

**MINUTES OF THE REGULAR MEETING OF THE COSTA MESA CITY COUNCIL,
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY****December 6, 2011****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 Rigeimer, Council Member Bever, Council Member Leece, and Council Member Mensinger

Council Members Absent: Mayor Monahan

PUBLIC COMMENTS ON CLOSED SESSION ITEMS**CLOSED SESSION**

The City Council recessed into closed session at 5:04 p.m. to consider the following items:

1. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Firefighters Association (CMFA), Costa Mesa Police Officers Association (CMPOA) and Costa Mesa Police Management Association (CMPMA), Costa Mesa Fire Fighters Management Association, and Costa Mesa Division Managers Association pursuant to Government Code Section 54957.6
2. Conference with legal counsel regarding existing litigation: Costa Mesa Employees Association v. City of Costa Mesa, a municipal corporation, et al., Orange County Superior Court Case No. 30-2011 00475281, pursuant to Government Code Section 54956.9(a).
3. Conference with legal counsel regarding existing litigation: Timothy M. Slappy, an individual v. Robert Harris in his official and individual capacities; City of Costa Mesa, a government entity, Case No. SACV11-00425 DOC (MLGx), pursuant to Government Code Section 54956.9(a).
4. Conference with legal counsel regarding existing litigation: Helyn May Elitzak, an individual v. the City of Costa Mesa; Arnell Management Company Inc., a California corporation, Orange County Superior Court Case No. Case No 30-2011-00439380, pursuant to Government Code Section 54956.9(a).
5. Conference with legal counsel regarding anticipated litigation, significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9 – (one case).

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

CALL TO ORDER (00:00:10)

PLEDGE OF ALLEGIANCE (00:00:50) – Mayor Pro Tem Righeimer

MOMENT OF SOLEMN EXPRESSION (00:01:06)

Head Pastor Rod Randall, Harbor Trinity Baptist Church

ROLL CALL (00:02:50)

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

Council Members Absent: Mayor Monahan

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, Public Services Director Ernesto Munoz, and City Clerk Brenda Green.

CLOSED SESSION REPORT

The City Attorney stated that there was no reportable action.

ANNOUNCEMENTS (00:03:00)

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

PRESENTATIONS (00:06:10)

Mayor Pro Tem Righeimer acknowledged the Pop Warner Flag Football Team "The Mighty Mites" for winning 10 out of 11 games in the season.

PUBLIC COMMENTS (00:22:40)

Jim Jordan, Costa Mesa, thanked Council for continuing the Snoopy Display and asked for donations and volunteers. (00:23:32)

Helen Nenadal, Orange, President of the Costa Mesa City Employees Association, spoke about the city employees and the outsourcing of services. (00:26:56)

Perry Valantine, Costa Mesa, recounted a timeline of events that occurred in 2011 related to the budget, outsourcing, and City employees. (00:29:39)

Marshall Krupp, Costa Mesa, expressed concerns regarding issues around Susan Street and the Providence Park area. (00:33:00)

Barb Freeman, Costa Mesa, reiterated concerns from the previous speaker regarding traffic and parking issues around Susan Street and Sunflower Avenue. (00:37:07)

Robin Leffler, Costa Mesa, spoke about employee layoffs, and committee appointments. (00:41:33)

Tamar Goldmann, Costa Mesa, spoke about Fire and safety personnel pensions and contracts. (00:45:07)

Billy Folsom, Costa Mesa, spoke about outsourcing and the extension of layoff notices, the Request for Proposal process, and referred to an article by Colin McCarthy. (00:48:20)

Sue Lester, Costa Mesa, expressed thanks for the continuation of the Snoopy display, and urged everyone to work together as a team. (00:51:39)

Greg Thunnell, Costa Mesa, spoke about Council actions. (00:54:19)

Bill Harader, Costa Mesa, expressed dissent in Council's direction, complimented the city's improved website, and spoke about the Snoopy house (00:57:55)

James Proctor, Costa Mesa, provided cost-saving ideas. (01:02:20)

Hayley Hudgens, Ashlyn, Emily, Michael, students from Brethren Christian High School, introduced themselves and informed of their attendance at the meeting to learn about government. (01:04:53)

Terry Koken, Costa Mesa, sang a song about the proposed city charter. (01:05:45)

Tom Pollitt, Costa Mesa, spoke about the budget and thanked Council for their efforts to balance it. (01:06:50)

Reverend Sarah Halverson, Costa Mesa, spoke about outsourcing and the Homeless Task Force. (01:08:04)

PUBLIC HEARING ITEMS CONSIDERED OUT OF ORDER (01:11:40)

- 1. PUBLIC HEARING: Continued from the meeting of November 1, 2011, Review of Planning Commission's determination regarding Planning Application PA-11-22, for Peak West Development LLC, for a design review with a variance from maximum number of stories and building height (2 stories/27 ft. max. allowed; 3 stories/44 ft. proposed) and deviation from the city's residential design guideline for 2nd and 1st floor ratio (80% maximum recommended; 86% proposed) for a new 23,109 square-foot community building with below-grade parking for tenants of both Villa Venetia and Pine Brook Village Apartments in an R3 (Multiple-Family Residential District) Zone. This is a revised submittal from the previously proposed building height of 61 ft. under Planning Application PA-11-15. Environmental Determination: Exempt. (01:11:57)**

MOTION: Continue the Public Hearing to the Regular Meeting of January 3, 2012.

MOTION/SECOND: Mayor Pro Tem Righeimer/Council Member Bever

The motion carried by the following roll call vote:

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

Noes: None

Absent: Mayor Monahan

Motion carried 4-0-1.

ACTION:

Public Hearing continued to Regular Meeting of January 3, 2012.

3. PUBLIC HEARING: A RESOLUTION OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING INCREASED FEES AND NEW FEE CATEGORIES FOR CONTRACT TOW OPERATORS. (01:12:33)

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

The motion carried by the following roll call vote:

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

Noes: None

Absent: Mayor Monahan

Motion carried 4-0-1.

ACTION:

Public Hearing continued to Regular Meeting of January 17, 2012.

REPORT-CHIEF EXECUTIVE OFFICER (CEO) (01:13:14)

CEO Thomas Hatch thanked Mr. Jordan for his support in the community; acknowledged Mr. Fitzpatrick for assistance with coordinating volunteers; spoke on quality services provided to the public by the City; addressed questions regarding layoff notices and the Police Department; addressed concerns regarding Susan Street; spoke on Fleet Maintenance, the hiring of a Labor Negotiator, and the Homeless Task Force; provided an update on Fire Statistics, the creation of a Quality of Life Task Force, and the League of California Cities Goals; and spoke on the draft of budget policies and the City's 5-year forecast.

PUBLIC HEARINGS – (01:34:20)

- 2. PUBLIC HEARING: Appeal of Planning Commission's determination regarding Development Review DR-99-22 A2, for Pacific Land Services, for the amendment of the condition of approval for Target Costa Mesa's Winter Holiday hours as follows: 12 midnight to 11 p.m. the day after Thanksgiving; and 7 a.m. to 12 a.m. thereafter until New Year's Day. Current approved holiday hours are 7 a.m. to 11 p.m. Mon. – Fri., and 8 a.m. to 11 p.m. Saturday and Sunday from the day after Thanksgiving to New Year's day. Environmental Determination: Exempt. (01:34:22)**

Staff report provided by Mel Lee, Senior Planner. (01:35:14)

Al Morelli, Costa Mesa, expressed opposition to the approval of the extended hours of Target and provided reasons for his opposition. (01:38:50)

Discussion ensued regarding Target's holiday hours.

John Warren, representing Pacific Land Services, requested that Council approve the extended hours for Target and provided reasons for the extended hours. (02:15:17)

Jackie Lerner, Target District Team Leader, spoke on Target as a company and a good corporate neighbor. (02:22:15)

Discussion ensued regarding potential Black Friday issues, prevention measures, and the process of extending store hours. (02:28:40)

Louise Rose, Costa Mesa, thanked for the Snoopy House; spoke on Mr. Morelli's comments; and expressed support of the approval of extended hours for Target. (02:39:03)

Eleanor Egan, Costa Mesa, expressed opposition to the approval of extended hours for Target. (02:42:45)

LouAnne McCormick, Costa Mesa, spoke on the agreement between Target and the Halecrest Community; and expressed opposition to the approval of extended hours for Target. (02:44:06)

Tamar Goldmann, Costa Mesa, spoke on comments made by Mr. Morelli and expressed concerns regarding the agreement between Target and the Halecrest Community. (02:47:51)

Mr. Warren responded to comments made by Mr. Morelli and the public. (02:50:30)

Mr. Morelli spoke regarding the timeline of the appeal and Target's hours and reiterated his opposition to the approval of the extended hours of Target. (02:51:10)

Council Member Mensinger requested staff to provide a report to City Council to waive the appeal fee for Mr. Morelli. (03:03:53)

MOTION: Adopt Resolution to uphold Planning Commission's decision approving the Black Friday hours for the hours for Black Friday to annually be from 12:00 a.m. the day after Thanksgiving until 11:00 p.m. and to approve the extending of the winter holiday hours from 7:00 a.m. to 12:00 p.m. until New Years Day.

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

SUBSTITUTE MOTION: Adopt the resolution to deny the request for the Target's Black Friday and extended Holiday's hours.

SUBSTITUTE MOTION/SECOND: Council Member Leece

Motion failed due to lack of a second.

SUBSTITUTE MOTION: Adopt the resolution to deny the request for the Target's Black Friday and extended Holiday's hours and to agendize the request for the waiver of the fee for the appellat.

SUBSTITUTE MOTION/SECOND: Council Member Bever/Council Member Leece

The motion failed by the following roll call vote:

Ayes: Council Member Bever, Council Member Leece

Noes: Mayor Pro Tem Righeimer, Council Member Mensinger

Absent: Mayor Monahan

Motion failed 2-2-1.

ORIGINAL MOTION: Adopt Resolution to uphold Planning Commission's decision approving the Black Friday hours for the hours for Black Friday to annually be from 12:00 a.m. the day after Thanksgiving until 11:00 p.m. and to approve the extending of the winter holiday hours from 7:00 a.m. to 12:00 p.m. until New Years Day.

ORIGINAL MOTION/SECOND: Mayor Pro Tem Righeimer/Council Member Mensinger
The motion failed by the following roll call vote:

Ayes: Mayor Pro Tem Righeimer, Council Member Mensinger

Noes: Council Member Bever, Council Member Leece

Absent: Mayor Monahan

Motion failed 2-2-1.

MOTION: Continue the Public Hearing to the Regular Meeting of January 17, 2012.

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

The motion carried by the following roll call vote:

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

Noes: None

Absent: Mayor Monahan

Motion carried 4-0-1.

ACTION:

Public Hearing continued to Regular Meeting of January 17, 2012.

BREAK (03:13:54)

CONSENT CALENDAR (03:25:45)

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 12 except for Items 2, 6, 10, 11, and 12.

MOVED/SECOND: Mayor Pro Tem Righeimer/Council Member Bever

The motion carried by the following roll call vote:

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

Noes: None

Absent: Mayor Monahan

Motion carried 4-0-1.

1. READING FOLDER

ACTION: Received and processed

(a) Claims received by the City Clerk: Gary De La Rosa; Rosemary De La Rosa; Cecil Ray Davidson; Michael Hutton.

(b) Requests for Alcohol Beverage Control licenses: Madee, 401 East 17th Street, Suite C; Café International, 3198 Airport Loop H2A; Marukai Market, 2975 Harbor Boulevard; Jons Liquor, 2790 Harbor Boulevard, 101 & 102; and Sushi Shunka, 369 East 17th Street, Suite 17.

(c) Letter of Notification: Southern California Gas Company Notice of Proposed Rate Increases, Triennial Cost Allocation Proceeding (TCAP), Application No. A.11-11-002.

- 3. WARRANT RESOLUTION 2396: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 11-23 AND PAYROLL REGISTER NO. 11-22A AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, FUNDING PAYROLL NO. 11-23 FOR \$2,038,978.58 AND PAYROLL NO. 11-22A FOR \$0, AND CITY OPERATING EXPENSES FOR \$1,552,600.86, INCLUDING PAYROLL DEDUCTIONS.**

ACTION: Approved

- 4. WARRANT RESOLUTION 2397: 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 \$693,148.12.**

ACTION: Approved

- 5. WARRANT RESOLUTION 2398: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 11-24 AND PAYROLL REGISTER NO. 11-23A AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 11-24 for \$2,060,796.26 and Payroll No. 11-23A for \$96.44, and City operating expenses for \$611,000.76, including payroll deductions.**

ACTION: Approved

- 7. COMPLETION OF ALLEY NOS. 116, 75, AND 76 IMPROVEMENTS, CITY PROJECT NO. 11-01, BY BLACK ROCK CONSTRUCTION, INC., 282 NORTH SAINT CRISPEN AVENUE, BREA.**

ACTION:

1. City Council accepted the work performed by Black Rock Construction, Inc.; and
 2. Authorized the City Clerk to file the Notice of Completion; and
 3. Will release the Labor and Material Bond seven (7) months after the filing date; will release the Faithful Performance Bond one (1) year after the filing date; and will release the retention monies 35 days after the Notice of Completion filing date.
- 8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING THE MEASURE M2 EXPENDITURE REPORT FOR FISCAL YEAR 2010-2011.**

ACTION:

City Council adopted the Resolution approving the Renewed Measure M2 Expenditure Report.

9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, CHANGING THE ORDER OF BUSINESS OF THE CITY COUNCIL MEETINGS.

ACTION:

City Council adopted the Resolution amending the order of business for council meetings.

ITEMS REMOVED FROM THE CONSENT CALENDAR (03:27:49)

2. MINUTES: Regular meeting of November 1, 2011. (03:27:52)

MOTION: Continue the item to the Regular Meeting of January 3, 2012.

MOTION/SECOND: Council Member Bever/Council Member Mensinger

The motion carried by the following roll call vote:

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

Noes: None

Absent: Mayor Monahan

Motion carried 4-0-1.

ACTION:

Item continued to the Regular Meeting of January 3, 2012.

6. AMENDMENTS TO PROFESSIONAL SERVICES AGREEMENTS WITH SCOTT FAZEKAS AND ASSOCIATES, 9 CORPORATE PARK, #200, IRVINE; BUREAU VERITAS, 1565 MACARTHUR BOULEVARD, COSTA MESA; AND CSG CONSULTANTS INC., 801 PARK CENTER DRIVE #230, SANTA ANA, FOR CONTRACT PLAN CHECK AND INSPECTION SERVICES, IN AN AMOUNT NOT TO EXCEED \$634,000 IN THE AGGREGATE. (03:28:10)

Discussion ensued regarding the clarification of the budget adjustments.

Greg Ridge, Costa Mesa, spoke about Scott Fazekas in a Voice of OC article and conflict of interest. (03:32:20)

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

The motion carried by the following roll call vote:

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

Noes: None

Absent: Mayor Monahan

Motion carried 4-0-1.

ACTION:

1. City Council approved budget adjustment in the amount of \$196,000 from salary savings and \$125,000 from general fund to the Engineering and Architectural account.
2. Authorized the Mayor to amend Professional Services Agreements (PSAa) approved in June 2011, for contract plan check and inspection services with the companies of Bureau Veritas, CSG Consultants, Inc., and Scott Fazekas & Associates, Inc., for the total amount not to exceed \$634,000 in the aggregate.

10. REQUEST FOR PROPOSAL (RFP) FOR PAYROLL (03:34:47)

Sue Lester, Costa Mesa, shared her experience with using private payroll companies. (03:40:18)

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

The motion carried by the following roll call vote:

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

Noes: None

Absent: Mayor Monahan

Motion carried 4-0-1.

ACTION:

City Council authorized staff to release the Request for Proposal (RFP) for Payroll Services based upon the analysis provided by both the Payroll Services Contracting Committee and Finance Department.

11. REQUEST FOR PROPOSAL (RFP) FOR INFORMATION TECHNOLOGY (03:43:23)

Discussion ensued regarding Information Technology Services at surrounding Cities.

Beth Refakes, Costa Mesa, inquired about a complete list of software used in the City and spoke about management of the contracted employees. (03:49:14)

Greg Ridge, Costa Mesa, expressed opposition of outsourcing IT. (03:52:08)

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

The motion carried by the following roll call vote:

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

Noes: Council Member Leece

Absent: Mayor Monahan

Motion carried 3-1-1.

ACTION:

City Council authorized staff to release the Request for Proposal (RFP) for Information Technology Services based on the analysis provided by both the Information Technology

Services Contracting Committee and the Finance and Information Technology Department.

12. COSTA MESA REDEVELOPMENT AGENCY 2011 ANNUAL REPORT (04:19:30)

Discussion ensued regarding the reallocation of the money from the denial of the Harper's Point project.

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

The motion carried by the following roll call vote:

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

Noes: None

Absent: Mayor Monahan, Council Member Mensinger

Motion carried 3-0-2.

ACTION:

City Council received and filed Costa Mesa Redevelopment Agency's 2011 Annual Report.

OLD BUSINESS (04:21:55)

1. APPOINT MEMBERS TO THE CITY OF COSTA MESA'S TEWINKLE PARK ATHLETIC COMPLEX TASK FORCE (04:22:06)

Staff report provided by Ernesto Munoz, Interim Public Services Director. (04:22:15)

Eleanor Egan, Costa Mesa, spoke about Deed Restrictions. (04:35:13)

Robin Leffler, Costa Mesa, expressed support for a Public Hearing on the item and keeping the park locally-controlled. (04:37:48)

Tamar Goldmann, Costa Mesa, spoke on others' opposition to the item. (04:40:15)

Beth Refakes, Costa Mesa, expressed concern with the vendor and spoke on the make-up of the Task Force. (04:42:02)

MOTION: Approve the increase of the membership of the taskforce to 13 members and appoint the following At-Large Members: Gordon Bowley, Ron Amburgey, Tim Cromwell, Joaguin "Jack" Morales, Kevin Orton as regular members and Carl D. Smith as an alternate.

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

The motion carried by the following roll call vote:

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

Noes: Council Member Leece

Absent: Mayor Monahan

Motion carried 3-1-1.

ACTION: City Council approved the increase of the membership of the taskforce to 13 members and appointed the following At-Large Members: Gordon Bowley, Ron

Amburgey, Tim Cromwell, Joaguin "Jack" Morales, Kevin Orton as regular members and Carl D. Smith as an alternate.

MOTION: Appoint Mayor Monahan as the Liaison to the taskforce with Council Member Mensinger as the Alternate.

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

SUBSTITUTE MOTION: Appoint Mayor Monahan as the Liaison to the taskforce with Mayor Pro Tem Righeimer as the Alternate.

SUBSTITUTE MOTION/SECOND: Council Member Mensinger/Council Member Bever

The motion carried by the following roll call vote:

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

Noes: Council Member Leece

Absent: Mayor Monahan

Motion carried 3-1-1.

ACTION:

City Council appointed Mayor Monahan as the Liaison to the taskforce with Mayor Pro Tem Righeimer as the Alternate.

NEW BUSINESS (04:59:29)

1. INFORMATION REGARDING PROPOSED CHARTER (04:59:33)

Staff report provided by CEO Hatch.

Mayor Pro Tem Righeimer provided a presentation regarding the proposed charter. (05:02:19)

MOTION: Continue the meeting past Midnight.

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

The motion carried by the following roll call vote:

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

Noes: None

Absent: Mayor Monahan

Motion carried 4-0-1.

City Council recessed for a break at 11:46 p.m. and reconvened at 11:51 p.m.

Jim Fitzpatrick, Costa Mesa, expressed support for the Charter. (05:51:23)

Robert Dickson, Costa Mesa, expressed support for the Charter. (05:53:55)

Jim Adams, Los Angeles, representing Los Angeles/Orange County Building and Construction Trades, spoke on prevailing wages. (05:55:20)

Beth Refakes, Costa Mesa, inquired about term limits, Council Member compensation, and cost-of-living index, and the impact on the RDA. (05:58:39)

Patrick Kelly, Costa Mesa, expressed support for prevailing wages and spoke on unemployment and homelessness in Costa Mesa. (06:01:38)

David Kinkade, Costa Mesa, spoke on local and state government and expressed support for the Charter. (06:03:46)

Jay Humphrey, Costa Mesa, spoke on checks and balances of the Charter, prevailing wages, and outsourcing. (06:06:25)

Perry Valentine, Costa Mesa, expressed support of the Charter being written by 15 members elected by the public; expressed concern regarding the schedule; and spoke on General Plan zoning consistency. (06:10:15)

Jerry Kern, Oceanside, spoke on Charter Cities in Sand Diego County and prevailing wages and expressed support for the Charter. (06:13:52)

Tamar Goldmann, Costa Mesa, spoke about Council actions; expressed opposition to an elected commission; and expressed support for a distant second. (06:17:41)

Colin McCarthy, Costa Mesa, expressed concern with the schedule and the compressed time-frame and spoke on prevailing wages. (06:21:25)

Sue Lester, Costa Mesa, spoke on power and requested to have a Charter commission. (06:24:05)

Tom Egan, Costa Mesa, expressed opposition to the proposed Charter and to the meeting running past midnight. (06:27:40)

Eleanor Egan, Costa Mesa, expressed opposition to the Charter. (06:31:25)

Greg Ridge, Costa Mesa, spoke on the timeline of the proposed Charter, layoff notices, and an article in the Daily Pilot, written by Council Member Mensinger. (06:37:08)

John Hill, Costa Mesa, expressed support of the proposed Charter and thanked Council for their efforts. (06:41:40)

Robin Leffler, Costa Mesa, expressed support of an elected 15-member committee and spoke on Unions and an Ex-Parte Communications Ordinance. (06:46:50)

Discussion ensued regarding the proposed Charter schedule, process, and components.

MOTION: Add Town Hall meetings on the 24th and 31st

MOTION/SECOND: Mayor Pro Tem Righeimer/Council Member Bever

The motion carried by the following roll call vote:

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

Noes: Council Member Leece

Absent: Mayor Monahan

Motion carried 3-1-1.

ACTION:

City Council directed staff and the City Attorney to begin the process of drafting a Proposed Charter and required supplemental documents; and hold a Town Hall meeting on January 24, 2012; and on January 31, 2012, if needed.

COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (07:24:47)

Council Member Mensinger commented on Estancia High School's football team's presence in the Semi-finals; congratulated the Costa Mesa High School football team; and invited the public to the Mesa Verde Classic on January 16, 2012. (07:24:54)

Mayor Pro Tem Righeimer commented on Estancia High School's football team's success. (07:27:25)

Council Member Bever requested to add a Council Initiative Session to the City Council Study Sessions. (07:28:24)

Council Member Leece wished everyone a happy holiday; spoke on the Costa Mesa Fire Department's Santa Letters Program; and announced a meeting regarding Banning Ranch to be held in January. (07:29:54)

REPORT – CITY ATTORNEY (07:32:34)

The Mayor adjourned the meeting at 1:33 a.m.

Stephen M. Mensinger, Mayor

Brenda Green, City Clerk

UNOFFICIAL UNTIL APPROVED
MINUTES OF THE REGULAR MEETING OF THE COSTA MESA CITY COUNCIL,
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY

January 8, 2013

CALL TO ORDER

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

ROLL CALL

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

PUBLIC COMMENTS ON CLOSED SESSION ITEMS - NONE

CLOSED SESSION

The City Council recessed into closed session at 5:05 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 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 Government Code Section 54956.9(a).
4. Conference with legal counsel regarding anticipated litigation, significant exposure to litigation pursuant to Government Code Section 54956.9(b) for one potential case.

The Council ended Closed Session at 5:50 p.m..

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

CALL TO ORDER (00:00:10)

COLOR GUARD PRESENTATION (00:00:33)

PLEDGE OF ALLEGIANCE - Mayor Righeimer (00:01:37)

MOMENT OF SOLEMN EXPRESSION (00:02:37)

Pastor Dave Manne, Calvary Chapel

ROLL CALL (00:04:45)

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 CEO Rick Francis, Acting Economic and Development Services Director Claire Flynn, Public Services Director Ernesto Munoz, Transportation Services Manager Raja Sethuraman, and City Clerk Brenda Green.

CITY ATTORNEY CLOSED SESSION REPORT - NONE

ANNOUNCEMENTS (00:05:02)

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

PRESENTATIONS (00:08:25)

Officer Jon Smith, Army Reserve recognition (00:08:31)

Arturo Hernandez and Gerald Rodriguez, hero recognition (00:11:52)

Estancia High School football team, 2012 Battle of the Bell winner recognition (00:16:42)

PUBLIC COMMENTS (00:31:34)

Robert Graham, Costa Mesa, spoke about a trail and stairs at the end of Canary Drive (00:32:25)

Jim Jordan, Costa Mesa, spoke about Snoopy House. (00:36:24)

Anna Reagan, Costa Mesa, spoke on the renovation at Bethel Towers. (00:42:46)

John Feeney, Costa Mesa, spoke about the Charter Committee. (00:46:42)

Terry Shaw, Costa Mesa, announced upcoming Historical Society events. (00:48:09)

James Proctor, Costa Mesa, spoke on the Master Plan; voter fraud; and the Secret Service. (00:51:02)

Tanya Hendricks, Costa Mesa, spoke on the Fairview Park Master Plan. (00:53:13)

Jay Humphrey, Costa Mesa, commented on the Charter Committee. (00:57:07)

Jay Photoglou, Costa Mesa, spoke on his traffic stop. (00:58:04)

Chris McEvoy, Costa Mesa, spoke about a recall petition. (01:02:17)

Terry Koken, Costa Mesa, commented on meeting decorum and free speech. (01:03:23)

COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (01:04:46)

Mayor Righeimer spoke on the Charter process; and the Mayor's Award. (01:04:55)

Mayor Pro Tem Mensinger spoke about Snoopy House; requested updates regarding Bethel Towers, Lions Park and homeless issues; directed staff to evaluate issues at Fairview Park, research cost of stairs at end of Canary Drive, present report to reestablish Fairview Park Citizens Advisory Committee, and requested ideas for the Costa Mesa Golf Course. (01:05:40)

Council Member Genis thanked staff for financial report copies; spoke on Fairview Park Advisory Committee; commissioner appointment process; and meeting decorum. (01:09:17)

Council Member Leece spoke on the Military Banner Project; small business seminar; West Nile Virus; public safety; pension; charter; business in Costa Mesa; and 60th Anniversary Celebration. (01:11:40)

Council Member Monahan expressed support of the Mayor's Award. (01:18:26)

REPORT-CHIEF EXECUTIVE OFFICER (CEO) (01:18:52)

CEO Hatch spoke regarding School Resource Officer program; Fairview Park Grand Opening; warrant registers online; Special Events Committee; staff "Listening Process"; "Brown Bag" process; disaster preparedness plan; upcoming study sessions; and Sandy Hook tragedy. (01:18:54)

CONSENT CALENDAR (01:31:56)

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 8 except for Items 2, 3, 5 and 6.

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.

Noes: None

Absent: None

Motion carried: 5-0

1. **READING FOLDER**

- (a) Claims received by the City Clerk: Olga Riga; Judy Ruth Mullin, Lawrence Arthur; Colin Vaught; Antonio Arzate.

ACTION: Received and filed

4. **WARRANT RESOLUTION 2451: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 12-25 SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 12-25 for \$1,989,414.12, and City operating expenses for \$679,624.95, including payroll deductions.**

ACTION: Approved

7. **WARRANT RESOLUTION 2454: 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 \$453,699.45.**

ACTION: Approved

8. **REQUEST FOR "RESIDENT ONLY" PARKING RESTRICTION ON FORD ROAD BETWEEN PARSONS STREET AND THE ALLEY WEST OF NEWPORT BOULEVARD FRONTAGE ROAD**

ACTION:

1. City Council adopted the attached resolution (Attachment 1) approving the implementation of a "Resident Only" parking restriction on Ford Road, between Parsons Street and the alley west of Newport Boulevard Frontage Road; and
2. Authorized the Transportation Services Manager to extend the "resident only" parking restriction for a maximum 1000' radius from the above limits, as needed.

ITEMS REMOVED FROM THE CONSENT CALENDAR (01:34:08)

2. **MINUTES: SPECIAL MEETING OCTOBER 6, 2009; SPECIAL MEETING OCTOBER 12, 2010. (01:34:14)**

Jay Photoglou, Costa Mesa, inquired on the minutes for the Ethics Training

MOTION/SECOND: Mayor Righeimer/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.

Noes: None

Absent: None

Motion carried: 5-0

ACTION: Approved

3. **WARRANT RESOLUTION 2450: 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 \$737,420.65. (01:35:14)**

Council Member Leece spoke on the \$104,803.75 payment to Jones and Mayer. (01:35:16)

MOTION/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.

Noes: None

Absent: None

Motion carried: 5-0

ACTION: Approved

5. **WARRANT RESOLUTION 2452: 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 \$790,732.59. (01:36:29)**

Council Member Leece spoke on the payments to Jones Day. (01:36:35)

MOTION/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 Righeimer.

Noes: None

Absent: None

Motion carried: 5-0

ACTION: Approved

6. **WARRANT RESOLUTION 2453: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTERS NOS. 12-25A AND 12-26 SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 12-25A for \$-4,357.29, Payroll No. 12-26 for \$2,129,699.51 and City operating expenses for \$3,176,988.44, including payroll deductions. (01:38:06)**

Council Member Leece spoke on payments to Hogle Ireland, and requested information on the General Plan update. (01:38:08)

MOTION/SECOND: Council Member Monahan/Council Member Leece

The motion carried by the following roll call vote:

UNOFFICIAL UNTIL APPROVED

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

Noes: None

Absent: None

Motion carried: 5-0

ACTION: Approved

CEO Hatch announced a request to consider New Business Item No. 2 out of order. (01:42:16)

NEW BUSINESS (01:42:45)

2. SR-55 (NEWPORT BOULEVARD) IMPROVEMENT STUDY (01:42:48)

Staff report by provided by Raja Sethuraman, Transportation Services Manager; and Joe Alcock, Orange County Transportation Authority Project Manager. (01:43:44)

Discussion ensued regarding methods of acquiring data; and involving the business community. (01:55:04)

Public Comments:

Terry Koken, Costa Mesa, spoke on pedestrian traffic to The Triangle. (01:57:54)

Beth Refakes, Costa Mesa, expressed concerns regarding the data. (01:59:14)

Devin Lucas, Costa Mesa, spoke in support of Proposal #1. (02:00:19)

Jerry Palanjian spoke in support of Proposals #1 and #2. (02:01:26)

Discussion ensued regarding pedestrian bridges; technical documents to Caltrans; the Caltrans process; and business impacts. (02:03:43)

MOTION/SECOND: Mayor Pro Tem Mensinger/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.

Noes: None

Absent: None

Motion carried: 5-0

ACTION: Received and filed report on the SR-55 (Newport Boulevard) Improvement Study.

City Council recessed for a break at 8:19 p.m.

City Council reconvened the meeting at 8:35 p.m.

PUBLIC HEARINGS (02:25:10)

1. CLOSURE IMPACT REPORT FOR ANCHOR TRAILER PORT/MOBILEHOME PARK, 1527 NEWPORT BOULEVARD (02:25:18)

Staff report by Management Analyst Hilda Veturis; and Special Counsel Celeste Brady from Stradling Yocca Carlson and Rauth. (02:25:28)

Ex Parte Communications (02:49:18):

Mayor Pro Tem Mensinger stated he met with the representatives from Intracorp Companies. (02:49:59)

Peter Lauener, President of Intracorp Companies, spoke on the relocation efforts. (02:50:23)

Discussion ensued regarding counseling and relocation services; salvage or sale value; appraisers; costs incurred by the resident; State noticing requirements; ministerial action; mailing of documents; and staff hours spent on the project. (02:53:38)

Public Comments:

Sue Ann Ellison, Costa Mesa, indicated she did not receive the report in adequate time. (03:10:21)

Speaker, Costa Mesa, expressed concern regarding non-eligible status. (03:14:46)

Brenda McGee, Costa Mesa, expressed concern regarding the Relocation Selection Agreement. (03:18:26)

Robin Leffler, Costa Mesa, suggested that the availability of Spanish translation be announced in Spanish. (03:21:39)

Linda Morphew, Costa Mesa, spoke about her e-mails to the City, and the Relocation Package Selection Agreement Form. (03:23:04)

Mary Jo Baretich, Golden State Manufactured-Home Owners League Zone Vice President for Los Angeles, Orange and San Bernardino Counties, spoke about the residents' issues; relocation impact; the Relocation Package Agreement; and future park closures. (03:25:11)

Christy Bell, Costa Mesa, spoke on lease agreements; eligible resident exclusion; and legitimacy and accuracy of documents presented. (03:28:58)

Sheila Pfafflin, Costa Mesa, commented on the relocation options and impacts to the residents. (03:32:57)

Michael Libby, Costa Mesa, spoke about the Loftin Firm and relocation concerns. (03:35:59)

UNOFFICIAL UNTIL APPROVED

Andrea Burns, Costa Mesa, spoke about her move-in experience, the waiver, and transport costs. (03:37:45)

Nancy Anderson, Costa Mesa, expressed concern regarding relocation of her Class 3 RV; and indicated she has not been contacted by a relocation counselor. (03:40:49)

Beverly Wolter, Costa Mesa, spoke about the costs to move a double-wide home; and shared her previous experience in moving her home. (03:43:15)

Speaker, Costa Mesa, shared her hardship in finding a comparable location; and spoke about historical value of the park. (03:46:49)

Brian Wild, Costa Mesa, expressed concern in finding a location with comparable rent as a single parent; and receiving money to move from the applicant. (03:48:14)

Speaker, Costa Mesa, spoke about the park community and circumstances of a neighbor. (03:50:05)

Maria McCarty, Costa Mesa, read a statement on behalf of her neighbor Jeanie who has Alzheimer's. (03:52:14)

Speaker, Costa Mesa, spoke about the park community, and financial hardships. (03:56:18)

Patricia Henderson, Costa Mesa, spoke about the potential sale; and limited choices due to a fixed income. (03:58:20)

Maria McCarty, Costa Mesa, spoke on the CIR; mobile home laws; and adverse impact. (04:00:08)

Discussion ensued regarding the appraiser selection process and qualifications; licensed and bonded movers; input from the residents; escrow; move-out date and payment; relocation counselor and counselor interviews with tenants; waivers; moving time for eligible and non-eligible residents; communication with park residents; and the ministerial act. (04:04:58)

Ms. Brady advised Council to include changes to the CIR in the adoption of the resolution. (04:28:57)

MOTION: Adopt the resolution as revised to include removal of the 1542 Waiver; change the date from June 1st to May 1st for non-resident; and allow the selection of an alternate qualified relocation counselor if the majority of the residents are unsatisfied with the current relocation counselor. (04:33:00)

MOVED/SECOND: Council Member Monahan/Mayor Righeimer

Discussion ensued regarding the nine-month eligibility for park residents. (04:33:24)

The motion carried by the following roll call vote:

UNOFFICIAL UNTIL APPROVED

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

Noes: None

Absent: None

Motion carried: 5-0

ACTION: Adopted City Council Resolution No. 13-01, requiring the Proposed Owner to Implement the Closure Impact Report for the Anchor Trailer Port/Mobile Home Park; and revised to include the removal of the 1542 Waiver; changed the date from June 1st to May 1st for non-resident; and allowed the selection of an alternate qualified relocation counselor if the majority of the residents are unsatisfied with the current relocation counselor.

City Council recessed for a break at 10:53 p.m.

City Council reconvened the meeting at 11:07 p.m.

OLD BUSINESS – NONE

NEW BUSINESS (04:56:24)

1. FAIRVIEW PARK WETLANDS BOARDWALK PROJECT (04:56:25)

Staff report by Ernesto Munoz, Public Services Director. (04:56:30)

Discussion ensued regarding project costs; grant funding; design and planning; mitigation costs; resource agencies; restored acreage; and the interpretive center. (05:00:22)

Public Comments:

David Kincaid, Costa Mesa, complimented staff. (05:07:52)

Robin Leffler, Costa Mesa, spoke on project funding and in support of the project. (05:09:49)

Greg Ridge, Costa Mesa, spoke about the trail and in support of a bike trail. (05:11:06)

Mayor Pro Tem Mensinger spoke about the water filtration system, and requested staff to contact the County of Orange regarding Talbert Parking. (05:13:50)

MOTION/SECOND: Mayor Pro Tem Mensinger/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.

Noes: None

Absent: None

Motion carried: 5-0

ACTION: Provided direction to staff regarding the proposed Fairview Park Wetlands Boardwalk Project.

3. COUNCIL AUTHORIZATION FOR THE IMPLEMENTATION OF SECURITY CAMERA SYSTEM UPGRADE AND EXPANSION FOR CITY HALL AND LION'S PARK (05:15:43)

Staff report by Assistant CEO Rick Francis. (05:15:59)

Discussion ensued regarding Closed Circuit Camera signs in the lobby; staff wearing name tags; data retention on the network server; and balancing the need for security with being open to the community. (05:20:50)

Public Comments:

Robin Leffler, Costa Mesa, spoke in support of enhanced security, and agreed with posting signs. (05:24:43)

Beth Refakes, Costa Mesa, spoke in support of cameras, badges, and signs; and suggested a camera on the roof. (05:26:22)

MOTION/SECOND: Mayor Pro Tem Mensinger/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 Righeimer.

Noes: None

Absent: None

Motion carried: 5-0

ACTION:

City Council authorized staff to proceed with the implementation of a security camera system upgrade and expansion to the following facilities/areas:

1. An upgrade and expansion of the existing city hall security camera system which will include the addition of a new digital recording system and the installation of new cameras on all floors and the employee and council parking lot area. The new cameras are designed to integrate with and augment the existing camera system and allow real time viewing and remote access to authorized users; and
2. Installation of a camera system in and around the perimeter of Lion's Park for the enhancement of park security efforts.

REPORT – CITY ATTORNEY – NONE

The Mayor adjourned the meeting at 11:43 p.m.

Stephen M. Mensinger, Mayor

Brenda Green, City Clerk

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

February 19, 2013

CALL TO ORDER

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

ROLL CALL

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

PUBLIC COMMENTS ON CLOSED SESSION ITEMS - NONE

CLOSED SESSION

The City Council and the Successor Agency to the Redevelopment Agency 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 Firefighters Association (CMFA), Costa Mesa Police Officers Association (CMPOA) and Costa Mesa Police Management Association (CMPMA), Costa Mesa Fire Management Association, and Costa Mesa Division Managers Association pursuant to Government Code Section 54957.6
2. Conference with legal counsel regarding existing litigation: Costa Mesa Employees Association v. City of Costa Mesa, a municipal corporation, et al., Orange County Superior Court Case No. 30-2011 00475281, pursuant to Government Code Section 54956.9(a).
3. Conference with 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 Government Code Section 54956.9(a).

The City Council and the Successor Agency to the Redevelopment Agency reconvened at 6:00 p.m.

CALL TO ORDER (00:00:14)

PLEDGE OF ALLEGIANCE – Led by Council Member Leece (00:00:21)

MOMENT OF SOLEMN EXPRESSION

Father Norbert, St. John the Baptist Church (00:00:43)

CITY ATTORNEY CLOSED SESSION REPORT (00:02:26) - NONE

ROLL CALL (00:02:34)

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

Officials Present: Chief Executive Officer Thomas R. Hatch, Assistant City Attorney Kimberly Hall Barlow, Assistant Chief Executive Officer Rick Francis, Economic and Development Services Director Peter Naghavi, Assistant Development Services Director Claire Flynn, Public Services Director Ernesto Munoz, Finance and I.T. Director Bobby Young, Public Affairs Manager Bill Lobdell, Transportation Services Manager Raja Sethuraman, and City Clerk Brenda Green

PRESENTATIONS (00:03:45)

Costa Mesa Community Run check presentation. (00:04:15)

ANNOUNCEMENTS (00:10:01)

Costa Mesa Minute was played featuring upcoming events and activities in the community. (00:10:07)

PRESENTATIONS (00:13:22)

Mayor's Award to Sister Mary Vianney Ennis, Principal, St. John the Baptist School. (00:13:25)

PUBLIC COMMENTS (00:24:56)

Edward Carmona, Costa Mesa, spoke about an alcohol and drug rehabilitation center opening at 725 Center Street. (00:25:17)

Mary Jo Baretich, Huntington Beach, spoke on an ordinance for mobile home park conversions. (00:26:43)

Bob Dugan, Costa Mesa, spoke on the poor street conditions near his home. (00:28:56)

Jeff Arthur, Costa Mesa, spoke about the City's website and pensions. (00:29:55)

Mike Harmanos, Costa Mesa, commented on the use of contract building inspectors. (00:30:31)

Speaker, Anchor Trailer Port Mobilehome Park resident, Costa Mesa, spoke on the difficulty of relocating to another park. (00:32:18)

Andrea Burns, Costa Mesa, Anchor Trailer Port Mobilehome Park resident, spoke on relocation efforts; and lack of action on behalf of the park management. (00:36:05)

Maria McCarty, Costa Mesa, Anchor Trailer Port Mobilehome Park resident, spoke on the relocation efforts; relocation counselor; and conflicting CIR information. (00:37:03)

Jay Photoglou, Costa Mesa, requested Council to review documents he wanted to present at the meeting. (00:41:32)

Perry Valentine, Costa Mesa, requested more information about the Civic Openness in Negotiations ordinance. (00:43:17)

James Bridges, Costa Mesa, spoke about the Pension Oversight Committee; the Charter; and homeless issues. (00:44:20)

James Proctor, Costa Mesa, spoke about his rights and freedom. (00:46:13)

Jay Photoglou, Costa Mesa, commented on his dispute with the police. (00:49:38)

Discussion ensued to address issues raised during public comments. (00:55:28)

COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (01:06:40)

Council Member Monahan requested estimated completion date for Eastside street improvements and status of the Red Hill project; and spoke on the budget for sidewalk repairs. (01:06:45)

Mayor Righeimer spoke on the Mayor's Dinner. (01:08:47)

Mayor Pro Tem Mensinger spoke on the Mesa Verde Classic; and played a short video on Costa Mesa United. (01:11:12)

Council Member Genis spoke on Mesa Water; requested staff to follow up on Anchor Trailer Port Mobilehome Park; signage on Harbor Blvd.; and the upcoming Art Walk event. (01:14:40)

REPORT – CHIEF EXECUTIVE OFFICER (CEO) (01:17:57)

CEO Hatch spoke on Lions Park issues; and the Costa Mesa High School cheerleading team. (01:17:59)

CONSENT CALENDAR (01:20:20)

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 13 except for Items 3, 4, 10, 11, and 13.

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

The motion carried by the following roll call vote:

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

Noes: None

Absent: Council Member Leece.

Motion carried: 4-0

1. READING FOLDER

(a) Claims received by the City Clerk: Jeffrey Swallow; Valerie Fletcher; William Martin; Wendy Connolly.

(b) Requests for Alcohol Beverage Control licenses:

For Cal Coast Inc., dba Baker/ARCO, at 3003 Newport Boulevard, an original State Alcoholic Beverage Control (ABC) License Type "21" (Off-Sale General).

For City Wide Entertainment, Inc., dba Sutra Nightclub, at 1870 Harbor Boulevard, Suite A-200, a person-to-person transfer of a State Alcoholic Beverage Control(ABC) License Type "48" (On-Sale General, Public Premise), a Type "58" (Caterer Permit), a Type "68" (Portable Bar), and a Type "77" (Event Permit).

For Blessed Black Wings, LLC, dba Commissary Lounge, at 2968 Randolph Avenue, a premise-to-premise transfer of a State Alcoholic Beverage Control (ABC) License Type "48" (On-Sale General, Public Premise).

For Vivante Westside, LLC, dba Vivante On The Coast, at 1640 Monrovia Avenue, an original State Alcoholic Beverage Control (ABC) License Type "47" (On-Sale General, Eating Place), a Type "57" (Special On-Sale General), and a Type "58"(Caterer Permit).

ACTION: Received and filed.

2. MINUTES: Special Study Session May 31, 2011.

ACTION: Approved.

5. AGREEMENTS FOR RIGHT-OF-WAY ACQUISITION FOR THE HARBOR BOULEVARD WIDENING PROJECT FROM LAW COURT TO SUNFLOWER AVENUE

ACTION:

1) City Council approved the Purchase Agreements and Escrow Instructions for the acquisition of partial "sliver" portions of property at the following addresses:

1. 3390 Harbor Boulevard (northerly parcel), owned by Harbor Associates.
2. 3390 Harbor Boulevard (southerly parcel), owned by CJ Segerstrom & Sons.

2) Authorized the Mayor and Interim City Clerk to sign the purchase agreements.

3) Approved Budget Adjustment 13-016 in the amount of \$400,000 to purchase the above sliver acquisitions from Measure M2 and Traffic Impact Fee Funds.

4) Authorized the Interim City Clerk to accept and record the easements.

6. APPROVE THE PURCHASE OF FIVE FORD POLICE INTERCEPTOR UTILITY AND FIVE 2013 FORD POLICE INTERCEPTOR SEDAN VEHICLES

ACTION: Item withdrawn from agenda.

7. AGREEMENTS FOR RIGHT-OF-WAY ACQUISITION FOR THE HARBOR BOULEVARD/ADAMS INTERSECTION IMPROVEMENT PROJECT

ACTION:

1) City Council approved the purchase agreement and escrow instructions for the acquisition of partial "sliver" portions of property at the following addresses:

1. 1500 Adams Avenue, owned by 1500 Adams Ave., L.P.
2. 1534 Adams Avenue, owned by Sparks Enterprises.
3. 1545 Adams Avenue, owned by M.V. Partners.
4. 2790 Harbor Boulevard, owned by Maureen Elizabeth Lefebvre, Trustee
5. 2799 Harbor Boulevard, owned by C.J. Segerstrom & Sons.
6. 2800 Harbor Boulevard, owned by Karahadian Ranches, Inc.
7. 2801 Harbor Boulevard, owned by Ying & Vincent Fok, INnc.
8. 2828 Harbor Boulevard, owned by Connell Properties.

2) Authorized the Mayor and Interim City Clerk to sign the purchase agreements.

3) Approved Budget Adjustment 13-107 in the amount of \$420,000 to purchase the above sliver acquisitions from Measure M2 and Traffic Impact Fee Funds.

4) Authorized the Interim City Clerk to accept and record the easements.

8. IN-CAR VIDEO RECORDING SYSTEM FOR PATROL VEHICLES

ACTION:

1) City Council approved and authorized the CEO to sign the purchase agreement in the amount of \$321,203.87 for the upgrade of 49 in-car digital video recording systems for the Police Department, with L3 Communications, Mobile-Vision, Inc., 90 Fanny Road, Boonton, NJ 07005; and

2) Approved Budget Adjustment (BA #13-018) to appropriate undesignated fund balance in the Narcotics Asset Forfeiture Fund in the amount of \$321,203.87 for the upgrade of the in-car digital video recording system.

9. PURCHASE OF SIX (6) HONDA POLICE MOTORCYCLES

ACTION: Item withdrawn from agenda.

12. THIRD PARTY WORKERS' COMPENSATION CLAIMS ADMINISTRATION SERVICES

ACTION:

- 1) Awarded the contract for Third Party Workers' Compensation Claims Administration Services per Request for Proposal (RFP) to AdminSure, Inc.; and
- 2) Authorized the Mayor and City Clerk to execute the Professional Services Agreement for the contract; and
- 3) Authorized the City CEO to extend the contract for two additional one-year terms applicable.

ITEMS REMOVED FROM THE CONSENT CALENDAR (01:22:22)

- 3. WARRANT RESOLUTION 2459: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 13-02A AND 13-03 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 13-02A for \$1,451.89, Payroll No. 13-03 for \$2,026,728.18 and City operating expenses for \$477,233.72, including payroll deductions. (01:22:23)**

Public Comments:

Tamar Goldmann, Costa Mesa, spoke to Items 3, 4, and 13; expressed concern over legal fees; and commented on COIN. (01:22:38)

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

The motion carried by the following roll call vote:

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

Noes: None

Absent: Council Member Leece

Motion carried: 4-0

ACTION: Approved Items 3, 4 and 13.

- 4. WARRANT RESOLUTION 2460: 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 \$582,232.05.**

ACTION: Approved

- 13. APPOINTMENT OF REPRESENTATIVES PER THE COIN ORDINANCE TO NEGOTIATE THE CONTRACT WITH CMCEA (01:32:38)**

ACTION: Formally approved the designation of Richard M. Kreisler as the principal representative negotiating on behalf of the City of Costa Mesa (City); and Rick Francis, Assistant CEO, as the City's representative.

10. **RESOLUTION ESTABLISHING RECEIPT AND DISTRIBUTION POLICY REGARDING TICKETS AND/OR PASSES IN CONFORMANCE WITH THE CALIFORNIA CODE OF REGULATIONS § 18944.1 AS RECENTLY AMENDED BY THE FAIR POLITICAL PRACTICES COMMISSION (01:24:40)**

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

ACTION: City Council continued the item to a future meeting.

12. **AUTHORIZE THE ISSUANCE OF A REQUEST FOR PROPOSAL FOR A PERFORMANCE AUDIT OF THE COSTA MESA COUNTRY CLUB (01:25:26)**

CEO Hatch spoke on the Annual Performance Audit Program; and the financial audit of the Costa Mesa Country Club. (01:25:33)

Public Comments:

Eleanor Egan, Costa Mesa, spoke about transparency and communications with potential operators. (01:26:57)

Alan Remington, Costa Mesa, spoke about the Costa Mesa Golf and County Club. (01:27:36)

Ex parte communications: (01:29:31)

Mayor Pro Tem Mensinger stated he spoke with the current operators.

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

The motion was carried by the following roll call vote:

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

Noes: None

Absent: Council Member Leece

Motion carried: 4-0

ACTION: City Council authorized the Public Services Department to proceed with a Request for Proposal (RFP) for consultant services to conduct a performance audit of the Costa Mesa Golf and Country Club.

13. APPOINTMENT OF REPRESENTATIVES PER THE COIN ORDINANCE TO NEGOTIATE THE CONTRACT WITH CMCEA (01:32:40)

Mayor Righeimer indicated that the item should not have been voted on earlier, and made a motion to reconsider the item. (01:32:40)

MOVED/SECOND: Mayor Righeimer/Council Member Genis

The motion was carried by the following roll call vote:

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

Noes: None

Absent: Council Member Leece

Motion carried: 4-0

ACTION: Approved reconsider of Item No. 13

Public Comments:

James Bridges, Costa Mesa, requested clarification on selection process. (01:32:59)

Tamar Goldmann, Costa Mesa, inquired a salary or fee for Mr. Kreisler; salary for Public Affairs Manager Bill Lobdell; and the golf course audit. (01:34:35)

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

The motion was carried by the following roll call vote:

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

Noes: None

Absent: Council Member Leece

Motion carried: 4-0

ACTION: Formally approved the designation of Richard M. Kreisler as the principal representative negotiating on behalf of the City of Costa Mesa (City); and Rick Francis, Assistant CEO, as the City's representative.

SUCCESSOR AGENCY TO THE COSTA MESA REDEVELOPMENT AGENCY (01:37:00)

NEW BUSINESS (01:37:05)

1. REVIEW AND APPROVAL OF THE SUCCESSOR AGENCY'S ADMINISTRATIVE BUDGET FOR THE 13-14A SIX-MONTH FISCAL PERIOD OF JULY 1, 2013 TO DECEMBER 31, 2013 (01:37:17)

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

The motion was carried by the following roll call vote:

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

Noes: None

Absent: Council Member Leece

Motion carried: 4-0

ACTION: Adopted Successor Agency Resolution No. 13-14A approving the Successor Agency's Administrative Budget for the 13-14A Six-month Fiscal Period subject to Submittal to and Approval by the Oversight Board pursuant to the Dissolution Act.

2. REVIEW AND APPROVAL OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE 13-14A SIX-MONTH FISCAL PERIOD OF JULY 1, 2013 TO DECEMBER 31, 2013 (01:38:32)

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

The motion was carried by the following roll call vote:

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

Noes: None

Absent: Council Member Leece

Motion carried: 4-0

ACTION: Adopted Successor Agency Resolution No. 13-14A approving Recognized Obligation Payment Schedule for the 13-14A six-month fiscal period of July 1, 2013 to December 31, 2013 ("ROPS 13-14A"), subject to submittal to and review by the Oversight Board and then 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.

3. UPDATE FROM SUCCESSOR AGENCY STAFF REGARDING DISSOLUTION ACT MATTERS (01:39:20)

Staff report by Bobby Young, Finance and I.T. Director; and Celeste Brady, Special Counsel. (01:39:22)

MOVED/SECOND: Council Member Genis/Council Member Monahan

The motion was carried by the following roll call vote:

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

Noes: None

Absent: Council Member Leece

Motion carried: 4-0

ACTION: Received report.

END OF SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY AGENDA

Mayor Pro Tem Mensinger requested to consider New Business Items 2 and 8 out of order. (01:42:15)

NEW BUSINESS (01:42:47)

2. RESOLUTION OF SUPPORT WITH COSTA MESA COMMUNITY ATHLETIC FOUNDATION (COSTA MESA UNITED) AND FUNDING COMMITMENT FOR CAPITAL IMPROVEMENTS OF SPORTS FACILITIES AT COSTA MESA AND ESTANCIA HIGH SCHOOLS (01:42:58)

Mayor Pro Tem Mensinger disclosed he is a volunteer and board member of Costa Mesa United and recused himself. (01:43:18)

Staff report by CEO Hatch. (01:43:40)

Discussion ensued regarding Costa Mesa United; administrative costs; allocation of funds; working directly with the schools; specific projects; competitive bids; and website information. (01:47:17)

Public Comments:

Colin McCarthy, Costa Mesa, Board Secretary of Costa Mesa United, spoke about the organization; proposed partnership; and future plans. (01:54:09)

Kim Pedersen, Costa Mesa, spoke in support of the resolution. (01:56:42)

Frank Albers, Costa Mesa, Costa Mesa High School, spoke in support of the resolution. (01:57:52)

Devin Lucas, Costa Mesa, Costa Mesa United Board Member, stated he supports this item, and reassured everyone the dollars will be well spent. (01:59:11)

MOTION/SECOND: Council Member Monahan/Council Member Genis

The motion was carried by the following roll call vote:

Ayes: Mayor Righeimer, Council Member Monahan, and Council Member Genis

Noes: None

Absent: Council Member Leece

Abstain: Mayor Pro Tem Mensinger

Motion carried: 3-0-1

ACTION:

- 1) City Council adopted Resolution 13-05, supporting the Costa Mesa Community Athletic Foundation ("Costa Mesa United") and funding commitment for capital improvements of sports facilities at Estancia and Costa Mesa High Schools; and
- 2) Authorized the CEO to execute an agreement with Costa Mesa United for a Capital Improvement Grant Program and any project specific agreements that may be necessary in the future.

8. REQUEST FOR AMENDMENTS TO COUNCIL POLICY 400-2 REGULATIONS GOVERNING FIREWORKS (02:01:17)

Staff report by CEO Hatch. (02:02:10)

Discussion ensued regarding rent control; and the quantity of fireworks a stand can purchase to sell. (02:13:24)

Assistant City Attorney Hall Barlow suggested adding, "The maximum cost an approved user group will pay to a firework provider for site rental will be \$1,000 for the duration of firework sales." (02:15:00)

Public Comments:

Lou DeSandro, Costa Mesa, spoke in support of the revisions. (02:16:40)

Bruce Crochman, Costa Mesa, spoke in support of the revisions. (02:18:32)

Scott McCloud, Costa Mesa, spoke in support of the revisions. (02:21:57)

Janet Crochman, Costa Mesa, spoke in support of the revisions except for the limit on space rental. (02:22:50)

Colin McCarthy, Costa Mesa, spoke on firework profit misconceptions; and in support of 25 firework stands. (02:26:05)

John McLuckey, Costa Mesa, spoke in support of 25 firework stands. (02:28:28)

Dr. Phil D'Agostino, Principal of Costa Mesa High School, spoke in support of the revisions. (02:29:55)

Brett Eckles, Costa Mesa, spoke in support of fireworks and the changes. (02:32:10)

Council Member Genis requested staff to research a global policy for permit fee waivers for nonprofits. (02:42:12)

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

The motion was carried by the following roll call vote:

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

Noes: None

Absent: Council Member Leece

Motion carried: 4-0

ACTION: City Council approved the following changes to Council Policy 400-2, which deals with the sale of fireworks within the City of Costa Mesa:

1. Remove language in Regulation No. 2 that states, "...or Activities Director";
2. Add language to Regulation No. 2 to read, "...and must certify that the organization is a tax exempt charity, non-profit, or organization under State or Federal Law in good standing.";
3. Remove language in Regulation No. 5 that states, "The 80% requirement shall not apply to post-twelfth-grade schools located in Costa Mesa.";
4. Replace the currently language in Regulation No. 6 to, "Currently, Council Policy 400-2 allows no more than 40 permits for firework sale stands to be issued annually for the 4th of July holiday. As of July 1, 2012, the City issued 38 firework sale stand permits. The Council, through attrition, desires to reduce the maximum allowed firework sale stand permits issued annual to 25. All user groups who were issued permits for the July 4th 2012 holiday will continue to be eligible to receive a permit until such time as the group relinquishes rights to the permit (even if the total is over the 25 permit limit). If less than 25 permits in any year are issued, the Finance Department will use a lottery system to allocate the remaining permits to the user groups that have been placed on a waiting list.";
5. Add language to Regulation No. 8 to read, "All approved permits, along with certifying documents, shall be posted on the City's website 30 days prior to the 4th of July";
6. Add Regulation No. 14: "The maximum cost an approved user group will pay to a firework provider in the City of Costa Mesa will be \$1,000 for the duration of firework sales, exclusive of insurance."; and
7. Add Regulation No. 15: "The City of Costa Mesa shall waive all permit fees for firework stands."

City Council recessed for a break at 8:45 p.m.

City Council reconvened the meeting at 8:55 p.m.

OLD BUSINESS (02:55:30)

1. APPOINTMENT OF PLANNING COMMISSIONERS (02:55:33)

Staff report by City Clerk Brenda Green. (02:55:34)

MOTION: Appoint Colin McCarthy to a four-year term

MOVED/SECOND: Council Member Monahan/Mayor Righeimer

The motion was carried by the following roll call vote:

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

Noes: None

Absent: Council Member Leece

Motion carried: 4-0

MOTION: Appoint Tim Sesler to a four-year term

MOVED/SECOND: Mayor Righeimer/Council Member Monahan

The motion was carried by the following roll call vote:

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

Noes: None

Absent: Council Member Leece

Motion carried: 4-0

MOTION: Appoint Daniel Hoffman to a two-year term

MOVED/SECOND: Council Member Genis

Motion failed for lack of a second.

MOTION: Appoint Jim Fitzpatrick to a two-year term

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

The motion was carried by the following roll call vote:

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

Noes: None

Absent: Council Member Leece

Motion carried: 4-0

NEW BUSINESS (03:01:54)

1. GENERAL PLAN SCREENING GPS-13-01 FOR PROPOSED 236-UNIT RESIDENTIAL APARTMENT PROJECT AT 125 E. BAKER STREET (03:02:01)

Staff report by Minoo Ashabi, Senior Planner. (03:02:20)

Ex parte communications: (03:07:44)

Council Member Genis stated she met with Alex Wong and Joseph Flannagan of Red Oak Investments who shared project information and answered questions. (03:07:54)

Mayor Pro Tem Mensinger stated he met with Mr. Wong and Mr. Flannagan at City Hall about the staff report. (03:08:15)

Council Member Monahan stated he met with Mr. Flannagan. (03:08:29)

Mayor Righeimer stated he met with Mr. Flannagan. (03:08:32)

Public Comments:

Mark Ridley, Costa Mesa business owner, expressed concern over traffic and parking issues. (03:09:11)

Gary Lucas, Costa Mesa business owner, spoke in opposition to the project. (03:12:35)

Bill Dunlap, Costa Mesa, spoke in favor of the project. (03:14:50)

Beth Refakes, Costa Mesa, suggested that the public be provided a project rendering in the future. (03:16:11)

Dan Hurd, Costa Mesa business owner, expressed concern over street parking and traffic; and is opposed to the project. (03:17:22)

Julie Yuan, Costa Mesa business owner, spoke in opposition to the project. (03:18:40)

Jim Horian, Costa Mesa business owner, expressed concerns over traffic and commercial deliveries. (03:19:58)

Ann Lucas, Costa Mesa business owner, expressed concern regarding noise and traffic. (03:21:13)

Joe Flannagan, Applicant, Red Oak Investments, spoke about the project. (03:22:41)

Alex Wong, Applicant, Red Oak Investments, commended the City for their forward thinking and consideration; urban sprawl; housing near jobs; and traffic study results. (03:24:10)

Discussion ensued regarding a wrap concept; traffic concerns; parking issue; studies that need to be done; and similar projects already approved by the Council. (03:27:08)

Mayor Righeimer spoke on existing businesses having residential neighbors; truck traffic; the site being surrounded by a freeway and a street; and spoke in support of moving forward. (03:30:47)

Council Member Genis spoke in support of the project, and commented on the function of intersections, buffer, and density. (03:32:25)

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

The motion was carried by the following roll call vote:

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

Noes: None

Absent: Council Member Leece

Motion carried: 4-0

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

3. **ESTABLISHMENT OF THE INFORMATION TECHNOLOGY REPLACEMENT FUND, ESTABLISHMENT OF A LOAN BETWEEN THE GENERAL FUND AND THE EQUIPMENT REPLACEMENT FUND AND BUDGET AUTHORIZATION FOR INFORMATION TECHNOLOGY INFRASTRUCTURE UPGRADES (03:33:48)**

Staff report by Bobby Young, Finance and I.T. Director. (03:34:21)

Council Members disclosed that no ex parte communications had taken place with Hewlett Packard, Oracle, Microsoft, and IBM regarding New Business Items 3-6. (03:45:55)

Discussion ensued regarding the loan agreement; computer systems in the police cars; off-site storage and CLOUD computing; and an emergency back-up system. (03:47:13)

Public Comments:

Jeff Arthur, Costa Mesa, spoke in support of the project. (04:07:05)

Beth Refakes, Costa Mesa, spoke in support of the project. (04:10:15)

Tamar Goldmann, Costa Mesa, spoke in support of the upgrade. (04:13:14)

Council Member Monahan asked that each recommendation be voted on separately. (04:15:06)

Council Member Genis noted the importance updated technology. (04:15:23)

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

The motion was carried by the following roll call vote:

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

Noes: None

Absent: Council Member Leece

Motion carried: 4-0

ACTION: City Council directed staff to establish the Information Technology (I.T.) Replacement Fund.

Council Member Monahan expressed concern regarding the loan agreement. (04:16:07)

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

The motion was carried by the following roll call vote:

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

Noes: Council Member Monahan

Absent: Council Member Leece

Motion carried: 3-1

ACTION: City Council directed staff to establish a loan agreement between the General Fund and Informational Technology Replacement Fund.

MOVED/SECOND: Council Member Monahan/Council Member Genis

The motion was carried by the following roll call vote:

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

Noes: None

Absent: Council Member Leece

Motion carried: 4-0

ACTION: City Council authorized the initial appropriation of monies for citywide Information Technology upgrades in the amount of \$1,734,728.

4. PURCHASE OF COMPUTER NETWORKING EQUIPMENT FOR ALL CITY FACILITIES FROM GOVPLACE (04:18:16)

Staff report by Bobby Young, Finance and I.T. Director. (04:18:20)

Discussion ensued regarding sole source selection; relationship with the vendor; networking needs; equipment; security and compliance; timeline; and the need to upgrade technology. (04:18:25)

Public Comments:

Jeff Arthur, Costa Mesa, spoke about conflict of interest and contract pricing. (04:30:08)

Mayor Pro Tem Mensinger stated the importance of technology; and commented on the growing costs of technology. (04:32:06)

Mayor Righeimer indicated technology has to be updated; stated he wants more information processed online; and spoke in support of the item. (04:32:59)

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

The motion was carried by the following roll call vote:

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

Noes: None

Absent: Council Member Leece

Motion carried: 4-0

ACTION: City Council approved and authorized the CEO to sign the purchase agreement in the amount of \$287,228.07 for the computer networking equipment for all City facilities, with GovPlace, 18101 Pierce Street, Suite 200, Riverside, CA 92505.

5. SUPPORT AGREEMENT WITH HEWLETT PACKARD (04:35:14)

Based on the approval of New Business Item No. 4, Finance and I.T. Director Bobby Young recommended that the City Council not vote on the item at this time, and allow staff to come back at a future date with a recommendation for a different provider for support. (04:35:17)

Discussion ensued concerning temporary coverage and outside consultants for support. (04:38:10)

MOTION/SECOND: Council Member Monahan/Council Member Genis

The motion was carried by the following roll call vote:

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

Noes: None

Absent: Council Member Leece

Motion carried: 4-0

ACTION: Item withdrawn from the agenda.

6. RENEWAL OF THE ORACLE/PEOPLESOFT SUPPORT SERVICE CONTRACTS (04:39:46)

Staff report by Bobby Young, Finance and I.T. Director. (04:39:53)

Discussion ensued regarding a 30-day buy-out of the renewal; and data interaction. (04:42:17)

MOTION/SECOND: Mayor Righeimer/Council Member Monahan

The motion was carried by the following roll call vote:

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

Noes: None

Absent: Council Member Leece

Motion carried: 4-0

ACTION: City Council authorized the City CEO or his designee to sign the Support Agreement/Ordering Documents with Oracle Corporation, 1001 Sunset Boulevard, Rocklin, California 95765, covering the period from March 1, 2013 through February 28, 2014, in the amount of \$196,091.50.

7. REQUEST TO ESTABLISH A COMMITTEE TO EVALUATE ANNUAL PENSION OVERSIGHT ISSUES (04:47:21)

Mayor Pro Tem Mensinger spoke about transparency, and creating a pension oversight committee. (04:47:45)

Discussion ensued regarding pension and compensation packages; adequate reserves; PERS; unfunded pension liability; committee application process; staff resources and involvement; funding for this committee; and inherent risk for public employees. (04:49:43)

Public Comments:

Beth Refakes, Costa Mesa, spoke in support of the committee formation, and expressed concern regarding residents who are also employees. (05:04:17)

Jeff Arthur, Costa Mesa, spoke in support of the committee formation, and commented on retiree medical expenses. (05:06:50)

Perry Valentine, Costa Mesa, expressed concern on a citizen committee; paying actuaries for qualified advice; and the appointing process. (05:08:19)

Tamar Goldman, Costa Mesa, stated this committee is not necessary; commented on time and employee sensitivity; and pension. (05:11:08)

Jamie Newton, Representative with Orange County Employees Association, spoke on employees partnering with the City; and being part of the committee. (05:13:17)

Mayor Pro Tem Mensinger requested adding "Unfunded Medical Liability" to #3 of the Task/Objectives, and changing the language to read, "Review negotiated pension packages as it relates to compensation and also review unfunded medical liability." (05:14:44)

MOTION/SECOND: Council Member Monahan/Council Member Genis

The motion was carried by the following roll call vote:

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

Noes: None

Absent: Council Member Leece

Motion carried: 4-0

ACTION: Established a committee to evaluate annual pension oversight issues; directed staff to advertise for nine at-large members from the community and include additional language for unfunded medical liability.

REPORT – CITY ATTORNEY - NONE

ADJOURNMENT – To Special Study Session, February 26, 2013, 6:00 p.m.

The Mayor adjourned the meeting at 11:28 p.m.

Stephen M. Mensinger, Mayor

Brenda Green, City Clerk

UNOFFICIAL UNTIL APPROVED

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

December 2, 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 Legal Counsel regarding existing litigation: Solid Landings Behavioral Health, Inc.; and Sure Haven, Inc. in its own name and dba Rock Solid Recovery; FPS, LLC: Stephen Fennelly; and Elizabeth Perry v. City of Costa Mesa, District Court for the Central District of California, Case No. 8:14-cv-01838-JVS-JCG, pursuant to California Government Code Section 54956.9(d)(2).
2. Conference with Legal Counsel regarding existing litigation: Yellowstone Women's First Step House, Inc., and Sober Living Network, Inc., v. City of Costa Mesa, District Court for the Central District of California, Case No. 8:14-cv-01852, pursuant to California Government Code Section 54956.9(d)(2).
3. Conference with Legal Counsel regarding existing litigation: Timothy Dadey, et al. v. City of Costa Mesa, Superior Court of California, County of Orange, Case No. 30-2014-00757962-CU-CR-CJC, pursuant to California Government Code Section 54956.9(d)(2).

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

CALL TO ORDER (00:00:36)

PLEDGE OF ALLEGIANCE (00:00:38) – Led by Council Member Leece

MOMENT OF SOLEMN EXPRESSION (00:01:16)

Mike Decker, Palm Harvest Church

ROLL CALL (00:03:37)

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, 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 Muñoz, and City Clerk Brenda Green.

CLOSED SESSION REPORT – (00:03:58)

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

ANNOUNCEMENTS (00:04:01)

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

PUBLIC COMMENTS (00:06:37)

Robin Leffler, Costa Mesa, congratulated Katrina Foley; and spoke on the coat drive. (00:07:41)

Sue Lester, Costa Mesa, thanked Council Member Leece for service to the community; thanked Police Chief Gazsi for service; mentioned a Costa Mesa Park Ranger that is overseas in Afghanistan; and asked for care packages to be sent and welcomed Katrina Foley back to Council. (00:10:35)

Cindy Brenneman, Costa Mesa, thanked Jay Humphrey; thanked Council Member Leece; congratulated Katrina Foley on her win; and expressed sadness for losing Police Chief Gazsi and congratulated Captain Sharpneck on interim promotion. (00:13:15)

James H. Bridges, Costa Mesa, congratulated Katrina Foley, spoke on the coat drive; and read excerpts from the article in the OC Register newspaper. (00:15:13)

Cynthia McDonald, Costa Mesa, thanked Council Member Leece for her contributions to the community; spoke on civility; and spoke on the coat drive. (00:17:43)

Perry Valantine, Costa Mesa, thanked Wendy Leece; welcomed back Katrina Foley, thanked Police Chief Gazsi; and spoke on the coat drive. (00:20:45)

Phil Morello, Costa Mesa, thanked Council Member Leece for service; congratulated Katrina Foley and Jim Righeimer as winners; and thanked Police Chief Gazsi. (00:22:49)

Barrie Fisher, Costa Mesa, thanked Council Member Leece for service; discussed sober living homes; and spoke about the Serenity Shores House website. (00:24:09)

Susan Meyer, Costa Mesa, thanked Police Chief Gazsi; spoke on compassion; and spoke on the coat drive. (00:27:14)

Mary Spadoni, Costa Mesa, thanked Police Chief Gazsi's; and spoke on creating a "We Love Costa Mesa" Facebook site. (00:29:56)

Jay Humphrey, Costa Mesa, thanked Council Member Leece for service; expressed sadness for Police Chief Gazsi's departure; and spoke on the coat drive. (00:32:56)

Laurene Keene, Costa Mesa, thanked Council Member Leece for service; discussed sober living homes; requested more residents be involved with the community and spoke on the coat drive. (00:36:10)

Tamar Goldmann, Costa Mesa, discussed selection of Police candidates; saddened by Police Chief Gazsi's departure; and spoke on the coat drive. (00:38:47)

Anna Vrska, Costa Mesa, thanked Council Member Leece, Katrina Foley and Police Chief Gazsi; and discussed non-profit organizations. (00:41:52)

Ann Parker, Costa Mesa, expressed sadness by Police Chief Gazsi and Council Member Leece's departure; and discussed sober living homes. (00:44:22)

Bill Harader, Costa Mesa, complimented Council Member Leece on eight years of diligent service; acknowledged Katrina Foley's victory; and spoke on the coat drive. (00:47:32)

Tom Pollitt, Costa Mesa, thanked Council Member Leece and Police Chief Gazsi for service with the City; and spoke on Council Members lawsuit against the Police Association. (00:50:42)

COUNCIL MEMBER'S REPORTS, COMMENTS, AND SUGGESTIONS (00:53:15)

Council Member Genis spoke on the Election and that there needs to be more collaboration between Council Members; requested a goal setting session; thanked Council Member Leece and wished Police Chief Gazsi well. (00:53:19)

Council Member Leece discussed the coat drive; thanked Police Chief Gazsi for his work with the City of Costa Mesa; and spoke on dropping the lawsuit between the Mayor and Mayor Pro Tem and the Police Association. (00:58:45)

Council Member Monahan thanked Police Chief Gazsi; thanked Council Member Leece; welcomed Katrina Foley back; and congratulated Mr. Righeimer; and thanked families for being in attendance. (01:01:42)

Mayor Righeimer thanked Council Member Leece for service; discussed the lawsuit against the Police Association; recognized Police Chief Gazsi for his service and contributions to the City, and presented him a proclamation. (01:03:44)

Police Chief Gazsi expressed his gratitude to the City, and spoke on the Police Department. (01:12:47)

Mayor Pro Tem Mensinger thanked the candidates that participated in the election, congratulated Foley on win; thanked Council Member Leece and Police Chief Gazsi for their service with the City; spoke on public comments; and spoke on the lawsuit with the Police Association. (01:15:43)

REPORT- CHIEF EXECUTIVE OFFICER (CEO) (01:20:27)

CEO Hatch thanked Police Chief Gazsi and Council Member Leece for service with the City; advised that there will be an Adjourned Council Meeting to discuss the Medical Marijuana issue; discussed the Sober Living Home Ordinance; and invited the public to attend the reception to be held after the meeting.

1. GENERAL MUNICIPAL ELECTION (01:24:04)

Brenda Green, City Clerk, reported on the General Municipal Election held on November 4, 2014. (01:24:08)

Public Comments:

Gene Hutchins, Costa Mesa, thanked Council Member Leece for service; recognized Mayor Righeimer and Katrina Foley on win; and expressed disappointment Measure O did not pass. (01:26:09)

Jay Humphrey, Costa Mesa, congratulated Katrina Foley and Mayor Righeimer on win; and spoke on everyone working together. (01:28:16)

James H. Bridges, Costa Mesa, recognized Council Member Leece for service with the City. (01:30:05)

Eleanor Egan, Costa Mesa, thanked Council Member Leece and Police Chief Gazsi for their service with the City; and congratulated Katrina Foley on win. (01:32:34)

Jaime MacLeod, Costa Mesa, thanked Council Member Leece; and congratulated Katrina Foley on win. (01:34:36)

Mother Nature's Daughter, Costa Mesa, spoke on City politics; thanked Council Member Leece; and spoke on nature preservation. (01:35:16)

Tom Egan, Costa Mesa, congratulated Katrina Foley and Mayor Righeimer on win; and thanked Wendy Leece for service with the City; and spoke on coat drive. (01:38:01)

Greg Ridgē, Costa Mesa, discussed Measure P; thanked Council Member Leece for service with the City; and congratulated Mayor Righeimer and Katrina Foley on victory. (01:39:25)

Flo Martin, Costa Mesa, thanked Council Member Leece for service with the City; and congratulated Katrina Foley on win. (01:41:54)

Susan Meyer, Costa Mesa, honored Council Member Leece for service with a plaque; and welcomed Katrina Foley to the City Council. (01:44:53)

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, Mayor Righeimer.

Nays: None

Absent: None

Motions carried: 5-0

ACTION:

1. City Council Adopted Resolution No. 14-78, to be read by title only and further reading waived: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA CALIFORNIA, RECITING THE FACTS OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 4, 2014; DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW**

Recognition of Council Member Wendy Leece (01:47:46)

Mayor Righeimer read proclamation recognizing Council Member Leece's service with the City on behalf of the residents of Costa Mesa. (01:48:06)

Council Member Leece thanked everyone for their kind words; thanked God for the courage to continue to service the community for eight years; thanked family members; thanked City staff; and expressed appreciation for the Police and Fire Department. (01:50:21)

Tom Hatch, Chief Executive Officer, presented Council Member Leece with a plaque. (02:01:08)

Kelly Shelton, Executive Assistant, presented Council Member Leece with a memory book thanking her for her service with the City. (02:02:12)

Helen Fried, Orange County Public Libraries, honored Council Member Leece for serving as a member of the Library Advisory Board. (02:03:36)

Hank Lloyd, Costa Mesa Tennis Center, provided Council Member Leece with a tennis racket as the key to the Tennis Center and thanked her for her assistance with after school programs. (02:04:53)

Mike Hearst, Orange County Vector Control, thanked Council Member Leece for service on the Vector Control. (02:06:10)

Nadia Flores, Think Together, presented Council Member Leece with a plant thanking her for her advocacy. (02:07:16)

John Moorlach, Supervisor, thanked Council Member Leece. (02:08:55)

Robin Leffler, Costa Mesa's for Responsible Government, thanked Council Member Leece. (02:12:38)

2. City Clerk administered the Oath of Office to the newly-elected City Council Members: Katrina Foley and James M. Righeimer. (02:18:06)

Council Member Katrina Foley thanked all those that helped her during the Election; thanked Council Member Leece for service with the City; thanked family members; and discussed role as a Council Member. (02:20:07)

Council Member Righeimer thanked everyone in attendance; thanked family for their support; and thanked fellow Council Members. (02:34:17)

3. City Council Reorganization by election of Mayor and Mayor Pro Tem. (02:42:47)

Public Comments:

Gene Hutchins, Costa Mesa, spoke in support of James Righeimer or Stephen Mensinger for Mayor. (02:43:15)

Jim Fitzpatrick, Costa Mesa, thanked Council Member Leece for eight years of service; thanked Police Chief Gazsi; congratulated Council Member Foley and Mayor Righeimer for win; and supports Stephen Mensinger as Mayor. (02:45:14)

Colin McCarthy, Costa Mesa, expressed that the Mayor is an important role in the City; and recommended seeing a unanimous vote that the Mayor Pro Tem Mensinger become Mayor. (02:47:09)

MOTION:

Council Member Genis nominated Katrina Foley for Mayor. (02:48:38)

Motion died for lack of a second.

MOTION:

Council Member Monahan nominated Mayor Pro Tem Mensinger for Mayor. Seconded by Mayor Righeimer. (02:51:40)

MOVED/SECOND: Council Member Monahan/Council Member Righeimer

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Council Member Mensinger, Council Member Righeimer.

Nays: None

Absent: None

Motions carried: 5-0

ACTION:

Nominations for Mayor were closed.

MOVED/SECOND: Council Member Monahan/Council Member Righeimer

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Council Member Mensinger, Council Member Righeimer.

Nays: None

Absent: None

Motions carried: 5-0

ACTION:

City Council elected Stephen M. Mensinger as Mayor.

Mayor Pro Tem Mensinger thanked everyone for their support; and thanked Mayor Righeimer for all his work. (02:53:09)

MOTION:

Council Member Monahan nominated Council Member Righeimer as Mayor Pro Tem. Seconded by Mayor Mensinger. (03:00:02)

MOTION: Council Member Foley nominated Council Member Genis as Mayor Pro Tem Motion died for lack of a second. (03:00:18)

MOVED/SECOND: Council Member Monahan/Council Member Righeimer

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Council Member Righeimer, Mayor Mensinger.

Nays: None

Absent: None

Motions carried: 5-0

ACTION:

Nominations for Mayor Pro Tem were closed.

MOVED/SECOND: Council Member Monahan/Mayor Mensinger

The motion carried by the following roll call vote:

Ayes: Council Member Monahan, Council Member Righeimer, Mayor Mensinger.

Nays: Council Member Foley and Council Member Genis

Absent: None

Motions carried: 3-2

ACTION:

City Council elected James M. Righeimer as Mayor Pro Tem.

Mayor Mensinger and John Moorlach, Orange County Supervisor, presented a plaque to former Mayor Righeimer; and thanked Police Chief Tom Gazsi. (03:03:55)

Former Mayor Righeimer presented a gavel to newly appointed Mayor Mensinger. (03:07:19)

CONSENT CALENDAR (03:08:51)

MOTION: Approved recommended actions for Consent Calendar Item Nos. 1 through 8 except for Item Nos. 3, 7, and 8.

MOVED/SECOND: Council Member Monahan/Council Member Genis

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motions 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: Justin Deyle and Steve Alford.

ACTION:

Received and filed.

4. **FINAL MAP FOR TRACT NO. 17658 FOR PROPERTY LOCATED AT 2023, 2025 AND 2027 PLACENTIA AVE.**

ACTION:

City Council adopted and approved Final Map of Tract Map No. 17658.

5. **MINUTES OF THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY MEETING OF SEPTEMBER 18, 2012 AND OCTOBER 2, 2012; THE MINUTES OF THE ADJOURNED MEETING/STUDY SESSION AND SPECIAL JOINT STUDY SESSION OF DECEMBER 10, 2013; AND THE REGULAR CITY COUNCIL, COSTA MESA HOUSING AUTHORITY AND SUCCESSOR AGENCY OF NOVEMBER 20, 2012 – Chief Executive Officer's Department/City Clerk's Office**

ACTION:

City Council approved the minutes of the regular meeting of the Costa Mesa City Council, and Successor Agency of: September 18, 2012 and October 2, 2012; the Adjourned Meeting/Study Session and Special Joint Study Session of December 10, 2013; and the Regular Meeting of the City Council, Costa Mesa Housing Authority and Successor Agency of November 20, 2012.

6. **ACCEPT HARBOR BOULEVARD BEAUTIFICATION PROJECT NO. 13-05 – FEDERAL PROJECT NO. RPSTPLE – 5312(083) – Public Services Department /Engineering Division**

ACTION:

1. City Council accepted the work performed by Jeff Tracy, Inc., DBA Land Forms Construction, and authorized the City Clerk to file the Notice of Completion; and
2. City Council authorized the Labor and Materials Bond to be released seven (7) months after the filing date; the Faithful Performance Bond to be released six (6) months after the filing date; and the retention monies to be released 35 days after the Notice of Completion filing date.

9. **APPROVAL TO CONTRACT CHANGE ORDER #1 FOR THE WIRING FOR TELEPHONE SERVICE AT THE SENIOR CENTER – Parks and Community Services Department.**

ACTION:

City Council approved contract change order #1 in the amount of \$14,007.18 for additional wiring at the Senior Center and authorized the Chief Executive Officer to execute the change order.

----- END OF CONSENT CALENDAR -----

ITEMS REMOVED FROM THE CONSENT CALENDAR

3. **WARRANT RESOLUTION NO. 2526 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 14-22 "A" FOR \$18,513.66, 14-23 for \$2,065,627.88, 14-23 "A" FOR \$105.96, AND 14-24 FOR \$2,129,535.98; AND CITY OPERATING EXPENSES FOR \$2,076,608.56; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID.**

Public Comments:

Anna Vrska, Costa Mesa, questioned Chapman University expense (Page 5) and legal services expenses (Page 19).

MOVED/SECOND: Council Member Monahan/Council Member Foley

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motions carried: 5-0

ACTION:

City Council Approved Warrant Resolution No. 2526, to be read by title only and further reading waived.

7. **AWARD CDBG PROJECT: REHABILITATION OF ARNOLD AVENUE, BEACH STREET, COVE STREET, ROSS STREET, SEAL STREET, AND SURF STREET, CITY PROJECT NO. 14-11**

MOVED/SECOND: Council Member Monahan/Council Member Foley

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motions carried: 5-0

ACTION:

1. City Council adopted plans, specifications, and working details for the Rehabilitation of Arnold Avenue, Beach Street, Cove Street, Ross Street, Seal Street, and Surf Street, City Project No. 14-11; and

2. City Council awarded the construction contract to Copp Contracting, Inc., P.O. Box 457 Buena Park, California 90621-0457, in the amount of \$450,002.50; and
3. City Council authorized the Mayor and the City Clerk to execute the Public Works Agreement.

8. MEASURE M2 EXPENDITURE REPORT

MOVED/SECOND: Council Member Monahan/Council Member Foley

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motions carried: 5-0

ACTION:

City Council approved Resolution No. 14-76 to be read by title only and further reading waived and approved the Measure M2 Expenditure Report.

REPORT – CITY ATTORNEY - NONE

ADJOURNMENT The Mayor and the City Council adjourned the meeting at 9:20 p.m.

Stephen M. Mensinger, Mayor

Brenda Green, City Clerk

MINUTES OF THE ADJOURNED MEETING/SPECIAL STUDY SESSION OF THE COSTA MESA CITY COUNCIL AGENCY

February 26, 2013

CALL TO ORDER

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

ROLL CALL

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

Absent: Council Member Monahan

Officials Present: Chief Executive Officer Thomas R. Hatch, City Attorney Thomas Duarte, Assistant CEO Rick Francis, Finance and I.T. Director Bobby Young, and City Clerk Brenda Green.

PUBLIC COMMENTS (00:00:46)

Jeff Arthur, Costa Mesa, presented an article from the Wall Street Journal regarding pensions. (00:00:55)

Perry Valentine, Costa Mesa, spoke about the pension report, and expressed concern that a PERS representative was not at the meeting. (00:02:08)

REVIEW OF UNFUNDED PUBLIC PENSION AND RETIREE HEALTH CARE LIABILITIES BY JOE NATION. (00:04:34)

Council Member Leece requested concerns be addressed regarding the absence of Kerry Worgan, CalPERS actuary, from the meeting. (00:04:39)

CEO Hatch noted Mr. Worgan's presentation to the Association of California Cities is on the City's website; indicated that Mr. Worgan was unable to attend; and provided background information on Professor Joe Nation. (00:05:54)

Introduction by Finance and I.T. Director Bobby Young. (00:11:14)

Presentation by Professor Joe Nation, Stanford Institute for Economic Policy Research. (00:25:28)

Discussion ensued regarding the pension model for the City of San Jose; counties and cities working together; reducing service levels and prepayment to CalPERS; funded ratios and market value; comparing private sector to public sector pension systems; retiree medical benefits; parcel tax; life expectancy; survivorship rights; and sustainability of the pension system. (01:39:11)

City Council recessed for a break at 8:30 p.m.
City Council reconvened the meeting at 8:40 p.m.

PRESENTATION ON FISCAL EFFECT OF 2.5%@55 PERS ENHANCEMENT (02:28:31)

Staff report by Finance and I.T. Director Bobby Young. (02:28:36)

Discussion ensued regarding net impact of the change in the unfunded liability; inflated pension; retirement incentives; past negotiations; a second tier retirement plan; and the retirement process. (02:37:44)

COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS - NONE

The Mayor adjourned the meeting at 8:58 p.m.

Stephen M. Mensinger, Mayor

Brenda Green, City Clerk

UNOFFICIAL UNTIL APPROVED

**MINUTES OF THE ADJOURNED MEETING/SPECIAL STUDY SESSION OF THE COSTA
MESA CITY COUNCIL**

MAY 28, 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

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

Officials Present: Chief Executive Officer Thomas R. Hatch, City Attorney Thomas Duarte, Assistant Chief Executive Officer Rick Francis, Acting Economic and Development Services Director Claire Flynn, Public Services Director Ernesto Muñoz, Finance and I.T. Director Bobby Young, Acting Chief of Code Enforcement Willa Bouwens-Killeen, Public Affairs Manager Bill Lobdell, City Clerk Brenda Green.

PUBLIC COMMENT (00:01:03)

Sharon Komer, Costa Mesa, spoke in support of funding for fields at Costa Mesa High School. (00:01:15)

Ed Baum, Costa Mesa, spoke in support of funding for fields at Costa Mesa High School. (00:03:42)

Frank Albers, Costa Mesa, spoke in support of funding for fields at Costa Mesa High School. (00:05:16)

Mayor Righeimer encouraged the public to speak to the School Board. (00:05:50)

Council Member Genis encouraged the public to ask the School Board about bond monies. (00:07:00)

Howard Hull, Costa Mesa, spoke in support of funding for fields at Costa Mesa High School. (00: 08:34)

FISCAL YEAR 2013-2014 PRELIMINARY OPERATING AND CAPITAL IMPROVEMENT BUDGET

CEO Hatch provided an introduction to the budget and announced upcoming meetings. (00:10:18)

Staff report presented by Finance and I.T. Director Bobby Young. (00:20:26)

Council Member Genis expressed concern about using the reserve fund balance. (00:22:04)

Discussion ensued regarding the use of the reserve fund balance, property allocation, and the equipment fund. (00:26:58)

Council Member Monahan spoke about PERS rate increases, position vacancies, and estimated savings generated from outsourcing of services. (00:41:48)

Discussion ensued solid waste hauler franchise fees; cable franchise fees; permit fees; red light camera fees; the golf course; reimbursement fees; the Office of Traffic Safety Grant funds; State reimbursement funds; and the Non-Departmental, and Communications and Marketing categories. (00:46:31)

Mayor Righeimer spoke on the preliminary budget. (01:02:13)

Discussion ensued regarding what should be included in the preliminary budget. (01:05:08)

Mr. Young spoke on CEO recommendations and the Capital Improvement Program budget. (01:10:13)

Discussion ensued concerning the general fund purchases. (01:12:25)

Ernesto Munoz, Public Services Director, spoke on funding for Fairview Park, deferred maintenance, Del Mar median strip project, and alley maintenance. (01:18:02)

Discussion ensued regarding improvements at Fairview Park; Smallwood Park; median project at Del Mar; unimproved alleys; Tewinkle Park; a grant writer position and trees. (01:21:35)

COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS - NONE

The Mayor adjourned the meeting at 6:06 p.m.

Stephen M. Mensinger, Mayor

Brenda Green, City Clerk

UNOFFICIAL UNTIL APPROVED

**MINUTES OF THE SPECIAL JOINT CITY COUNCIL AND
PARKS AND RECREATION COMMISSION**

May 14, 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

Present: Mayor Righeimer, Mayor Pro Tem Mensinger, Council Member Leece, Council Member Genis, Council Member Monahan, Chairman Byron de Arakal, Vice Chair Kim Pederson, Commissioner Dean Abernathy, Commissioner Robert Graham, Commissioner Don Harper

Absent: None

Officials Present: Assistant CEO Rick Francis, City Attorney Thomas Duarte, Public Services Director Ernesto Munoz, Assistant Development Services Director Claire Flynn, Recreation Manager Bob Knapp, City Clerk Brenda Green

PARKS AND RECREATION COMMISSION GOALS AND OBJECTIVES (00:01:52)

Introduction by Mayor Righeimer and Chairman de Arakal. (00:00:16)

1. UPDATE THE CITY'S OPEN SPACE MASTER PLAN OF PARKS AND RECREATION.

Introduction by Public Services Director Ernesto Munoz. (00:02:02)

Mayor Righeimer spoke about the lack of information, and suggested adding estimated costs next to items. (00:03:36)

Council Member Leece commented on public outreach. (00:04:34)

Council Member Genis spoke on approval based on needs; demographics; formal survey of the population; and structured and unstructured recreation. (00:06:51)

Council Member Monahan requested that the consultant assess the Eastside and opportunities for active youth availability sports fields. (00:08:22)

Discussion ensued regarding demographics; opportunities that may arise on the Eastside; the last Master Plan implementation; phone survey results; importance of updating the Master Plan; community workshops; and bike paths. (00:09:09)

2. EVALUATE THE FAIRVIEW PARK MASTER PLAN RELATIVE TO COMMUNITY NEEDS AND MAKE MASTER PLAN UPDATE RECOMMENDATIONS TO CITY COUNCIL FOR THE ADDITION, REDUCTION, ELIMINATION, OR MODIFICATION OF ACTIVE AND PASSIVE USES. INCORPORATE THE UPDATED FAIRVIEW PARK MASTER PLAN INTO THE OPEN SPACE MASTER PLAN OF PARKS AND RECREATION. (00:13:35)

Introduction by Public Services Director Ernesto Munoz. (00:14:00)

Discussion ensued regarding community needs and physical constraints; the Fairview Park Advisory Committee's role; structured and unstructured activities; ongoing costs; the Wetlands and Riparian Habitat Project; projects underway, funded, and pending approval; the stairway project; wildlife; handicapped access; and the scope of work and process of the Request for Proposal. (00:14:35)

Commissioner Graham spoke about a Master Plan of bikeways and a bike map. (00:25:02)

Commissioner Harper spoke about a bike check-in station at Concerts in the Park, and the movement toward bicycle use. (00:28:44)

Council Member Genis commented on the use of trade monies. (00:30:04)

3. EVALUATE THE POSSIBLE INCORPORATION OF TALBERT REGIONAL PARK INTO THE CITY OF COSTA MESA. CONDUCT A SURVEY OF FEDERAL, STATE, AND LOCAL RESOURCE AGENCY JURISDICTION RELATIVE TO TALBERT PARK; DEVELOP THE COST/BENEFIT ANALYSIS OF PARK INCORPORATION; AND INITIATE EXPLORATORY DIALOGUE WITH THE COUNTY OF ORANGE. (00:32:25)

Mayor Righeimer requested staff to research the cost of developing and opening the south portion of Talbert Park; and the incorporation of the Banning Ranch property. (00:32:45)

Council Member Genis spoke about ownership of Talbert Park; completing projects at Fairview Park; in-sourcing maintenance of Talbert Park; Natural Communities Conservation Planning Program; and access to Talbert Park and Victoria Pond. (00:34:24)

Council Member Leece spoke on the presentation by River Park and their vision and plans. (00:37:55)

Assistant CEO Francis spoke on Talbert Park preliminary studies; maintenance cost; environmental overlay; fire hazards; and concerns about being a full service provider. (00:39:14)

Mr. Munoz commented on liability due to landslides. (00:40:35)

4. EVALUATE AND UPDATE THE STREETScape AND MEDIAN DEVELOPMENT STANDARDS. (00:43:25)

Mayor Righeimer commented on the appearance of the medians; design standards; and development. (00:43:30)

Mayor Pro Tem Mensinger spoke about the importance of updating the look. (00:44:29)

Council Member Genis spoke about drought tolerant vegetation; and current and new medians. (00:45:08)

Mr. Munoz shared new median opportunities and funding for new median areas. (00:45:42)

Discussion ensued regarding underground utility lines. (00:46:47)

PUBLIC COMMENTS (00:47:55)

Beth Refakes, Costa Mesa, spoke about consistency and use of concrete in medians; the median on Superior Avenue in Newport Beach; and drought tolerant plants. (00:48:00)

Discussion ensued concerning development standards for streets and medians; implementing a new look; and median development guidelines. (00:49:25)

Mayor Pro Tem Mensinger requested that staff work with the Parks Commission regarding the median from Gisler Avenue to Baker Street. (00:53:26)

Discussion ensued regarding areas in the city that are not being maintained and capital funding program to cover some of those areas. (00:53:58)

5. REVIEW AND UPDATE THE FIELD USE AND ALLOCATION POLICY. (00:55:29)

Mayor Rigeimer commented on fields being used by semi-nonprofit groups. (00:55:33)

Commissioner Harper requested guidelines pertaining to the vision for each park. (00:56:52)

Council Member Genis requested a calendar of the facilities and users. (00:57:55)

Chairman de Arakal spoke about priority to the needs of the residents, and expressed concern regarding semi-nonprofit groups. (00:58:16)

Recreation Manager Bob Knapp spoke on the nature of the field use policy, and evaluating new groups in the future. (00:59:13)

Council Member Genis suggested reexamining groups and their titles. (01:00:09)

Mayor Pro Tem Mensinger spoke about shared resources and providing services to some Newport Beach youth. (01:00:56)

Vice Chair Pederson spoke about upkeep and field maintenance. (01:01:34)

6. EVALUATION EXISTING RECREATION-ORIENTED LEASE AGREEMENTS OF CITY ASSETS TO NONPROFIT/COMMUNITY ORGANIZATIONS TO DETERMINE IF CITY ASSETS ARE FULLY MEETING THE NEEDS OF THE COMMUNITY, INCLUDING ALL OR A FEW OF THE FOLLOWING: THE COSTA MESA SENIOR CENTER, ORANGE COUNTY MODEL RAILROAD ENGINEERS, COSTA MESA TENNIS CENTER, AND COSTA MESA COUNTRY CLUB. (01:02:26)

Mayor Righeimer requested staff analyze all City assets; moving the community garden to a larger area; the relationship to the users on the list; and how the community is being served. (01:02:47)

Mayor Pro Tem Mensinger spoke about serving the community and the best way to use assets generated from renting the various centers. (01:04:09)

Council Member Leece commented on the Senior Center as an underused facility; and expressed concern about moving the community garden. (01:05:55)

Mayor Righeimer spoke about how all assets would be best served by the community. (01:07:18)

7. EVALUATE THE CONDITION, COMMUNITY USE AND LEASE AGREEMENT FOR THE COSTA MESA BARK PARK. (01:08:59)

Chairman de Arakal provided an update of the Parks and Recreation Commission's progress. (01:09:12)

Discussion ensued concerning dog licenses; park fees; and self-policing at the park. (01:10:08)

8. ASSESS ACTIVE CITY RECREATION FACILITY DEVELOPMENT AND USE AT NEWPORT MESA UNIFIED SCHOOL DISTRICT SCHOOL SITES INCLUDING THE JOINT USE AGREEMENT. (01:11:44)

Introduction provided by Mr. Munoz. (01:11:59)

Council Member Leece requested a review of the Joint Use Agreement. (01:12:45)

9. CONDUCTING A NAMING COMPETITION TO OFFICIALLY NAME THE FAIRVIEW PARK BRIDGE. (01:13:20)

Mayor Righeimer deferred to the Parks and Recreation Commission. (01:13:27)

10. ASSESS POTENTIAL SITES FOR LAND ACQUISITION FOR PARK AND ATHLETIC FIELD DEVELOPMENT. (01:13:48)

Council Member Genis stated the task should be part of the Master Plan; and requested developing criteria for new sites. (01:13:57)

Council Member Leece suggested assessing the property where the Library Foundation has removed its sign from. (01:14:30)

11. ESTABLISH COMMUNITY-BASED NONPROFIT ORGANIZATIONAL SUPPORT THROUGH USE OF CITY ASSETS. (01:15:11)

Mr. Knapp provided an introduction. (01:15:20)

12. ESTABLISHMENT OF PARK GROUPS SO THAT EACH PLANNING COMMISSIONER HAS THE RESPONSIBILITY FOR ALL AFFAIRS, COMMUNITY CONCERNS AND PERCEPTIVE PROBLEMS. EACH PARK WOULD BE SIGNED WITH THE COMMISSIONER'S NAME AND EMAIL. (01:17:08)

Chairman de Arakal stated a structure was needed and should be part of the Open Space and Recreation Master Plan; and indicated each commissioner would be assigned a zone. (01:17:22)

Mayor Righeimer spoke on the importance of having a commissioner's name assigned to each park, and connection to the community. (01:18:10)

Mr. Knapp explained the call routing process and records requests. (01:18:47)

Council Member Genis expressed concern with e-mail addresses posted on permanent signs. (01:21:01)

Discussion ensued concerning public inquiries about their park. (01:22:29)

Council Member Leece suggested that the commissioners divide into subcommittees, and spoke in opposition of new assignments outside the areas discussed. (01:24:28)

COUNCIL AND COMMISSION COMMENTS

Mayor Righeimer thanked everyone for all their hard work, and indicated the Preliminary Operating Capital Improvement Budget is online. (01:25:21)

The Mayor adjourned the meeting at 5:55 p.m.

Stephen M. Mensinger, Mayor

Brenda Green, City Clerk

**MINUTES OF THE SPECIAL JOINT STUDY SESSION OF THE COSTA MESA CITY
COUNCIL AND THE HOUSING AUTHORITY**

June 11, 2013

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 (00:00:25)

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

Absent: None

Officials Present: Chief Executive Officer Thomas R. Hatch, Assistant CEO Rick Francis, City Attorney Thomas Duarte, Economic and Development Services Director Gary Armstrong, Public Services Director Ernesto Munoz, Finance and IT Director Bobby Young, Acting Chief of Code Enforcement Willa Bouwens-Killeen, and City Clerk Brenda Green.

PUBLIC COMMENT (00:00:38)

Robin Leffler, Costa Mesa, spoke on items on the budget wish list, and funds for public safety. (00:00:53)

Beth Refakes, Costa Mesa, spoke about the budget gap, and homeless issues. (00:03:05)

1. FISCAL YEAR 2013-2014 PRELIMINARY OPERATING AND CAPITAL IMPROVEMENT BUDGET (00:05:20)

Introduction by CEO Hatch. (00:05:23)

Staff report provided by Bobby Young, Finance and IT Director. (00:17:00)

Council Member Leece spoke about legal expenses, labor negotiations, and police budget and staff. (00:24:00)

Discussion ensued regarding SB90 and state mandated costs; rental automotive equipment; self-insurance funds, sales tax; investments; Redevelopment Agency interest; and "Uniforms and Clothing" line item under City Council. (00:49:28)

Council Member Genis spoke about the contingency fund, objectives for the CEO's Office, consultants, inventory list, inspection of City property, and categorizing of expenses. (01:04:35)

Discussed ensued regarding the parking lots and lighting at Fairview Park; Historical Costs; Parks and Recreation budget; and the Pomona Elementary School Recreation on Campus for Kids (R.O.C.K.S) program. (01:25:35)

Council Member Leece spoke about the Fireside Fund. (01:51:10)

2. 2013-2014 COMMUNITY DEVELOPMENT BLOCK GRANT PUBLIC SERVICE GRANT ALLOCATIONS (01:52:50)

Mayor Righeimer disclosed he is a board member of Mercy House and recused himself. (01:53:00)

Staff report provided by Mike Linares, CDBG Home Coordinator, and Willa Bouwens-Killeen, Acting Chief of Code Enforcement. (01:54:50)

Discussion ensued regarding CDBG paperwork; public noticing and response; funding for transportation; funding recommendations; and the funding of social workers. (01:58:10)

Council Member Genis expressed concern regarding the decision to focus on Mercy House separately. (02:06:10)

Mayor Righeimer returned at 6:38 p.m. (02:07:20)

Council Member Genis expressed concern regarding the reduction in funds for Alzheimer's Family Services Center. (02:07:31)

Discussion ensued regarding the Alzheimer's Family Services Center program funding and items that can and cannot be moved to the General Fund. (02:09:47)

Mayor Pro Tem Mensinger requested to move Elwyn and Youth Employment Services moved to the General Fund and expressed support for the balance to be funded through CDBG.(02:15:00)

Council Member Leece spoke regarding the City's lack of an Alzheimer's center and the services provided by Colette's Children's Home; expressed support of funding for the Church's Consortium; and inquired on the reasons for the amount of funding for each item on the staff recommendation. (02:15:33)

Discussion ensued regarding unallocated funds for Public Services; funding of the Senior Corporation; the criteria for the ratings of each program; and federal funding. (02:21:47)

Council Member Monahan requested having a minimum of \$10,000 per grant. (02:33:22)

3. FISCAL YEAR 2013-2014 FUNDING PRIORITIES FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) (02:35:05)

Staff report provided by Silvia Kennerson, Housing Rehab Coordinator, and Willa Bouwens-Killeen, Acting Chief of Code Enforcement. (02:35:40)

City Attorney Duarte advised Mayor Righeimer to recuse himself from any discussion of Mercy House. (02:49:15)

Discussion ensued regarding funding for code enforcement officers; the loan program; the grant program; the Neighbors for Neighbors program; homes that have been helped in the past; and "Available for Projects and Programs" fund. (02:51:05)

COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS - NONE

The Mayor adjourned the meeting at 7:33 p.m.

Stephen M. Mensinger, Mayor

Brenda Green, City Clerk

**MINUTES OF THE SPECIAL JOINT MEETING OF THE COSTA MESA CITY COUNCIL AND
THE HOUSING AUTHORITY**

June 11, 2013

CALL TO ORDER

The meeting was called to order by the Mayor at 7:34 p.m. in Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

ROLL CALL (00:00:35)

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

Officials Present: Chief Executive Officer Thomas R. Hatch, Assistant CEO Rick Francis, City Attorney Thomas Duarte, Economic and Development Services Director Gary Armstrong, Public Services Director Ernesto Munoz, Finance and IT Director Bobby Young, Acting Chief of Code Enforcement Willa Bouwens-Killeen, and City Clerk Brenda Green.

PUBLIC COMMENT (00:00:55)

Ryan Calderon, Costa Mesa, spoke in support of changing the criteria. (00:11:11)

**PROPOSED MODIFICATIONS TO COSTA MESA HOMEBUYER ASSISTANCE PROGRAM
POLICIES, PROCEDURES AND GUIDELINES RELATING TO THE CONDITIONS AND
REQUIREMENTS FOR REFINANCING OF FIRST MORTGAGES AND RESUBORDINATION
OF PROGRAM SECOND MORTGAGES**

Staff report provided by Celeste Brady, Special Counsel; and Willa Bouwens-Killeen, Acting Chief of Code Enforcement. (00:01:30)

MOTION/SECOND: Council Member Genis/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.

Noes: None

Absent: None

Motion carried: 5-0

ACTION: Directed the City's Chief Executive Officer and the Executive Director of Costa Mesa Housing Authority ("CMHA") to modify the Costa Mesa Homebuyer Assistance Program and the implementing policies, procedures and guidelines to allow for refinancing of first trust deed mortgages and re-subordination of Costa Mesa's second trust deed mortgages expressly subject to and so long as certain criteria are met by the home owner as set forth in the agenda report and that such review and approval (or disapproval) be made on a case-by-case basis by staff, legal counsel and the housing consultant.

The Mayor adjourned the meeting at 7:48 p.m.

Stephen M. Mensinger, Mayor

Brenda Green, City Clerk