

UNOFFICIAL UNTIL APPROVED

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

**September 18, 2012**

**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 Pro Tem Righeimer, Council Member Leece, Council Member Mensinger, and Council Member Monahan

Council Members Absent: Mayor Bever

**PUBLIC COMMENTS ON CLOSED SESSION ITEMS - None**

**CLOSED SESSION**

The City Council recessed into closed session at 5:03 p.m. to consider the following items:

1. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Police Association (CMPA), Costa Mesa Police Management Association (CMPMA), and Costa Mesa Division Managers Association pursuant to Government Code Section 54957.6
2. Conference with legal counsel, regarding existing litigation: Acosta v. City of Costa Mesa, District Court for the Central District of California, Case No. SACV06-233DOC(MLGx), pursuant to Government Code Section 54956.9(a).

The City Council reconvened at 6:06 p.m.

**CALL TO ORDER (00:00:12)**

**PLEDGE OF ALLEGIANCE (00:00:25)** – Mayor Pro Tem Righeimer

**MOMENT OF SOLEMN EXPRESSION** – None

**ROLL CALL (00:00:45)**

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

Absent: None

Officials Present: Chief Executive Officer Thomas R. Hatch, City Attorney Thomas Duarte, Assistant Chief Executive Officer Rick Francis, Economic and Development Services Director Peter Naghavi, Interim City Engineer Fariba Fazeli, and Interim City Clerk Brenda Green.

**CLOSED SESSION REPORT (00:00:57)**

The City Attorney stated that there was no reportable action.

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

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

**PRESENTATIONS – None**

**PUBLIC COMMENTS (00:03:10)**

Anna Reagan, Costa Mesa, spoke regarding "Thank-a-Cop Day." (00:03:35)

Joy Williams, Costa Mesa, spoke about police officers and the hiring of more officers. (00:04:08)

Terry Shaw, Costa Mesa, announced an upcoming Costa Mesa Historical Society event. (00:06:12)

Eleanor Egan, Costa Mesa, spoke regarding comments made by Council Member Mensinger at the City Council Meeting on September 4, 2012. (00:08:00)

Robert Graham, Costa Mesa, commented on an article in the Daily Pilot; and spoke about the 19<sup>th</sup> Street extension. (00:11:03)

Jay Humphrey, Costa Mesa, expressed support of recognition and awards for scholastic achievements; spoke on political signs, banners, and enforcement of policy. (00:14:47)

Wendy Crandell, Costa Mesa, expressed concern of the 7-11 opening on Adams Avenue. (00:18:57)

Robin Leffler, Costa Mesa, spoke about theft of political signs. (00:22:30)

Tamar Goldmann, Costa Mesa, requested information regarding promoted employees, and spoke about political sign rules, and speech. (00:24:47)

Jim Hurzeler, Costa Mesa, expressed opposition to the 7-11 on Adams Avenue. (00:28:36)

Greg Thunell Costa Mesa, spoke regarding free speech, city staffing levels, Council strategies, contract costs, and attorney costs. (00:32:08)

John Feeney, Costa Mesa, thanked Council and staff for efforts against the I-405 Toll Roads and commented on a statement made in the Daily Pilot. (00:35:30)

Sandra Genis, Costa Mesa, spoke on disaster preparedness; and inquired about the Emergency Response Function in the RFP. (00:37:06)

Harold Weitzberg, Costa Mesa, spoke regarding out-of-town lobbyists being allowed additional time to speak. (00:39:29)

Martin H. Millard, Costa Mesa, spoke about meeting decorum; and spoke in support of Council actions for improvements in the City. (00:41:25)

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

Mayor Pro Tem Righeimer provided an update on the OCTA Toll Roads; thanked Mayor Bever and staff for their efforts; spoke about the 50<sup>th</sup> Anniversary of The Adobe at Blair Park; thanked the Segerstrom family for their support of the community; responded to public comments; spoke on the actions of the current Council, actions of previous Councils, the hiring of new police employees, and the actions of the Costa Mesa Police Association. (00:43:35)

Council Member Leece acknowledged the Costa Mesa Historical Society for their efforts regarding the 50<sup>th</sup> Anniversary Celebration of The Adobe and the entrepreneurs and businesses at The Camp and The Lab; requested CEO Hatch to address the election rules, provide an update on the SRO Program, provide an update on the Disaster Plan, and the status of the Moment of Solemn Expression; requested an update to the City's website; spoke on disaster preparedness; and thanked staff for their OCTA efforts. (00:53:09)

Council Member Mensinger requested a meeting with residents regarding the proposed 7-11 store on Adams; commended the Segerstrom family for the success of the Adobe event; spoke on the Woodbridge Invitational Track Meet; thanked staff for their assistance at the event and for the Olympian recognition event; and spoke about theft of political campaign signs. (00:59:13)

Council Member Monahan – None (01:03:54)

Mayor Bever spoke on OCTA recommendations and Costa Mesa's support of Alternative 2; comments made regarding the ABLE program; and the First Friday Road Show. (01:04:58)

### **REPORT-CHIEF EXECUTIVE OFFICER (CEO) (01:08:13)**

CEO Hatch spoke about the Charter mailer; provided an update on the I-405 project; spoke regarding the theft of political campaign signs; informed that an Elections Team was created to resolve election issues; thanked the Recreation Division for their efforts regarding sponsorship programs for recreational activities; announced an upcoming Successor Agency to the Redevelopment Agency Meeting; spoke about an update on the SRO Program and the disaster plan; commented on the Moment of Solemn Expression; and presented Council Member Wendy Leece with her 5-year service pin.

### **CONSENT CALENDAR (01:18:45)**

**MOTION:** Approve recommended actions for Consent Calendar Item Nos. 1 through 8 except for items 1, 3, 5, and 7

**MOVED/SECOND:** Mayor Bever/Mayor Pro Tem Righeimer

The motion carried by the following roll call vote:

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

Noes: None

Absent: None

The motion carried: 5-0

2. **MINUTES:** Regular Adjourned Meeting/Study Session of June 14, 2011.

**ACTION:** Approved

4. **WARRANT RESOLUTION 2438: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, FUNDING CITY OPERATING EXPENSES FOR \$677,898.19.**

**ACTION:** Approved

6. **FINAL MAP FOR TRACT NO. 17192 LOCATED AT 2460 NEWPORT BOULEVARD FOR ONE LOT SUBDIVISION FOR A 14-UNIT TWO-STORY COMMON INTEREST DEVELOPMENT (CONDOMINIUMS).**

**ACTION:**

1. City Council approved the Final Map for Tract No. 17192; and
2. Authorized signing of the Map by the City Clerk and the City Engineer.

8. **AUTHORIZATION FOR PRINCIPAL PLANNER POSITION**

**(a) BUDGET ADJUSTMENT NO. 13-007.**

**ACTION:**

1. City Council authorized new Principal Planner position; and
2. Approved Budget Adjustment 13-007.

**ITEMS REMOVED FROM THE CONSENT CALENDAR (01:19:12)**

1. **READING FOLDER (01:19:15)**

- a. **CLAIMS RECEIVED BY THE CITY CLERK:** Sarajian Law Group on behalf of Jerome Espina; David P. Crandall on behalf of Ethel Petroske.
- b. **REQUESTS FOR ALCOHOL BEVERAGE CONTROL LICENSES:** 7-Eleven, Inc. dba 7-Eleven, 1548 Adams Avenue, Suite A; Shuck, LLC dba Shuck, 3313 Hyland Avenue, Suite A1; G1001 Inc. dba G Burgers, 615 West 19<sup>th</sup> Street.

Discussion ensued regarding liquor licenses.

Eleanor Egan, Costa Mesa, recommended that the Council communicate with the ABC regarding liquor licenses issued. (01:27:40)

Robert Graham, Costa Mesa, inquired if the City could deal with this issue better if it were a Charter City. (01:28:13)

Perry Valentine, Costa Mesa, spoke regarding the process of issuing and transferring liquor licenses. (01:28:34)

Wendy Crandall, Costa Mesa, spoke on the number of liquor stores in the City, the types of liquor licenses, and protesting to the ABC. (01:30:31)

Jim Hurzeler, Costa Mesa, spoke on the types of liquor licenses and in opposition to the proposed store and its hours. (01:32:40)

Discussion ensued regarding transfer of liquor licenses, the hours of liquor sale, and the power of the City Council over liquor licenses.

**MOTION/SECOND:** Council Member Monahan/Mayor Bever

The motion carried by the following roll call vote:

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

Noes: None

Absent: None

The motion carried: 5-0

**ACTION:** Received and filed

3. **WARRANT RESOLUTION 2437: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 12-18 AND PAYROLL REGISTER NO. 12-17A AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, FUNDING PAYROLL NO. 12-18 FOR \$2,098,411.65 AND PAYROLL NO. 12-17A FOR -\$504.55, AND CITY OPERATING EXPENSES FOR \$828,051.73, INCLUDING PAYROLL DEDUCTIONS. (01:37:40)**

Tamar Goldman, Costa Mesa, spoke about payment to Jones and Mayer Law Firm. (01:38:00)

**MOTION/SECOND:** Mayor Bever/Mayor Pro Tem 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.

Noes: None

Absent: None

The motion carried: 5-0

**ACTION:** Approved

5. **ROADWAY MARKINGS AND TRAFFIC SIGN MAINTENANCE, CITY PROJECT NO. 12-09. (01:40:08)**

Eleanor Egan, Costa Mesa, spoke about public noticing of the item. (01:41:35)

**MOTION/SECOND:** Council Member Monahan/Mayor Bever

The motion carried unanimously.

**ACTION:**

1. City Council rejected the bid received for Roadway Markings and Traffic Sign Maintenance from BC Traffic Specialist; and
2. Directed staff to re-advertise the Notice Inviting Bids for Roadway Markings and Traffic Sign Maintenance.

**7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REVISING THE LIST OF DESIGNATED POSITIONS FOR THE CITY'S CONFLICT OF INTEREST CODE. (01:42:56)**

Perry Valantine, Costa Mesa, inquired about the location of specific officers on the list. (01:43:45)

Ms. Green explained that the positions inquired are designated positions that the State requires to file. (01:44:25)

**MOTION/SECOND:** Mayor Bever/Council Member Monahan

The motion carried by the following roll call vote:

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

Noes: None

Absent: None

The motion carried: 5-0

**ACTION:**

City Council approved Resolution No. 12-XX Entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING AMENDMENTS TO ITS CONFLICT OF INTEREST CODE."

**PUBLIC HEARINGS** – None

**OLD BUSINESS** – None

**NEW BUSINESS (01:46:12)**

**1. REQUEST TO CANCEL THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 6, 2012. (01:46:25)**

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

The motion carried by the following roll call vote:

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

Noes: None

Absent: None

The motion carried: 5-0

**ACTION:**

City Council approved cancellation of the regular scheduled City Council Meeting of November 6, 2012.

**REPORT – CITY ATTORNEY – None (01:48:13)**

The Mayor adjourned the meeting at 7:55 p.m.

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MAYOR

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CITY CLERK

UNOFFICIAL UNTIL APPROVED

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

**October 2, 2012**

**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 Bever, Mayor Pro Tem Righeimer, Council Member Leece,  
Council Member Mensinger 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 5:05 p.m. to consider the following items:

1. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Police Association (CMPA), Costa Mesa Police Management Association (CMPMA), and Costa Mesa Division Managers Association pursuant to Government Code Section 54957.6
2. Conference with legal counsel regarding existing litigation: Costa Mesa Employees Association v. City of Costa Mesa, a municipal corporation, et al., Orange County Superior Court Case No. 30-2011 00475281, pursuant to Government Code Section 54956.9(a).
3. Conference with legal counsel regarding anticipated litigation, significant exposure to litigation pursuant to Government Code Section 54956.9(b) for one case.

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

**CALL TO ORDER (00:00:02)**

**PLEDGE OF ALLEGIANCE (00:00:15)** – Council Member Wendy Leece

**MOMENT OF SOLEMN EXPRESSION (00:00:00)** - None

**ROLL CALL (00:00:41)**

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

Absent: None

Officials Present: Chief Executive Officer Thomas R. Hatch, City Attorney Thomas Duarte, Deputy City Attorney Chris Neumeyer, Assistant Chief Executive Officer Rick Francis, Economic and Development Services Director Peter Naghavi, Public Services Director Ernesto Munoz, and City Clerk Brenda Green.

**CLOSED SESSION REPORT (00:00:50) - None**

**ANNOUNCEMENTS (00:00:55)**

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

**PRESENTATIONS (00:03:55)**

The 2012 Sister City High School Ambassadors to Wyndam, Australia, spoke about their experiences. (00:04:00)

**PUBLIC COMMENTS (00:12:00)**

Art Goddard, Costa Mesa, spoke about homeless issues. (00:12:15)

Jay Humphrey, Costa Mesa, thanked staff for their efforts on the I-405 improvement project; spoke on resident freeway impacts; and union control. (00:15:46)

Perry Valantine, Costa Mesa, spoke on the City Charter. (00:17:37)

Rich Reiser, Costa Mesa, expressed opposition to the Charter, and layoffs; and spoke on 19<sup>th</sup> Street graffiti. (00:20:24)

Teresa Drain, Costa Mesa, spoke on the North Costa Mesa Neighborhood Meeting. (00:21:41)

Beth Refakes, Costa Mesa, spoke on the reorganization of the Fire Department; and unattended belongings at Lion's Park. (00:22:59)

John Hill, Costa Mesa, thanked CEO Hatch and Christine Cordon for help with the polling place at Balearic Center; and spoke on the removal of political signs. (00:24:55)

Robin Leffler, Costa Mesa, spoke on the Charter; and the removal of political signs. (00:27:02)

Tamar Goldmann, Costa Mesa, spoke on received Sample Ballot; and campaign material. (00:30:29)

Martin H. Millard, Costa Mesa, spoke on campaign material; and Homeless Task Force. (00:32:40)

Terry Koken, Costa Mesa, spoke on the Charter. (00:35:08)

Kimberly Mims, Newport Beach, spoke on the Bully Warrior website; and thanked the City Council. (00:36:49)

Sue Lester, Costa Mesa, spoke on Alert Costa Mesa, and Alert Orange County. (00:41:31)

**COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (00:43:55)**

Council Member Leece spoke on the Homeless Task Force; Fire Department restructuring; 19<sup>th</sup> Street safety; Orange County vector control; urban coyotes; campaign material; I-405 Improvement Project; Chuck Jones Creativity Center; and Town Hall Meetings. (00:43:59)

Council Member Monahan spoke on the removal of political signs and banners. (00:53:49)

Mayor Bever spoke on the Orange County Transit Authority meeting; and the car show. (00:54:51)

Mayor Pro Tem Righeimer spoke on political sign removal; and Outsourcing Summary Overview. (00:57:45)

**REPORT-CHIEF EXECUTIVE OFFICER (CEO) (01:01:54)**

CEO Hatch spoke on the Homeless Task Force; Historical Society fence; Neighborhood Task Force; political sign removal; Fire Department plan; coyote issue; and campaign material. (01:01:57)

Mayor Bever spoke on nuisance businesses; business impacts on the community; political sign removal; Fire Department plan; and the coyote issue. (01:09:48)

**CONSENT CALENDAR (01:16:25)**

Council Member Monahan stated he would abstain from Item No. 5 due to conflict of interest. (01:16:29)

**MOTION:** Approve recommended actions for Consent Calendar Item Nos. 1 through 5 except for Items 1B and 5.

**MOVED/SECOND:** Mayor Bever/Council Member Monahan

The motion carried by the following roll call vote:

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

Noes: None

Absent: None

The motion carried: 5-0

**Written Communications**

**1. Reading Folder**

**ACTION:** Received and filed

- (a) Claims received by the City Clerk: Maria Peraza on behalf of minor child.

**Minutes**

2. **Regular Adjourned Meeting/Study Session of July 12, 2011; Special Meeting of December 6, 2011; Regular Meeting of June 19, 2012; and Special Meeting of July 10, 2012.**

**ACTION:** Approved

**Warrants**

3. **WARRANT RESOLUTION 2439: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 12-19 AND PAYROLL REGISTER NO. 12-18A AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 12-19 for \$2,026,037.68 and Payroll No. 12-18A for \$6,446.73, and City operating expenses for \$954,824.42, including payroll deductions.**

**ACTION:** Approved

4. **WARRANT RESOLUTION 2440: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding City operating expenses for \$416,396.15.**

**ACTION:** Approved

**ITEMS REMOVED FROM THE CONSENT CALENDAR (01:17:00)**

1. **Reading Folder**

(b) Notification Letters: Metro PCS California, LLC for Site Reference No. MLAX04190A.

Discussion ensued between Council Member Leece and Mr. Munoz regarding the new guidelines of notification letters. (01:18:00)

Mayor Pro Tem Righeimer stated this letter dealt with an existing issue, not a new one. (01:19:10)

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

The motion carried by the following roll call vote:

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

Noes: None

Absent: None

The motion carried: 5-0

**ACTION:** Received and filed

**Administrative Actions**

**5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING APPLICATION FOR, AND ACCEPTANCE OF, A GRANT AWARD FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR THE “SELECTIVE TRAFFIC ENFORCEMENT PROGRAM.” (01:20:00)**

Discussion ensued regarding the grant fund and description; DUI statistics; cell phone violations; Saturation Patrols and checkpoints; motorcycle safety; and grant program training. (01:21:49)

Tamar Goldmann, Costa Mesa, thanked the Police Department for their hard work; and spoke in support of the grant. (01:37:55)

Sue Lester, Costa Mesa, spoke in support of the grant. (01:40:05)

Cindy Brenneman, Costa Mesa, spoke in support of the grant. (01:40:53)

Kim Nims, Newport Beach, thanked the Police Department; suggested this be expanded to the school system; and spoke in support of the grant. (01:42:43)

Discussion ensued regarding the ABC training available to establishments with liquor licenses. (01:45:52)

Council Member Mensinger spoke in support of the program. (01:47:12)

Discussion ensued regarding funding sources; opting out of a Federal Program; operational expenses; and spending from contingency funds. (01:48:06)

Mayor Pro Tem Righeimer spoke in support of the program and allocating \$160,000 toward overtime. (01:53:02)

Per Council request, Chief Gazsi provided feedback regarding the program. (01:54:16)

Discussion ensued regarding a local structure versus federal approach; equipment funding; and tax revenue funding versus borrowed money. (01:56:13)

Mayer Bever expressed concern regarding the use of loans and the Federal Program. (01:58:52)

Chief Gazsi suggested that funds be accepted for the current year, and estimate funding and revenues for the next fiscal year. (02:00:13)

**MOTION/SECOND:** Mayor Bever/Council Member Leece

The motion carried by the following roll call vote:

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

Noes: None

Recuse: Council Member Monahan

The motion carried 4-0:

**ACTION:** Adopted resolution

- a. Budget Adjustment No. 13-006 in the amount of \$160,000.

**ACTION:** Approved

**SUCCESSOR AGENCY TO THE COSTA MESA REDEVELOPMENT AGENCY (02:04:00) -**  
None

**PUBLIC HEARINGS (02:04:03)**

1. **PUBLIC HEARING: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ORDERING THE VACATION OF A PORTION OF FULLERTON AVENUE RIGHT-OF-WAY AT 164 FLOWER STREET. (02:04:06)**

Mayor Bever requested to continue the public hearing. (02:04:08)

Public Services Director Munoz advised Council to open public comment and then continue the item to the next meeting. (02:14:18)

**MOTION/SECOND:** Mayor Bever/Council Member Mensinger

The motion carried by the following roll call vote:

Ayes: Mayor Bever, Mayor Pro Tem Rigeheimer, Council Member Leece, Council Member Mensinger and Council Member Monahan.

Noes: None

Absent: None

The motion carried: 5-0

**ACTION:** Public Comment was opened and item continued to the meeting of October 16, 2012.

**OLD BUSINESS (02:04:53) - None**

**NEW BUSINESS (02:04:54)**

1. **Street and Storm Drain Maintenance Services Request for Proposal. (02:04:55)**

Public Services Director Munoz presented the report. (02:05:04)

Mayor Bever stated a good effort was made to streamline the division; spoke on City clean-up and costs; and spoke in support of the reorganization and savings. (02:13:05)

Discussion ensued regarding maintenance capability. (02:14:41)

Robin Leffler, Costa Mesa, spoke about heightened solar activity; and cleaning storm drains. (02:17:28)

Jay Humphreys, Costa Mesa, complimented staff; spoke on bid return and layoff notices. (02:18:59)

Mayor Pro Tem Mensinger complimented staff on the Outsourcing Summary Report.  
(02:20:27)

**MOTION/SECOND:** Mayor Bever/ Council Member Leece

The motion carried by the following roll call vote:

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

Noes: None

Absent: None

The motion carried: 5-0

**ACTION:** Received and filed; authorized staff to rescind layoff notices for five positions

**REPORT – CITY ATTORNEY – None**

**ADJOURNMENT – To Regular Meeting, October 16, 2012, 6:00 p.m.**

The Mayor adjourned the meeting at 8:23 p.m.

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MAYOR

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CITY CLERK

**MINUTES OF THE REGULAR ADJOURNED MEETING/STUDY SESSION AND SPECIAL  
JOINT STUDY SESSION WITH THE COSTA MESA HOUSING AUTHORITY**

**DECEMBER 10, 2013**

**CALL TO ORDER**

The meeting was called to order by the Mayor at 4:30 p.m. in Conference Room 1A at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

**ROLL CALL (00:00:24)**

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

Absent: Council Member Monahan

Officials Present: Chief Executive Officer Thomas R. Hatch, City Attorney Thomas Duarte, Assistant CEO Rick Francis, Economic and Development Services Director Gary Armstrong, Public Services Director Ernesto Munoz, Senior Planner Minoo Ashabi, and City Clerk Brenda Green.

Mayor Righeimer recused himself stating he was on the board of Mercy House. (00:00:45)

**PUBLIC COMMENT (00:01:24)**

Mayor Righeimer stated he was on the board of Mercy House and spoke regarding community support for the project. (00:01:43)

Flo Martin, Costa Mesa, spoke on the weekly potluck picnic; armory shelter; and supports a facility for the Costa Mesa homeless. (00:02:28)

Kathy Esfahani, member of the Costa Mesa Affordable Housing Coalition, supports the proposal for a facility for the homeless; and stated the coalition will work in support of this proposal. (00:03:52)

Phil Eyskens, Pastor of the Lighthouse in Costa Mesa, supports the proposal for supportive housing project; spoke on volunteers providing services for the homeless; and shared homeless individual stories. (00:05:25)

Linda Tang, Costa Mesa Affordable Housing Coalition, spoke in support of the supportive housing project; and working in partnership with the City. (00:07:39)

Beth Refakes, Costa Mesa, supports the supportive housing project; expressed concern on community support based on property location; spoke on motel conversions; and homeless from other cities. (00:09:13)

Becks Heyhoe, Costa Mesa, spoke in support of efforts to help the homeless; creation of housing units; and pledged community support. (00:11:38)

Phil Morello, Costa Mesa, spoke on past services provided for the homeless; expressed concern on the property location on the Westside; and the negative impacts homeless have on a neighborhood. (00:14:32)

**REGULAR ITEM (00:16:12)**

**1. HOMELESS SUPPORTIVE HOUSING PROJECT: DEVELOPMENT MODEL OPTIONS**

Rick Francis, Assistant CEO, spoke on the Homeless Task Force and Homeless Supportive Housing; introduced Celeste Brady, Legal Counsel, Kathe Head from Keyser Marston, Larry Haynes, Executive Director of Mercy House, Ken Souder, representing Wakeland Development, and Muriel Ullman, Housing Consultant; and requested direction from Council to make this goal happen. (00:16:18)

Larry Haynes, Executive Director of Mercy House, spoke regarding the citizens safety concerns; community impacts; network of services; and permanent supportive housing. (00:21:01)

Kathe Head, Keyser Marston, gave a slide presentation on the 9 goals from the Homeless Task Force; spoke on Goal #6 Homeless Supportive Housing; spoke on funding issues; project scenarios; alternative options; and provided a financial analysis. (00:25:38)

Mr. Francis spoke regarding the overview of potential sites: Lion's Park; Senior Center parking lot; community gardens; Dog Park; Civic Center Park; and requested Council's input. (00:53:03)

City Council provided feedback regarding the priority recommendations and secondary recommendations.

**Priority Recommendations**

1. Pursue the new construction of an "integrated" affordable housing project on property owned by the City of Costa Mesa (City). Approximately 50% of the units in the project would be rented to homeless residents and 50% of the units would be rented to very-low income households earning less than 50% of the Orange County median income; and
2. New construction of a supportive housing project that is rented exclusively to homeless residents. The project would be constructed on property owned by the City.

**Secondary Recommendations**

1. Acquisition of an existing motel and converting it for the supportive housing project; and
2. Acquisition and rehabilitation of small apartment projects on scattered sites for rental to homeless tenants; and
3. The creation of a tenant based rental assistance program that provides rent subsidies for homeless tenants to be used at market-rate apartment projects.

**COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS (00:58:35)**

Discussion ensued between Council Member Leece and Ms. Head regarding the project operation; funding sources and operating reserves. (00:58:38)

Mr. Souder, Wakeland Development, spoke on 55 year city land leases; operating subsidy; and corporate tax credits. (01:02:24)

Discussion ensued between Mayor Pro Tem Mensinger and Mr. Souder regarding his previous projects. (01:03:50)

Discussion ensued between Council Member Leece and Mr. Francis regarding site direction; timeline; and informing the community and neighborhood. (01:10:11)

Discussion ensued between Mayor Pro Tem Mensinger and Mr. Francis regarding deadline and financial risks; and community outreach time frame. (01:12:35)

Discussion ensued between Council Member Genis and Mr. Souder regarding resident services; homeless supportive services; site GPA and zoning; and site change. (01:18:49)

Discussion ensued between Mayor Pro Tem Mensinger and Mr. Haynes regarding overflow and transitional housing; intake process; and creating boundaries. (01:23:11)

Discussion ensued between Mayor Pro Tem Mensinger and CEO Hatch regarding the different options provided; smaller units throughout the community; decision needing to be made by the end of February 2014; and funding sources. (01:28:39)

Discussion ensued between Council Member Leece and Mr. Haynes regarding length of permanent supportive housing; and mental health services regarding MAHA financing. (01:32:16)

Discussion ensued between Council Member Leece and Mr. Francis regarding staff needed for this project; and the responsibilities of Mercy House and Wakeland. (01:34:45)

Discussion ensued between Mayor Pro Tem Mensinger and Mr. Haynes regarding the role of the churches consortium in this process; CSUF Department of Social Work volunteers; future housing projects; and future costs. (01:36:14)

Discussion ensued between Mayor Pro Tem Mensinger and Mr. Francis regarding the number of staff involved in this issue. (01:40:08)

Council Member Leece stated she would like staff to bring this issue to the Council so they can decide what to do. (01:41:20)

Discussion ensued between Council Members regarding the Civic Center Park as a site recommendation. (01:43:18)

Discussion ensued between Mayor Pro Tem Mensinger and Mr. Haynes regarding the urgency of making a decision now, and site money available from other sources. (01:46:10)

Discussion ensued between Council Member Genis and Mr. Haynes regarding the necessity to begin community outreach as soon as possible. (01:47:54)

Mayor Pro Tem Mensinger stated this is a monumental decision; Civic Center site is the logical site; expressed concerns with transitional housing; spoke on motel options; and homeless housing. (01:49:26)

Council Member Leece spoke on the mental health issue; and supportive housing; and would like to move forward and deal with any opposition from the community. (01:53:05)

CEO Hatch spoke regarding moving forward with the project. (01:55:03)

The Mayor Pro Tem Mensinger adjourned the meeting at 6:30 p.m.

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MAYOR

ATTEST:

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CITY CLERK

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

**November 20, 2012**

**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 Bever, Mayor Pro Tem Righeimer, Council Member Leece, Council Member Mensinger, and Council Member Monahan  
Council Members Absent: None

**PUBLIC COMMENTS ON CLOSED SESSION ITEMS - NONE**

**JOINT CITY COUNCIL AND HOUSING AUTHORITY CLOSED SESSION**

The City Council recessed into closed session at 5:03 p.m. to consider the following item:

1. Conference with legal counsel regarding anticipated litigation, significant exposure to litigation pursuant to Government Code Section 54956.9(B) and whether or not to initiate litigation pursuant to Government Code Section 54956.9(C) for one potential case.

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

**CALL TO ORDER (00:00:05)**

**PLEDGE OF ALLEGIANCE (00:00:18)** – Mayor Eric R. Bever

**MOMENT OF SOLEMN EXPRESSION - NONE**

**ROLL CALL (00:00:45)**

Present: Mayor Bever, Mayor Pro Tem Righeimer, Council Member Leece, Council Member Mensinger, and Council Member Monahan  
Absent: None

Officials Present: Chief Executive Officer Thomas R. Hatch, Deputy City Attorney Christian Bettenhausen, Assistant Chief Executive Officer Rick Francis, Economic and Development Services Director Peter Naghavi, Public Services Director Ernesto Munoz, and Interim City Clerk Brenda Green.

**CLOSED SESSION REPORT - NONE**

**ANNOUNCEMENTS (00:01:05)**

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

**PRESENTATIONS (00:03:08)**

Norm Bour of Opis Network presented an award to the Wine Lab for the "Helping 100 Business for 100 Days" program.

Cindy Brenneman presented awards to the recipients of the First Friday Road Show People's Choice Awards.

**PUBLIC COMMENTS (00:15:18)**

Rich Reiser, Costa Mesa, spoke about replacement of trees and broken meter boxes, and bicycle safety. (00:15:27)

James Bridges, Costa Mesa, commented on recall efforts, congratulated the election winners, and requested a Study Session regarding the City Charter. (00:17:15)

Cindy Brenneman, Costa Mesa, congratulated the election winners, and thanked the Costa Mesa Fire Department for assisting her. (00:19:42)

Sue Lester, Costa Mesa, thanked the City Council candidates; and spoke about the Santa Letters program and the Costa Mesa American Legion. (00:21:37)

Joy Williams, Costa Mesa, thanked all of the City volunteers and spoke about Paul Hill. (00:24:42)

Greg Thunell, Costa Mesa, congratulated the candidates elected to the City Council and spoke about the elections. (00:26:28)

Nick Berardino, Orange County Employees Association, congratulated the candidates elected to the City Council; and spoke about layoffs. (00:29:28)

Robin Leffler, Costa Mesa, commented on the order of agenda items. (00:33:14)

Kimberly Mimms, Costa Mesa, congratulated candidates elected to the City Council and spoke about bullying. (00:35:21)

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

Mayor Bever spoke about the success of stopping the I-405 toll roads and thanked everyone involved. (00:39:10)

Mayor Pro Jim Righheimer expressed condolences for the families of Orville Amburgey and Paul Hill; thanked all the candidates who ran in the election; congratulated the candidates elected to the City Council; spoke about the Charter and on the rescinding of the layoff notices and outsourcing options. (00:41:37)

Council Member Leece requested to adjourn the meeting in honor of Orville Amburgey and Paul Hill; spoke about grants, the Neighborhood Improvement Task Force, the West Nile Virus, Military Banner Program, and the I-405 toll roads; responded to public comments; and requested an update regarding Banning Ranch, negotiations with the Police Department, and the lawsuit with the employee association. (00:50:46)

Council Member Stephen Mensinger thanked Mayor Bever for his efforts regarding the I-405 Toll Roads; spoke about Orville Amburgey's life; requested to bring back the parade at the 60<sup>th</sup> Anniversary Event; spoke about rescinding the layoff notices. (01:00:38)

**REPORT-CHIEF EXECUTIVE OFFICER (CEO) (01:04:02)**

CEO Hatch announced the next First Friday Road Show will include a farewell to Mayor Bever and Peter Naghavi; spoke about a meeting regarding the homeless and drug issues at Lions Park, Black Friday, and the Economic and Development Services Director recruitment.

Public Services Director Munoz provided an update on Banning Ranch. (01:07:55)

**CONSENT CALENDAR (01:09:18)**

**MOTION:** Approve recommended actions for Consent Calendar Item Nos. 1 through 13 except for Items 2, 6, 9, 12, 13

**MOVED/SECOND:** Council Member Leece/Mayor Pro Tem Righeimer

The motion carried by the following roll call vote:

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

Noes: None

The motion carried: 5-0

**1. READING FOLDER**

- (a) Claims received by the City Clerk: Claims received by the City Clerk: Tom Balding; Law Offices of Frederick W. Werve on behalf of County of Orange; Enterprise Rent-A-Car; H. Gavin Long, Esq. on behalf of Michael Griffin; Sean F. Salamati, Esq. on behalf of Cristina Prada; Diego Sanchez.
- (b) Requests for Alcohol Beverage Control licenses: Masahito Mizobe, 562 West 19<sup>th</sup> Street; Pit Fire Costa Mesa, LLC dba Pit Fire Artisan Pizza, 353 East 17<sup>th</sup> Street; Burrissimo, LLC dba Burrissimo, 1534 Adams Avenue, Suite D; Yard House Triangle Square LLC dba Yard House Restaurant, 1875 Newport Boulevard, Suite A219; Golden Frontier, Inc. dba Orchid Persian Cuisine, 3033 Bristol Street, Suite D; SR Entertainment Inc. dba Vice Ice Bar, 580 Anton Boulevard, Suite A101.

**ACTION:** Received and filed.

3. **WARRANT RESOLUTION 2443: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 12-21 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 12-21 for \$2,046,388.93, and City operating expenses for \$1,023,804.74, including payroll deductions.**

**ACTION:** Approved.

4. **WARRANT RESOLUTION 2444: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding City operating expenses for \$671,944.56.**

**ACTION:** Approved.

5. **WARRANT RESOLUTION 2445: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 12-22 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 12-22 for \$2,018,389.31, and City operating expenses for \$897,384.35, including payroll deductions.**

**ACTION:** Approved.

7. **WARRANT RESOLUTION 2447: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 12-23 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 12-23 for \$2,019,731.46, and City operating expenses for \$380,668.97, including payroll deductions.**

**ACTION:** Approved.

8. **SOLE SOURCE PURCHASE AGREEMENT WITH VULCAN MATERIALS COMPANY FOR THE PURCHASE OF PLANT MIX ASPHALT FOR A TERM OF ONE YEAR IN AN AMOUNT NOT TO EXCEED \$75,000.**

**ACTION:**

City Council approved the Sole Source Purchase Agreement with Vulcan Materials Company for the purchase of Plant Mix Asphalt for a term of one year in an amount not to exceed \$75,000.

10. **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING RECORDS DESTRUCTION FOR THE PURCHASING, ACCOUNTING, AND TREASURY DIVISIONS OF THE FINANCE DEPARTMENT OF THE CITY OF COSTA MESA, PURSUANT TO ORDINANCE NO. 75-60.**

**ACTION:**

City Council adopted a Resolution of the City Council of Costa Mesa, California, authorizing records destruction for the Purchasing, Accounting, and Treasury divisions of the Finance Department of the City of Costa Mesa, pursuant to Ordinance No. 75-60.

11. **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING THE SUBMITTAL OF IMPROVEMENT PROJECTS TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE COMPREHENSIVE TRANSPORTATION PROGRAM, REGIONAL CAPACITY PROGRAM PROJECT O, AND REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM, PROJECT P.**

**ACTION:**

City Council adopted a Resolution of the City Council of the City of Costa Mesa, California, approving the submittal of improvement projects to the Orange County Transportation Authority for funding under the Comprehensive Transportation Program, Regional Capacity Program Project O, and Regional Traffic Signal Synchronization Project, Project P.

**ITEMS REMOVED FROM THE CONSENT CALENDAR (01:09:51)**

2. **MINUTES:** REGULAR MEETING OF AUGUST 17, 2010; SPECIAL JOINT MEETING OF THE CITY COUNCIL AND ORANGE COUNTY FAIRGROUNDS AUTHORITY OF AUGUST 24, 2010; SPECIAL MEETING OF NOVEMBER 15, 2011; REGULAR MEETING OF JANUARY 17, 2012; REGULAR MEETING OF AUGUST 21, 2012; REGULAR MEETING OF SEPTEMBER 4, 2012; AND SPECIAL JOINT CLOSED SESSION MEETING OF SEPTEMBER 4, 2012. (01:10:00)

Mayor Bever spoke regarding the Regular Meeting Minutes of August 17, 2010. (01:12:07)

**MOTION:** Approve all minutes except the Regular Meeting Minutes of August 17, 2010.

**MOTION/SECOND:** Mayor Bever/Council Member Leece

The motion carried by the following roll call vote:

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

Noes: None

The motion carried: 5-0

**ACTION:** Approved all minutes except the Regular Meeting Minutes of August 17, 2010.

6. **WARRANT RESOLUTION 2446: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding City operating expenses for \$1,348,340.70. (01:12:45)**

Discussion ensued regarding the funding for the video surveillance at Costa Mesa Country Club.

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

The motion carried by the following roll call vote:

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

Noes: None

The motion carried: 5-0

**ACTION:** Approved.

9. **PROFESSIONAL SERVICES AGREEMENT WITH DAVID VOLZ DESIGN FOR ENGINEERING SERVICES FOR MASTER PLANNED IMPROVEMENTS ON THE WESTSIDE IN AN AMOUNT NOT TO EXCEED \$112,182. (01:15:56)**

Council Member Leece requested the item be delayed until the Police Department is fully staffed.

Discussion ensued regarding funding for the project. (01:17:10)

Martin H. Millard, Costa Mesa, spoke in support of the item. (01:17:35)

Rich Reiser, Costa Mesa, commented on transportation on 19<sup>th</sup> Street. (01:20:00)

Speaker, Costa Mesa, spoke on streetscape, the pedestrian community, and funding for improvements on the Westside of Costa Mesa. (01:21:05)

Kimberly Mimms, Costa Mesa, referred to comments made by a previous speaker. (01:24:40)

Mayor Pro Tem Righeimer spoke in support of the item. (01:25:10)

Council Member Leece expressed opposition of the item at the current time. (01:26:25)

Mayor Bever spoke on crime in Costa Mesa. (01:28:43)

Council Member Mensinger expressed support of the item. (01:29:23)

Council Member Monahan expressed support of the item. (01:30:30)

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

The motion carried by the following roll call vote:

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

Noes: Council Member Leece

The motion carried 4-1.

**ACTION:**

City Council awarded a Professional Services Agreement to David Volz Design for engineering services for master planned improvements on the Westside in an amount not to exceed \$112,182; and authorized the Mayor and Interim City Clerk to sign and execute the agreement.

**12. AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH MANAGEMENT PARTNERS FOR INTERIM MANAGEMENT ASSISTANCE IN AN AMOUNT NOT TO EXCEED \$37,000. (01:31:10)**

CEO Hatch presented the report. (01:31:35)

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

The motion carried by the following roll call vote:

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

Noes: None

The motion carried: 5-0

**ACTION:**

City Council approved the amendment to the Professional Services Agreement with Management Partners for interim management assistance in an amount not to exceed \$37,000; and authorized the Mayor and Interim City Clerk to sign and execute the amendment.

**13. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING THE 2012-2013 STATEMENT OF INVESTMENT POLICY, AND DESIGNATE THE FINANCE DIRECTOR TO ACT AS CITY TREASURER TO INVEST AND REINVEST IDLE MONEYS OF THE CITY OF COSTA MESA IN ACCORDANCE WITH THE ADOPTED 2012-13 STATEMENT OF INVESTMENT POLICY. (01:34:38)**

Discussion ensued regarding the Investment Oversight Committee term expiration dates and membership options.

**MOTION/SECOND:** Council Member Leece/Mayor Pro Tem Righeimer

The motion carried by the following roll call vote:

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

Noes: None

The motion carried: 5-0

**ACTION:**

City Council adopted a Resolution of the City Council of the City of Costa Mesa, California, adopting the 2012-2013 Statement of Investment Policy, and designated the Finance Director to act as City Treasurer to invest and reinvest idle monies of the City of Costa Mesa in accordance with the adopted 2012-2013 Statement of Investment Policy.

**SUCCESSOR AGENCY TO THE COSTA MESA REDEVELOPMENT AGENCY**

**New Business (01:38:00)**

1. **A RESOLUTION OF THE SUCCESSOR AGENCY TO THE COSTA MESA REDEVELOPMENT AGENCY, COSTA MESA, CALIFORNIA, ADOPTING THE 2012-2013 STATEMENT OF INVESTMENT POLICY, AND DESIGNATE THE FINANCE DIRECTOR TO ACT AS AGENCY TREASURER TO INVEST AND REINVEST IDLE MONEYS OF THE SUCCESSOR AGENCY TO THE COSTA MESA REDEVELOPMENT AGENCY IN ACCORDANCE WITH THE ADOPTED 2012-13 STATEMENT OF INVESTMENT POLICY. (01:38:07)**

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

The motion carried by the following roll call vote:

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

Noes: None

The motion carried: 5-0

**ACTION:**

City Council and Successor Agency to the Redevelopment Agency adopted a Resolution of the Successor Agency to the Costa Mesa Redevelopment Agency, Costa Mesa, California, adopting the 2012-2013 Statement of Investment Policy, and designated the Finance Director to act as Agency Treasurer to invest and reinvest idle monies of the Successor Agency to the Redevelopment Agency in accordance with the adopted 2012-2013 Statement of Investment Policy.

**END OF SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY AGENDA**

**PUBLIC HEARINGS – (01:39:55)**

1. **ANNUAL REVIEW OF THE CITYWIDE TRAFFIC IMPACT FEE PROGRAM (01:39:58)**

- (a) **A RESOLUTION OF THE CITY OF COSTA MESA, CALIFORNIA, CONTINUING THE CITYWIDE TRAFFIC IMPACT FEE FOR NEW DEVELOPMENT IN THE CITY OF COSTA MESA AND THE RELATED ANNUAL REVIEW OF THE CITYWIDE TRAFFIC IMPACT FEE PROGRAM AND CAPITAL IMPROVEMENT PLAN FOR TRANSPORTATION IMPROVEMENTS, approving the recommendations by staff and the Traffic Impact Fee Ad Hoc Committee to continue the current traffic impact fee of \$181 per Average Daily Trip (ADT), continue the incentive program for new developments by assessing traffic impact fees on an incremental basis for the first 100 trips, and approve the annual accounting of the Citywide Traffic Impact Fee Program.**

Public Services Director Munoz made the presentation. (01:40:02)

Discussion ensued regarding the review of the General Plan and community involvement. (01:42:52)

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

The motion carried by the following roll call vote:

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

Noes: None

The motion carried: 5-0

**ACTION:**

City Council adopted the Resolution to approve the recommendations by the Traffic Impact Fee Ad Hoc Committee and staff as follows:

1. Continue the current traffic impact fee of \$181 per Average Daily Trip (ADT); and
2. Continue the incentive program for new developments by assessing traffic impact fees on an incremental basis for the first 100 trips; and
3. Approve the annual accounting of the Citywide Traffic Impact Fee Program.

**OLD BUSINESS (01:45:03)**

1. **From the meeting of October 16, 2012: AMENDMENT TO THE CONTRACT BETWEEN CALPERS AND THE CITY OF COSTA MESA TO INCLUDE PROVISIONS PURSUANT TO GOVERNMENT CODE SECTION 20475 IMPLEMENTING THE 2%@50 RETIREMENT FORMULA FOR FIRE SAFETY EMPLOYEES, AND ADOPTION OF RESOLUTIONS DOCUMENTING EMPLOYER PAID MEMBER CONTRIBUTIONS.**

Principal Human Resources Analyst Ryan Thomas presented the report. (01:45:35)

Discussion ensued regarding clarification of the employer contribution. (01:46:45)

- (a) **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF COSTA MESA AND BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO IMPLEMENT THE 2%@50 RETIREMENT FORMULA FOR SAFETY FIRE EMPLOYEES UNDER GOVERNMENT CODE SECTION 20475.**

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

The motion carried by the following roll call vote:

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

Noes: None

The motion carried: 5-0

**ACTION:**

City Council read Ordinance 12-8 by title only; adopted Ordinance No. 12-8 which authorizes the amendment to the California Public Employee's Retirement System (CalPERS) contract to implement 2%@50 retirement formula for Safety Fire employees under Government Code Section 20475.

- (b) **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTION ("EPMC") RELATING TO COSTA MESA FIREFIGHTERS ASSOCIATION ("CMFA") AND COSTA MESA FIRE MANAGEMENT ASSOCIATION ("CMFMA") EMPLOYEES.**

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

The motion carried by the following roll call vote:

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

Noes: None

The motion carried: 5-0

**ACTION:**

City Council adopted a Resolution of the City Council of the City of Costa Mesa, California, for paying and reporting the value of employer paid member contribution ("EPMC") relating to Costa Mesa Firefighters Association ("CMFA") and Costa Mesa Fire Management Association ("CMFMA") employees.

- (c) **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTION (“EPMC”) RELATED TO COSTA MESA CITY EMPLOYEES ASSOCIATION (“CMCEA”) AND NON-REPRESENTED CONFIDENTIAL EMPLOYEES.**

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

The motion carried by the following roll call vote:

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

Noes: None

The motion carried: 5-0

**ACTION:**

City Council adopted a Resolution of the City Council of the City of Costa Mesa, California, for paying and reporting the value of employer paid member contribution (“EPMC”) related to Costa Mesa City Employees Association (“CMCEA”) and non-represented confidential employees.

**NEW BUSINESS (01:49:30)**

**1. SR-55 GATEWAY IMPROVEMENT PROJECT MONUMENT SIGN DESIGN (01:49:42)**

Public Services Director Munoz and Transportation Manager Raja Sethuraman presented the report. (01:49:48)

Beth Refakes, Costa Mesa, expressed support and commented on the color design. (01:53:02)

Discussion ensued regarding lighting of the monument. (01:54:25)

**MOTION/SECOND:** Mayor Bever/Council Member Mensinger

The motion carried by the following roll call vote:

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

Noes: None

The motion carried: 5-0

**ACTION:**

City Council approved the Monument Sign Design for the SR-55 Downtown Gateway Project.

**2. COSTA MESA 60<sup>TH</sup> ANNIVERSARY PLANNING COMMITTEE (01:56:10)**

Staff report provided by CEO Hatch and Dan Joyce, Community Affairs Manager. (01:56:20)

Discussion ensued regarding the Brown Act, participating groups, and the inclusion of the parade. (02:00:20)

Beth Refakes, Costa Mesa, requested to include the Military Affairs Committee. (02:05:59)

Council Member Leece requested to add the Military Affairs Committee. (02:07:58)

Robin Leffler, Costa Mesa, suggested adding community organizations. (02:08:58)

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

**Motion:** To proceed with the 60<sup>th</sup> Anniversary Celebration; the creation of the 60<sup>th</sup> Anniversary Committee with the addition of a representative from each of the following groups: South Coast Plaza, The Arts Center, The Lions Club, Kiwanis, the Libraries, Costa Mesa United, the Military Affairs Team, and the two Band Boosters.

The motion carried by the following roll call vote:

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

Noes: None

The motion carried: 5-0

**ACTION:**

City Council provided direction on the formation of a Costa Mesa 60<sup>th</sup> Anniversary Committee; and authorized staff to solicit applications for 5 City Council appointed representatives to the 60<sup>th</sup> Anniversary Committee and community groups.

**REPORT – CITY ATTORNEY (02:13:10)**

Deputy City Attorney Bettenhausen commented on the City of Alhambra vs. the County of Los Angeles Supreme Court Case regarding property tax.

The Mayor adjourned the meeting at 8:14 p.m.

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MAYOR

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CITY CLERK