

Payment Ref.	Date	Remittance to:	Remittance ID:	Payment Amount	Explanation of payment
0181958	8/1/14	BC Traffic Specialist	22225	\$1,108.80	<i>What is this for?</i> <i>Police Dept. – Traffic message boards.</i>
0182037	8/1/14	Ryan Brennan	18073	\$700.00	<i>What is this for?</i> <i>Recreation Dept. – Summer Camp Balearic Community Center, BMX bike show.</i>
0182392	8/15/14	So CA Edison	4695	\$3,903.12	<i>What is this for? Parson/Bay Streets</i> <i>Public Services – State Project No. SR2SL-5312(088), City Project 13-20</i> <i>New meter and service at Placentia Avenue at 20<sup>th</sup> Street illuminated crosswalk.</i>
0182442	8/22/14	Rockey Murata Landscape	21496	\$15,000.00	<i>What was this for?</i> <i>Maintenance Services – Backflow conversions preventer fitting from PVC to brass at 15 locations in parks, street medians, and parkways.</i>

In May, 2011 Communications Director Bill Lobdell issued a press release stating that by outsourcing legal services the City was saving \$550,000 annually. That was true at the time, but a new press release is in order! Since 2011, the time Mr. Duarte took the City attorney helm, the City's legal expenses skyrocketed from \$1.29 million to \$2.56, \$2.25, and \$2.4 million each subsequent year. The average before outsourcing was \$1.5 million per year, and no annual legal expenditure was higher than \$1.88 million. It's a frightening thought that there is no indication of this trend slowing.

This work was outsourced in order to save money and to eliminate the need of hiring multiple additional firms. That's not what's happening. Not only is the City not saving money, but in addition to Jones and Mayer eight firms are used (each billing from \$177-\$395/hr). This showcases the potential pitfalls of outsourcing, because what motive does a law firm that makes its money by billing have to limit another firm's billing? It is also very interesting to note, that this important City position was outsourced without a charter in 2006.

Because Costa Mesa legal expenditures have doubled in the last few years, it is imperative Costa Mesa residents know why. What accounts for this drastic increase?

It is also imperative Costa Mesa residents be made aware of the specific role of City attorneys, the extent of their involvement in City affairs, who handles and manages their cases and what legal matters the City pursues? Who's responsible for monitoring the quality of attorney work, attorney performance, and billing oversight? Per the Jones Mayer contract, are annual reviews of Jones Mayer attorneys being done and by whom?

Through numerous conversations with Mr. Hatch, I was informed that though he signs off on law firm (including Jones & Mayer) invoices, attorneys answer to the City Council. This structure leaves me wondering how someone who isn't directly involved in managing the attorneys and work, can adequately gauge approximately \$200,000 worth of billing a month?

Furthermore, through my work on the Fairview Park Citizens Advisory Committee, and in my experience with public record requests, I repeatedly witnessed City attorneys doing administrative tasks unrelated to legal issues. Also, several times, City attorneys have improperly obstructed my access to public information and in effect with legalese, tried to discourage my pursuit of

documents. What are residents of Costa Mesa paying City attorneys to actually do?

Since transparency cannot be selective and not everything an attorney touches is privilege, please provide the following documents, or specify in what format they should be requested.

- 1) For the month of May, 2014 which attorneys from Jones and Mayer did legal work for Costa Mesa and how many hours did each bill.
- 2) Out of these billings, how much time was spent on phone calls, emails and legal work respectively.
- 3) What is the management structure of City attorneys? Does Mr. Duarte assign and supervise all legal work done on Costa Mesa's behalf? Does he decide what committee meetings attorneys attend?
- 4) Total legal expense of the medical marijuana dispensary ballot measure researched and written by the City attorney at the direction of Mr. Monahan.

Thank you for your assistance in this matter. Please let me know if you have questions.

All the Best,

Anna Vrska

	Name	Hourly Rate
1	Jones & Mayer (All Matters)	\$177/hr
2	Liebert Cassidy Whitmore (Labor Negotiations/Personnel)	\$180/hr
3	Filarsky & Watt (Personnel)	\$240/hr
4	Jones Day (CMCEA Litigation)	\$495/hr
5	Woodruff Spradlin & Smart (Acosta)	\$175/hr
6	Enterprise Counsel Group (Redevelopment Agency)	\$295/hr
7	Stradling, Yocca, Carlson & Rauth (Successor Agency/Housing)	\$295/hr
8	Cummings & White (Election Consulting)	\$275/hr
9	Meyers Nave (Fairview Park)	\$360/hr

## CITY ATTORNEY COST COMPARISON

(Excludes judgments and settlements)

### DEPARTMENT 12100

Fiscal Year	General Fund		Self-Insurance Fund		TOTALS		Grand Total
	Jones & Mayer	In-House Legal	Jones & Mayer	Other Law Firms	Jones & Mayer	In-House and Other Law firms	
1999/2000	\$ -	\$ 712,333	\$ -	\$ 1,163,001	\$ -	\$ 1,875,334	\$ 1,875,334
2000/2001	-	773,445	-	443,802	-	1,217,247	1,217,247
2001/2002	-	828,346	-	541,318	-	1,369,664	1,369,664
2002/2003	-	858,145	-	485,175	-	1,343,320	1,343,320
2003/2004	-	738,150	-	966,165	-	1,704,315	1,704,315
2004/2005 *	262,995	696,334	-	128,129	262,995	824,463	1,087,458
2005/2006	546,480	-	89,628	101,275	636,108	101,275	737,383
2006/2007	525,780	-	275,163	150,156	800,943	150,156	951,099
2007/2008	454,075	-	315,775	116,872	769,850	116,872	886,722
2008/2009	448,050	-	353,120	361,576	801,170	361,576	1,162,746
2009/2010	405,425	-	422,770	161,718	828,195	161,718	989,913
2010/2011							1.29 mil
2011/2012							2.56 mil
2012/2013							2.25 mil
2013/2014							2.4 mil

$7.5 \text{ mil} / 5 = 1.5 \text{ mil}$

$14.8 / 10 = 1.48 \text{ mil}$

\* Jones & Mayer were hired during this fiscal year.

Costa Mesa, CA 92627  
September 2, 2014

City Council of Costa Mesa  
Costa Mesa, CA 92626

Dear Members:

We are writing this letter to address concerns we have about the proposed property development adjacent to our property at 336 22<sup>nd</sup> Street.

Our property and three other adjacent parcels have access to a common driveway. Three of the four parcels have dwellings on them. The fourth parcel is undeveloped and is included in the proposed development. The development will contain thirteen single family units. The developer proposes to allow unlimited access to the driveway from all of the units in the development.

In June of 1963 the owners of the four properties at that time deeded an easement for utilities and a road to allow access to each of the properties. The joint tenancy arrangements assumed that only four households would have access to the driveway and was never designed to serve multiple family housing on any one property. We purchased our property in 1988 with the understanding that only the four adjacent properties would have use of the driveway. Our property easement extends five feet into the driveway. Over the years the owners of the three developed parcels have maintained the driveway at their expense; except for the owner of the unimproved parcel, now part of the proposed development, who has never contributed to the cost of maintenance.

About 2004 the owners of the unimproved property went to the county planning commission with a proposal to build five single family houses. As part of the development they acknowledged the original intent of the joint tenancy agreement that only one house from each parcel could have direct access to our driveway all of the others had access to Santa Ana Avenue. At the county planning commission suggestion, and the developer agreed to provide emergency only access to the from the driveway by placing a locked gate at the end of the driveway and providing a key to emergency services providers. This has been done at several other developments, such as the Castaways housing development. There is only one entrance but there are several locked gates available for emergency entrance. In fact there are several other developments in the area that only have one entrance/exit, for example the new project being built on Tustin Avenue near 22<sup>nd</sup> Street has seven units on each side of a narrow street. The original developers also agreed at the county planning commission meeting not to allow construction traffic and worker access on the driveway.

We feel that if the driveway is allowed to become an unlimited access route into the development there will be a disproportionate increase in traffic close to our home as well an increase in parking on 22<sup>nd</sup> Street. Not only from the residents of the new homes but from people trying to get around the traffic jams at the Santa Ana/22<sup>nd</sup> Street intersection, particularly during times when children are going to and from Kaiser Elementary School. The other issue concerning the driveway is who will be responsible to improve and maintain the new access road; with increased use it will be more costly to maintain the roadway.

Thank you,

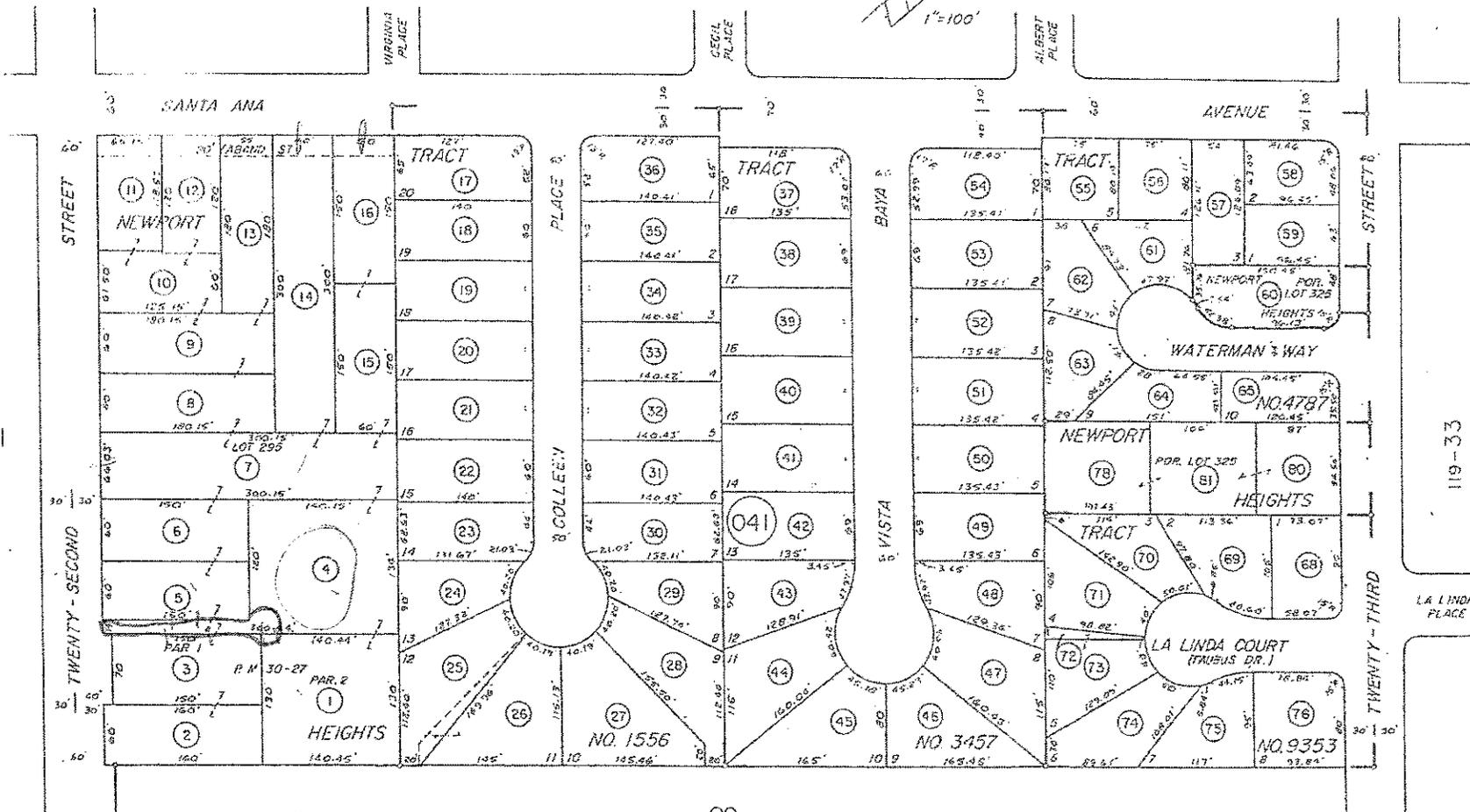
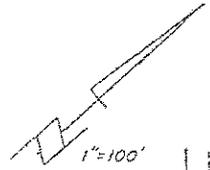
Joseph S. Cook

Joanne M. Perler

IMPORTANT: THIS PLAT IS NOT A SURVEY.  
 IT IS MERELY FURNISHED AS A CONVENIENCE  
 TO LOCATE THE LAND IN RELATION TO  
 ADJOINING STREETS AND OTHER LANDS  
 AND NOT TO GUARANTEE ANY DIMENSIONS,  
 DISTANCE, BEARINGS OR ACREAGE."

426-04

08



119-33

LA LINDA PLACE

NEWPORT HEIGHTS M. M. 4-83  
 TRACT NO. 1556 M. M. 46-21  
 TRACT NO. 3457 M. M. 122-33  
 TRACT NO. 4787 M. M. 167-18  
 TRACT NO. 9353 M. M. 418-7 TO 9 INC.  
 PARCEL MAP P. M. 30-27

09

MARCH 1976

NOTE - ASSESSOR'S BLOCK &  
 PARCEL NUMBERS  
 SHOWN IN CIRCLES

ASSESSOR'S MAP  
 BOOK 426 PAGE 04  
 COUNTY OF ORANGE

RECORDING REQUESTED BY  
Orange County Title Company

24076

BOOK 6648 PAGE 484

WHEN RECORDED MAIL TO  
Richard T. Halley  
344 E. 22nd Street  
Costa Mesa, California

RECORDED AT REQUEST OF  
ORANGE COUNTY TITLE CO.  
IN OFFICIAL RECORDS OF  
ORANGE COUNTY, CALIF.  
JAN JUL 26 1963  
RUBY McFARLAND, County Recorder

\$2.00

SPACE ABOVE THIS LINE FOR RECORDERS USE

PLACE INTERNAL REVENUE STAMPS IN THIS SPACE

### JOINT TENANCY GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,  
JAMES A. HARRIS and BERNICE HARRIS, husband and wife

, do hereby

GRANT to RICHARD T. HALLEY and CECILIA G. HALLEY, husband and wife,

AS JOINT TENANTS,

the real property in the  
State of California, described as:

, County of Orange

A non-exclusive easement for road and utility purposes over that portion of the Northwesterly 134.00 feet, of the Southeasterly 204.00 feet, excepting the Southwesterly 150.00 feet, of the Northwesterly 120.00 feet, of Lot 295, Newport Heights, as shown on a Map thereof, recorded in Book 4, page 83 of Miscellaneous Maps, records of Orange County, California, lying within the following described parcel:

Beginning at a point in the Southeasterly line of said Lot 295, a distance of 119.00 feet Northwesterly, from the Southerly corner of said Lot; thence Northeasterly along a line parallel with the Southeasterly line of said Lot 295, a distance of 148.54 feet to the beginning of a tangent curve, concave Southerly, having a radius of 15.00 feet; thence Easterly along said curve, through an angle of 41° 24' 34" a distance of 10.84 feet, to the beginning of a tangent curve, concave Southwesterly, having a radius of 25.00 feet, the radius point of said curve being 175.00 feet Northeasterly measured at right angles, from the said Southwesterly line of Lot 295 and 134.00 feet Northwesterly, measured at right angles from the Southeasterly line of said Lot; thence Easterly, Northerly and Westerly along said curve through an angle of 277° 10' 58" a distance of 120.94 feet to the beginning of a tangent curve, concave Westerly, having a radius of 15.00 feet; thence Southwesterly along said curve through an angle of 41° 24' 34" a distance of 10.84 feet to a line tangent; thence Southwesterly along said line tangent and along a line parallel with and 149.00 feet Northwesterly, measured at right angles, from the Southeasterly line of said Lot 295, a distance of 148.54 feet, to the said Southwesterly line of said Lot; thence Southeasterly along the Southwesterly line 30.00 feet to the point of beginning.

Subject to taxes for the fiscal year 1963-1964, not yet payable.

Also Subject to covenants, conditions, reservations, restrictions and rights of way of record.

Dated: June 3, 1963

STATE OF CALIFORNIA  
COUNTY OF  
Orange

*James A. Harris*  
JAMES A. HARRIS  
*Bernice Harris*  
BERNICE HARRIS

On June 15 1963

Before me, the undersigned, a Notary Public in and for said  
County and State, personally appeared

James A. Harris and  
Bernice Harris

Known to me to be the person whose name is here  
inscribed in the within instrument and acknowledged that

they executed the same.  
Witness my hand and official seal  
at Costa Mesa, California, this 15th day of June, 1963.

Order No. 66684-157

Estate or Loan No. \_\_\_\_\_

24073

BOOK 6648 PAGE 481

RECORDING REQUESTED BY  
Orange County Title Company

RECORDED AT REQUEST OF  
ORANGE COUNTY TITLE CO.  
IN OFFICIAL RECORDS OF  
ORANGE COUNTY, CALIF.  
1 AM JUL 26 1963  
RUBY McFARLAND, County Recorder

WHEN RECORDED MAIL TO  
Richard T. Haley  
344 E. 22nd Street  
Costa Mesa, California

\$2.00

SPACE ABOVE THIS LINE FOR RECORDERS USE

PLACE INTERNAL REVENUE STAMPS IN THIS SPACE

**JOINT TENANCY GRANT DEED**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

**HAROLD S. FRANK and DOLORIS MARIE FRANK, husband and wife,**

do hereby

GRANT to **RICHARD T. HALEY and CYNILLA G. HALEY, husband and wife,**

AS JOINT TENANTS,

the real property in the County of Orange

State of California, described as:  
A non-exclusive easement for road and utility purposes over that portion of the North-  
westerly 120.00 feet, of the Southeasterly 204.00 feet of the Southeasterly 150.00 feet  
of Lot 295, Newport Heights, as shown on a Map thereof, recorded in Book 4, page 83 of  
Miscellaneous Maps, records of Orange County, California, lying within the following  
described parcel;

Beginning at a point in the Southeasterly line of said Lot 295, a distance of 110.00  
feet Northwesterly, from the Southerly corner of said lot; thence Northeasterly along  
a line parallel with the Southeasterly line of said lot 295, a distance of 148.54 feet  
to the beginning of a tangent curve, concave Southerly having a radius of 15.00 feet;  
thence Easterly along said curve, through an angle of 41° 24' 34" a distance of 10.84  
feet to the beginning of a tangent curve, concave Southeasterly, having a radius of  
25.00 feet, the radius point of said curve being 175.00 feet Northwesterly, measured  
at right angles, from the said Southeasterly line of Lot 295 and 134.00 feet North-  
westerly, measured at right angles, from the Southeasterly line of said lot; thence  
Easterly, Northerly and Westerly along said curve through an angle of 277° 10' 52" a  
distance of 120.94 feet to the beginning of a tangent curve, concave Westerly, having  
a radius of 15.00 feet; thence Southwesterly along said curve, through an angle of  
41° 24' 34" a distance of 10.84 feet to a line tangent; thence Southwesterly along said  
line tangent and along a line parallel with and 149.00 feet Northwesterly, measured at  
right angles, from the Southeasterly line of said Lot 295, a distance of 143.54 feet to  
the said Southwesterly line of said lot; thence Southeasterly along the Southwesterly  
line, 30.00 feet to the point of beginning.

Subject to taxes for the fiscal year 1963-1964, not yet payable.  
Also Subject to covenants, conditions, reservations, restrictions and rights of way of  
record.

Dated: June 3, 1963

STATE OF CALIFORNIA  
COUNTY OF  
Orange

*Harold S. Frank*  
Harold S. Frank  
*Doloris Marie Frank*  
Doloris Marie Frank

On June 15, 1963

before me, the undersigned, a Notary Public in and for said  
County and State, personally appeared  
Harold S. Frank and  
Doloris Marie Frank

Witness my hand and the official seal  
at Costa Mesa, California, this 15th day of June, 1963.  
*Richard T. Haley*  
Richard T. Haley, Notary Public and Clerk  
My Commission Expires July 15, 1964

Order No. 66643-128

Escrow or Loan No. \_\_\_\_\_

RECORDING REQUESTED BY  
Orange County Title Company

24071

BOOK 6648 PAGE 478

WHEN RECORDED MAIL TO

Harold S. Frank

336 East 22nd Street

Costa Mesa, Calif.

\$2.00

RECORDED AT REQUEST OF  
ORANGE COUNTY TITLE CO.  
IN OFFICIAL RECORDS OF  
ORANGE COUNTY, CALIF.

8 AM JUL 28 1963

RUBY McFARLAND, County Recorder

SPACE ABOVE THIS LINE FOR RECORDERS USE

PLACE INTERNAL REVENUE STAMPS IN THIS SPACE

### JOINT TENANCY GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,  
RICHARD T. HALEY and CYRILLA G. HALEY, husband and wife,

do hereby

GRANT to HAROLD S. FRANK and ELORES MARIE FRANK, husband and wife,

AS JOINT TENANTS,

the real property in the

County of Orange

State of California, described as:

A non-exclusive easement for road and utility purposes over that portion of the Northwesterly 70.00 feet, of the Southeasterly 130.00 feet of Lot 295, Newport Heights, as shown on a Map thereof, recorded in Book 4, page 83 of Miscellaneous Maps, records of Orange County, California, lying within the following described parcel;  
Beginning at a point in the Southwesterly line of said Lot 295, a distance of 119.00 feet Northwesterly, from the Southerly corner of said Lot; thence Northwesterly along a line parallel with the Southeasterly line of said Lot 295, a distance of 148.54 feet to the beginning of a tangent curve, concave Southerly, having a radius of 15.00 feet; thence Easterly along said curve, through an angle of 41° 24' 34" a distance of 10.84 feet, to the beginning of a tangent curve, concave Southeasterly, having a radius of 25.00 feet, the radius point of said curve being 175.00 feet Northwesterly measured at right angles, from the said Southeasterly line of Lot 295 and 134.00 feet Northwesterly, measured at right angles, from the Southeasterly line of said Lot; thence Easterly, Northwesterly and Westerly along said curve through an angle of 277° 10' 52" a distance of 120.94 feet to the beginning of a tangent curve, concave Westerly, having a radius of 15.00 feet; thence Southwesterly along said curve through an angle of 41° 24' 34" a distance of 10.84 feet to a line tangent; thence Southwesterly along said line tangent and along a line parallel with said 149.00 feet Northwesterly, measured at right angles, from the Southeasterly line of said Lot 295, a distance of 148.54 feet, to the said Southwesterly line of said Lot; thence Southeasterly along the Southwesterly line 30.00 feet to the point of beginning.  
Subject to taxes for the fiscal year 1963-64, not yet payable.  
Also Subject to covenants, conditions, reservations, restrictions and rights of way of record.

Dated: June 3, 1963

STATE OF CALIFORNIA  
COUNTY OF  
Orange

On JUNE 2nd 1963

before me, the undersigned, a Notary Public in and for said  
County and State, personally appeared

Richard T. Haley and

Cyrilla G. Haley

Richard T. Haley  
Richard T. Haley  
Cyrilla G. Haley  
Cyrilla G. Haley

Inwitness whereof, I, the person whose name is subscribed to the within instrument and acknowledged that

WITNESS my hand and official seal.

M. C. Binder, Jr.  
Notary Public in and for said County and State.

Order No. 866045-LFM

Escrow or Loan No. \_\_\_\_\_

M. C. BINDER, JR.  
My Commission Expires July 13, 1965

RECORDING REQUESTED BY  
Orange County Title Company

24070

BOOK 8648 PAGE 477

WHEN RECORDED MAIL TO  
James A. Harris  
68 Balboa Coaves  
Newport Beach, California

RECORDED AT REQUEST OF  
ORANGE COUNTY TITLE CO.  
IN OFFICIAL RECORDS OF  
ORANGE COUNTY, CALIF.  
# AM JUL 26 1963  
RUBY McFARLAND, County Recorder

\$2.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

PLACE INTERNAL REVENUE STAMPS IN THIS SPACE

### JOINT TENANCY GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

RICHARD T. HALEY and CRYLLA G. HALEY, husband and wife,

do hereby

GRANT to JAMES A. HARRIS and BERNICE HARRIS, husband and wife,

AS JOINT TENANTS,

the real property in the

County of Orange

State of California, described as:

A non-exclusive easement for road and utility purposes over that portion of the Northwesterly 70.00 feet, of the Southeasterly 130.00 feet, of Lot 295, Newport Heights, as shown on a Map thereof, recorded in Book 4, page 83 of Miscellaneous Maps, records of Orange County, California lying within the following described parcel;  
Beginning at a point in the Southwesterly line of said Lot 295, a distance of 119.00 feet Northwestarly, from the Southerly corner of said Lot; thence Northwesterly along a line parallel with the Southeasterly line of said Lot 295, a distance of 148.54 feet to the beginning of a tangent curve, concave Southerly, having a radius of 15.00 feet; thence Easterly along said curve, through an angle of 41° 24' 34" a distance of 10.84 feet; to the beginning of a tangent curve, concave Southwesterly, having a radius of 25.00 feet, the radius point of said curve being 175.00 feet Northwesterly measured at right angles, from the said Southwesterly line of Lot 295 and 134.00 feet Northwesterly, measured at right angles, from the Southeasterly line of said Lot; thence Easterly, Northarly and Westerly along said curve through an angle of 277° 19' 52" a distance of 120.94 feet to the beginning of a tangent curve, concave Westerly, having a radius of 15.00 feet; thence Southwesterly along said curve through an angle of 41° 24' 34" a distance of 10.84 feet to a line tangent; thence Southwesterly along said line tangent and along a line parallel with and 149.00 feet Northwesterly, measured at right angles, from the Southeasterly line of said Lot 295, a distance of 148.54 feet, to the said Southwesterly line of said Lot; thence Southwesterly along the Southwesterly line 30.00 feet to the point of beginning.  
Subject to taxes for the fiscal year 1963-1964-not yet payable.

866045-14

Also Subject to covenants, conditions, reservations, restrictions and rights of way of record.

Dated: June 3, 1963

STATE OF CALIFORNIA  
COUNTY OF  
Orange

On June 3, 1963

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared

Richard T. Haley and  
Crylla G. Haley

known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same

WITNESSED my hand and official seal

M. C. BINDER, JR.  
Notary Public in and for said County and State

M. C. BINDER, JR.  
My Commission Expires July 13, 1968

Richard T. Haley  
Crylla G. Haley

Order No. 866045-14M

Escrow or Loan No.