. RENEWAL OF THE USER AGREEMENT WITH HARBOR SOARING SOCIETY –~~
ITEM REMOVED FROM THE AGENDA**

The City Council recessed for a break at 8:42 p.m.

The City Council reconvened the meeting at 8:52 p.m.

PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55)- (02:48:42)

1. APPEAL OF THE REVOCATION OF PLANNING APPLICATION PA-99-09 – A CONDITIONAL USE PERMIT ALLOWING EXTENDED OCCUPANCY ROOMS AT THE SANDPIPER MOTEL LOCATED AT 1967 & 1977 NEWPORT BOULEVARD (02:48:50)

Council Member Monahan recused himself as lives within 500 feet of the motel, and left the Council Chambers. (02:38:00)

City Clerk Brenda Green swore in Senior Planner Mel Lee and Code Enforcement Officer Jonathan Neal. (02:50:59)

Report by City Prosecutor Palmer and Code Enforcement Officer Neal. (02:51:50)

Allan Calomino, Attorney representing Appellant Mike Lin, spoke. (03:58:14)

City Clerk Green swore in Appellant Mike Lin. (04:17:38)

Allan Calomino spoke and asked a series of questions to Code Enforcement Officer Neal and Mr. Neal responded. (04:18:35)

Mike Lin, Appellant, spoke. (04:33:06)

Allan Calomino, spoke. (04:35:40)

Discussion ensued. (04:41:00)

Alan Calamino spoke and asked a series of questions to Code Enforcement Officer Neal and Mr. Neal responded. (05:00:00)

Discussion continued. (05:07:47)

The City Council recessed for a break at 11:38 p.m. (05:33:29)

The City Council reconvened the meeting at 11:46 p.m. (05:41:48)

Public Comments:

Jean Forboth, Costa Mesa, spoke. (05:42:29)

Bob Washer, Costa Mesa, spoke. (05:44:00)

Morgan Lin, Costa Mesa, spoke. (05:47:25)

Cindy Black, Costa Mesa, spoke. (05:50:40)

Christine Nolf, Affordable Housing Coalition, spoke. (05:51:45)

Richard Pleasant, Costa Mesa, spoke. (05:53:50)

Kathy Esfahani, Costa Mesa, spoke. (05:57:18)

Robin Leffler, Costa Mesa, spoke. (06:00:22)

MOTION: To continue the meeting past midnight. (06:03:20)

MOTION/SECOND: Mayor Pro Tem Mensinger/Council Member Leece

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Recused: Council Member Monahan

Motion carried: 4-0

Tamar Goldmann, Costa Mesa, spoke. (06:03:40)

Jay Humphrey, Costa Mesa, spoke. (06:05:35)

Greg Ridge, Costa Mesa, spoke. (06:08:40)

Discussion ensued. (06:12:15)

MOTION/SECOND: Council Member Leece/Council Member Genis (06:16:10)

MOTION:

Conclude that there are insufficient findings that the Sandpiper Motel has been operated in violation of the conditions of approval of Conditional Use Permit PA-99-09 or as a public nuisance. The existing conditions of approval regulating the motel would remain as originally approved.

The motion failed by the following roll call vote: (06:27:50)

Ayes: Council Member Genis and Council Member Leece

Nays: Mayor Pro Tem Mensinger and Mayor Righeimer

Absent: None

Recused: Council Member Monahan

Motion failed: 2-2

MOTION/SECOND: Mayor Righeimer/Mayor Pro Tem Mensinger (06:28:20)

MOTION:

Uphold the Planning Commission's determination that the Sandpiper Motel has been operated in violation of the conditions of approval in Conditional Use Permit PA-99-09 and/or as a public nuisance, such that revocation of the CUP is justified; and revoke, or in lieu of revocation, amend the conditions of the CUP.

The motion failed by the following roll call vote:
Ayes: Mayor Pro Tem Mensinger and Mayor Righeimer
Nays: Council Member Genis and Council Member Leece
Absent: None
Recused: Council Member Monahan
Motion failed: 2-2

City Attorney stated that the Planning Commission decision stands and there is no action by the Council. (06:28:50)

ITEMS REMOVED FROM THE CONSENT CALENDAR - NONE

CONTINUED PUBLIC COMMENTS (00:00:00)

Phillip Marx, Costa Mesa, spoke on radiation poisoning. (06:29:25)

COUNCIL MEMBER COMMENTS ON CONTINUED PUBLIC COMMENTS - NONE

REPORT – CITY ATTORNEY - NONE

ADJOURNMENT- To next regular meeting on June 3, 2014.

The Mayor adjourned the meeting at 12:37 p.m.

MAYOR

CITY CLERK