

**UNOFFICIAL UNTIL APPROVED****MINUTES OF THE REGULAR MEETING OF THE COSTA MESA CITY COUNCIL,  
AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY MEETING****October 21, 2014****CALL TO ORDER**

The meeting was called to order by the Mayor at 4:00 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

**ROLL CALL**

Council Members Present: Mayor Righeimer, Mayor Pro Tem Mensinger, Council Member Leece, Council Member Genis and Council Member Monahan (Arrived at 5:30 p.m.)

Council Members Absent: None

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

The City Council recessed into Closed Session at 4:07 p.m. to consider the following items:

1. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organization: Costa Mesa Police Management Association (CMPMA), pursuant to California Government Code Section 54957.6.
2. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organization: Costa Mesa Police Officers Association (CMPOA), pursuant to California Government Code Section 54957.6

Mayor Righeimer and Mayor Pro Tem Mensinger recused themselves from Item 2 due to a potential conflict of interest.

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

**CALL TO ORDER (00:00:18)**

**PLEDGE OF ALLEGIANCE (00:00:40)** – Mayor Righeimer

**MOMENT OF SOLEMN EXPRESSION (00:01:03)**

Pastor Phil Eyskens, Lighthouse of Costa Mesa

**ROLL CALL (00:03:00)**

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

Absent: None

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

**CLOSED SESSION REPORT (00:03:14) - NONE**

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

**ANNOUNCEMENTS (00:03:27)**

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

**PRESENTATIONS – NONE**

**PUBLIC COMMENTS (00:05:50)**

Joel Burnstein, Newport Beach, spoke on civility. (00:06:27)

Greg Tunnell, Costa Mesa, defined words from the Thesaurus. (00:09:11)

Cindy Brenneman, Costa Mesa, spoke on elections. (00:12:26)

Gene Hutchins, Costa Mesa, spoke in support of the Charter and of Mayor Righeimer. (00:13:10)

Karl Ahlf, Costa Mesa, spoke on Police Department staffing levels. (00:16:23)

Robin Leffler, Costa Mesa, spoke on Mayor Righeimer's campaign, City fiscal surplus; and Police Department staffing. (00:19:15)

T. Koken, Costa Mesa, sang a song. (00:22:39)

Beth Refakes, Costa Mesa, spoke on the Military Affairs Team, Trunk or Treat candy drive; and ball gown swap. (00:24:32)

David Kinkade, Costa Mesa, spoke on the City Fiscal History. (00:30:31)

Chuck Perry, Costa Mesa, spoke on the skate park and safety; capital improvement projects; Senior Center improvements; and location of a Veteran's Hall. (00:33:41)

**COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (00:35:47)**

Mayor Righeimer acknowledged and thanked City Staff; spoke on center dividers; the Senior Center; and Cal PERS rates. (00:35:52)

Mayor Pro Tem Mensinger congratulated Estancia High School football team; and requested an update on the Veteran's Hall progress. (00:39:20)

Council Member Genis congratulated the Public Services Department on finding grants; spoke on voters raising taxes in 2010; clarified wording in the proposed Charter; and encouraged citizens to be informed. (00:40:24)

Council Member Leece spoke on the Consent Calendar Item #7 – Bicycle Education at Elementary School and requested data when program is done; discussed Dougherty + Dougherty Architects LLP payment for upgrade of Council Chambers; Vector Control District and West Nile Virus; the homeless issues and supportive housing; Police Department Staffing; and the unfunded pension liability. (00:44:38)

Council Member Monahan spoke on the San Francisco earthquake 25 years ago; discussed Medical Marijuana Initiatives; discussed Measure O regarding the Charter, spoke on Police Officer Staffing; 17<sup>th</sup> Street Medians; and clarified Consent Calendar Item #7 Bicycle Education Grant. (00:52:14)

**REPORT – CHIEF EXECUTIVE OFFICER (CEO) (00:58:11)**

CEO Hatch stated that an update will be provided on the Council Chamber design and spoke on the Bicycle Safety Grant.

**CONSENT CALENDAR (00:59:16)**

**MOTION:** Approve recommended actions for Consent Calendar Item Nos. 1 through 10 except for Items 3, 7, 8 and 9.

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

The motion carried by the following roll call vote:

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

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: Jack Khounthikoummane, Tahir Djokovic, Tom Vasich, Tracey Dorame, and Amanda Mendoza.

**ACTION:**

Received and filed.

4. **PARKWAY CONCRETE REPAIR AND NEW SIDEWALK CONSTRUCTION PROJECT (PROJECT "A") – CITY PROJECT NO. 13-17**

**ACTION:**

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

5. **MINUTES**

**ACTION:**

City Council approved the minutes of the Special Joint Study Session of the City Council and Planning Commission of January 14, 2014; and the regular meeting of the Costa Mesa City Council, Successor Agency, and the joint meeting of the Costa Mesa Housing Authority of September 16, 2014.

6. **RESOLUTION FOR COMPREHENSIVE TRANSPORTATION FUNDING PROGRAM APPLICATIONS**

**ACTION:**

City Council adopted Resolution No. 14-69, to be read by title only and waived further reading; and approved the submittal of grant applications of transportation improvement projects under the Orange County Transportation Authority's (OCTA) Comprehensive Transportation Funding Program (CTFP) for Fiscal Years 2015-16 through 2017-18.

**10. RECOMMENDED ACCEPTANCE AND ALLOCATION OF THE 2014 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FUNDS**

**ACTION:**

1. City Council approved staff's recommendation to allocate 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) funds to the Police Department's operating budget; and
2. Approved Budget Adjustment No. 15-009 to increase revenue and appropriations in the JAG fund, and allocated funds as follows: Facility Security System Upgrade - \$18,026.

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

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

**OLD BUSINESS (01:15:17)**

1. **SECOND READING OF ORDINANCE 14-13 FOR CODE AMENDMENT CO-14-03: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING SECTION 13-6 (DEFINITIONS) OF ARTICLE 2 (DEFINITIONS) OF CHAPTER I (GENERAL), ADDING CHAPTER XV (GROUP HOMES), AND REPEALING AND REPLACING ARTICLE 15 (REASONABLE ACCOMMODATIONS) OF CHAPTER IX (SPECIAL LAND USE REGULATIONS), OF TITLE 13 (ZONING CODE) AND AMENDING THE CITY OF COSTA MESA LAND USE MATRIX - TABLE NO. 13-30 OF CHAPTER IV. (CITYWIDE LAND USE MATRIX) OF THE COSTA MESA MUNICIPAL CODE RELATING TO GROUP HOMES**

Elena Gerli, Deputy City Attorney's Office, spoke on R-2 Zones and the difference between R1 Zones; provided staff report; and spoke on disability groups and issues. (01:01:42)

Letter submitted to Costa Mesa City Council in regards to Solid Landings v. Costa Mesa received from Kristen B. Ford, Vice President and Corporate Counsel of Solid Landings Behavioral Health is on file.

Public Comments:

Barrie Fisher, Costa Mesa, spoke on living next door to Group Homes; and supports the Ordinance. (01:07:53)

Tom Thurston, Costa Mesa, representing New Direction's for women; spoke in opposition of the Ordinance. (01:10:48)

Paul Dumont, Housing Rights Advocate of the Sober Living Network, spoke in opposition of the Ordinance; and spoke in support of the Sober Living Network. (01:13:59)

Grant McNiff, Costa Mesa, spoke in opposition of the Ordinance and data.  
(01:17:26)

Stuart Lanning Jr., Costa Mesa, spoke in support of the Ordinance. (01:20:56)

Robin Leffler, Costa Mesa, spoke in support of putting the Ordinance on hold and working on it further. (01:23:26)

Patricia Bintliff, Costa Mesa, spoke in opposition of the Ordinance. (01:25:15)

Jay Humphrey, Costa Mesa, spoke in support of putting the Ordinance on hold.  
(01:28:38)

Joyanna Rios, Costa Mesa, spoke in support of the Ordinance. (01:31:34)

Jesus Rios, Costa Mesa, spoke in support of the Ordinance. (01:33:46)

Ann Parker, Costa Mesa, spoke regarding Sober Living Home operators; and spoke in opposition of the Group Homes. (01:36:01)

Mary Spadoni, Costa Mesa, spoke regarding the Ordinance and R2 Zones.  
(01:39:27)

Ashley Richmond, Costa Mesa, spoke in support of Sober Living Homes; and opposes the Ordinance. (01:42:43)

Mary Helen Beatificato, Costa Mesa, representing In-Sight Psychology and Addiction, spoke in opposition to the Ordinance. (01:44:24)

Council Member Monahan discussed having a Manager onsite 24 hours; and discussed that the Group Homes issue is not new. (01:50:41)

Mayor Righeimer spoke on payment to the 24 hour Manager on-site and licenses. (01:54:19)

Elena Gerli spoke on the courts; economic viability; the profit aspect; and permits. (01:54:43)

Discussion regarding the house manager requirements; and reasonable accommodations within the Zoning Code. (01:57:33)

Council Member Leece spoke on reporting complaints; differences of opinion; not in support of Ordinance as needs to include R2 Zone. (02:00:03)

Mayor Pro Tem Mensinger spoke on substance abuse issues and the Ordinance.  
(02:06:35)

Council Member Monahan spoke on complaints on Group Homes for years and trying to address the issues by requiring to obtain a permit. (02:07:56)

Council Member Leece spoke on the Ordinance and it needs further work. (02:09:33)

Council Member Genis spoke on an R2 Zone Ordinance; and requested a report about issues brought up previously. (02:10:15)

Mayor Righeimer spoke on the timeline to register and to be in compliance. (02:11:40)

**MOVED/SECOND:** Council Member Monahan/Mayor Pro Tem Mensinger  
The motion carried by the following roll call vote:  
Ayes: Council Member Genis, Council Member Monahan, Mayor Pro Tem Mensinger, and Mayor Righeimer.  
Nays: Council Member Leece.  
Absent: None  
Motion carried: 4-1

**ACTION:**

City Council gave second reading and adopted Ordinance No. 14-13, to be read by title only and waived further reading, and approved Code Amendment CO-14-03 with regard to the proposed Ordinance to amend Title 13, Chapter(s), I, IV, and IX, and to add Chapter XV (Group Homes) to the Costa Mesa Municipal Code with regard to group homes ("Group Home Ordinance").

**NEW BUSINESS (02:13:56)**

**1. REQUEST FOR AMENDMENTS TO COUNCIL POLICY 400-2 REGULATIONS GOVERNING FIREWORKS**

Dan Baker, Management Analyst, presented Staff Report. (02:14:43)

Council Member Leece spoke on the need for change in the governing of fireworks; and discussed a study group. (02:20:20)

Discussion ensued in regards to the formation and role of the study group; firework sales; and water quality protection. (02:22:43)

City Attorney Tom Duarte spoke on citation fines. (02:28:36)

Police Chief Tom Gazsi discussed Administrative Citations for fireworks and protocol for illegal sales and display of fireworks. (02:29:21)

Public Comments:

Todd Cowley, Costa Mesa, spoke in support of fireworks; and fundraising sales for schools and youth group organizations. (02:34:51)

T. Koken, Costa Mesa, spoke in support of firework shows versus the sale at small firework stands. (02:26:39)

Scott Mahaffy, Costa Mesa, spoke in support of fireworks; and fundraising sales for schools and youth group organizations. (02:39:13)

Brian Harris, Costa Mesa, spoke in support of fireworks; and no changes to the policy. (02:40:56)

Robin Leffler, Costa Mesa, spoke in support of safe and sane fireworks; problem with expanding time frame for setting off fireworks; and enforcement is key. (02:43:55)

Gay Royer, Costa Mesa, spoke in support of safe and sane fireworks; and supports discharging fireworks only on 4<sup>th</sup> of July. (02:47:12)

Sue Lester, Costa Mesa, supports selling fireworks for 5 days; and enforcement for illegal fireworks. (02:49:27)

Lou Desandro, Costa Mesa, spoke on not changing the sales of safe and sane fireworks; and request the focus be on enforcement of illegal fireworks. (02:51:00)

Robert Murtha, Costa Mesa, spoke on not changing the days for sales of fireworks. (02:52:56)

Chris Ray, Costa Mesa, spoke on not changing the policy; and fundraising benefits. (02:54:40)

Chris Cox, Costa Mesa, spoke on not changing the policy; and the problems associated with illegal fireworks. (02:56:45)

John McLuckey, Costa Mesa, spoke on not changing the policy. (02:58:05)

Bill Schallmo, Costa Mesa, spoke on not changing the policy. (02:59:57)

Chuck Perry, Costa Mesa, spoke on not changing the policy; and consider having less firework stands. (03:02:31)

Yumi Patterson, Costa Mesa, spoke on not changing the policy; and fundraising benefits. (03:04:26)

Corinne Stover, Costa Mesa, spoke in support of proposed changes. (03:07:02)

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Cynthia McDonald, Costa Mesa, spoke in support of the changes; and fireworks a one day event only. (03:08:44)

Sharon Hilton, Costa Mesa, spoke in support of the changes; and fireworks a one day event only. (03:11:27)

Joan Morrow, Costa Mesa, spoke in support of the changes; and risks of smoke inhalation. (03:13:43)

Karen Weigand, Costa Mesa, spoke in support of changes to a one day event. (03:14:24)

Justin Cheathem, Costa Mesa, spoke in support compromise. (03:15:45)

Resident read a letter on behalf of Teri Fugua, Costa Mesa, spoke in support of the changes; and recommends a concert series for fundraising. (03:18:48)

Jay Humphrey, Costa Mesa, spoke in support of discharge of fireworks only on 4<sup>th</sup> of July; and supports the changes. (03:21:12)

Marianne Hahn, Costa Mesa, spoke in support of no changes; and fundraising benefits. (03:24:20)

Karl Ahlf, Costa Mesa, spoke in support of changes; and discharging fireworks only on 4<sup>th</sup> of July. (03:25:09)

John Kelly, Vice President of TNT Fireworks, support safe and sane fireworks; problem is illegal fireworks and confiscation; and approach at a regional issue. (03:28:08)

Tamar Goldmann, Costa Mesa, spoke in support of changes; and limitations. (03:32:17)

Christopher Otis, Costa Mesa, spoke on 4<sup>th</sup> of July as a freedom holiday; supports concert shows; stopping illegal fireworks; and compromise. (03:34:15)

**MOTION:** Receive and file.

Motion/Second: Council Member Monahan/

Motion failed for the lack of a second.

Council Member Leece spoke regarding a committee; the need to take small steps to bring balance and change; and scaling back discharging only on 4<sup>th</sup>. (03:36:40)

Council Member Genis spoke in support of discharging fireworks only on 4<sup>th</sup> of July; and spoke on the amounts raised from fundraising. (03:40:12)

Mayor Pro Tem Mensinger spoke on the distinction of legal and illegal fireworks; and supports a group to review the issue. (03:44:08)

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

Mayor Righeimer spoke on spending dollars to eliminate illegal fireworks. (03:49:23)

**SUBSTITUTE MOTION:** Five days of sales, and discharge only on July 4<sup>th</sup>; and include the 7 suggestions.

Motion/Second: Council Member Leece/

Motion failed for the lack of a second.

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

The motion carried by the following roll call vote:

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

Nays: Council Member Leece.

Absent: None

Motion carried: 4-1

**ACTION:**

City Council received and filed and directed the CEO to form a group of stakeholders to review solutions for illegal fireworks.

City Council recessed for a break at 9:57 p.m.

City Council reconvened the meeting at 10:08 p.m.

**2. FIRST READING OF AN ORDINANCE ESTABLISHING A SENIOR COMMISSION (04:04:50)**

Travis Karlen, Recreation Manager, presented Staff Report. (04:05:17)

Council Member Leece inquired about qualifications of Commissioner Applicants and age requirements. (04:07:42)

Mr. Karlen researched nearby cities and their process and they did not have an age restriction. (04:08:18)

Discussion ensued on quarterly meetings, subcommittees, and applications for the Senior Commission. (04:08:37)

Public Comments:

Tamar Goldmann, Costa Mesa, spoke on security and safety for seniors; and senior issues. (04:10:08)

Beth Refakes, Costa Mesa, spoke on qualifications and residency; adopting an

Advisory Committee instead of a Commission; opposed to paying members; and the need for members to be a member of the electorate. (04:12:52)

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

**SUBSTITUTE MOTION:** Eliminate the \$100 pay to the Commissioner's and applicants are residents of the City.

Motion/Second: Council Member Leece/Council Member Genis.

The motion failed 2-3:

Ayes: Council Member Genis and Council Member Leece

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

Absent: None

**ORIGINAL MOTION**

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

The motion carried by the following roll call vote:

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

Nays: Council Member Leece.

Absent: None

Motion carried: 4-1

**ACTION:**

City Council introduced Ordinance No.14-14, to be read by title only and waived further reading, to establish a Senior Commission that would serve as an advisory commission to the City Council in matters related to the operation of the Costa Mesa Senior Center and members need to be residents in Costa Mesa.

**ITEMS REMOVED FROM THE CONSENT CALENDAR (04:16:47)**

3. **WARRANT RESOLUTION 2524: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 14-20 "A", and 14-21, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, FUNDING PAYROLL No. 14-20 "A" FOR \$71.22, PAYROLL NO. 14-21 FOR \$2,123,190.78, AND CITY OPERATING EXPENSES FOR \$2,035,885.23**

Public Comments:

Tamar Goldmann, Costa Mesa, spoke on the payment to Lilley Planning Group. (04:17:09)

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

**ACTION:**

Approved Warrant Resolution No. 2524, to be read by title only and further reading waived.

**7. PROFESSIONAL SERVICES FOR BICYCLE EDUCATION AT ELEMENTARY SCHOOLS (04:20:31)**

Public Comments

Jay Humphrey, Costa Mesa, spoke in support of the project; discussed bicycle safety. (04:20:46)

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

**ACTION:**

1. City Council awarded a Professional Services Agreement to Safe Moves, 15500 Erwin Street #2451, Van Nuys, CA 91411, in the amount of \$130,030; and
2. Authorized the Mayor and the City Clerk to execute the Professional Services Agreement.

**8. CITY COUNCIL RESOLUTION NO. 14-65 AMENDING THE COSTA MESA 2000 GENERAL PLAN FOR THE THIRD CYCLE OF 2014: GP-14-02 FOR COLLEEN/SANTA ANA AVENUE ANNEXATION (04:23:07)**

Public Comments:

Jay Humphrey, Costa Mesa, spoke that the item should not be a Consent Calendar item. (04:23:20)

Joanne Perler, Costa Mesa, spoke in opposition; and item should not be a Consent Calendar item. (04:24:28)

Robin Leffler, Costa Mesa, spoke against the item; and spoke on property rights. (04:26:41)

Tamar Goldmann, Costa Mesa, spoke against the item. (04:29:03)

Mayor Righeimer spoke on the LAFCO process and zoning. (04:30:33)

Council Member Genis spoke on not supporting the item; and supports 7,200 sq. ft. minimum lot. (04:33:45)

Council Member Leece spoke on not supporting the item; supports 7,200 sq. ft. minimum lot; and read a letter submitted by Ms. Liz Parker. (04:34:38)

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

The motion carried by the following roll call vote:

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

Nays: Council Member Genis, Council Member Leece

Absent: None

Motion carried: 3-2

**ACTION:**

City Council adopted Resolution No. 14-65, to be read by title only and waived further reading; and amended the 2000 General Plan for the third cycle of 2014 for an area-specific general plan amendment.

**9. ADOPTION OF THE FY 2014-2015 STATEMENT OF INVESTMENT POLICY (04:38:25)**

**ACTION:**

Item was moved to the November 4, 2014 meeting at 6:00 p.m.

**CONTINUED PUBLIC COMMENTS (04:38:30)**

Sue Lester, Costa Mesa, spoke on campaigns paying for expenditures; and police staffing levels. (04:39:09)

Mary Spadoni, Costa Mesa, spoke on police staffing levels. (04:42:16)

Jay Humphrey, Costa Mesa, spoke on participation and voting. (04:45:31)

Tamar Goldmann, Costa Mesa, spoke on election issues. (04:46:42)

Steven White, Costa Mesa, spoke on sign vandalism, theft; and payment to Dan Joyce. (04:49:50)

Mrs. Drain, Costa Mesa, spoke on independent forensic audit of the 60<sup>th</sup> anniversary; and hiring of employees. (04:53:18)

Ann Parker, Costa Mesa, spoke on the Mayor's positions. (04:56:33)

Cindy Black, Costa Mesa, spoke on Mayor's campaign donations. (04:58:51)

Speaker, spoke on self-insurance fund; meeting policies; and legal invoices. (05:01:47)

**REPORT – CITY ATTORNEY – NONE**

**ADJOURNMENT – To the Regular Meeting, November 18, 2014, 5:00 p.m.**

The Mayor adjourned the meeting at 11:08 p.m.

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Stephen M. Mensinger, Mayor

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Brenda Green, City Clerk

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

**February 3, 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 (00:00:12)**

**PLEDGE OF ALLEGIANCE (00:00:35)** – Council Member Genis

**MOMENT OF SOLEMN EXPRESSION (00:00:56)**

Pastor Jon Mestas, Newport Mesa Church

**ROLL CALL**

Present: Mayor Mensinger, Council Member Foley, and Council Member Genis  
Absent: Council Member Monahan (arrived 5:52 p.m.), Mayor Pro Tem Righeimer

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.

**CITY ATTORNEY CLOSED SESSION REPORT (00:02:21)**

Council Member Foley requested clarification from the City Attorney on Ex Parte Communications. (00:02:34)

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

**ANNOUNCEMENTS (00:02:50)**

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

**PRESENTATIONS (00:05:10)**

Mayor Mensinger presented the Mayor’s Award to Jeff and Christa Duggan from Portola Coffee Lab.

**PUBLIC COMMENTS (00:11:33)**

Bing Ban Pham Pham, representing the Orange County Human Relation's Commission, presented the annual report. (00:12:14)

Tamar Goldmann, Costa Mesa, spoke on infrastructure; and public safety. (00:15:56)

Robin Leffler, Costa Mesa, spoke in appreciation for Police and Fire Personnel; and on negotiations. (00:18:00)

Chuck Perry, Costa Mesa, spoke on Senior Center upgrades and the meeting room; and the median on Irvine Blvd and 17<sup>th</sup> St. (00:21:06)

Cynthia McDonald, Costa Mesa, spoke on the crime rate article in the Daily Pilot; and public safety. (00:23:44)

John Goddard, Costa Mesa, spoke in support of appointing Wendy Leece and Sue Healey to the Senior Commission; and submitted a petition with the number count in support of their appointment. (00:26:52)

Jay Humphrey, Costa Mesa, spoke on Police Department staffing levels; the loudness of venting towers at 10 St. and Tustin. (00:29:33)

Jeff Arthur, Costa Mesa, spoke on unfunded pensions at the Newport Mesa Unified School District; costs of common core testing; and long-term sustainable options. (00:32:35)

Ann Parker, Costa Mesa, spoke on football; taking risks; and listening to the public. (00:35:55)

Beth Rafakes, Costa Mesa, spoke on meeting notifications; the NCC library project outreach schedule; replacement of fire stations; and the status of Council Chambers upgrades. (00:37:38)

Gene Hutchins, Costa Mesa, spoke on the contract with Police Management; and the increase in pension formulas. (00:40:48)

Mary Spadoni, Costa Mesa, spoke on behalf of Wendy Johnson; and thanked Council on behalf of Cadette Girl Scout Troop 2998. (00:44:00)

Mary Spadoni, Costa Mesa, spoke on the cost for pensions. (00:44:25)

Sharon Brown, Orange, spoke on a complaint she filed against the Police Department. (00:46:11)

**COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (00:49:20)**

Mayor Mensinger congratulated Jake Knapp who qualified at the Torrey Pines Golf Tournament; and thanked the Public Services Department for responding to Costa Mesa Connect Application submittals. (00:49:28)

Council Member Foley spoke and played a clip on how to use the Costa Mesa Connect and a video was played; spoke on the hiring in the Police Department; on crime; on a meeting of residents on Swan Drive regarding sports fields; and contacting UCI students to do an assessment. (00:50:38)

Council Member Genis spoke on Item #7, Landscape Maintenance Services, and the posting of notifications; the Parks Master Plan update and needs assessment in the budget; spoke on quotes relating to the primary purpose of the government is to protect the public. (01:00:54)

Council Member Monahan no comments. (01:04:07)

**REPORT – CHIEF EXECUTIVE OFFICER (CEO) (01:04:15)**

CEO Tom Hatch spoke on the CDBG consolidated plan and community workshop to be held February 12, 2015; a mid-year budget review Study Session on Tuesday, February 10, 2015; a discussion on reserves and a 5 year plan expenditures; and capital projects for a Study Session on February 24, 2015, and spoke on police department hiring process.

Council Member Monahan requested a reserve officer recruitment update. (01:09:37)

Ernesto Munoz, Public Services Director, provided an update on the Open Space Master Plan. (01:09:45)

**CONSENT CALENDAR (01:12:24)**

**MOTION:** Approve recommended actions for Consent Calendar Item Nos. 1 through 6 except for Item 7.

**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, and Mayor Mensinger.

Nays: None

Absent: Mayor Pro Tem Righeimer.

Motions carried: 4-0-1

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: James R. Jordan and Jose Solano.

**ACTION:**

City Council received and filed.

3. **WARRANT RESOLUTION NO. 2529 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 15-01 "A" FOR \$199.53 AND 15-02 FOR \$2,150,375.36; AND CITY OPERATING EXPENSES FOR \$1,463,219.39; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID**

**ACTION:**

Approved Warrant Resolution No. 2529, to be read by the title only, and waived further reading.

4. **FINAL MAP FOR TRACT NO. 17647 LOCATED AT 1631 AND 1645 TUSTIN AVENUE, COSTA MESA, CALIFORNIA**

**ACTION:**

City Council approved the Final Map for Tract No. 17647 and authorized the signing of the map by the City Clerk and the City Engineer.

5. **MINUTES**

**ACTION:**

City Council approved the minutes of the regular meeting of the City Council and Successor Agency of: December 4, 2012, April 2, 2013 and January 6, 2015; the Regular City Council, and Successor Agency and Special Joint Meeting with the Costa Mesa Housing Authority of January 20, 2015; and Special City Council Closed Session Meeting of January 27, 2015.

**6. FINAL MAP FOR TRACT NO. 17771 LOCATED AT 789 AND 795 PAULARINO AVENUE, COSTA MESA, CALIFORNIA**

**ACTION:**

City Council approved the Final Map for Tract No. 17771 and authorized the signing of the map by the City Clerk and the City Engineer.

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

**PUBLIC HEARINGS – 7:00 P.M. (Resolution NO. 05-55): None**

**OLD BUSINESS: None**

**NEW BUSINESS – (01:13:39)**

**1. REQUEST TO ESTABLISH A BIKEWAY AND WALKABILITY COMMITTEE**

CEO Tom Hatch and Executive Assistant Kelly Shelton provided the Staff Report. (01:14:03)

Council Member Foley requested to form a formal committee with staffing resources. (01:15:06)

Discussion ensued about an informal group; a presentation at the Parks and Recreation Commission Meeting; and review of the Master Plan. (01:19:08)

Council Member Foley spoke on integration of the informal group in the formal committee; and also focusing on walkability. (01:21:00)

Mayor Mensinger supports a bikeability committee and to include walkability. (01:22:41)

Public Comments:

Dr. Steve Pope, Costa Mesa, spoke in support of establishing the committee. (01:24:31)

Cynthia McDonald, Costa Mesa, spoke in support of establishing the committee; member of the bikeability group; and have OC bicycle coalition involved. (01:27:33)

Flo Martin, Costa Mesa, spoke as a member of the committee and in support of establishing the committee; and encouraged bicycling and walking safety. (01:28:43)

Jay Humphrey, Costa Mesa, spoke in support of establishing the committee but not under Parks and Recreation Commission. (01:31:09)

Thomas B. Parkes, Costa Mesa, spoke in support of establishing the committee; and is an advocate of alternative modes of transportation. (01:33:38)

Cindy B, Costa Mesa, spoke in support of establishing the committee for both walkability and bikeability. (01:35:56)

Charlene Ashendorf, Costa Mesa, spoke in support of establishing the committee; spoke on Costa Mesa strodes (street/road/highway); and a safer walking environment. (01:37:29)

Council Member Genis spoke in support of establishing the committee; and the opportunity to involve the broader community. (01:40:31)

Council Member Foley suggested increasing the number of committee members to be fifteen (15) instead of the originally nine (9) proposed. (01:42:20)

**MOVED/SECOND:** Council Member Genis/Council Member Foley  
The motion carried by the following roll call vote:  
Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, and Mayor Mensinger.  
Nays: None  
Absent: Mayor Pro Tem Righeimer.  
Motion carried: 4-0-1

**ACTION:**  
City Council approved the formation of a Bikeway and Walkability Committee with a membership of 15.

Kelly Shelton spoke on the Council Policy; and the application time period. (01:43:55)

#### **ITEMS REMOVED FROM THE CONSENT CALENDAR (01:44:51)**

#### **7. LANDSCAPE MAINTENANCE SERVICES**

Ernesto Munoz, Public Services Director, spoke on the contract and the posting required by State Law; and alternative ways to minimize the use of chemicals. (01:45:16)

Council Member Foley spoke on consolidation of contracts as good cost savings; and requested further discussion in the effort to minimize the use of pesticides in the Community. (01:47:37)

Council Member Genis requested that the postings indicate all the chemicals used. (01:49:21)

Discussion ensued on postings required by EPA. (01:50:10)

Public Comments:

Robin Leffler, Costa Mesa, spoke on landscaping services in-house versus contracting out; a 5 year contract; and sprinkler repairs to save money. (01:50:40)

Council Member Foley clarified that the contract has a clause to terminate for no cause. (01:53:27)

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: Mayor Pro Tem Righeimer.

Motion carried: 4-0-1

**ACTION:**

1. City Council awarded a contract for Landscape Maintenance Services to Complete Landscape Care, Inc. in the annual amount of \$706,692 with an initial term of five years, with three optional one-year terms; and
2. City Council authorized the Chief Executive Officer and the City Clerk to execute the agreement.

Council Member Monahan spoke on bringing the item back to discuss pesticides in more detail. (01:54:04)

Council Member Genis spoke on including all the pesticides being used in postings. (01:54:11)

**REPORT – CITY ATTORNEY – None (01:54:30)**

**ADJOURNMENT – To the Regular Meeting, February 17, 2015, 5:00 p.m.**

The Mayor adjourned the meeting at 7:41 p.m.

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Stephen M. Mensinger, Mayor

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Brenda Green, City Clerk

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

**March 5, 2013**

**CALL TO ORDER**

The meeting was called to order by the Mayor at 5:04 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

**ROLL CALL**

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

Absent: None

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

**CLOSED SESSION**

The City Council recessed into closed session at 5:08 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 anticipated litigation, significant exposure to litigation pursuant to Government Code Section 54956.9(b) for one potential case.

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

**CALL TO ORDER (00:00:40)**

**PLEDGE OF ALLEGIANCE (00:00:45)** -- Led by Council Member Monahan

**MOMENT OF SOLEMN EXPRESSION – NONE**

**ROLL CALL (00:01:13)**

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

Absent: None

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

**CITY ATTORNEY CLOSED SESSION REPORT - NONE**

**ANNOUNCEMENTS (00:01:26)**

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

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

Bill Hossfeld, Arbor Day presentation

Mayor's Award recognition to Ed Lee, Mingo Lee, and Wing Lam of Wahoo's Fish Tacos

**PUBLIC COMMENTS (00:17:10)**

James Bridges, Costa Mesa, spoke about sports fields, performing arts, upgrading police equipment, and pensions. (00:17:24)

Jim McQueen, Board of Directors President of OC Human Relations, presented the OC Human Relations' Annual Report. (00:20:50)

Danielle Gardner, Costa Mesa, expressed support of funds to keep the Downtown Recreation Center Pool open year-round. (00:23:52)

Brian McQuay, Costa Mesa, spoke about starting a medical marijuana dispensary. (00:25:02)

Perry Valantine, Costa Mesa, spoke about PERS unfunded pension liability and expressed concern with spending money on various projects. (00:28:11)

Al Melone, Costa Mesa, spoke about the Bark Park and action taken by former New York Mayor Fiorello La Guardia. (00:31:23)

Connor Newcomb, student at Newport Harbor High School, spoke in support of the Styrofoam ban. (00:34:51)

Seville Gentry, student at Newport Harbor High School, spoke about The Green Festival fundraiser at the OC Marketplace. (00:36:33)

Bob Dugan, Costa Mesa, spoke on pensions for Council. (00:37:25)

Harold Weitzberg, Costa Mesa, spoke on a large initiative for Science, Technology, Engineering, and Math subjects (STEM) programs in schools. (00:38:44)

Robin Leffler, Costa Mesa, spoke on the budget surplus and priorities for funding. (00:40:52)

Tamar Goldmann, Costa Mesa, spoke regarding the PERS unfunded pension liability presentation. (00:44:07)

Ed Baum, Costa Mesa, expressed support for the improvement of the track and field at Costa Mesa High School. (00:46:16)

Greg Thunell, Costa Mesa, spoke on history, politicians, monies spent, and deficits. (00:48:20)

Martin H. Mallard, Costa Mesa, spoke on signage at West 19<sup>th</sup> Street and negative effects of thrift stores. (00:51:21)

Ann Perry, Costa Mesa, read letter regarding Anchor Trailer Port Mobilehome Park closure. (00:54:16)

Chuck Perry, Costa Mesa, spoke about the Anchor Trailer Port Mobilehome Park closure; and expressed support in improving the Costa Mesa High School field. (00:57:13)

Cindy Brenneman, Costa Mesa, expressed support of thrift shops and the philanthropic organizations they support. (00:59:18)

#### **COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (01:01:10)**

Mayor Righeimer clarified statements he made at the February 26, 2013 study session; spoke about CalPERS and pension; and announced the upcoming Meet the Mayor event. (01:01:20)

Mayor Pro Tem Mensinger spoke about the ban on Styrofoam; the STEM program; improving public schools; pension obligations; Arbor Day and trees; and the Downtown Recreation Center pool. (01:11:59)

Council Member Genis spoke on Wahoo's Fish Tacos' success; ban on Styrofoam; Estancia High School's "Guys and Dolls" production; Assembly Bill AB 32; monies for planting of trees; grass at the small dog park; and the City's budget. (01:17:25)

Council Member Leece expressed support in inviting a CalPERS representative to speak on unfunded pension liabilities; spoke on rebuilding reserves; the reorganization of the Fire Department; Vickie Talley's involvement with the Anchor Trailer Port Mobilehome Park sale; the Churches Consortium and homeless issues; DUI enforcement; and commented on a statement made in a news article regarding actions of the prior City Council. (01:22:50)

#### **REPORT-CHIEF EXECUTIVE OFFICER (CEO) (01:35:55)**

CEO Hatch spoke about applying for committees; an upcoming closed session regarding labor negotiations; the appeal of the 1259 Victoria Street project; and the Fire Department deployment reorganization.

Public Services Director Munoz announced the City acquired \$2.8 million from OCTA to complete drainage improvements on Anaheim Ave. to reduce flooding. (01:38:20)

CEO Hatch spoke about regular staff attendance at Local Agency Formation Commission (LAFCO) meetings; QR barcode reader and going paperless; announced that it was his two-year anniversary as the City's CEO; and presented a video on the Wetlands Project at Fairview Park. (01:40:10)

**CONSENT CALENDAR (01:47:00)**

**MOTION:** Approve recommended actions for Consent Calendar Item Nos. 1 through 11

**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: Southern California Edison; Juan Kmitruk

**ACTION:** Received and filed

**2. MINUTES:** Regular City Council Meeting May 1, 2012

**ACTION:** Approved

**3. WARRANT RESOLUTION 2461: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 13-03A AND 13-04 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 13-03A for \$399.72, Payroll No. 13-04 for \$2,001,364.01 and City operating expenses for \$345,230.66, including payroll deductions.**

**ACTION:** Approved

**4. WARRANT RESOLUTION 2462: 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 \$339,164.81.**

**ACTION:** Approved

**5. REFUND OF CASH DEPOSIT IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS12-00261 FOR STREET IMPROVEMENTS AT 2258 AND 2260 ORANGE AVENUE, COSTA MESA, CALIFORNIA**

**ACTION:**

City Council approved the refund of a cash deposit in connection with Encroachment Permit No. PS12-00261 in the amount of \$5,000 to West Coast Concrete, P.O. Box 310311, Fontana, CA 92331.

**6. RESOLUTION AUTHORIZING STREET CLOSURES FOR THE 2013 ORANGE COUNTY MARATHON**

**ACTION:**

City Council adopted a resolution designating the event route for the 2013 Orange County (OC) Marathon and approved the temporary street closures for May 5, 2013, as requested for the 2013 OC Marathon.

**7. PURCHASE OF FIVE 2013 FORD POLICE INTERCEPTOR UTILITY VEHICLES AND FIVE 2013 FORD POLICE INTERCEPTOR SEDAN VEHICLES**

**ACTION:**

City Council purchased five 2013 Ford Police Interceptor Utility vehicles and five 2013 Ford Police Interceptor Sedans from National Auto Fleet Group, 490 Auto Center Drive, Watsonville, CA 95076, for a total of \$293,323.70, as a cooperative under the National Joint Powers Alliance (NJPA) master vehicle contact #102811, which was effective February 15, 2012. The NJPA is authorized by the Joint Exercise of Powers Act, with the National Auto Fleet Group being the awarded vendor.

**8. PARKWAY CONCRETE REPAIR AND NEW SIDEWALK CONSTRUCTION PROJECT – CITY PROJECT NO. 12-18**

**ACTION:**

- 1) City Council adopted plans, specifications, and working details for the Parkway Concrete Repair and New Sidewalk Construction Project, City Project No. 12-18; and
- 2) Awarded a construction contract to C.J. Concrete Construction, Inc., 10142 Shoemaker Avenue, Santa Fe Springs, CA 90670, in the amount of \$770,480.00; and
- 3) Authorized the Mayor and the City Clerk to execute the Public Works Agreement.

**9. PURCHASE OF SIX (6) HONDA POLICE MOTORCYCLES**

**ACTION:**

City Council approved and authorized the CEO to sign the purchase agreement in the amount of \$163,897.32 for six 2012 Honda motorcycles from Huntington Beach Honda, 17555 Beach Blvd., Huntington Beach, CA 92647.

**10. CITY COUNCIL/HOUSING AUTHORITY/SUCCESSOR AGENCY – AMENDMENT OF PROFESSIONAL SERVICES AGREEMENT WITH KEYSER-MARSTON ASSOCIATES CONSULTING**

**ACTION:**

- 1) City Council, Housing Authority, and Successor Agency approved the amendment to the Professional Services Agreement (PSA) with Keyser-Marston Associates (KMA) Consulting, 500 South Grand Avenue, Suite 700, Los Angeles, CA 90071, to increase from \$100,000 to \$130,000; and
- 2) Authorized the City Chief Executive Officer to sign the amended Professional Services Agreement with KMA Consulting in the amount of \$130,000.

**11. A RESOLUTION OF THE COSTA MESA CITY COUNCIL AUTHORIZING THE CHIEF EXECUTIVE OFFICER OR HIS DESIGNEE TO EXECUTE A SUB-RECIPIENT AGREEMENT WITH THE CITY OF ANAHEIM TO RECEIVE A GRANT UNDER THE FY 2012 URBAN AREAS SECURITY INITIATIVE (UASI)**

**ACTION:**

- 1) City Council adopted a resolution that authorizes the Chief Executive Officer or his designee to execute the attached Sub-Recipient Agreement with the City of Anaheim to receive a grant under the FY 2012 Urban Areas Security Initiative (UASI) Grant Program; and
- 2) Authorized the Police Department to accept FY 2012 UASI reimbursement funds allocated to the City of Costa Mesa in an amount not to exceed \$50,251. This amount will reimburse training costs included but not limited to tuition, overtime, and backfill for pre-approved Office of Domestic Preparedness-approved training for police, fire and city personnel; and
- 3) Approved Budget Adjustment No. 12-019 in the amount of \$50,251 to increase revenue and appropriate the grant funds to the Police Department's operating budget.

**ITEMS REMOVED FROM THE CONSENT CALENDAR – None**

**PUBLIC HEARINGS – (01:47:30)**

1. **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA CALIFORNIA, ADOPTING ZONING CODE AMENDMENT CO-12-06, AMENDING TITLE 13, CHAPTER 1 AND CHAPTER IV, OF THE COSTA MESA MUNICIPAL CODE RELATED TO ESTABLISHMENT OF EMERGENCY SHELTERS, TRANSITIONAL HOUSING, AND SUPPORTIVE HOUSING PURSUANT TO STATE LAW (01:47:37)**

Staff report provided by Minoo Ashabi, Principal Planner. (01:48:02)

Discussion ensued regarding city comparisons of emergency shelters, who oversees the 120-day limit, the amount of parking spaces, parking standards, and the amount of beds. (01:53:24)

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

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

**ACTION:**

- 1) City Council introduced ordinance for first reading, read by title only, and waived further reading; and
- 2) Approved operational standards and guidelines for emergency shelters, with revised parking standards to state, "1 per 4 beds or one per employee"; and to round the number of parking spaces for 30 beds from 7.5 spaces to 8.

**OLD BUSINESS – NONE**

**NEW BUSINESS (02:00:30)**

**1. URBAN MASTER PLAN SCREENING REQUEST (UMP-13-01) FOR 10 ATTACHED RESIDENTIAL CONDOMINIUMS AT 522 AND 526 BERNARD STREET (02:00:35)**

Staff report provided by Minoo Ashabi, Principal Planner. (02:00:55)

Discussion ensued regarding setbacks. (02:04:43)

Mark Majer, applicant representing MDM Investment Group, spoke about the company and the proposed project. (02:05:50)

Discussion ensued regarding market research; the number of bedrooms; interior and exterior design; entrances and exits; variances; setbacks; parking; the development being too modern; and the type of stone to be used. (02:06:55)

**Public Comments:**

Robin Leffler, Costa Mesa, spoke about compliance with standards; the design not blending in with the current neighborhood; and expressed support for adequate parking and setbacks. (02:16:44)

Discussion ensued regarding setbacks, front-door identity, layout of the units, and parking. (02:19:47)

Council Member Monahan commented on urban designs and setbacks; commended the company for doing a good job at providing the structure and setbacks; and spoke on the parking being sufficient. (02:22:57)

Council Member Genis expressed concern about the project not being consistent with the current neighborhood and the lack of setbacks. (02:24:24)

Mayor Righeimer commented that Charle Street is mostly commercial and spoke on the renovation of the Westside and the design of the project. (02:27:47)

**ACTION:** City Council provided feedback on the proposed 10-unit residential ownership project within the Mesa West Residential Ownership Urban Plan area.

**2. FAIRVIEW PARK PROJECTS (02:31:48)**

Staff report provided by Ernesto Munoz, Public Services Director. (02:32:12)

Discussion ensued regarding maintenance costs; the County's interest in the project; Talbert Nature Reserve; funding; Banning Ranch; costs; and liability. (02:40:03)

Public Comments:

Perry Valentine, Costa Mesa, spoke on acquiring property owned by another public agency, costs and liability related to the project, and expressed opposition to the project. (02:49:07)

Speaker, Costa Mesa, expressed support of the project. (02:51:00)

James Peterson, Costa Mesa, expressed opposition to the Canary Stairs and expressed concern regarding theft and vandalism. (02:52:25)

Robin Leffler, Costa Mesa, expressed support of building up reserves, expressed opposition to the project, and expressed concern regarding the Canary Stairs. (02:53:28)

Bill Burke, Costa Mesa, expressed opposition to the Canary Stairs; spoke on the petition regarding the Canary Stairs and recommended it be referred to the Fairview Park Advisory Committee. (02:55:45)

Cindy Brenneman, Costa Mesa, expressed opposition to the Canary Stairs and requested that Council table the item. (02:59:35)

Bob Isaacson, Costa Mesa, expressed opposition to the Canary Stairs. (03:01:37)

Robert Graham, Costa Mesa, spoke on the petition; expressed support of decent and safe access to the park; and provided photographs of the safety issues with the access through the muddy bluffs. (03:02:08)

Council Member Leece spoke on the Mesa Verde Homeowners' Association input, costs and benefits of the project, priority of public safety funding, and expressed support of the Fairview Park Advisory Committee reviewing this item. (03:06:00)

Council Member Genis expressed support of bringing back the Fairview Park Advisory Committee, referring this project to them, and the stairs at Fairview Park; and spoke on

the Talbert Nature Reserve and meeting with Nature Reserve of Orange County. (03:08:52)

Council Member Monahan expressed concern with the Talbert Nature Reserve maintenance costs; expressed support of the stairs at Fairview Park and Canary Drive; inquired about the process of creating the Fairview Park Advisory Committee; and expressed support of the item. (03:11:22)

Mayor Pro Tem Mensinger expressed support of the stairs at Canary Drive and Fairview Park; spoke on Mr. Graham's petition; and expressed support of moving forward with the Talbert Nature Reserve. (03:14:07)

Mayor Righeimer expressed support of the Fairview Park Advisory Committee, the stairs at Fairview Park and Canary Drive, and spoke on public safety. (03:19:40)

**MOTION:** Form a Fairview Park Advisory Committee to include 7 members at-large, with a City Council Member Liaison, and a Parks and Recreation Commission Liaison.

**MOVED/SECOND:** Council Member Monahan/Council Member Genis

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:** Approve the Canary Drive Stairs project with the staff recommendations on timing, and direct staff to look into restricted parking.

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

**SUBSTITUTE MOTION:** Refer the Canary Drive Stairs project to the Fairview Park Advisory Committee.

**MOVED/SECOND:** Council Member Genis/Council Member Leece

Council Member Leece spoke on the budget for public safety. (03:25:42)

Council Member Genis commented on concerns by the adjacent resident, and expressed opposition to the Canary Stairs. (03:26:40)

The substitute motion failed by the following roll call vote:

Ayes: Council Member Genis, Council Member Leece

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

Motion failed: 2-3.

The original motion carried by the following roll call vote:

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

Noes: Council Member Genis, Council Member Leece

Motion carried: 3-2.

**MOTION:** Approve the Bluff Stairs project at south Fairview Park.

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

Discussion ensued regarding accessibility options at Fairview Park. (03:28:38)

The motion carried by the following roll call vote:

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

Noes: Council Member Leece

Motion carried: 4-1.

**MOTION:** Direct staff to evaluate the feasibility of acquiring Talbert Park Nature Reserve.

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

The motion carried by the following roll call vote:

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

Noes: Council Member Leece

Motion carried: 4-1.

Discussion ensued regarding accessibility at the parks. (03:33:28)

3. **APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF COSTA MESA AND NEWPORT-MESA UNIFIED SCHOOL DISTRICT FOR A DESIGN FEASIBILITY STUDY TO ANALYZE THE PLACEMENT AND DEVELOPMENT OF A JOINT USE ATHLETIC FACILITY AT COSTA MESA HIGH SCHOOL (03:36:35)**

Staff report provided by Tom Hatch, Chief Executive Officer. (03:36:58)

Discussion ensued regarding the school district's interest in the item. (03:42:39)

Council Member Leece spoke on a feasibility study for Tewinkle, and requested that the plans be provided to the school district's consultant. (03:46:02)

Mayor Pro Tem Mensinger spoke on funding, the feasibility study for Tewinkle, and the shortage of fields. (03:47:50)

Public Comments:

Greg Ridge, Costa Mesa, expressed support of funding and commented on high school budgets in the district. (03:52:19)

Cynthia Blackwell, Costa Mesa, expressed support of investing money in the high school. (03:54:30)

Frank Albers, Costa Mesa, expressed support of the item. (03:55:40)

Robin Leffler, Costa Mesa, expressed support of the item and spoke on funding. (03:57:04)

Perry Valentine, Costa Mesa, expressed support of the item. (03:58:40)

Mayor Pro Tem Mensinger spoke on joint facility usage needs and per student based fees; and informed that he met with the superintendent and Paul Reed who expressed support of the item. (04:00:00)

Council Member Genis spoke on the availability of the facility to the general public and not just the school, commented on the redevelopment process, and expressed support of the item. (04:03:35)

Council Member Leece expressed support of the item and encouraged the school district board and City Council to work together. (04:07:45)

Mayor Righeimer spoke on the previous \$3 million spent and working together with the school district, and expressed support of the item. (04:09:00)

**MOTION/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

**ACTION:**

- 1) Approved a Memorandum of Understanding (MOU) between the City of Costa Mesa and Newport-Mesa Unified School District (NMUSD) to provide \$15,000 for a design feasibility study to analyze the placement and development of a joint use athletic facility at Costa Mesa High School.
- 2) Authorized the Mayor to sign the MOU.
- 3) Directed the Parks and Recreation Commission to review the completed results and details of the feasibility study and provide recommendations to the City Council.

**REPORT – CITY ATTORNEY – NONE**

The Mayor adjourned the meeting at 10:20 p.m.

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Stephen M. Mensinger, Mayor

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Brenda Green, City Clerk