

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

CC-5

December 4, 2012

CALL TO ORDER (00:00:18) – The Mayor called the meeting to order.

PLEDGE OF ALLEGIANCE (00:00:32) – Council Member Leece

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

ROLL CALL (00:01:00)

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

Absent: None

ANNOUNCEMENTS (00:01:14)

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

PRESENTATIONS (00:00:00) None

PUBLIC COMMENTS (00:04:20)

Jeff Arthur, Costa Mesa, spoke on unfunded pension liabilities. (00:04:28)

Sue Lester, Costa Mesa, spoke on the importance of the community leaders working together to create positive solutions; and referenced the lay off notices. (00:07:52)

Don Harper, Costa Mesa, spoke on unfunded pension liabilities; and requested 5-10 year projections. (00:11:33)

Jeff Matthews, Costa Mesa, agreed with the suggestion of 5-10 year projections; and wished Peter Nagavi farewell, congratulated newly elected council members, and thanked Mayor Bever for his service. (00:12:51)

Beth Refakes, Costa Mesa, congratulated recently elected council members and thanked Mayor Bever and Peter Nagavi for their work; spoke on calming measures on Broadway; and the need for new video equipment in the Council Chambers. (00:14:07)

Terry Koken, Costa Mesa, congratulated newly elected council members; and supports a charter commission. (00:16:42)

John Feeney, Costa Mesa, expressed thanks to Peter Nagavi and Mayor Bever for their service to the City. (00:18:17)

Jennifer Muir, Orange County Employee's Association, congratulated newly elected council members and looks forward to working with the new council. (00:20:35)

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Perry Valantine, Costa Mesa, congratulated all new and returning council members; expressed desire for everyone to work together for the community; congratulated Peter Nagavi; and spoke on an elected citizen charter commission. (00:21:19)

James Bridges, Costa Mesa, spoke on a charter. (00:24:44)

Cindy Brenneman, Costa Mesa, congratulated newly elected council members; expressed thanks to Peter Nagavi and Mayor Bever; spoke on the recent Run at the Fairgrounds; and invited the public to the First Friday Road Show. (00:27:36)

Phil Morello, Costa Mesa, congratulated newly elected council members; thanked Peter Nagavi and Mayor Bever for their service. (00:30:44)

Kimberly Mimms, congratulated council members; thanked Mayor Bever for his service; and requested help from the community to get the “bullying warriors” story out. (00:32:19)

Speaker, spoke on the recent election. (00:36:50)

Robin Leffler, congratulated newly elected council members; and spoke on limiting citizens’ speech at council meetings. (00:37:36)

Chris Eric, Costa Mesa, congratulated newly elected council members; and thanked Peter Nagavi and Mayor Bever for their service. (00:38:46)

COUNCIL MEMBER’ REPORTS, COMMENTS, AND SUGGESTIONS

Mayor Eric R. Bever spoke on what an honor it was to serve the community; thanked supporters in the community as well as Peter Nagavi and all city staff for all their work; and spoke about the challenge and the fun it was working with his peers. (00:41:21)

Mayor Pro Tem Jim Righeimer congratulated the winners of the election as well as all who ran; thanked the candidates’ families for their contribution; thanked Mayor Bever for his leadership on the I-405 toll lane issue. (00:43:46)

Council Member Wendy Leece congratulated newly elected members; referenced the election results and the defeat of the charter; thanked Mayor Bever for his hard work; thanked all who attend the council meetings; referenced the unfunded pension liabilities; requested that Mr. Hatch provide an overview of the 60th anniversary celebration planning committee process; referenced the Costa Mesa Recreation Guide; welcomed the students from the program MICA and requested support for the after school programs. (00:48:49)

Council Member Stephen Mensinger spoke about Mayor Bever’s character and leadership; thanked his family and supporters for help during the election; congratulated council members and candidates; referenced the campaign issues; encouraged young people to get involved; and thanked Peter Nagavi for all his work. (00:55:02)

Council Member Gary Monahan thanked Peter Nagavi for all his work; congratulated all the candidates in the election; thanked citizens for their involvement; thanked his family for their support; and thanked Mayor Bever for his service. (01:01:32)

GENERAL MUNICIPAL ELECTION (01:05:19)

Staff Report on Election Results – Brenda Green, City Clerk (01:05:54)

Election was held on November 6, 2012; 3 council member seats were open; a measure was placed on the ballot; 8 candidates qualified for the ballot; the 3 individuals with the most votes were Sandra Genis, Steve Mensinger, and Gary Monahan; majority of the voters who voted on Measure B did not vote in favor of it and it shall not be deemed adopted; recommended action is to adopt the following resolution.

MOTION: To adopt the resolution

MOVED/SECOND: Mayor Pro Tem Righeimer/Council Member Leece
The motion carried unanimously.

ACTION:

1. **City Council adopted, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA CALIFORNIA, RECITING THE FACTS OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 6, 2012; DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW”.**
2. **ADMINISTRATION OF OATH OF OFFICE FOR THE NEWLY-ELECTED CITY COUNCIL MEMBERS. (01:09:34)**

City Clerk Brenda Green gave the oath of office to Sandra Genis.

Council Member Genis thanked everyone who helped with the campaign; she stated she is committed to having Costa Mesa’s best interest at heart; and is looking forward to working with her fellow council members.

City Clerk Brenda Green gave the oath of office to Stephen Mensinger.

Council Member Mensinger thanked those who helped on the campaign; will work closely with fellow council members to get things done; and determined to make Costa Mesa a better place.

City Clerk Brenda Green gave the oath of office to Gary Monahan.

Council Member Monahan thanked everyone who helped in the campaigns; and promised to do everything he can to help improve Costa Mesa.

3. ELECTION OF MAYOR AND MAYOR PRO TEM (01:18:06)

City Clerk Brenda Green opened the floor for nominations for Mayor.

Council Member Monahan nominated Jim Righeimer for Mayor. Council Member Mensinger seconded the nomination.

Council Member Genis nominated Wendy Leece for Mayor. Council Member Leece seconded the nomination.

There being no other nominations, the City Clerk called for a motion to close the nominations.

MOTION: To close the nomination period.

MOVED/SECOND: Council Member Leece/Council Member Mensinger
The motion carried unanimously.

The City Clerk opened the floor for public comments.

Mr. Fitzpatrick, congratulated newly elected members; thanked Peter Nagavi; and spoke in support of Jim Righeimer for Mayor and Stephen Mensinger for Mayor Pro Tem. (01:19:50)

Debbie Koken, Costa Mesa, spoke in support of Wendy Leece for Mayor. (01:22:35)

Robert Dixon, Costa Mesa, spoke in support of Jim Righeimer for Mayor; and thanked Mayor Bever for his service. (01:23:05)

Terry Koken, Costa Mesa, spoke in support of Wendy Leece for Mayor. (01:24:18)

Jay Humphrey, Costa Mesa, spoke in support of Wendy Leece for Mayor. (01:25:23)

Colin Melott, Costa Mesa, Vanguard student, spoke in support of Wendy Leece for Mayor. (01:26:54)

Mary Ann O'Connell, Costa Mesa, spoke in support of Wendy Leece for Mayor. (01:28:10)

Eleanor Egan, Costa Mesa, spoke in support of Wendy Leece for Mayor. (01:28:52)

Alan Remington, Costa Mesa, spoke in support of Wendy Leece for Mayor. (01:30:07)

James Bridges, Costa Mesa, spoke in support of Wendy Leece for Mayor and Jim Righeimer for Mayor Pro Tem. (01:30:55)

Bonnie Copeland, Costa Mesa, spoke in support of Wendy Leece for Mayor and Jim Righeimer for Mayor Pro Tem. (01:32:08)

Sue Lester, Costa Mesa, spoke in support of Wendy Leece for Mayor. (01:33:29)

Cindy Brennaman, Costa Mesa, spoke in support of Wendy Leece for Mayor and Jim Righeimer for Mayor Pro Tem. (01:35:37)

Joy Williams, spoke in support of Wendy Leece for Mayor. (01:37:01)

Howard Lee, Costa Mesa, spoke in support of Wendy Leece for Mayor. (01:37:46)

Devon Lucas, Costa Mesa, congratulated newly elected members and spoke in support of Jim Righeimer for Mayor. (01:39:30)

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Robin Leffler, Costa Mesa, spoke in support of Wendy Leece for Mayor and Jim Righeimer for Mayor Pro Tem. (01:40:37)

Tom Pollitt, Costa Mesa, spoke in support of Jim Righeimer for Mayor. (01:43:11)

Mike Bargas, Costa Mesa, congratulated newly elected council members and spoke in support of Jim Righeimer for Mayor and Stephen Mensinger for Mayor Pro Tem. (01:44:31)

Perry Valantine, Costa Mesa, spoke in support of Wendy Leece for Mayor. (01:46:39)

Kimberly Mimis, spoke in support of Wendy Leece for Mayor. (01:49:11)

Tim Sessler, Costa Mesa, spoke in support of Jim Righeimer for Mayor. (01:52:32)

Joan Morrow, Costa Mesa, spoke in support of Wendy Leece for Mayor. (01:54:29)

Sean Patterson, Costa Mesa, spoke in support of Jim Righeimer for Mayor and Stephen Mensinger for Mayor Pro Tem. (01:55:07)

Robert Mertha, spoke in support of Jim Righeimer for Mayor. (01:55:44)

Rick Gabco, Costa Mesa, spoke in support of Jim Righeimer for Mayor and Stephen Mensinger for Mayor Pro Tem. (01:57:38)

Chuck Perry, Costa Mesa, spoke in support of Jim Righeimer for Mayor and Stephen Mensinger for Mayor Pro Tem and congratulated Sandy Genis on her election. (01:58:44)

Harold Weitzberg, Costa Mesa, spoke in support of Wendy Leece for Mayor and Jim Righeimer for Mayor Pro Tem. (01:59:52)

Dennis Popp, Costa Mesa, congratulated newly elected members and spoke in support of Jim Righeimer for Mayor. (02:00:47)

Terri Fuqua, Costa Mesa, spoke in support of Wendy Leece for Mayor. (02:01:36)

Rich Reiser, Costa Mesa, spoke in support of Wendy Leece for Mayor. (02:02:03)

Robert Mertha, Costa Mesa, spoke in support of Jim Righeimer for Mayor. (02:02:55)

Hunter Mensinger, Costa Mesa, spoke in support of Jim Righeimer for Mayor and Stephen Mensinger for Mayor Pro Tem. (02:03:59)

John Woods, Costa Mesa, spoke in support of Jim Righeimer for Mayor and Stephen Mensinger for Mayor Pro Tem. (02:04:21)

Speaker, congratulated council members and spoke in support of Jim Righeimer for Mayor and Stephen Mensinger for Mayor Pro Tem. (02:04:48)

Gene Hutchins, Costa Mesa, spoke in support of Jim Righeimer for Mayor and Stephen Mensinger for Mayor Pro Tem. (02:07:42)

Jeff Matthews, Costa Mesa, spoke in support of Jim Righeimer for Mayor and Stephen Mensinger for Mayor Pro Tem. (02:11:48)

Eric Bever, Costa Mesa, spoke in support of Jim Righeimer for Mayor and Stephen Mensinger for Mayor Pro Tem. (02:13:14)

The City Clerk closed public comments and opened council member comments. (02:16:45)

Council Member Leece thanked everyone who spoke on her behalf, thanked Council Member Genis for the nomination; she expressed that she would be honored to serve as Mayor of Costa Mesa; and has served as Council Member for 6 years and Mayor Pro Tem for 2 years; and expressed her belief that she should be Mayor. (02:16:48)

Mayor Pro Tem Righeimer spoke on the difficulty the last few years have been for many people in the community; spoke on the unfunded pension liability; and a charter. (02:21:16)

Council Member Genis reminded everyone of the statutory rule of the mayor as being the face of the city and presiding over meetings, but not having more weight in his or her vote; and spoke on the Council working together. (02:27:12)

Council Member Mensinger spoke on working together and toning down the rhetoric; and spoke on the qualities of a leader is sticking to your values and pointed out that Jim Righeimer has done that. (02:32:08)

Council Member Monahan noted that Jim Righeimer was Mayor Pro Tem when he was Mayor and always stepped up when he was needed; and expressed that Mr. Righeimer is the fearless leader that the city needs. (02:36:38)

The City Clerk closed council member comments and called for the vote of Jim Righeimer for Mayor. (02:37:37)

The motion was carried by the following roll call vote:

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

Noes: Council Member Leece, Council Member Genis

Absent: None

The motion was carried 3-2

The City Clerk called for the vote of Wendy Leece for Mayor. (02:38:13)

The motion failed by the following roll call vote:

Ayes: Council Member Leece, Council Member Genis

Noes: Council Member Righeimer, Council Member Mensinger, Council Member Monahan

Absent: None

The motion failed 2-3.

Mayor Righeimer opened the floor for nominations for Mayor Pro Tem. (02:39:02)

Council Member Genis nominated Wendy Leece for Mayor Pro Tem. Council Member Leece seconded the nomination.

Council Member Monahan nominated Steve Mensinger for Mayor Pro Tem. Mayor Righeimer seconded the nomination.

There being no other nominations, the Mayor called for a motion to close the nominations.

MOTION: To close the nomination period.

MOVED/SECOND: Council Member Genis/Council Member Leece
The motion carried unanimously.

The Mayor opened the floor for public comments. (02:39:49)

Tim Sessler, Costa Mesa, spoke in support of Steve Mensinger for Mayor Pro Tem; and referenced a campaign flyer produced by Costa Mesans 4 Responsible Govt. (02:40:09)

Howard Lee, Costa Mesa, spoke in support of Wendy Leece for Mayor Pro Tem. (02:41:33)

Devon Lucas, Costa Mesa, spoke in support of Steve Mensinger for Mayor Pro Tem. (02:43:04)

Perry Valentine, Costa Mesa, spoke in support of Wendy Leece for Mayor Pro Tem. (02:43:43)

Harold Weitzberg, Costa Mesa, spoke in support of Wendy Leece for Mayor Pro Tem. (02:45:04)

Mary Ann O'Connell, Costa Mesa, spoke in support of Wendy Leece for Mayor Pro Tem. (02:46:23)

Cindy Brennaman, Costa Mesa, spoke in support of Wendy Leece for Mayor Pro Tem. (02:47:31)

Joan Morrow, Costa Mesa, spoke in support of Wendy Leece for Mayor Pro Tem. (02:48:29)

Mike Bargas, Costa Mesa, spoke in support of Steve Mensinger for Mayor Pro Tem. (02:49:34)

Lena Righeimer, Costa Mesa, spoke in support of Steve Mensinger for Mayor Pro Tem. (02:50:05)

Robin Leffler, Costa Mesa, spoke in support of Wendy Leece for Mayor Pro Tem; and spoke on the candidate involvement in a campaign flyer. (02:50:51)

Terry Koken, Costa Mesa, spoke in support of Wendy Leece for Mayor Pro Tem. (02:53:02)

Speaker, spoke in support of Steve Mensinger for Mayor Pro Tem. (02:54:28)

Robert Dixon, Costa Mesa, spoke in support of Steve Mensinger for Mayor Pro Tem. (02:55:31)

Ingrid Flowers, Costa Mesa, spoke in support of Wendy Leece for Mayor Pro Tem. (02:56:13)

The Mayor closed public comments and opened council member comments. (02:57:36)

Council Member Leece pointed out that she is best qualified for Mayor Pro Tem because she has the most experience; and added everyone needs to work together. (02:57:42)

Council Member Mensinger thanked Council Member Monahan and Mayor Righeimer for the nomination of Mayor Pro Tem. (03:01:43)

The Mayor closed council member comments and called for the vote, Wendy Leece for Mayor Pro Tem. (03:03:46)

The motion failed by the following roll call vote.

Ayes: Council Member Leece, Council Member Genis

Noes: Mayor Righeimer, Council Member Mensinger, Council Member Monahan

Absent: None

The motion failed 2-3.

The Mayor called for the vote, of Steve Mensinger for Mayor Pro Tem. (03:04:12)

The motion was carried by the following roll call vote.

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

Noes: Council Member Leece

Absent: None

The motion passed 4-1.

The Council recessed at 9:07pm. (03:05:44)

REPORT-CHIEF EXECUTIVE OFFICER (CEO) (03:41:55)

CEO Thomas Hatch reported on the upcoming 60th Anniversary Celebration and invited the public to the committee meetings; referenced the Costa Mesa Recreation Guide; spoke on the the sign regulation process during the election; thanked Peter Nagavi for his work and his help in the transition; and that staff is assembling goals and strategies for review.

NEW BUSINESS ITEM (03:47:21)

1. RESCHEDULE OF THE JANUARY 1, 2013 CITY COUNCIL MEETING

Reschedule the regularly scheduled City Council meeting of Tuesday, January 1, 2013 to Tuesday, January 8, 2013.

No public comments received.

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

The motion carried unanimously.

PUBLIC HEARINGS – (03:48:42)

1. CLOSURE IMPACT REPORT FOR ANCHOR TRAILER PORT/MOBILEHOME PARK, 1527 NEWPORT BOULEVARD

No public comments received.

MOTION/SECOND: Mayor Righeimer/Council Member Monahan

The motion carried unanimously.

ACTION: Item rescheduled for the January 8, 2013 City Council Meeting.

CONSENT CALENDAR (03:49:51)

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 17 except for Items 4, 6, 9, 10, 11, 12, 13, 14, and 17

MOVED/SECOND: Mayor Righeimer/Council Member Genis

The motion carried unanimously.

1. READING FOLDER

- (a) Claims received by the City Clerk: Kimberly Claytor; Alexis Galindo, Esq. on behalf of Christine Louise Finch

ACTION: Received and processed.

2. MINUTES: REGULAR MEETING OF AUGUST 17, 2010 AND SPECIAL STUDY SESSION OF MAY 24, 2011

ACTION: Approved.

3. WARRANT RESOLUTION 2448: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding City operating expenses for \$1,212,973.03.

ACTION: Approved.

5. ENGINEERING TECH II POSITION

ACTION: Approved. City Council authorized the conversion of the existing Part-time Engineering Tech II Position in the Transportation services Division to Full-time; and directed staff to process a Budget Adjustment to fund the position.

7. MEASURE M2 EXPENDITURE REPORT

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

8. ACCEPTANCE OF A DONATED PARATRANSIT VEHICLE FROM THE ORANGE COUNTY TRANSPORTATION AUTHORITY SENIOR MOBILITY PROGRAM

ACTION: Approved. City Council accepted the donation of a 2006 Ford Aerotech, Paratransit, 18-Passenger Bus from the Orange County Transportation Authority (OCTA) Senior Mobility Program.

15. PARK MULTIPURPOSE TRAILS

ACTION: Approved. City Council awarded a contract to Kabbara Engineering, Orange, CA, in an amount not to exceed \$160,387.00 for professional engineering services for the design of the Fairview Park Multipurpose Trails, 2525 Placentia Avenue; and authorized the Mayor and the City Clerk to execute the Professional Services Agreement; and authorized the Chief Executive Officer to execute the Cooperative Agreement with Orange County Transportation Authority (OCTA).

16. PROFESSIONAL SERVICES AGREEMENT FOR THE DESIGN OF THE BRENTWOOD PARK MASTER PLAN IMPROVEMENTS

ACTION: Approved. City Council awarded a contract to Nuvis Landscape Architecture and Planning, 3151 Airway Costa Mesa, California, in an amount not to exceed \$95,605.00 for professional services for the design of Brentwood Park, 261 Monte Vista Avenue; and authorized the Mayor and the City Clerk to execute the Professional Services Agreement.

ITEMS REMOVED FROM THE CONSENT CALENDAR (03:50:45)

4. WARRANT RESOLUTION 2449: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 12-23A AND 12-24 SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 12-23A for \$5,148.15 and 12-24 for \$2,027,435.54, and City operating expenses for \$431,713.37, including payroll deductions. (03:51:50)

Council Member Leece inquired about the Jones Day invoice from May 2012. (03:51:52)

City Attorney Tom Duarte explained that particular bill was reduced and reissued, which is why the city is paying it now; and added that all current bills have been turned in except for November. (03:52:40)

MOTION/SECOND: Council Member Leece/Mayor Pro Tem Mensinger
The motion carried unanimously.

ACTION: Approved.

6. DELETION OF 19TH STREET SANTA ANA RIVER CROSSING (03:53:39)

Council Member Leece thanked staff for their hard work in getting the 19th street bridge off of the Master Plan of Arterial Highways; and inquired what would be the process to remove Bluff Road from 19th to Victoria. (03:53:43)

Public Services Director Ernesto Muñoz replied that the process has started. (03:54:53)

MOTION/SECOND: Council Member Leece/Mayor Righeimer
The motion carried unanimously.

ACTION: Received and filed.

9. INSURANCE BROKER SERVICES (03:56:08)

Council Member Monahan asked why the city is doing a particular contract with only one broker, instead of allowing two brokers. (03:56:15)

Human Resources Manager Lance Nakamoto replied it was the recommendation given to them. (03:57:07)

Mayor Pro Tem Mensinger responded brokers want to be the broker of record. (03:57:57)

Council Member Monahan spoke on concerns with Alliant. (03:58:24)

Mayor Pro Tem Mensinger spoke on concerns with a premium increase due to the nature of the insurance market. (03:59:20)

Renetta Ponsi, Alliant Representative, spoke on budget projections, they take into consideration issues happening in the industry at large. (04:00:36)

Mayor Pro Tem Mensinger asked why the contract needs to be for 3 years. (04:03:46)

Mr. Nakamoto responded that it is standard for all contracts to be 3 years. (04:03:57)

Council Member Genis indicated that an exhibit is missing from the staff report and requested the item be continued. (04:06:54)

CEO Hatch responded by saying that the city was operating without any contract for a number of years and they decided to formalize the process and create more structure. (04:09:07)

MOTION/SECOND: Council Member Genis/Mayor Pro Tem Mensinger
The motion carried unanimously.

ACTION: Item continued to January 8, 2013 City Council Meeting.

10. THIRD PARTY LIABILITY CLAIMS ADMINISTRATION (04:09:48)

Council Member Monahan asked when the TPA contract needs to be in place. (04:10:38)

Mr. Nakamoto replied that the current contract expires December 31, 2012 and this is the second extension. (04:10:46)

Mayor Pro Tem Mensinger inquired about what services would be added to improve effectiveness of the TPA. (04:12:20)

Human Resources Analyst, Jennifer Sommers spoke on the services TPA provides and that they have since enhanced some of their software; and reporting tools to help the city track their liability claims and patterns. (04:13:02)

Mike Reed, Carl Warren Representative, explained what Carl Warren and Company does for the city, what new services will be added and how they measure their success. (04:13:58)

Council Member Genis indicated that the Exhibit A to the contract is needed and requested the item to be continued. (04:17:50)

Council Member Monahan inquired what would happen if they continued this item and the contract expires on December 31. (04:18:08)

Mr. Reed, Carl Warren Representative, replied that it was not a problem. (04:18:26)

MOTION/SECOND: Council Member Genis/Council Member Leece
The motion carried unanimously.

ACTION: Item continued to January 8, 2013 City Council Meeting.

11. APPROVAL OF COOPERATIVE AGREEMENT NO. C-2-1825 WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) FOR THE RED HILL AVENUE REHABILITATION PROJECT (04:18:46)

Council Member Leece inquired about the construction schedule and timing. (04:18:51)

Mr. Muñoz replied that if approved, construction should start May of next year. (04:19:20)

MOTION/SECOND: Council Member Leece/Council Member Monahan
The motion carried unanimously.

ACTION: Approved. City Council approved the Cooperative Agreement No. C-2-1825 with the Orange County Transportation Authority (OCTA) for the use of Proposition 1B, State Local Partnership Program (SLPP) funding in the amount of \$922,000 for the Red Hill Avenue Rehabilitation Project; and authorized the Mayor to execute the Agreement.

12. THIRD PARTY WORKERS' COMPENSATION CLAIMS ADMINISTRATION SERVICES (04:21:08)

Council Member Monahan inquired on the current TPA provider. (04:21:13)

Mr. Nakamoto replied that the current provider is Corvel, but AdminSure, Inc. came in with a lower cost proposal this time and he believes will provide better assistance. (04:21:42)

Alithia Vargas-Flores, AdminSure, Inc. Director of Operations, explained what an MPN (Medical Provider Network) is and why some government agencies do not use them. (04:22:39)

Discussion ensued regarding utilization review, bill review and pharmacy benefit networks (PBN). (04:27:36)

Discussion continued on how AdminSure, Inc. measures their success as well as additional inquiries about MPN's. (04:36:34)

Mayor Pro Tem Mensinger noted that this staff report is also missing Exhibit A. (04:48:44)

Council Member Monahan inquired about the other two proposals that were interviewed and if he could get copies of them. (04:48:58)

Ryan Thomas, Principal Human Resources Analyst, replied that the other proposals were by a company called Aimes and also Corvel. (04:49:11)

CEO Hatch added that a disk was provided to them that had all of the documentation and proposal information on it. (04:49:50)

Council Member Monahan stated that going forward, he is very interested in having the MPN, bill review, and PBN services. (04:51:51)

MOTION/SECOND: Mayor Righeimer/Mayor Pro Tem Mensinger
The motion carried unanimously.

ACTION: Item continued to January 8, 2013 City Council Meeting.

13. APPROVAL OF COOPERATIVE AGREEMENT NO. C-2-1643 WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) FOR THE HARBOR BOULEVARD BEAUTIFICATION PROJECT AND COOPERATIVE AGREEMENT NO. C-2-1644 FOR THE 17TH STREET STREETScape IMPROVEMENT PROJECT. (04:53:38)

Council Member Genis inquired about why the matching funds are coming from the Traffic Impact Fee and AQMD funds. (04:53:41)

Mr. Muñoz replied there are two distinct projects and they are not using those revenues for the Harbor Beautification Project, however the 17th Street Project uses

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AQMD dollars for pedestrian improvements, specifically stamp concrete crossings, because they reduce emissions; and added that they are also adding a northbound right turn lane and eastbound right turn lane which provides a usage of the Traffic Impact Fee funds. (04:55:12)

Council Member Genis added that stamped concrete is inconvenient for women in heels; and confirmed with Mr. Muñoz that the additional roadway improvements are consistent with the Master Plan of Arterial Highways. (04:57:04)

Robin Leffler, Costa Mesa, echoed Council Member Genis' statement that stamped concrete is not an enhancement to pedestrian traffic, especially for women in heels. (04:57:57)

Mayor Pro Tem Mensinger clarified that this concrete is flat. (04:58:46)

MOTION/SECOND: Council Member Monahan/Mayor Pro Tem Mensinger
The motion carried unanimously.

ACTION: Approved. City Council approved the Cooperative Agreement No. C-2-1643 (Attachment 1) with the Orange County Transportation Authority (OCTA) for the use of Transportation Enhancement (TE) grant funding in the amount of \$500,000 for the Harbor Boulevard Beautification Project; and approved the attached Cooperative Agreement No. C-2-1644 (Attachment 2) with the Orange County Transportation Authority (OCTA) for the use of Transportation Enhancement (TE) grant funding in the amount of \$500,000 for the 17th Street Streetscape Improvement Project; and authorized the Chief Executive Officer to execute the agreements.

14. PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF INDUSTRIAL WAY WATER QUALITY AND STORM DRAIN IMPROVEMENTS (04:59:30)

Council Member Genis expressed her support of the project, but noted the increasing drainage problems and believes that the amount of increases in impervious surfaces should be looked at in the long term. (04:59:40)

Mayor Pro Tem Mensinger agreed with Council Member Genis and noted that the Planning Commission agrees as well. (05:00:57)

MOTION/SECOND: Council Member Genis/Council Member Leece
The motion carried unanimously.

ACTION: Approved. City council awarded a contract to CIVIL SOURCE Engineering, Irvine, California, in an amount not to exceed \$69,745 for engineering services; and authorized the Mayor and the City Clerk to execute the Professional Services Agreement.

17. ESTABLISHMENT OF A NEW JOB CLASSIFICATION IN THE CONFIDENTIAL EMPLOYEES UNIT AND AUTHORIZATION FOR A DEPUTY CITY CLERK POSITION (05:01:23)

CEO Hatch explained the overview of the City Clerk's office and their need. (05:02:00)

Discussion followed regarding the intern position in the office. (05:03:48)

Mayor Pro Tem Mensinger requested organization charts. (05:06:29)

MOTION/SECOND: Council Member Leece/Mayor Righeimer
The motion carried unanimously.

ACTION: Approved. City Council adopted Resolution: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA CALIFORNIA, AMENDING RESOLUTION 08-21 AND ESTABLISHING A NEW JOB CLASSIFICATION IN THE CONFIDENTIAL EMPLOYEES UNIT; and authorized the position of Deputy City Clerk.

SUCCESSOR AGENCY TO THE COSTA MESA REDEVELOPMENT AGENCY (05:07:35)

New Business

- 1. RECEIVE INDEPENDENT ACCOUNTANT'S REPORT REGARDING THE NON-HOUSING DUE DILIGENCE REVIEW CONDUCTED PURSUANT TO SECTION 34179.5 FOR NON-HOUSING MONIES AND OBLIGATIONS AND AUTHORIZING STAFF TO TRANSMIT THE REPORT, ALONG WITH THE PREVIOUSLY APPROVED RECOGNIZED OBLIGATION PAYMENT SCHEDULES, TO THE OVERSIGHT BOARD AND TO CAC, CAO, SCO, AND DOF AS REQUIRED BY SECTION 34179.6 OF THE DISSOLUTION ACT (05:07:45)**

Celeste Brady explained that there are a series of audits required by law and these are two of them; and explained the rest of the process. (05:09:41)

MOTION/SECOND: Mayor Righeimer/Council Member Leece
The motion carried unanimously.

ACTION: Approved. City Council adopted Successor Agency Resolution No. 2012-XX Receiving the Independent Accountant's Report re the Non-housing Due Diligence Review Conducted Pursuant to Section 34179.5 for the Non-housing Monies and Obligations and Authorizing Staff to Transmit the Report, along with the Previously Approved Recognized Obligation Payment Schedules, to the Oversight Board and to the CAC, CAO, SCO, and DOF Pursuant to Section 34179.6 of the Dissolution Act.

END OF SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY AGENDA

OLD BUSINESS - NONE

NEW BUSINESS (05:15:29)

2. REVISION OF LAY OFF NOTICES/REJECT ALL REMAINING BIDS FOR SERVICES (05:15:33)

CEO Hatch reviewed the staff report and explained the five different staff recommendations. (05:15:39)

Mayor Righaimer spoke on staffing levels; and is in support of resolving issues. (05:20:30)

Discussion ensued regarding recommendations for IT Department and regarding IT consultants; contracts; oversight of the various services; and the legality of outsourcing. (05:27:23)

Discussion continued with Mr. Vogt from Jones Day regarding the legality of outsourcing and the options. (05:34:13)

Mayor Pro Tem Mensinger asked which 6 of the outsourced notifications are still under review. (05:46:35)

CEO Hatch referred to the staff report where it lists Signs and Markings, Fleet Maintenance, Facility Maintenance, Payroll, Information Technology, and Graffiti Abatement. (05:47:40)

Discussion followed regarding the process used to review the departments. (05:49:22)

Robin Leffler, Costa Mesa, expressed concern over the legality of the outsourcing; and requested a public answer rather than a closed session one. (05:55:13)

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

Council Member Genis spoke on how much effort will be put into recommendations 3 and 4 when the resources could be to fix potholes or put school resource officers back in schools. (05:57:45)

Mayor Pro Tem Mensinger spoke on SRO's in the schools. (05:58:41)

Mayor Righaimer requested a motion to keep the meeting going past midnight. (05:58:52)

MOTION/SECOND: Council Member Genis/Council Member Leece
The motion carried unanimously.

ACTION: To continue the meeting past midnight.

Council Member Genis stated that she will be supporting the motion, but is concerned about extending further resources that may not be fruitful. (05:59:08)

UNOFFICIAL UNTIL APPROVED

Mayor Righheimer agreed with Council Member Genis that if it does not go anywhere then we will have to do what is necessary, but let's see if we can work together without layoffs. (05:59:22)

MOTION/SECOND: Council Member Monahan/Mayor Pro Tem Mensinger
The motion carried unanimously.

ACTION: Approved. City Council authorized the CEO to rescind the remaining layoff notices; directed the CEO to prepare and present a plan to address the unfunded pension and retiree medical liabilities at the mid year budget review in February 2013; and authorized the CEO to enter into negotiations with representatives of the Costa Mesa City Employees' Association (CMCEA) to discuss innovative methods and techniques that will both ensure continued quality services to the public and produce long term financial savings to the City; and authorized the CEO to initially focus the discussions with CMCEA on Jail Services, Street Sweeping Services, Parks and Landscape Maintenance Services, Graphic Design Services and Payroll Services with the CEO administratively implementing the changes without any layoffs to full-time personnel; and rejected all bids for the remaining outsourcing services where the City Council has yet to provide direction.

The Mayor adjourned the meeting to Closed Session at 12:15 a.m.

CLOSED SESSION

The City Council recessed into closed session at 12:15 a.m. to consider the following items:

1. Conference with legal counsel regarding anticipated litigation, significant exposure to litigation pursuant to Government Code Section 54956.9(b) for one potential case.
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).

City Attorney stated no reportable action.
The City Council adjourned at 1:00 a.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**

April 2, 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/Agency Chair James M. Righeimer, Mayor Pro Tem/Agency Vice Chair Stephen Mensinger, Council/Agency Member Sandra Genis (entered at 5:10 p.m.), Council/Agency Member Wendy Leece, and Council/Agency Member Gary Monahan

Absent: None

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 item:

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

The City Council and the Successor Agency to the Redevelopment Agency reconvened at 6:05 p.m.

CALL TO ORDER (00:00:04)

PLEDGE OF ALLEGIANCE (00:00:20) – Mayor Pro Tem Mensinger

MOMENT OF SOLEMN EXPRESSION (00:00:44)

Father Tashgian, St. Mary Armenian Church

Mayor Righeimer referred to two hikers missing asked the community to keep them in their thoughts and prayers. (00:02:38)

ROLL CALL (00:03:30)

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

Absent: None

Officials Present: Chief Executive Officer Thomas R. Hatch, City Attorney Thomas Duarte, Assistant Chief Executive Officer Rick Francis, Economic and Development Services Director Peter Naghavi, Public Services Director Ernesto Munoz, Finance and IT Director Bobby Young, Police Chief Tom Gazsi, Interim Fire Chief Tom Arnold, Public Affairs Manager Dan Joyce, Public Affairs Manager Bill Lobdell, Housing and Community Development Manager Muriel Ullman, Special Counsel Celeste Brady, Assistant Recreation Supervisor/Acting City Clerk Christine Cordon.

CITY ATTORNEY CLOSED SESSION REPORT - NONE

ANNOUNCEMENTS (00:03:41)

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

PRESENTATIONS (00:06:45)

Mayor Righeimer presented the Mayor's Award to Wally Gayner for his role in developing the Mesa Verde Community and Mesa Verde Country Club. (00:06:51)

Mayor Righeimer and Fire Captain Chris Coates recognized the staff of 24 Hour Fitness at The Triangle and fire department personnel for their heroic efforts to save a man who had suffered cardiac arrest. (00:15:52)

PUBLIC COMMENTS (00:30:18)

Eloise Ott, Costa Mesa, spoke about National Day of Prayer, litter on the freeway, illegally tinted front windows on vehicles, and the City's bike map and guide. (00:30:44)

Antonio Rossi, Newport Beach, encouraged the ban on Styrofoam. (00:33:09)

Maria McCarty, Costa Mesa, spoke about the poor conditions and lack of professionalism involving the closure at Anchor Trailer Park. (00:34:14)

Sarah Condon, Costa Mesa, supported the ban on Styrofoam. (00:37:53)

Cornell Iliescu, Costa Mesa, encouraged community support of local veterans and preserving military history. (00:40:10)

UNOFFICIAL UNTIL APPROVED

Stephanie Barger, Corona del Mar, on behalf of Earth Resource Foundation, spoke in support of Styrofoam ban. (00:44:47)

Sue Lester, Costa Mesa, emphasized the importance of knowing CPR; announced sidewalk CPR training to be incorporated with the 60th anniversary and community events; asked if there is a policy regarding the contracting of services to vendors in the city; and noted that residents receive news when employees retire, but not when they are newly hired. (00:46:12)

Al Melone, Costa Mesa, spoke about dog park signage and rules; expressed concern regarding unattended children at the Bark Park, and large dogs in the small dog area; and suggested the current signs be changed. (00:48:49)

Flo Martin, Costa Mesa, shared her experience regarding her son who had suffered cardiac arrest, and encouraged support of public safety personnel. (00:52:20)

Martin H. Millard, Costa Mesa, praised the new developments in the Westside, but noted obsolete buildings still exist and should be removed; and suggested working with the police department to identify clusters in the Westside where crime is predominant. (00:54:15)

Debra Ashby, South Coast Air Quality Management District, announced the nomination period for the 25th Annual Clean Air Awards is open, as well as the lawnmower exchange program. (00:56:30)

Mayor Righeimer stated there is opposition in the community for removing the fire pits at the beach. (00:58:15)

Beth Refakes, Costa Mesa, thanked the City for clean-up at Lions Park; encouraged use of substation for Veterans' Hall; and stated businesses should be allowed to decide on Styrofoam use. (00:58:48)

James Bridges, Costa Mesa, encouraged residents to attend the Meet the Mayor events; stated he would like to see updates regarding upgrades to City Hall, the charter, and pension; and encouraged more support of youth music programs, and not just sports. (01:00:55)

Sue Ann Nelson, Costa Mesa, suggested alternative glassware instead of Styrofoam in public settings; and spoke on the Anchor Trailer Park closure. (01:03:27)

COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (1:16:34)

Mayor Pro Tem Mensinger spoke about his goal to walk every street in Costa Mesa; the power of social media; location for a veterans' hall; and the 24 Hour Fitness recognition. (01:06:40)

Council Member Genis reminded everyone of the April 10th deadline to pay property taxes and to review the bills and assessments; commented on the Fire Side Fund; bike routes; a Veterans' hall; and suggested that Styrofoam not be used during the 60th Anniversary event. (01:11:08)

Council Member Leece spoke about the sustainability subcommittee involved with the 60th Anniversary event; tinted windows; the bike route and Bark Park issues; Anchor Trailer Park; veteran concerns; the use of vendors outside of the city; AQMD awards; the Association of California City's Orange County innovation awards contest; the Costa Mesa Historical Society's next monthly event; and massage establishments. (01:16:48)

Council Member Monahan complimented Public Services Director Ernesto Munoz for excellent work on the Eastside. (01:23:05)

Mayor Righheimer spoke about the increase in pension costs; indicated many cities will go into bankruptcy in the next few years because of the unsustainable pension costs; and thanked the employees and employee associations for reaching out to him after his father passed away recently. (01:23:16)

REPORT – CHIEF EXECUTIVE OFFICER (CEO) (01:26:10)

CEO Hatch spoke about the annual review of the Community Development Block Grants (CDBG), and labor negotiations; the Civic Openness in Negotiations (COIN) Ordinance; a city charter; Redevelopment Agency funds; the Economic and Development Services Director recruitment; committee appointments; and vendors. (01:26:12)

"Costa Mesa Works" was played, which highlighted the proposed monument sign and revitalization plan for the Westside, and the property and evidence division of the police department. (01:41:53)

CONSENT CALENDAR (01:46:52)

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 4 except for Item 4.

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

The motion carried by the following roll call vote:

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

Noes: None

Absent: None

Motion carried: 5-0

1. READING FOLDER

- a. Claims received by the City Clerk: Roy D. Center; and Stephen R. Day, Sr.

ACTION: Received and filed

- 2. WARRANT RESOLUTION 2465: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 13-05A AND 13-06 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 13-05A for \$-499.22, Payroll No. 13-06 for \$2,078,677.69 and City operating expenses for \$982,367.60, including payroll deductions.**

ACTION: Approved

- 3. WARRANT RESOLUTION 2466: 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 \$707,613.49.**

ACTION: Approved

ITEMS REMOVED FROM THE CONSENT CALENDAR (01:47:00)

- 4. 60th ANNIVERSARY CELEBRATION UPDATE WITH REQUESTS FOR STREET CLOSURES, SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES, AND DISCHARGE OF FIREWORKS AT THE KICK-OFF EVENT (01:47:00)**

Staff report provided by Dan Joyce, Public Affairs Manager. (01:48:00)

Discussion ensued regarding volunteers and the application process; street closures; and live entertainment and the booking process. (01:54:51)

PUBLIC COMMENTS (02:04:20)

Leigh Lo, Costa Mesa, stated that the Costa Mesa Community Foundation will be accepting donations to support this activity. (02:04:42)

Cornell Iliescu, Costa Mesa, offered to provide a World War II segment for the event. (02:05:05)

Howard Hull, Costa Mesa, complimented Staff and encouraged the Council Members to review the work the staff has put together for the event. (02:05:45)

Sue Lester, Costa Mesa, complimented the 60th Anniversary staff on an outstanding job and for all their support with this event. (02:06:37)

Council Member Leece announced that events honoring the Military at the 60th Anniversary celebration are planned. (02:07:28)

MOTION/SECOND: Council Member Leece/ 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:

- 1) City Council received and filed the updates to the conceptual plan, including new details about the kick-off event, for the 60th anniversary celebration; and
- 2) Approved Resolution No. 13-09: A RESOLUTION OF THE CITY OF COSTA MESA, CALIFORNIA, DESIGNATING THE STREET CLOSURES FOR THE CITY'S 60TH ANNIVERSARY CELEBRATION KICK-OFF EVENT; and
- 3) Approved the sale and consumption of alcoholic beverages on public property during the kick-off event in a confined area and with appropriate training for servers; and
- 4) Approved the fireworks show and direct staff to obtain the necessary permits through the Orange County Fair and Event Center.

OLD BUSINESS (02:08:24)

- 1. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADDING SECTION 1-21.1 OF CHAPTER I (GENERAL) OF TITLE 1 (GENERAL PROVISIONS), REPEALING SECTION 12-7 OF CHAPTER I (IN GENERAL) OF TITLE 12 (PARKS AND RECREATION), AND ADDING CHAPTER XIV (CAMPING AND STORAGE OF PERSONAL PROPERTY IN PUBLIC AREAS) OF TITLE 11 (OFFENSES – MISCELLANEOUS) OF THE COSTA MESA MUNICIPAL CODE RELATING TO STORAGE OF PERSONAL PROPERTY IN PUBLIC AREAS AND UNLAWFUL CAMPING**

Council Member Genis expressed concern regarding interim storage. (02:09:13)

Rick Francis, Assistant Chief Executive Officer, stated that discussions have taken place with the Police Department; and storage capacity. (02:09:56)

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:

City Council gave second reading to and adopted Ordinance 13-02, ADDING SECTION 1-21.1 OF CHAPTER I (GENERAL) OF TITLE 1 (GENERAL PROVISIONS), REPEALING SECTION 12-7 OF CHAPTER I (IN GENERAL) OF TITLE 12 (PARKS AND RECREATION), AND ADDING CHAPTER XIV (CAMPING AND STORAGE OF PERSONAL PROPERTY IN PUBLIC AREAS) OF TITLE 11 (OFFENSES – MISCELLANEOUS) OF THE COSTA MESA MUNICIPAL CODE RELATING TO STORAGE OF PERSONAL PROPERTY IN PUBLIC AREAS AND UNLAWFUL CAMPING, to be read by title only, and waive further reading.

PUBLIC HEARINGS (02:11:19)

1. AN APPEAL OF PLANNING APPLICATION PA-12-24 / TENTATIVE TRACT MAP TT-17508 FOR A DESIGN REVIEW AND SUBDIVISION MAP FOR A 17-UNIT SMALL LOT COMMON INTEREST DEVELOPMENT WITH SPECIFIED VARIANCES AND DEVIATIONS AT 1259 VICTORIA STREET

Mayor Righeimer inquired if any Council Members had outside communication with the property owners or the neighbors. (02:11:48)

Council Member Genis stated she had met with the applicants, and had a phone conversation with Mr. Barrett. (02:11:59)

Council Member Leece stated she had she had met with Mr. Barrett twice; and met with Pete Zehnder, the developer, as well as a phone conversation with him. (02:12:19)

Mayor Pro Tem Mensinger stated he has had several conversations with the applicant and Mr. Zehnder, as well as residents on Avimore Terrace, and has been to Mr. Zehnder's office. (02:12:43)

Council Member Monahan stated he had a short brief conversation with Mr. Zehnder. (02:12:58)

Mayor Righeimer stated he had a phone conversation with Mr. Zehnder, and an e-mail with Mr. Barrett. (02:13:01)

Staff report provided by Senior Planner Mel Lee. (02:13:14)

Discussion ensued concerning the site plan; massing definition; zoning codes and variances; existing topography; future landscaping; density; lot grazing; crib walls; windows; setback; view obstruction from Vista Park; building separation requirement; staging areas; and water quality management. (02:28:29)

Pete Zehnder, applicant, made a presentation about the project; addressed variance concerns; and responded to questions from the City Council. (03:19:35)

PUBLIC COMMENTS (04:26:24)

Kris Stewart, Costa Mesa, spoke about land purchase, earthquakes, traffic, peak hour turn regulations, and balcony issues. (04:26:27)

Tom Steinfield, Costa Mesa, expressed concern over the number of variances and deviation of development standards for parking. (04:29:04)

Bernie Kretchmar, Costa Mesa, spoke about design variance. (04:33:38)

Paul Barrett, Costa Mesa, spoke on loss of property value, view, and privacy to his property. (04:34:37)

Paula Litten, Costa Mesa, expressed concern over the number of variances and structure height. (04:38:43)

Lance Wanta, Costa Mesa, spoke about the property sign. (04:41:49)

Robin Leffler, Costa Mesa, expressed concern regarding zoning and variances. (04:43:30)

Discussion ensued regarding parking, windows, number of variances, CEQA, signage, dirt removal, architectural style, development value, site deviations, small lot subdivisions, earthquake safety, and traffic. (04:48:48)

MOTION/SECOND: Council Member Monahan/Mayor Pro Tem Mensinger
The motion carried by the following roll call vote:

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

Noes: Council Member Genis, and Council Member Leece

Absent: None

Motion carried: 3-2

ACTION: Upheld the Planning Commission's decision to approve Planning Application PA-12-24 and Tentative Tract Map TT-17508; and revised the last sentence of Item No. 25 of the Conditions of Approval (Exhibit B) to read, "The CC&R's shall contain restriction prohibiting parking in front of garage doors where no driveways are provided."

NEW BUSINESS (05:16:48)

1. SELECTION OF SUPPORTIVE HOUSING TEAM

Mayor Righeimer disclosed he was a Board Member of Mercy House and recused himself. (05:17:00)

Staff report provided by CEO Hatch. (05:17:51)

PUBLIC COMMENTS (05:20:33)

Flo Martin, Costa Mesa, spoke in support of the housing team. (05:20:48)

Becks Heyhoe, Costa Mesa, spoke in support of the housing team. (05:23:12)

Larry Haynes, Costa Mesa, spoke in support of the staff recommendation. (05:25:28)

MOTION/SECOND: Council Member Genis/Council Member Monahan

The motion carried by the following roll call vote:

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

Noes: None

Abstain: Mayor Righeimer

Motion carried: 4-0-1

ACTION:

- 1) City Council selected the development team comprised of Wakeland Housing and Mercy House Living Centers (Mercy House) to assist the City of Costa Mesa (City) and the Costa Mesa Housing Authority (Housing Authority) in providing permanent supportive housing to the Costa Mesa homeless population; and
- 2) Authorized the City staff to commence negotiations with the selected development team, with the initial objective to negotiate the terms of a Pre-Development Loan and Commitment of Funds Agreement for consideration and action by the City Council then submittal to the federal Department of Housing and Urban Development (HUD); and
- 3) Authorized staff and Mercy House to develop and implement a site selection process that will include review by the community and members of the former Homeless Task Force.

REPORT – CITY ATTORNEY - NONE

The Mayor Pro Tem adjourned the meeting at 11:33 p.m.

Stephen M. Mensinger, Mayor

Brenda Green, City Clerk

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

January 6, 2015

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

Council Members Absent: None

PUBLIC COMMENTS ON CLOSED SESSION ITEMS

CLOSED SESSION

The City Council recessed into Closed Session at 5:01 p.m. to consider the following items:

1. Conference with legal counsel regarding existing litigation: Costa Mesa Employees Association v. City of Costa Mesa, a municipal corporation, et al., Orange County Superior Court Case No. 30-2011 00475281, pursuant to California Government Code Section 54956.9(a).

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

CALL TO ORDER (00:00:36)

PLEDGE OF ALLEGIANCE (00:00:49) – Council Member Genis

MOMENT OF SOLEMN EXPRESSION (00:01:18)

Pastor David Manne, Calvary Chapel

ROLL CALL

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

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

CLOSED SESSION REPORT (00:03:00)

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

ANNOUNCEMENTS (00:03:09)

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

PRESENTATIONS (00:05:25)

Mayor Mensinger presented the Mayor's Award to Harlan Andersen. (00:05:36)

Mayor Mensinger presented the Mayor's Award to Clayton Peterson of Boathouse Collective. (00:12:12)

PUBLIC COMMENTS (00:18:20)

Tom Pollitt, Costa Mesa, spoke on the lawsuit with the Police Department; and recommended an investigation to be conducted. (00:39:28)

John W. Goddard, Costa Mesa, invited residents to visit the newly refinished Senior Center. (00:22:21)

Resident #3, Costa Mesa, requested the City provide quarterly reports in regards to Economic Development Plan for the City; and discussed pension liabilities. (00:23:55)

Barrie Fisher, Costa Mesa, spoke on the Costa Mesa connect application; and a neighborhood tenant parking issue. (00:26:28)

Gay Royer, Costa Mesa, spoke on the increased traffic congestion at night; and asked everyone to support Police Officers by placing a blue light outside their house. (00:28:57)

Ken Nyquist, Joshua Tree, congratulated Mayor Mensinger, Mayor Pro Tem Righeimer and Council Member Foley on win. (00:30:17)

Chuck Perry, Costa Mesa, congratulated Mayor Mensinger, Mayor Pro Tem Righeimer and Council Member Foley on win; discussed traffic within the City; and discussed damaged roads that need to be resurfaced. (00:31:19)

Greg Tunnell, Costa Mesa, read an excerpt from the Bible. (00:32:54)

Robin Leffler, Costa Mesa, announced January 9, 2015 is National Law Enforcement Appreciation Day asked that everyone wear or display Blue in their honor. (00:36:03)

Cindy Black, Costa Mesa, spoke on the BoatHouse Collective and the granite path in Fairview Park investigation. (00:37:49)

COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (00:41:04)

Council Member Genis reminded everyone the deadline to apply for Planning, Senior and/or Parks Recreation Commission is Wednesday, January 7, 2015 at 5:00 p.m.; noted the Comprehensive Annual Financial Report has been released; invited residents to attend Fairview Park Committee meeting Wednesday, January 7, 2015 at 6:00 p.m.; and discussed union responsibilities. (00:41:11)

Council Member Monahan wished Mayor Mensinger a Happy Birthday. (00:44:15)

Mayor Pro Tem Rigeimer spoke on the General Plan; the RFP for the library; the continued road work; and invited residents to visit the newly renovated Senior Center. (00:44:30)

Mayor Mensinger announced the retirement party January 8, 2014 at 5:30 p.m. for Ed Fawcett at Monahan's Restaurant; and announced the Mesa Verde Classic Golf Tournament. (00:47:01)

Council Member Foley requested CEO Mr. Hatch to schedule a study session on Fire Department staffing and operations; requested more information on the Teen Cert Academy; discussed Newport Blvd. roads and requested the inclusion of more sidewalks; requested updates from the District regarding Costa Mesa school academies and application process; requested a day long retreat with neighboring agencies to discuss priorities for their governing body; and reminded the public about the deadline to apply for the Planning, Parks and Recreation and/or Senior Commissions. (00:47:52)

REPORT – CHIEF EXECUTIVE OFFICER (CEO) (00:52:30)

CEO Hatch spoke on the success of the Snoopy House event and the RFP for the library architect.

CONSENT CALENDAR (00:54:47)

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 8 except for Items 4, 6 and 7.

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

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

ACTION:

City Council Waived Reading in Full of Ordinances and Resolutions and Approved and Adopted of Same by Reading Title Only.

2. **READING FOLDER**

- a. Claims Received by the City Clerk: Vivanco Alfredo, Scott Orchard, All State Insurance – A/S/O John Ordaz and Joshua Sarinana.

ACTION:

Received and Filed.

3. **WARRANT RESOLUTION NO. 2527 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 14-24 "A" FOR (\$-1,807.64) AND 14-25 for \$2,064,647.87; AND CITY OPERATING EXPENSES FOR \$4,718.087.24; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID**

ACTION:

Approved Warrant Resolution No. 2527, to be Read by Title Only and Further Reading Waived.

5. **MINUTES**

ACTION:

City Council Approved the Minutes of the Regular Meeting of the Costa Mesa City Council, and Successor Agency of: February 7, 2012, March 19, 2013, June 18, 2013 and November 18, 2014.

8. REFUND OF CASH DEPOSIT IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS13-00245 FOR PARKWAY IMPROVEMENTS AT 1036 AND 1042 W. 18TH STREET

ACTION:

City Council Authorized the Release and Refund of Cash Deposit in Connection with the Encroachment Permit No. PS13-00245 in the Amount of \$41,135 to MBK Southern California LTD, 4 Plaza Drive, Irvine CA 92614.

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

OLD BUSINESS: None

NEW BUSINESS – (00:55:55)

1. MODIFICATION TO THE BUSINESS IMPROVEMENT AREA (BIA) TO ADD “BLVD HOTEL” THAT WILL BE SUBJECT TO THE BIA ASSESSMENT

MOVED/SECOND: Council Member Foley/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

Motion carried: 5-0

ACTION:

1. City Council Introduced for the First Reading Ordinance No. 15-xx to be Read by Title Only and Waive Further Reading, Modifying the BIA to Add a New Hotel that Will be Subject to the BIA Assessment.

2. City Council Conducted a Public Meeting Regarding the Business Improvement Area (BIA) Modification to Include an Additional Hotel into the Business BIA.

2. URBAN MASTER PLAN SCREENING REQUEST (UMP-14-06) FOR A 4-UNIT RESIDENTIAL COMMON INTEREST DEVELOPMENT LOCATED AT 2068 MAPLE AVENUE (00:59:12)

Staff Report provided by Minoo Ashabi, Principal Planner. (00:59:40)

Mr. Lam, Applicant, spoke on the project and economic incentives. (01:04:04)

Mayor Pro Tem Righeimer and Council Member Foley discussed parking and deviations. (01:08:06)

Mr. Lam spoke on a subdivision map; the small lot ordinance; and setbacks. (01:09:03)

Discussion ensued regarding parking spaces for residents and guests. (01:11:09)

Mayor Pro Tem Righeimer spoke the parking codes currently in place and enforcement by the Homeowners Association verifying that the garages are being utilized by vehicles. (01:18:47)

Gary Armstrong, Director of Development Services, spoke on the Condition of Approval that requires that garage spaces are kept for parking only and requesting a letter affidavit from the Homeowners Association each year. (01:21:04)

Public Comments:

Jay Humphrey, Costa Mesa, spoke on parking enforcement around the City; and the roof deck versus open space. (01:25:10)

Sheila Pfafflin, Costa Mesa, spoke on density concerns, variances and overlays; and discussed development. (01:27:43)

Cynthia McDonald, Costa Mesa, spoke on the site plan, setbacks and overlays; recommended reviewing the Zoning Ordinance; and recommended a moratorium for high density projects. (01:30:00)

Richard Huffman, Costa Mesa, spoke on impacts of 3-story buildings on narrow streets; and his opposition to overlay zones. (01:32:06)

Robin Leffler, Costa Mesa, spoke on open space and the issue with privacy and agreed with a moratorium for high density projects; and discussed shade and shadow. (01:35:10)

Council Member Genis expressed concern with front setback and the availability of parking. (01:38:27)

Council Member Foley spoke on this project being a compatible use for the location; parking; and open space and setbacks. (01:40:51)

Mayor Pro Tem Righeimer spoke on the parking enforcement of parking in garages. (01:41:46)

ACTION:

City Council Provided Feedback on Proposed Urban Master Plan for a 3-Story, 4-Unit Residential Common Interest Development Project within the Mesa West Residential Ownership Urban Plan.

3. MODIFICATIONS TO PUBLIC COMMENTS, MEETING START TIME AND CONSENT CALENDAR ON THE CITY COUNCIL AGENDA – time

Staff Report provided by Stephen M. Mensinger, Mayor. (01:44:40)

Discussion on having Council Reports at the end of the meeting; Council Members time limits; and a formal agenda versus the business of the people. (01:48:29)

Council Member Foley recommended moving the Council Reports and CEO Report to the end of the meeting before City Attorney Report; Council Members staying within the three minute timeframe; and opposition to formalizing in a Resolution. (01:50:04)

Council Members responded to comments from the public, as the public makes comments then the Council Members should be able to respond; agreed not to formalize; supported the Mayor; and not addressing in a Resolution. (01:51:32)

Public Comments:

Mrs. Drain, Costa Mesa, spoke on the opposition to having speakers comment cards to be turned in by 5:45 p.m.; and posed concern with warrant documents no longer printed. (01:56:30)

Wendy Leece, Costa Mesa, spoke on the Public Comments being an important part of the meeting and suggested allowing residents to turn in cards while public comments are being conducted. (01:57:14)

Ken Nyquist, Joshua Tree, supports the change of order of business; agrees with having Public Comments at the end of the meeting; and supported the Council Members decisions. (01:59:09)

Jay Humphrey, Costa Mesa, agrees with Council members and CEO comments at the end of meeting; and spoke on the problem with limiting Council Member comment time. (02:01:32)

Speaker #1, Costa Mesa, expressed concern with changing the time of the meeting to 5:45 p.m.; and the opportunity for the residents to participate. (02:04:13)

Beth Rafakes, Costa Mesa, expressed concern with earlier starting time, and requiring speakers to fill out speaker cards before the first speaker; agreed that the Public Comments are the people's business; recommends letting speakers turn in their cards anytime during Public Comments; and supports having all Public Comments be heard at the beginning of the meeting. (02:06:38)

Sheila Pfafflin, Costa Mesa, spoke against the start time of the meeting being moved to 5:45 p.m.; turning in the Public Comments cards prior to the first speaker; and does not want to see the Council Members time reduced. (02:09:26)

Ann Parker, Costa Mesa, recommended having Public Comment cards to be turned in anytime during the Public Comment section of the meeting. (02:11:47)

Mary Spadoni, Costa Mesa, discussed the 1st amendment; does not agree with limiting the Council Member time to three minutes. (02:12:47)

Joanne Perler, Costa Mesa, discussed the Business of the People vs. the agenda items; no concern with new meeting start time; opposed turning in a Public Comment card prior to the first speaker; and opposed to Council Members being limited to three minutes. (02:15:09)

Robin Leffler, Costa Mesa, agreed that Council Members should not be limited to three minutes; spoke on the Business of the People; opposed changing start time and submitting Public Comments cards prior to the first speaker; discussed the Brown Act; and requested all comments be at to the beginning of the meeting. (02:17:36)

James Bridges, Costa Mesa, spoke on traffic congestion; addressing Council Members; discussed Closed Session running over time; and commented that there are many presentations that are time consuming. (02:20:58)

Council Member Genis expressed concern with turning in the Public Comment cards prior to the first speaker; and agreed to having Public Comments no earlier than 6:00 p.m. (02:24:15)

Mayor Pro Tem Righeimer spoke on the additional time for Public Comments; submitting the Public Comment cards prior to the first speaker; and requested that Council Members follow the three minute timeframe but not adopt by Resolution. (02:27:18)

MOVED/SECOND: Council Member Foley/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

Motion carried: 5-0

ACTION:

City Council Adopted Resolution No. 15-01 that Allows for More Public Comments Near the Beginning of City Council Meetings; Changes the Regular City Council Meeting Start Time to 5:45 p.m.; Requests Members of the Public Wanting to Speak on Matters during "Public Comments" to Submit a Speaker Card during the "Public Comments" Period for Non-Agenda Items; up to 6:40 p.m. or prior to the last speaker, whoever is earlier. Any Requests to Speak on Non-Agenda Items Not Heard Prior to 6:40 p.m. Will be Allowed to Speak at the End of the Meeting; Removes the "Continued Public Comments" and "Continued Council Member Comments" Sections from the City Council Agenda; and Requires Members of the Public Wanting to Speak on a Consent Calendar Item on the City Council Agenda to Submit Such a Request on a Speaker Card Prior to the Start of the Consent Calendar.

ITEMS REMOVED FROM THE CONSENT CALENDAR (02:35:56)

4. PROFESSIONAL ENGINEERING SERVICES FOR THE UPDATE OF THE CITY'S PAVEMENT MANAGEMENT PROGRAM

Public Comments:

Ann Parker, Costa Mesa, spoke on street paving done by Black Stone; and the proper overseeing procedures of projects. (02:36:36)

Council Member Foley clarified that the item is not for the hiring of a contractor, but instead it is a hiring of a contractor to do an update of the pavement management program to create a 7 year plan to have proper paving of the City. (02:38:33)

Ernesto Munoz, Director of Public Services, stated that the City is required by the Orange County Transit Authority to have a pavement management system and the contract is awarded on the basis best qualified consultant. (02:39:01)

Council Member Foley asked if the consultant will review any existing paved areas. (02:39:52)

Ernesto Munoz responded part of their scope is to evaluate the methods we use and make recommendations. (02:40:07)

MOVED/SECOND: Council Member Foley/Council Member Monahan

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council Awarded a Contract to Bucknam Infrastructure Group, Inc., 3548 Seagate Way, Suite 230, Oceanside, CA 92056, in an Amount Not to Exceed \$88,475 for Annual Updates to the City's Pavement Management Program and Authorized the Mayor and City Clerk to Execute the Professional Services Agreement.

6. FINAL MAP FOR TRACT NO. 17450 LOCATED AT 1974 MEYER STREET

Public Comments:

Jay Humphrey, Costa Mesa, discussed both Tract Maps in conjunction for Consent Calendar #6 and Consent Calendar #7; discussed increasing densities and impacts of parking. (02:40:57)

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

Motion carried: 5-0

ACTION:

City Council Approved the Final Map for Tract No. 17450 and Authorize the Signing of Final Tract Map No. 17450 by the City Clerk and the City Engineer.

7. FINAL MAP FOR TRACT NO. 17663 LOCATED AT 2183, 2187 AND 2191 MINER STREET

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

Motion carried: 5-0

ACTION:

City Council Approved the Final Map for Tract No. 17663 and Authorized the Signing of Final Map Tract No. 17663 by the City Clerk and the City Engineer.

CONTINUED PUBLIC COMMENTS (02:42:44)

Charles Mooney, Costa Mesa, discussed medical marijuana and edibles; and suggested more regulations and detail in regards to edible marijuana. (02:43:21)

Ann Parker, Costa Mesa, supports dropping the outstanding lawsuit with the two Council Members and the Police Department. (02:46:28)

Mrs. Drain, Costa Mesa, requested a forensic audit be conducted for the 60th anniversary expenses. (02:48:13)

Mary Spadoni, Costa Mesa, spoke on the reduced law enforcement work force; the oneline system for seeing police calls; and residents need to be proactive in the City. (02:51:08)

COUNCIL MEMBER COMMENTS ON CONTINUED PUBLIC COMMENTS – (02:54:09)

Mayor Pro Tem Righeimer discussed medical marijuana and noted it will be brought to Council to be voted on as an Ordinance and the initiatives will be placed on the ballot in November of 2016; discussed the independent audit and the cost. (02:54:12)

Council Member Foley responded to the Public Comments regarding medical marijuana and the public should wait until the report is provided by the Attorney. (02:57:01)

REPORT – CITY ATTORNEY – (02:58:12)

ADJOURNMENT – To the Regular Meeting, January 20, 2015, 5:00 p.m.

The Mayor adjourned the meeting at 8:56 p.m.

Stephen M. Mensinger, Mayor

Brenda Green, City Clerk

**MINUTES OF THE REGULAR MEETING OF THE COSTA MESA CITY COUNCIL
February 5, 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 Monahan, Council Member Genis, and Council Member Leece
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 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 City 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 reconvened at 6:00 p.m.

CALL TO ORDER (00:00:08)

CITY ATTORNEY CLOSED SESSION REPORT - NONE

Mayor Righeimer announced the City Council will return to closed session after the regular meeting. (00:00:20)

PLEDGE OF ALLEGIANCE (00:00:35) – Led by Council Member Leece

MOMENT OF SOLEMN EXPRESSION (00:00:58)

Minister Begin, Costa Mesa Church of Christ

ROLL CALL (00:02:15)

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

Absent: None

Officials Present: Chief Executive Officer Thomas R. Hatch, City Attorney Thomas Duarte, 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 IT Director Bobby Young, Public Affairs Manager Bill Lobdell, Transportation Services Manager Raja Sethuraman, and City Clerk Brenda Green

ANNOUNCEMENTS (00:02:32)

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

PRESENTATIONS (00:05:13)

Wyndham, Australia, Sister City Students Program student exchange recognition. (00:05:18)

Mayor's Award to Shaheen Sadeghi, Owner/Operator of The Lab and The Camp. (00:18:55)

PUBLIC COMMENTS (00:28:07)

James Bridges, Costa Mesa, spoke on homeless issues. (00:28:26)

Marisa David, Costa Mesa, spoke on homeless issues. (00:30:11)

John Hawley, Costa Mesa, spoke on urban coyotes. (00:32:32)

Gabriel Carona, Commander of American Legion Costa Mesa Post 455, spoke about the veteran community and meetings and activities. (00:36:33)

Beverly Wolter, Costa Mesa, spoke on the Anchor Trailer Port Mobilehome Park. (00:38:27)

Reggie Mundekis, invited the community to an open house at the Fairgrounds. (00:41:42)

Brenda McGee, Costa Mesa, spoke on the Anchor Trailer Port Mobilehome Park. (00:43:52)

Eleanor Egan, Costa Mesa, spoke on the solar panels at the OC Registrar's Office. (00:47:05)

Maria McCarty, Costa Mesa, encouraged adopting an ordinance regarding mobile home park closures. (00:48:16)

UNOFFICIAL UNTIL APPROVED

Joy Williams, Costa Mesa, requested development of more recreational and entertainment activities. (00:51:45)

James Proctor, Costa Mesa, spoke about President Obama and a Secret Service meeting. (00:53:12)

Beth Refakes, Costa Mesa, spoke about a Veterans Hall; homeless in Lions Park; and bike lanes on Broadway. (00:56:15)

Greg Thunell, Costa Mesa, spoke on city elections; politics; graffiti; and newspaper articles. (00:58:59)

Chris McEvoy, Costa Mesa, spoke on the recall effort. (01:02:40)

Frank Gutierrez, Costa Mesa, Chairperson of the Cultural Arts Committee, requested support of the arts in the city. (01:03:50)

COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (01:06:20)

Council Member Genis spoke on coyote fencing; solar panels; Fairgrounds open house; acoustics at the Pacific Amphitheatre; and traffic at the Fairgrounds. (01:06:54)

Council Member Leece spoke on challenges and safety at Lions Park; bike safety on Broadway; Anchor Trailer Port issues; Aviation Committee meeting; Costa Mesa Historical Society; and the American Legion Post. (01:10:19)

Council Member Monahan spoke about homeless issues; coyote activity; and requested an update on the Early College program. (01:17:57)

Mayor Righeimer requested a Veterans Hall update; spoke about coyotes; and a meeting with students from St. Joachim. (01:19:55)

Mayor Pro Tem Mensinger spoke on the Mesa Verde Classic; coyote issues; homeless issues; park resources; Pop Warner 50th Anniversary; and a Veterans Memorial. (01:22:13)

REPORT – CHIEF EXECUTIVE OFFICER (CEO) (01:29:17)

CEO Hatch spoke on solar panels; coyotes; Veterans Hall; Fairview Park Wetlands and Habitat grand opening; Neighborhood Improvement Task Force; Lions Park safety and homeless issues; mid-year budget review; pension study session; Anchor Trailer Port; and an introduction of the Costa Mesa Works video. (01:29:20)

CONSENT CALENDAR (01:42:50)

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 8.

MOVED/SECOND: Council Member Monahan/Council Member Leece

The motion carried by the following roll call vote:

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

Noes: None

Absent: None

Motion carried: 5-0

1. READING FOLDER

(a) Claims received by the City Clerk: Jacques Vanders; Marie Szecsei; Anabelle Vo; Dennis Yocum.

ACTION: Received and filed

2. MINUTES: Special Meeting October 26, 2010

ACTION: Approved

3. WARRANT RESOLUTION 2456: 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 \$909,484.03

ACTION: Approved

4. WARRANT RESOLUTION 2457: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 13-01A AND 13-02 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 13-01A for \$-352.70, Payroll No. 13-02 for \$2,105,439.20 and City operating expenses for \$1,158,969.77, including payroll deductions

ACTION: Approved

5. WARRANT RESOLUTION 2458: 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 \$3,130,577.45

ACTION: Approved

6. 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

ACTION: City Council adopted the Resolution establishing a ticket distribution policy regarding tickets and/or passes in conformance with the California Code of Regulations §18944.1

7. ADOPTION OF FPPC FORM 806 LISTING ALL COMPENSATED COUNCIL APPOINTMENTS

ACTION: City Council adopted the Fair Political Practices Commission (FPPC) Form 806, listing all Council appointments for which compensation is received and directed the City Clerk to post Form 806 on the City's website.

8. ENERGY PARTNERSHIP CONTRACT EXTENSION BETWEEN SOUTHERN CALIFORNIA EDISON AND THE CITY OF COSTA MESA FOR 2013-2014

ACTION: City Council authorized the City CEO to execute an extension to the existing energy partnership agreement between the City of Costa Mesa and Southern California Edison for 2013-2014.

PUBLIC HEARINGS - NONE

OLD BUSINESS - NONE

NEW BUSINESS (01:43:28)

1. 60TH ANNIVERSARY CELEBRATION CONCEPT AND PROPOSED BUDGET (01:43:30)

Staff report by Dan Joyce, Public Affairs Manager; and Mike Scheafer, 60th Anniversary Committee Chairman. (01:44:06)

CEO Hatch clarified the recommended action would be to appropriate \$125,000 from the operating budget contingency funds for the 60th Anniversary event. (01:54:09)

Discussion ensued regarding a legacy arts program, and sponsorships. (01:55:17)

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

The motion carried by the following roll call vote:

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

Noes: None

Absent: None

Motion carried: 5-0

ACTION:

1. City Council provided direction regarding the conceptual plan for the 60th Anniversary Celebration; and
2. Approved the expenditure of \$125,000 in appropriated general fund contingency dollars toward the 60th Anniversary Celebration.

2. CONSIDERATION OF COUNCIL MEMBER REQUEST FOR REHEARING REGARDING APPOINTMENTS OF PLANNING COMMISSIONERS (02:03:19)

Council Member Genis stated she requested the rehearing due to procedural errors. (02:03:28)

City Attorney Duarte clarified if the rehearing is approved the Planning Commissioners would not be selected this night. (02:03:40)

CEO Hatch spoke on the vacancy process; indicated that the third vacancy required a 10-day posting period; and requested the entire appointment process be redone. (02:04:25)

Public Comments:

Daniel Hoffman, Costa Mesa, spoke in support of the rehearing for all three positions. (02:06:50)

Robin Leffler, Costa Mesa, spoke in support of the rehearing for all three positions. (02:09:16)

Tamar Goldmann, Costa Mesa, spoke in support of the rehearing for all three positions. (02:10:19)

Eleanor Egan, Costa Mesa, spoke in support of the rehearing; her application for the position; and her past experience supporting her application. (02:11:01)

Jay Humphrey, Costa Mesa, spoke in support of the rehearing request for all three positions. (02:14:03)

Council Member Leece spoke in support of the rehearing request. (02:14:40)

MOTION/SECOND: Council Member Leece/Council Member Genis

Council Member Monahan stated he would not support the rehearing; noting technicality, and indicated two members are ready to serve. (02:16:23)

Council Member Genis stated the dynamics had changed; and the process needs to be redone. (02:17:03)

Mayor Righeimer spoke in support of the rehearing. (02:17:40)

The motion carried by the following roll call vote:

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

Noes: Mayor Pro Tem Mensinger, and Council Member Monahan

Absent: None

Motion carried: 3-2

ACTION: City Council approved the rehearing request by Council Member Genis.

3. APPOINTMENT OF PLANNING COMMISSIONER (02:18:40)

Council Member Genis stated all three appointments should be made at one time. (02:19:24)

Council Member Leece stated all three appointments should be made at one time.. (02:20:01)

Council Member Monahan stated that the appointment of all three at one time had already been done, and he would not be supporting the motion. (02:21:01)

Public Comments:

Robin Leffler, Costa Mesa, spoke in support of considering all three at the same time. (02:21:48)

Daniel Hoffman, Costa Mesa, spoke in support of considering all three at the same time. (02:23:19)

Tamar Goldmann, Costa Mesa, spoke in support of considering all three at the same time; and spoke in support of Eleanor Egan for Planning Commission. (02:23:44)

Harold Weitzberg, Costa Mesa, commented on qualifications of a Planning Commissioner; and suggested Eleanor Egan for the Planning Commission. (02:26:32)

Brenda Green, City Clerk, announced there were 13 applicants for the Planning Commission, and read their names into the record for consideration. (02:27:05)

MOTION/SECOND: Council Member Leece/Council Member Genis

Mayor Pro Tem Mensinger stated he would support the motion but opined it will not change the outcome; and apologized to the applicants for continuing the item. (02:28:03)

The motion carried by the following roll call vote:

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

Noes: Council Member Monahan

Absent: None

Motion carried: 4-1

ACTION: Continued to the next City Council meeting.

4. APPOINTMENTS TO THE PARKS AND RECREATION COMMISSION (02:29:43)

Staff report by Brenda Green, City Clerk. (02:29:51)

Public Comments:

Harold Weitzberg, Costa Mesa, spoke on his candidacy and qualifications. (02:35:21)

Daniel DiBassio, III, Costa Mesa, spoke on his candidacy and qualifications. (02:36:16)

Tamar Goldmann, Costa Mesa, spoke on impartiality in the appointment process. (02:38:59)

Don Harper, Costa Mesa, spoke on his candidacy and qualifications. (02:40:24)

Teresa Drain, Costa Mesa, spoke on her candidacy and qualifications. (02:41:02)

Robert Graham, Costa Mesa, spoke on his candidacy and qualifications. (02:43:13)

Council Member Leece spoke in support of changing the selection process, and her screening process; and thanked the applicants. (02:45:30)

Mayor Pro Tem Mensinger spoke on his screening process; the importance of each Council Member to speak with the candidates; and future changes to the process. (02:48:50)

Council Member Genis spoke on past Council Member interviews, and doing interviews as a group. (02:51:55)

Mayor Righeimer stated he met with some of the candidates; and stated the four-year terms will be appointed first. (02:52:52)

MOTION: Appoint Kim Pederson for a four-year term

MOVED/SECOND: Council Member Leece/Council Member Monahan

The motion carried by the following roll call vote:

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

Noes: None

Absent: None

Motion carried: 5-0

MOTION: Appoint Don Harper for a four-year term

MOVED/SECOND: Mayor Righeimer/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: Council Member Leece

Absent: None

Motion carried: 4-1

MOTION: Appoint Daniel DiBassio for a two-year term

MOVED/SECOND: Council Member Genis/Council Member Leece

The motion failed by the following roll call vote:

Ayes: Council Member Genis, and Council Member Leece

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

Absent: None

Motion failed: 2-3

MOTION: Appoint Robert Graham for a two-year term

MOVED/SECOND: Council Member Monahan/Council Member Genis

The motion carried by the following roll call vote:

Ayes: Council Member Monahan, Council Member Genis, and Council Member Leece

Noes: Mayor Righeimer, and Mayor Pro Tem Mensinger,

Absent: None

Motion carried: 3-2

MOTION: Appoint Byron de Arakal for a two-year term

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

The motion carried by the following roll call vote:

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

Noes: None

Absent: None

Motion carried: 5-0

Mayor Righeimer stated the City Council would not adjourn into the closed session. (03:01:19)

REPORT – CITY ATTORNEY - NONE

ADJOURNMENT – TO REGULAR ADJOURNED MEETING/STUDY SESSION, FEBRUARY 12, 2013, 4:30 P.M.

The Mayor adjourned the meeting at 9:15 p.m.

Stephen M. Mensinger, Mayor

Brenda Green, City Clerk

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

January 20, 2015

CALL TO ORDER

The meeting was called to order by the Mayor at 5:45 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

CALL TO ORDER (00:00:23)

PLEDGE OF ALLEGIANCE (00:00:37) – Mayor Pro Tem Righeimer

MOMENT OF SOLEMN EXPRESSION (00:00:59)

Rev. Sian Wiltshire, Orange Coast Unitarian Universalist Church

ROLL CALL

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

Absent: Council Member Monahan (Arrived at 6:21 p.m.)

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

CLOSED SESSION REPORT (00:04:29)

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

ANNOUNCEMENTS (00:04:37)

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

PRESENTATIONS (00:06:32)

1. 2015 Wyndham Sister City Education Exchange

Mayor Mensinger and the City of Costa Mesa welcomed our Sister City Australian Delegates. He thanked and welcomed the students from Hoppers Crossing Secondary College and Werribee Secondary College. (00:06:58)

PUBLIC COMMENTS (00:16:04)

Richard Russell, Costa Mesa, spoke on the State of the Union and debt service; the City Budget; and financial prudence. (00:16:44)

Mary Spadoni, Costa Mesa, spoke on the Officer Law Enforcement Appreciation Day. (00:19:54)

Karl Ahlf, Costa Mesa, spoke on the homeless issues; and the need for more Police Officer's. (00:21:43)

Speaker, Costa Mesa, spoke on Fairview Park Trail; and coffee with the Mayor. (00:23:02)

Speaker, Costa Mesa, spoke on Economic Development; and the Parks Master Plan. (00:24:18)

Robin Leffler, Costa Mesa, spoke on paying down the unfunded pension liability; and spoke on public comments. (00:27:42)

Jeff Mathews, Costa Mesa, spoke on the two Council Members lawsuit with the Police Association. (00:30:02)

Sue Lester, Costa Mesa, spoke on the shooting an individual while serving a warrant; and a wake. (00:33:28)

Travis Azevedo, Costa Mesa, spoke on the Medical Marijuana initiatives. (00:36:25)

Chuck Perry, Costa Mesa, spoke on citizens speaking with the Mayor; and the Mayor helping a youth. (00:38:14)

Gay Royer, Costa Mesa, spoke on traffic concerns on Victoria; and delays at a left signal. (00:39:52)

James Bridges, Costa Mesa, spoke on the City Council's pensions; Charter; and Police Department. (00:41:35)

Beth Rafakes, Costa Mesa, inquired on implementation of signal preemption; spending funds on upgrading the fire stations; the homeless issues; and meeting place for Veterans. (00:44:54)

COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (00:47:55)

Council Member Monahan spoke on the success of the Mesa Verde Classic Charity Golf Tournament Fundraiser; discussed a wake and fundraiser at Monahan's restaurant. (00:48:10)

Mayor Pro Tem Righeimer spoke on the Parks Master Plan and Fairview Park Master Plan; spoke on development and increase of property taxes. (00:51:31)

Mayor Mensinger spoke on the success of the Mesa Verde Mesa Verde Classic Charity Golf Tournament Fundraiser; discussed the Parks and Recreation Commission Meeting; and encouraged communication with Mayor. (00:54:10)

Council Member Foley thanked donors who supported the Mesa Verde Classic Charity Golf Tournament Fundraiser; requested update on Medical Marijuana Ordinance; and library meeting spaces available. (00:56:02)

Council Member Genis spoke on the Orange County Council of Governments Meeting; requested a ½ day goal setting session including fiscal issues; a cost-revenue study; and property taxes. (00:57:33)

REPORT – CHIEF EXECUTIVE OFFICER (CEO) (01:00:49)

CEO Hatch spoke on the scheduled February 10 and February 24 study sessions on the budget; attended graduation of police officers from the academy; Police Appreciation Day; follow-up with the Medical Marijuana Initiatives; and recommended Public Hearing Item #2 be moved to the end of the meeting.

COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS (01:05:02)

2. APPEAL OF THE REVOCATION OF PLANNING APPLICATION PA-87-154: CONDITIONAL USE PERMIT FOR A NEIGHBORHOOD RECYCLING FACILITY (REPLANET, FORMERLY EARTHWIZE RECYCLING) 2180 NEWPORT BOULEVARD

MOVED/SECOND: Council Member Genis/Council Member Foley

The motion carried by the following roll call vote:

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

Nays: None

Abstain: Council Member Monahan

Absent: None

Motion carried: 4-0-1

ACTION:

City Council Moved Public Hearing Item #2 to the End of the Meeting.

CONSENT CALENDAR (01:08:54)

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 9 except for Items 7 and 8.

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

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer, and 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 Approved and Adopted of Same by Reading Title Only..

2. **READING FOLDER**

- a. Claims Received by the City Clerk: Christian Flores, Jannet Flores, Jazmine Flores, Tiffany Mullin, Kailee Olsen, Justino Perez and Vicki Renea Sakioka.

ACTION:

City Council Received and Filed.

3. **WARRANT RESOLUTION NO. 2528 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 14-25 "A" FOR \$1,913.03, 14-26 FOR \$2,395,410.80, 14-26 "A" FOR \$5,697.78, 15-01 \$2,138,006.93; AND CITY OPERATING EXPENSES FOR \$1,337,703.81 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID**

ACTION:

Approved Warrant Resolution No. 2528, to be Read by Title Only and Further Reading Waived.

4. PARKING LOTS REHABILITATION PROJECT: FIRE STATION NO. 5 (PROJECT "A") AND CANYON PARK (PROJECT "B") – CITY PROJECT NO. 14-02

ACTION:

1. City Council Accepted the Work Performed by Superior Paving, Inc. DBA United Paving Company and Authorized the City Clerk to File the Notice of Completion; and
2. City Council Authorized the Release of the Labor and Material Bond Seven (7) Months after the Filing Date; Release the Faithful Performance Bond One (1) Year after the Filing Date; and Release the Retention Monies 35 Days after the Notice of Completion Filing Date.

5. MINUTES OF THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY MEETINGS OF DECEMBER 6, 2011, JANUARY 8, 2013, FEBRUARY 19, 2013 AND DECEMBER 2, 2014; THE ADJOURNED MEETING/SPECIAL STUDY SESSION OF FEBRUARY 26, 2013 AND MAY 28, 2013; THE SPECIAL JOINT CITY COUNCIL AND PARKS AND RECREATION COMMISSION OF MAY 14, 2013; THE SPECIAL JOINT STUDY SESSION OF THE CITY COUNCIL AND HOUSING AUTHORITY OF JUNE 11, 2013; AND THE SPECIAL JOINT MEETING OF THE CITY COUNCIL AND THE HOUSING AUTHORITY OF JUNE 11, 2013

ACTION:

City Council Approved the Minutes.

6. 2013 – 2014 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT: BAKER STREET ALLEY (ALLEY NO. 120) AND LA SALLE AVENUE ALLEY (ALLEY NO. 121) IMPROVEMENT PROJECT – CITY PROJECT NO. 14-05

ACTION:

1. City Council Accepted the Work Performed by Patriot Paving, Inc., and Authorized the City Clerk to File the Notice of Completion; and
2. City Council Authorized the Release of the Labor and Material Bond Seven (7) Months after the Filing Date; Release the Faithful Performance Bond One (1) Year after the Filing Date; and Release the Retention Monies 35 Days after the Notice of Completion Filing Date.

9. FISCAL YEAR 2013 – 2014 INDEPENDENT FINANCIAL AUDIT OF THE COSTA MESA HOUSING AUTHORITY, AS HOUSING SUCCESSOR; AND, HOUSING SUCCESSOR ANNUAL REPORT OF THE LOW AND MODERATE INCOME HOUSING ASSET FUND PURSUANT TO SECTION 34176.1 OF THE DISSOLUTION LAW

ACTION:

City Council and Housing Authority Received and Authorized the Filing of the Fiscal Year 2013 – 2014 Independent Financial Audit of the Low and Moderate Income Housing Asset Fund and the Fiscal Year 2013 – 2014 Housing Successor Annual Report.

ITEMS REMOVED FROM THE CONSENT CALENDAR (01:09:59)

7. DEDICATION OF STORM DRAIN EASEMENT – CANYON PARK

Ernesto Munoz, Public Services Director, clarified that the title of the report should read Dedication of Storm Drain Easement instead of Acceptance of Storm Drain Easement. (01:10:02)

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, and Mayor Mensinger.

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council Adopted the Resolution to be Read by Title Only and Waived Further Reading, to Dedicate a Storm Drain Easement within Canyon Park.

8. ANIMAL SHELTER SERVICES

Council Member Genis spoke on animal shelter services contract; various contracted shelters through the year; euthanasia rates; requested developing additional performance standards; and discussed the need for the shelter do update their website. (01:11:19)

Council Member Monahan spoke on animal shelters. (01:14:10)

Council Member Foley suggested returning to the Council in 6 months to discuss performance standards. (01:15:32)

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Righeimer
The motion carried by the following roll call vote:
Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer, and Mayor Mensinger.
Nays: None
Absent: None
Motion carried: 5-0

ACTION:

1. City Council Awarded the Animal Shelter and Related Services Contract to the Orange County Humane Society (OCHS), 21632 Newland St., Huntington Beach, California, in the Amount of \$75,000 with Automatic Annual Adjustments as Specified in the Professional Services Agreement; and
2. City Council Authorized the Mayor and the City Clerk to Execute the Professional Services Agreement for the Contract.

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

PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55): (01:17:13)

1. MODIFICATION TO THE BUSINESS IMPROVEMENT AREA (BIA) TO ADD “BLVD HOTEL” THAT WILL BE SUBJECT TO THE BIA ASSESSMENT

Council Member Monahan complimented the owners and operators of the BLVD Hotel and joining the BIA. (01:17:46)

Mayor Mensinger complimented the renovations and upgrades of the hotel. (01:18:23)

Public Hearing was Opened, No Public Comments, Public Hearing Closed.

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, and Mayor Mensinger.
Nays: None
Absent: None
Motion carried: 5-0

ACTION:

1. City Council Conducted a Public Hearing Regarding the Business Improvement Area (BIA) Modification to include an Additional Hotel into the Business BIA and Accepted Public Comments Regarding Such Proposed Modification; and
2. City Council Conducted the Second Reading and Approved Ordinance No. 15-01 to be Read by Title Only and Waived Further Reading, Modifying the BIA to Add a New Hotel that Will be Subject to the BIA Assessment and Consider Adoption of the Same.

OLD BUSINESS: None

NEW BUSINESS – (01:19:17)

1. **AWARD A PROFESSIONAL SERVICES AGREEMENT FOR ARCHITECTURAL SERVICES FOR THE DONALD DUNGAN LIBRARY AND NEIGHBORHOOD COMMUNITY CENTER PRELIMINARY DESIGN PHASE**

Tammy Letourneau, Assistant Chief Executive Officer, presented Staff Report. (01:19:39)

Council Member Monahan requested a review of the policies for the meeting spaces. (01:25:22)

Council Member Foley inquired when the community workshops were occurring during the predesign phasing plan. (01:26:04)

Steve Johnson, of Johnson Favaro, responded and discussed the three community workshops that will occur. (01:27:06)

Council Member Genis discussed connecting the two facilities with a breezeway but to not conflict with the open space required at Lions Park. (01:30:20)

Public Comments:

Bob Ooten, Costa Mesa, President of the Costa Mesa Friends of the Library spoke in support of the conversion of the Community Center to the library. (01:31:43)

Kyle Woosley, Costa Mesa, representing the Chamber of Commerce, spoke in support of the library project. (01:34:28)

Mary Ellen Goddard, Costa Mesa, spoke in support of the library project. (01:34:46)

Charlene Ashendorf, Costa Mesa, spoke on the central library project in the City of Irvine; spoke in support of the library project; and a fundraising library project fund. (01:37:12)

Robin Leffler, Costa Mesa, spoke on the preservation of the Community Center and meeting rooms; supports expansion of the library; and preservation of the center. (01:39:54)

Barrie Fisher, Costa Mesa, spoke in support of a library expansion; and a homeless taskforce at Lions Park. (01:41:39)

Beth Rafakes, Costa Mesa, spoke on keeping the Community Center and the the meeting rooms; expressed concern with financing; and discussed the homeless. (01:43:05)

Chuck Perry, Costa Mesa, spoke in the opposition of the library project and the loss of the Community Center. (01:45:33)

Karl Ahlf, Costa Mesa, spoke in support of the library project. (01:46:36)

Al Melone, Costa Mesa, spoke in opposition of the library project. (01:48:29)

Christopher Otis, Costa Mesa, spoke in support of the library project. (01:50:44)

Speaker, Costa Mesa, spoke in opposition of the library project because it will take away the Community Center. (01:51:35)

Cindy Black, Costa Mesa, spoke in the opposition of the library project. (01:53:55)

Kathy Esfahohani, Costa Mesa, spoke in opposition of the library project and the loss of the Community Center. (01:55:35)

Frank Forbath, Costa Mesa, spoke in opposition of the library project. (01:57:29)

Council Member Foley thanked all the speakers during public comment; spoke on space available in the proposed library to accommodate a vibrant Community Center as the Library can be upgraded; redesign of the library is needed for technological advancements and to meet the current needs of the public; and better usage of space. (02:00:33)

Mayor Pro Tem Righelmer spoke on the upgrading of the library and Community Center; current inefficient space; and a commitment to find meeting space. (02:04:27)

Council Member Monahan spoke on supporting the motion; supports having enclosed walkways to connect the buildings; need for focus on technology and buildings to be upgraded; spoke on homeless issues; and requested the Mesa Verde Library ADA accessibility be reviewed. (02:08:39)

Council Member Genis spoke in support of the library project; spoke on library standards; noted the Irvine business excise tax; usage of school; and City facilities. (02:11:42)

Mayor Mensinger discussed shared facilities; maintaining meeting space; and discussed upgrading facilities. (02:14:32)

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council Authorized the CEO to Sign the Professional Services Agreement for an Amount not to Exceed \$125,125 to Johnson Favaro, 5898 Blackwelder Street, Culver City, CA 90232, for the Preliminary Design Phase of the Donald Dungan Library and Neighborhood Community Center (NCC) Projects, Including the Outdoor Space Surrounding these Sites.

2. APPOINTMENTS TO THE PLANNING COMMISSION, PARKS AND RECREATION COMMISSION, AND SENIOR COMMISSION (02:17:02)

Brenda Green, City Clerk, presented Staff Report. (02:17:17)

Public Comments:

Josue Castaneda, Costa Mesa, spoke on his application submitted to the Senior Commission and asked for Council's consideration for the Commission. (02:20:50)

Sue Lester, Costa Mesa, spoke on diverse applicants for various Commissions. (02:23:27)

Kim De Broux, Costa Mesa, introduced herself and spoke on her application for the Parks and Recreation Commission. (02:34:33)

Karl Ahlf, Costa Mesa, spoke in support of Jay Humphrey, Harold Wietzberg and Wendy Leece. (02:26:21)

Harold Weitzberg, Costa Mesa, spoke in support of Andrea Marr for Planning Commission. (02:27:13)

Libby Doughty, Costa Mesa, introduced herself and spoke on her experience and application submitted for the Parks and Recreation Commission. (02:28:33)

Christopher Otis, Costa Mesa, spoke on the work of the Mayor and Mayor Pro Tem. (02:29:52)

Council Member Genis spoke on the process and the applicant's different skill sets. (02:31:20)

PLANNING COMMISSION (02:32:38)

MOTION: Appoint Andrea Marr

Motion/Second: Council Member Genis/Council Member Foley

The motion failed 2-3:

Ayes: Council Member Foley, Council Member Genis

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

Absent: None

MOTION: Appoint Robert L. Dickson, Jr.

Motion/Second: Council Member Monahan/Mayor Mensinger

The motion carried: 4-1:

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

Noes: Council Member Foley

Absent: None

MOTION: Appoint Byron de Arakal

Motion/Second: Council Member Foley/

Motion failed for the lack of a second.

MOTION: Appoint Jeff R. Matthews

Motion/Second: Mayor Pro Tem Righeimer/Council Member Monahan

The motion carried: 3-2:

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

Noes: Council Member Genis and Council Member Foley

Absent: None

MOTION: Appoint Stephan H. Andranian

Motion/Second: Mayor Mensinger/Mayor Pro Tem Righeimer

The motion carried: 3-2:

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

Noes: Council Member Genis and Council Member Foley

Absent: None

ACTION:

1. City Council Appointed and Filled the Three Vacancies on the Planning Commission: Stephan H. Andranian, Robert L. Dickson, Jr. and Jeff R. Matthews, all to a 4 Year Term.

Council Member Foley inquired with the City Attorney about changing the process of selecting Commissioner's. (02:35:38)

City Attorney Duarte responded that it would need to be agendized and a majority vote to change the policy. (02:36:05)

Council Member Monahan commented that throughout the years there have been many different ways Council has selected Commissioner's. (02:37:00)

PARKS AND RECREATION COMMISSION (02:37:24)

MOTION: Appoint Jose De La Jara

Motion/Second: Council Member Foley/

Motion failed for the lack of a second.

Council Member Foley inquired about conflicts of interest for certain appointed Commissioner's. (02:28:31)

City Attorney Duarte responded that it would need to be analyzed on a case by case basis. (02:28:48)

MOTION: Appoint Brett Eckles

Motion/Second: Council Member Monahan/Mayor Pro Tem Righeimer

The motion carried 3-2:

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

Noes: Council Member Genis and Council Member Foley

Absent: None

MOTION: Appoint Lynn L. Redman

Motion/Second: Council Member Genis/Council Member Foley

The motion failed 2-3:

Ayes: Council Member Genis and Council Member Foley

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

Absent: None

MOTION: Appoint Robert Graham

Motion/Second: Mayor Pro Tem Righeimer/Council Member Genis

The motion carried 5-0:

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

Noes: None

Absent: None

MOTION: Appoint Byron de Arakal

Motion/Second: Mayor Mensinger/Council Member Monahan

The motion carried 5-0:

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

Noes: None

Absent: None

ACTION:

2. City Council Appointed and Filled the Three Vacancies on the Parks and Recreation Commission: Byron de Arakal, Brett Eckles and Robert Graham, all to a 4 Year Term.

Mayor Pro Tem Righeimer recommended changing the Ordinance for the Senior Commission to appoint 7 Commissioners, including 5 Commissioners and 2 alternate Commissioners. (02:43:54)

CEO Hatch stated that the Ordinance currently calls out that there are 5 Senior Commissioners; and, the Ordinance would need to be revised. (02:45:02)

Council Member Foley commented that if the Ordinance is going to be changed, then continue the item to allow more individuals to apply. (02:46:12)

City Clerk Brenda Green advised that a Government Code requires Special Noticing for vacancies. (02:46:49)

Council Member Genis spoke in support of a larger group of Commissioners. (02:47:10)

Council Member Monahan commented that 9 Commissioners are too many.
(02:47:52)

Council Member Foley spoke in support of appointing women on various Commissions. (02:48:12)

SENIOR COMMISSION (02:50:44)

MOTION: Appoint Charlene M. Ashendorf – 4 Year Term
Motion/Second: Council Member Genis/Council Member Foley
The motion failed 2-3:
Ayes: Council Member Genis and Council Member Foley
Noes: Council Member Monahan, Mayor Pro Tem Righeimer, and Mayor Mensinger
Absent: None

MOTION: Appoint Stella Adkins – 4 Year Term
Motion/Second: Mayor Pro Tem Righeimer/Mayor Mensinger
The motion carried 4-1:
Ayes: Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer, and Mayor Mensinger
Noes: Council Member Foley
Absent: None

MOTION: Appoint Janet Lee Krochman – 4 Year Term
Motion/Second: Council Member Monahan/Mayor Mensinger
The motion carried 3-2:
Ayes: Council Member Monahan, Mayor Pro Tem Righeimer, and Mayor Mensinger
Noes: Council Member Genis and Council Member Foley
Absent: None

MOTION: Appoint Martha Hernandez – 4 Year Term
Motion/Second: Council Member Foley/Council Member Genis
The motion failed 2-3:
Ayes: Council Member Genis and Council Member Foley
Noes: Council Member Monahan, Mayor Pro Tem Righeimer, and Mayor Mensinger
Absent: None

MOTION: Appoint Kirk Bauermeister – 4 Year Term

Motion/Second: Mayor Mensinger/Council Member Monahan

The motion carried 5-0:

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

Noes: None

Absent: None

MOTION: Appoint Wendy Leece – 2 Year Term

Motion/Second: Council Member Genis/Council Member Foley

The motion failed 2-3:

Ayes: Council Member Genis and Council Member Foley

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

Absent: None

MOTION: Appoint Ernie Feeney – 2 Year Term

Motion/Second: Mayor Pro Tem Righeimer/Council Member Monahan

The motion carried 5-0:

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

Noes: None

Absent: None

MOTION: Appoint John S. McGlenn – 2 Year Term

Motion/Second: Council Member Monahan/Mayor Mensinger

The motion carried 4-1:

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

Noes: Council Member Genis

Absent: None

ACTION:

3. City Council Appointed and Filled the Five Vacancies on the Senior Commission: Kirk Bauermeister, Stella S. Adkins and Janet Lee Krochman to a 4 Year Term and Ernie Feeney and John S. McGlenn to a 2 Year Term.

Council Member Foley stated for the record that out of the appointments made, 6 made donations to the campaigns for Mayor Pro Tem Righeimer, Mayor Mensinger and OC Taxpayers. (02:57:43)

Mayor Pro Tem Righeimer spoke on donations by the Police Associations. (02:58:00)

3. **APPROVAL OF MAYOR'S APPOINTMENTS TO THE BOARDS OF THE COSTA MESA CONFERENCE AND VISITOR BUREAU, TRANSPORTATION CORRIDOR AGENCY AND THE ORANGE COUNTY VECTOR CONTROL DISTRICT AND REVIEW OF POTENTIAL NEW COMMITTEES - (02:58:47)**

Kelly Shelton presented Staff Report. (02:59:05)

Council Member Genis questioned the appointing authority; and asked for clarification. (03:00:21)

Council Member Monahan stated the selection has been conducted this way for a while. (03:01:48)

City Attorney Duarte commented that it can be reviewed. (03:02:07).

Kelly Shelton stated that in 1992 there was a different process; however, Staff was unable to locate the staff report that outlined the process. (03:02:25)

Public Comments:

Christopher Otis, Costa Mesa, requested that the Council make the right decision. (03:04:52)

Beth Refakes, Costa Mesa, spoke on the Military Affairs team; and requested to operating the same way with Mr. Baker as the Staff Liaison. (03:05:07)

MOVED/SECOND: Council Member Genis/Council Member Monahan
The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council Approved the Mayor's Appointments to the Boards of the:

1. Costa Mesa Conference and Visitor Bureau (CMCVD) – Appointee Mayor Mensinger and Alternate Council Member Monahan.
2. Transportation Corridor Agency (TCA) – Appointee Council Member Monahan and Alternate Mayor Pro Tem Righeimer.
3. Orange County Vector Control District (OCVCD) – Appointee Council Member Monahan and Alternate Council Member Genis.

MOVED/SECOND: Council Member Foley/Mayor Mensinger

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

4. City Council Directed Staff to Begin the Process of Forming a Bikeway and Walkability Committee.

City Council recessed for a break at 8:59 p.m.

Council Member Monahan recused himself due to the project's proximity to his residence within the 500 ft. radius.

City Council reconvened the meeting at 9:08 p.m.

PUBLIC HEARINGS (CONTINUED) – (03:22:40)

2. **APPEAL OF THE REVOCATION OF PLANNING APPLICATION PA-87-154: CONDITIONAL USE PERMIT FOR A NEIGHBORHOOD RECYCLING FACILITY (REPLANET, FORMERLY EARTHWISE RECYCLING) 2180 NEWPORT BOULEVARD**

Mel Lee, Senior Planner, presented the Staff Report. (03:23:39)

Greg Palmer, City Attorney's Office, presented, in depth, the facts and circumstances in support of the revocation of an existing Conditional Use Permit; and conducted a trial De Novo. (03:57:00)

Brenda Green, City Clerk, swore-in as Witnesses for the City: DeAnne Hemmens, Christy Turley and Tyler Turley. (04:12:40)

Mr. Palmer called Witness No. 1, DeAnne Hemmens, Rural Lane resident, to testify. (04:13:15)

Mr. Palmer called Witness No. 2, Christy Turley, Rural Lane resident, to testify. (04:44:36)

Mr. Palmer called Witness No. 3, Tyler Turley, Rural Lane resident, to testify. (04:53:12)

City Council recessed for a break at 10:46 p.m.

City Council reconvened the meeting at 10:50 p.m.

Paige Gosney, Attorney at Jackson/DeMarco/Tidus/Peckenpaugh, representing the appellant RePlanet, spoke on the operations at RePlanet. (05:04:28)

Joe Perez, Director of Business Development for RePlanet, spoke on reverse vending machines. (05:22:10)

Public Comments:

Larry O'Leary, Costa Mesa, spoke on his proximity of RePlanet to his home; transients hanging out between the recycling center and massage parlor; and noise and dirt issues. (05:55:17)

Christopher Otis, Costa Mesa, spoke on non-compliance of stores and their recycling requirements; pick up days; and loitering around RePlanet. (05:56:40)

Laura Peralta, California Grocers Association, spoke on issues and options with recycling; needing the facility in the City; and money reinvested in the City. (05:59:41)

Discussion ensued in regards to reverse vending machines. (06:03:50)

Marianne Comp, Costa Mesa, spoke on safety issues, the business has outgrown the site; and move location to accommodate growing business. (06:12:21)

MOTION: To continue the meeting past midnight.

MOVED/SECOND: Mayor Pro Tem Righeimer/Council Member Genis
The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

Angela Miner, Costa Mesa, spoke on the location outgrowing their location; and the homeless. (06:14:03)

Speaker Ishmal, Costa Mesa, spoke on nuisance, noises, trash; and loitering. (06:15:11)

Speaker Sandra, Costa Mesa, spoke on nuisance, noises, trash, loitering; and wants location moved.

Tyler Turley, Costa Mesa, spoke on the growth at the center; the Irvine facility's not close to residential; and the Costa Mesa location too close to residential. (06:16:32)

DeAnne Hemmens, Costa Mesa, spoke on the homeless problem. (06:19:23)

MOVED/SECOND: Mayor Pro Tem Righeimer/Mayor Mensinger

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

ACTION:

City Council Upheld the Planning Commission's Revocation of PA-87-154 by Adopting a Resolution Consistent with its Findings as Follows:

- Made Findings that RePlanet Recycling Facility has been Operated in Violation of the Conditions of Approval in Conditional Use Permit PA-87-154 and/or as a Public Nuisance, Such that the Planning Commission's Revocation of the CUP was Justified; and Upheld the Planning Commission's Revocation.

REPORT – CITY ATTORNEY – (06:29:48)

ADJOURNMENT – To the Regular Meeting, February 3, 2015, 5:00 p.m.

The Mayor adjourned the meeting at 12:16 a.m.

Stephen M. Mensinger, Mayor

Brenda Green, City Clerk

**SPECIAL CLOSED SESSION MEETING OF THE CITY COUNCIL
CITY OF COSTA MESA
January 27, 2015**

The City Council of the City of Costa Mesa, California met in a Special Closed Session, on Tuesday, January 27, 2015 at 4:30 p.m. in Council Chambers, 77 Fair Drive, Costa Mesa.

Mayor Mensinger called the meeting to order.

ROLL CALL:

Council Members Present: Council Member Katrina Foley
Council Member Sandra Genis
Mayor Stephen M. Mensinger

Council Members Absent: Council Member Gary Monahan (Arrived at 4:50 p.m.)
Mayor Pro Tem James M. Righeimer (Arrived at 4:45 p.m.)

CLOSED SESSION

1. Conference with Legal Counsel – Potential Litigation: Significant Exposure to Litigation Pursuant to California Government Code Section 54956.9(d)(2) for One Potential Case.
2. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Costa Mesa Firefighters Management Association (CMFMA), pursuant to California Government Code Section 54957.6
3. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Costa Mesa Firefighters Association (CMFA), pursuant to California Government Code Section 54957.6.

PUBLIC COMMENTS:

None Received.

The meeting was recessed to Conference Room 5A for the closed session at 4:35 p.m.

The City Attorney stated there was no reportable action.

ADJOURNMENT

The special meeting adjourned at 7:15 p.m.

Stephen M. Mensinger, Mayor

ATTEST:

Brenda Green, City Clerk