MINUTES OF THE SPECIAL CLOSED SESSION MEETING OF THE COSTA MESA CITY COUNCIL

July 25, 2012

The City Council of the City of Costa Mesa, California met in a Special Closed Session, on Wednesday, July 25, 2012 at 4:30 p.m. in Council Chambers, 77, Fair Drive, Costa Mesa.

The Mayor Pro Tem called the meeting to order.

ROLL CALL:

Council Members Present:	Mayor Eric R. Bever (arrived at 4:35 p.m.) Mayor Pro Tem James M. Righeimer Council Member Wendy Leece Council Member Stephen M. Mensinger Council Member Gary Monahan
Council Members Absent:	None

Public Comments None Received.

Closed Session

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), Costa Mesa Police Management Association (CMPMA), Costa Mesa Fire Fighters Management Association, and Costa Mesa Division Managers Association pursuant to Government Code Section 54957.6

The City Attorney announced that there will be no closed session report.

The Mayor Pro Tem recessed the meeting to Conference Room 1B for the closed session.

ADJOURNMENT

_____

Stephen M. Mensinger, Mayor

ATTEST:

_____

Brenda Green, City Clerk

UNOFFICIAL UNTIL APPROVED

MINUTES OF THE SPECIAL CLOSED SESSION MEETING OF THE COSTA MESA CITY COUNCIL

July 31, 2012

The City Council of the City of Costa Mesa, California met in a Special Closed Session, on Wednesday, July 31, 2012 at 6:00 p.m. in Council Chambers, 77, Fair Drive, Costa Mesa.

The Mayor Pro Tem called the meeting to order.

ROLL CALL:

Council Members Present:	Mayor Pro Tem James M. Righeimer Council Member Wendy Leece Council Member Stephen M. Mensinger Council Member Gary Monahan
Council Members Absent:	Mayor Eric R. Bever

Public Comments None Received.

Closed Session

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), Costa Mesa Police Management Association (CMPMA), Costa Mesa Fire Fighters Management Association, and Costa Mesa Division Managers Association pursuant to Government Code Section 54957.6

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

The City Attorney announced that there will be no closed session report.

The Mayor Pro Tem recessed the meeting to Conference Room 1B for the closed session.

ADJOURNMENT

_____

Stephen M. Mensinger, Mayor

ATTEST:

_____

Brenda Green, City Clerk

MINUTES OF THE SPECIAL CLOSED SESSION MEETING OF THE COSTA MESA CITY COUNCIL

October 7, 2013

CALL TO ORDER

The meeting was called to order by the Mayor at 10:00 a.m. in City Hall Council Chambers, 77 Fair Drive, Costa Mesa, California.

ROLL CALL

Present: Mayor James M. Righeimer, Mayor Pro Tem Stephen M. Mensinger, Council Member Sandra Genis, Council Member Wendy Leece, Council Member Gary Monahan

Absent: None

PUBLIC COMMENTS ON CLOSED SESSION ITEMS:

None

CLOSED SESSION

The City Council recessed into closed session at 10:02 a.m. to consider the following item:

CITY COUNCIL CLOSED SESSION:

1. Conference with legal counsel – anticipated litigation: Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54946.9: One case.

CITY ATTORNEY CLOSED SESSION REPORT

No reportable action.

ADJOURNMENT:

The special closed session was adjourned at 11:30 a.m.

_____

Stephen M. Mensinger, Mayor

ATTEST:

_____

Brenda Green, City Clerk

MINUTES OF THE SPECIAL CLOSED SESSION MEETING OF THE COSTA MESA CITY COUNCIL

November 26, 2013

CALL TO ORDER

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

ROLL CALL

Present: Mayor James M. Righeimer, Mayor Pro Tem Stephen M. Mensinger, Council Member Sandra Genis, Council Member Wendy Leece, Council Member Gary Monahan

Absent: None

PUBLIC COMMENTS ON CLOSED SESSION ITEMS:

None

CLOSED SESSION

The City Council recessed into closed session at 6:02 p.m. to consider the following item:

CITY COUNCIL CLOSED SESSION:

1. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organizations: Costa Mesa City Employee Association (CMCEA), pursuant to California Government Code Section 54957.6.

CITY ATTORNEY CLOSED SESSION REPORT

No reportable action.

ADJOURNMENT: 7:35 p.m.

_____

Stephen M. Mensinger, Mayor

ATTEST:

_____

Brenda Green, City Clerk

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

March 3, 2015

CALL TO ORDER

The meeting was called to order by the Mayor at 5:05 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 5:07 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 City Employee Association (CMCEA), pursuant to California Government Code Section 54957.6.

The City Council reconvened at 5:45 p.m.

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 (00:00:18)

PLEDGE OF ALLEGIANCE (00:00:30) – Council Member Foley

MOMENT OF SOLEMN EXPRESSION (00:00:50)

Josh Harrison, ROCKHARBOR Church

ROLL CALL (00:02:04)

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

CITY ATTORNEY CLOSED SESSION REPORT (00:02:17)

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

ANNOUNCEMENTS (00:02:43)

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

PRESENTATIONS (00:02:48)

Amy Potter, Chief Financial Officer of Transportation Corridor Agency (TCA) provided a report on the San Joaquin Hills refinancing; and financial feasibility.

PUBLIC COMMENTS (00:10:10)

Jay Humphrey, Costa Mesa, spoke on First Step Sober Living Home's lawsuit; and Police Department staffing levels. (00:10:15)

Hank Lloyd, Costa Mesa, Operator, spoke on the Costa Mesa Tennis Center request for proposals. (00:13:30)

Chuck Perry, Costa Mesa, spoke on support of public comments; thanked the City for improvements on 17th street; pavement work at Victoria St; graffiti removal; and reconsideration of the Community Center as a Library. (00:17:15)

Beth Refakes, Costa Mesa, on behalf of the Military Affairs Team, spoke on the Easter donations and collections. (00:19:24)

Jeannie Stewart, Costa Mesa, spoke in support of the Costa Mesa Tennis Center; and Hank Lloyd continuing as Operator. (00:21:20)

Ann Parker, Costa Mesa, spoke on a development approved near Harper School by the Planning Commission. (00:22:20)

Barrie Fisher, Costa Mesa, spoke on Sober Living Home issues; Department of Health Care Services; and list of pending licenses. (00:25:28)

Speaker, Costa Mesa, spoke on consolidated plan survey on the City website; and data. (00:29:24)

Speaker, Costa Mesa, spoke on Economic Development Plan; areas that need attention including: a vision of the City; organizational structure of City leadership and reviews of CEO and City Attorney; review of budget and CAFR; and hotel tax. (00:31:29)

JoAnn Copp, Costa Mesa, spoke in support of the Costa Mesa Tennis Center and Hank Lloyd; and children breaking rules at skate board park. (00:34:48)

Paul Youngerman, Huntington Beach, spoke in support of the Costa Mesa Tennis Center and Hank Lloyd. (00:36:26)

Andrea Marr, Costa Mesa, spoke on Costa Mesa Motor Inn conversion; and housing for low income and very low income families. (00:37:12)

Kevin Orton, Costa Mesa, spoke on a need for more baseball fields in the City. (00:38:38)

Cindy Brenneman, Costa Mesa, spoke on the First Friday Road Show; spoke on Public Safety meeting at College Park; Citizens Fire Academy; and Citizens Police Academy. (00:40:59)

James H. Bridges, Costa Mesa, spoke on subsidized housing. (00:43:10)

Tracy Hurd, Newport Beach, spoke in support of Hank and Marie Lloyd and the operation of the Costa Mesa Tennis Center. (00:45:47)

Cynthia McDonald, Costa Mesa, spoke in support of Hank Lloyd and the operation of the Costa Mesa Tennis Center. (00:47:10)

Robin Leffler, Costa Mesa, spoke in support of the Costa Mesa Tennis Center; and the Police Department staffing levels. (00:49:41)

Richard Huffman, Costa Mesa, spoke in support of the Costa Mesa Tennis Center; the Police Department staffing levels; and Harbor Blvd. palm trees blown over in the winds. (00:52:42)

Speaker, Costa Mesa, spoke on civil liberties; public records requests; and emails on the 60th anniversary. (00:55:29)

COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (00:58:43)

Council Member Foley thanked Costa Mesa Police Department on the Employee Recognition Breakfast; requested adjournment of meeting in memory of Crystal Morales; spoke on OCTA press conference, legislation and toll roads; thanked Hank Lloyd and The Costa Mesa Tennis Center; spoke on the RFP for the Costa Mesa Tennis Center; spoke on Costa Mesa High School electronic recycling event on Sunday; the Women in Business meeting on Sunday; requested an update and/or presentations on the following: Signature aAademies, Fire Department operations; City Council goal setting; Mayor's Dinner; and Sober Living Homes. (00:58:49)

Council Member Genis requested a report on The Costa Mesa Tennis Center (CMTC) and changing of conditions and requested a legal opinion on the RFP for the CMTC; spoke on Consent Calendar item #9 regarding the Bioswale and the Equestrian groups; spoke on Consent Calendar item #7 and expressed concerns with density bonus provisions; agreed on adjourning in memory of Crystal Morales and Henry Segerstrom; and spoke on the Armenian genocide. (01:06:44)

Council Member Monahan spoke on the Little League opening day; improving baseball fields; AYSO opening day; public comment cards without names; the hotel tax; requested an update on the academies; congratulated Ed Fawcett on his retirement; requested an update on Talbert Park from O.C. Parks; agreed on adjourning the meeting in memory of Crystal Morales and Henry Segerstrom; and spoke in support of Hank Lloyd and the Costa Mesa Tennis Center and requested that the item be agendized. (01:11:14)

Mayor Pro Tem Righeimer spoke on The Costa Mesa Tennis Center and Hank Lloyd; the RFP and process being open and transparent; OCTA toll-lanes legislation by Senator Kim; spoke on the Group Homes meeting at College Park Elementary School; Police Department recruitments; requested a memorandum and presentation on police staffing levels and recruitments; and agreed to adjourn meeting in memory of Crystal Morales and Henry Segerstrom. (01:16:22)

Mayor Mensinger spoke on attending the service honoring Henry Segerstrom; spoke on attending the Mayor's conference; stated the Meet the Mayor will be cancelled on Sunday; spoke on Group Home issues; requests goal setting session for City Council Members; spoke on the Costa Mesa Tennis Center RFP and Hank Lloyd; spoke on attending Little League opening ceremony; and expressed condolences for Crystal Morales and family; and spoke on the OCTA toll lane press conference. (01:25:52)

REPORT – CHIEF EXECUTIVE OFFICER (CEO) (01:35:32)

CEO Tom Hatch spoke on the timing for presentations; spoke on police staffing levels and the recruitment process; spoke on a memorandum on police recruitments and a presentation; spoke on Group Homes issues and letter from the State; spoke on The Costa Mesa Tennis Center, Hank Lloyd and the RFP; and spoke on Consent calendar item #9 regarding the Bioswale and a meeting with the Equestrian Group.

Council Member Foley requested a report on recruiting and hiring police officer laterals; and ensuring their longevity.

Council Member Genis recommended the presentations be heard at Study Session Meetings since no Council action is required.

CONSENT CALENDAR (02:00:58)

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 9 except for Items 3, 4, 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: Christina Natividad.

   ACTION:
   City Council received and filed.

5. MINUTES

(A) **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
Abstain: None
Motion carried: 5-0

ACTION:
City Council approved the minutes of the Special Study Session of the Costa Mesa City Council of February 10, 2015; and minutes of the Regular Meeting of the Costa Mesa City Council and Successor Agency to the Redevelopment Agency and Special Agenda for the Housing Authority, Special Agenda for the Orange County Fairgrounds Authority, and Special Agenda for the Public Financing Authority of February 17, 2015.

(B) **MOVED/SECOND:** Council Member Monahan/Mayor Pro Tem Righeimer
The motion carried by the following roll call vote:
Ayes: Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger.
Nays: None
Absent: None
Abstain: Council Member Foley (Not a Council Member at the meetings)
Motion carried: 4-0-1

ACTION:
City Council approved the minutes of the regular City Council and Successor Agency Meetings of October 4, 2011, July 2, 2013, July 15, 2014; and October 7, 2014; minutes of the Regular City Council, Costa Mesa Housing Authority, and Successor Agency Meeting of July 16, 2013; and minutes of the Special Joint Study Session of the City Council and Planning Commission of January 28, 2014.

6. YEAR TWO OF THE SUPPORT PERIOD OF RIMINI STREET FOR ORACLE/ PEOPLESOFT SUPPORT SERVICES

ACTION:
City Council authorized the City CEO to sign the Purchase Requisition for $115,855 with Rimini Street, Inc. (Rimini), to continue providing support for the City's Oracle/PeopleSoft products on Year Two of the Support Period commencing on March 19, 2015.

9. TIME EXTENSION REQUEST FOR THE ARLINGTON DRIVE BIOSWALE AND DRY WEATHER DIVERSION PROJECT

ACTION:
City Council approved a request for a twenty-four month extension request from the Orange County Transportation Authority (OCTA) for the Arlington Drive Bioswale and Dry Weather Diversion Project.

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

PUBLIC HEARINGS – 7:00 P.M. (Resolution NO. 05-55) – (02:02:39)

1. CIVIC OPENNESS IN NEGOTIATIONS (COIN) ORDINANCE FIRST PUBLIC HEARING OF THE SIDE LETTER OF AGREEMENT BETWEEN THE CITY OF COSTA MESA AND THE COSTA MESA POLICE MANAGEMENT ASSOCIATION (CMPMA)

Laura Kalty, Chief Negotiator for the Costa Mesa Police Management Association (CMPMA), provided the staff report pursuant to the COIN Ordinance; spoke on the side letter agreement which is a continuation of the existing 5% cost sharing, valued at $69,063. (02:02:55)

Discussion ensued regarding the pay period; the CMPMA membership; the Costa Mesa Police Association (CMPA) closed session discussions; whether or not a violation of Closed Session confidentiality occurred; clarification from the City Attorney on Closed Session confidentiality; the CMPA side letter; and the Mayor and Mayor Pro Tem participating in discussions. (02:04:28 – 02:11:31)

Council Member Foley requested it to be reflected in the minutes the request for the timeline of upcoming negotiations and dates. (02:06:25)

City Council recessed for a break at 7:57 p.m.
City Council reconvened the meeting at 8:03 p.m.

Discussion continued on whether or not a violation of Closed Session confidentiality occurred; penalties for violating closed session confidentiality; waiving Attorney/Client privilege; and what constitutes confidential communication. (02:18:00 – 02:23:09)

Public Comments:

Gene Hutchins, Costa Mesa, spoke on contributions; pensions crippling the City; spoke on unfunded liability; and increases in pensions. (02:24:12)

Tamar Goldmann, Costa Mesa, spoke on atmosphere of work and proper work environment; and supports a retention bonus. (02:27:44)

Jay Humphrey, Costa Mesa, spoke on uniqueness of this issue and that no comments should be made from the dais on negotiations. (02:29:32)

Speaker, Costa Mesa, spoke on COIN and transparency; legal analysis; and invoking privilege. (02:31:52)

Council Member Monahan spoke on public records and payroll records; and transparency. (02:34:11)

Council Member Foley spoke on Closed Session confidentially; risk of liability; manipulation of the process; release of the offer; concern of City Attorney's opinion of confidentially and Closed Session communications. (02:34:46)

Council Member Genis spoke on the Brown Act provisions; spoke on the release of the CMPA offer; concerned with conformance of the COIN ordinance; requested legal opinion of waiving confidentially privilege. (02:37:30)

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 held the first Public Hearing as required by COIN; and

2. City Council scheduled the second and final Public Hearing as required by COIN for March 17th, 2015.

2. CODE AMENDMENT CO-15-01 – AMENDMENT TO TITLE 13, CHAPTER V, ARTICLE 2.5, RESIDENTIAL SMALL LOT SUBDIVISIONS, OF THE COSTA MESA MUNICIPAL CODE (02:39:55)

Senior Planner, Minoo Ashabi, provided the Staff Report. (02:40:12)

Discussion ensued on setbacks; consistency; variances; the residential guidelines; perimeter setbacks; change in parking; parking requirements; 10 ft. setback; stepped setbacks; variances; narrow lots; and projects before the Planning Commission. (02:44:41)

Public Comments:

Jay Humphrey, Costa Mesa, spoke in support of guest parking onsite; expressed concern with high density developments; and is opposed to the default setback to 5 ft. (02:51:12)

Speaker, Costa Mesa, spoke on non-compliance projects; in opposition of the Ordinance; and not enough parking. (02:53:51)

Robin Leffler, Costa Mesa, spoke on Residential Design Guidelines; expressed concerns with density and small lot developments; open space, side setbacks, not enough parking; and shade and shadow; and requests a moratorium. (02:56:18)

Speaker, Costa Mesa, spoke in opposition to the Ordinance because of reduced setbacks; noise issues; and parking requirements. (02:59:18)

Tamar Goldmann, Costa Mesa, spoke in opposition to the Ordinance because of reduced setbacks and parking requirements. (03:02:11)

Mayor Pro Tem Righeimer spoke on the Ordinance and clarified what the zones allow; and spoke on returning to the 5 ft. setback. (03:04:10)

Council Member Genis spoke in opposition to the Ordinance for the following reasons: concern with accommodating longer narrow lots contrary to the General Plan policy; requiring only 30% open space; impacts of the R1 and R2 next to each other; and degradation of Single Family neighborhoods. (03:06:43)

Mayor Mensinger spoke on the 5 ft. setbacks; that small lot Ordinances assist in rejuvenating neighborhoods; parking issues in R1 versus R2; HOA enforcement for parking in garages; and requested a presentation of before and after parking issues. (03:10:52)

MOVED/SECOND: Council Member Monahan/Mayor Mensinger
The motion carried by the following roll call vote:
Ayes: Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger.
Nays: Council Member Genis and Council Member Foley
Absent: None
Motion carried: 3-2

ACTION:
City Council held the Public Hearing and gave the first reading of Ordinance 15-xx, to be read by title only and waived further reading, as recommended by the Planning Commission.

OLD BUSINESS: (03:15:52)

1. ADOPTION OF AN ORDINANCE AMENDING CHAPTER IV (SENIOR COMMISSION) OF THE COSTA MESA MUNICIPAL CODE INCREASING THE NUMBER OF MEMBERS OF THE SENIOR COMMISSION

Recreation Manager, Travis Karlen, provided the Staff Report. (01:27:40)

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 gave second reading, to be read by title only and waived further reading, and adopted Ordinance No. 15-02, increasing the number of Senior Commissioners from five (5) to seven (7).

NEW BUSINESS (03:17:00)

1. FINANCIAL & BUDGET POLICIES

CEO, Tom Hatch, provided an overview. (03:17:07)

Interim Finance Director, Stephen Dunivent, provided the Staff Report. (03:18:06)

Council Member Genis requested clarification on the difference between Capital Expenditures and Capital Facilities. (03:20:33)

Stephen Dunivent spoke on Capital Expenditures are for streets projects, and Capital Facilities is a City facility such as a fire station. (03:21:13)

Discussion regarding the amount of funding for the General Fund, the Capital Improvement Plan. (03:22:04)

Council Member Genis spoke on 1.5% for Capital Facilities; and the 5% vs. 1.5%; and ranking of priorities. (03:24:48)

Discussion ensued on Finance Advisory Committee's discussion of ranking concept. (03:26:11)

Council Member Foley discussed the ranking prioritization and ability to refinance existing debt based on the Finance Advisory Committee's discussion. (03:27:24)

Discussion ensued on 5% of General Fund allocated to Capital Projects could also go to Capital Facilities; and dedicating General Fund monies to repair and replace . (03:29:40)

Council Member Genis showed slides in regards to rebuilding the General Fund; expressed concern with how define fiscal reserves; preference for net change in fund balance; reserves should not be used until the fund balance is replaced; and defining surplus. (03:32:17)

Public Comments:

Robin Leffler, Costa Mesa, spoke on fulfilling priorities; and concerns regarding reserves and decreasing debt. (03:37:16)

Tamar Goldmann, Costa Mesa, supports Robin Leffler's comments. (03:40:48)

Mayor Mensinger spoke on spending monies on Capital Improvement Projects. (03:41:41)

Council Member Foley spoke on the Fire Side Fund; $500,000 minimum to reduce unfunded liability; stated for the record that previous City Council's had directed funds to numerous Capital Projects and it was an incorrect statement that previous Council's did nothing; and recommended building on reserves by obtaining grants. (03:44:23)

MOVED/SECOND: Council Member Genis/Council Member Foley
MOTION: Approve Staff's recommendation with striking out the following language on Page 5 of 8 pertaining to Operating Carryover and Surplus, "or when there is a positive budget variance".

Discussion regarding reserves, and the policy.

SUBSTITUTION MOTION/SECOND: Council Member Monahan/Mayor Pro Tem Righeimer
MOTION: Approve Staff's recommendation.
The motion carried by the following roll call vote:
Ayes: Council Member Foley, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger.
Nays: Council Member Genis
Absent: None
Motion carried: 4-1

ACTION:
City Council adopted the financial and budget policies as recommended by Staff.

2. GENERAL FUND RESERVES STUDY (04:00:19)

CEO, Tom Hatch, provided brief overview. (04:00:23)

Interim Finance Director, Stephen Dunivent, provided the Staff Report. (04:03:56)

Mayor Pro Tem Righeimer spoke on insurance; and recommends $50 million for the reserves. (04:13:22)

Discussion ensued on Fire Station No. 1 and Fire Station No. 2 building condition; insurance, Capital Improvement Project; and inflation. (04:16:39)

Council Member Foley agreed that $45 million to $50 million is adequate for reserves. (04:19:42)

Discussion ensued on natural disasters; and adequate reserve funds. (04:22:17)

Public Comments

Robin Leffler, Costa Mesa, spoke on accelerating payments to General Fund reserves until caught up on reserves. (04:25:00)

Speaker, Costa Mesa, spoke on saving and putting money into reserves; provide for Capital Improvement Projects; supports conservative spending; and replenishing insurance fund. (04:27:32)

Jay Humphrey, Costa Mesa, spoke on history of reserves fund balance. (04:29:37)

Beth Rafakes, Costa Mesa, supports building up reserves and incorporate an inflation factor; and $10 million from the State should go into reserves. (04:32:44)

Wendy Leece, Costa Mesa, spoke in support increasing reverves; prepaying debt; add up to $2 million a year; and supports $63,000,000 goal. (04:34:52)

MOVED/SECOND: Mayor Pro Tem Righeimer/Council Member Monahan
MOTION: $52 million for reserves; and add the monies each year returned from the State to reserves (approximately $700,000 from the State plus the added inflation factor until City reaches the reserves goal in about ten years).

Council Member Foley requested the maker of the motion to agree to the following changes: $55 million for reserves, and $1.5 million per year until the reserves goal is met (approximately $700,000 from the State).

Mayor Pro Tem Righeimer agreed to the changes.

Council Member Monahan withdrew his second.

Council Member Foley seconded the motion.

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

ACTION:

1. City Council approved a recommended reserves goal of $55,000,000; adding an inflation factor annually; and

2. City Council approved a plan to add up to $1,500,000 per year to reserves, which includes the reimbursement from the State for Redevelopment Funds approximately in the amount of $700,000 annually, until the reserves goal is met.

3. FISCAL YEAR 2014-15 MID-YEAR BUDGET REPORT (04:45:16)

Interim Finance Director, Stephen Dunivent, provided the Staff Report. (04:45:25)

CEO Hatch spoke on expecting a $700,000 first payment from the State for Redevelopment Funds. (04:46:47)

Mayor Pro Tem Righeimer spoke on updating the action for 1a to reflect the actions approved in item 2. (04:47:32)

Public Comments:

Robin Leffler, Costa Mesa, encouraged a one-time only extra payment of $1 million; and accelerate payments to the Fire Side Fund. (04:48:59)

Speaker, Costa Mesa, spoke on City Legal fees. (04:50:00)

Wendy Leece, Costa Mesa, spoke on prepaying the Fire Side Fund; and transfer to Capital Projects. (04:50:53)

Mayor Pro Tem Righeimer spoke on the prepayment to Fire Side fund; and pension payments. (04:52:07)

MOVED/SECOND: Mayor Pro Tem Righeimer/Council Member Monahan
MOTION: Approve Staff recommendation with the changes as previously adopted.

Council Member Genis spoke in opposition to the item and will not support as the reserves are too low; and spoke on budget surplus versus budget variance. (04:53:25)

Council Member Foley spoke in support of the motion; spoke on a one-time payment to the reserves; and asked CEO to review carryovers. (04:55:41)

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

ACTION:

1. City Council approved allocation of the FY 2013-14 net budget variance:
    a. $1,500,000 to reserves, which includes the reimbursement from the State for Redevelopment Funds approximately in the amount of $700,000 annually, until the reserves goal is met;
    b. $4,000,000 transfer to Capital Projects designated for capital facility projects; and

2. City Council approved recommended FY 2014-15 budget adjustments:
    a. Parks & Community Services
    b. Police Department
    c. Vehicle Replacement Fund

4. FAIRVIEW PARK USE SURVEY (04:57:30)

Mayor, Stephen Mensinger spoke on the issue and requested the Community weigh in on the matter; and suggested a survey on open space areas. (04:57:33)

Council Member Genis spoke on the open space master plan of parks and recreation scope of work; and the cost effectiveness of combining the surveys. (05:05:27)

Discussion ensued regarding folding the survey into the open space master plan of parks and recreation scope of work, surveys, and community outreach.

Council Member Foley read a letter from a resident Kelly Siegel pertaining to opposition of sports fields at Fairview Park, spending money on lighting current fields and no need for a survey. (05:14:25)

Public Comments:

Barrie Fisher, Costa Mesa, spoke in opposition of survey/poll; need current field usage statistics. (05:28:00)

Jay Humphrey, Costa Mesa, spoke in opposition of survey/poll; and need further study of parks currently available. (05:30:55)

Flo Martin, Costa Mesa, spoke in opposition of survey/poll; citizens need information for a balanced approach; and postpone vote. (05:33:52)

Wendy Leece, Costa Mesa, spoke in need of data of field usage; or combine with open space master plan outreach. (05:36:15)

Speaker, spoke in opposition of survey/poll; and sports fields at Fairview Park. (05:38:35)

Robin Leffler, Costa Mesa, spoke in opposition of survey/poll; and sports fields at Fairview Park. (05:41:45)

Harold Weitzberg, Costa Mesa, spoke in opposition of survey/poll; sports field at Fairview Park; and need for a needs assessment; fields on eastside and lighted fields. (05:44:32)

Speaker, Costa Mesa, spoke of need to keep open space; opposed to fields; expensive to build and maintain fields; opposed to surveys;. (05:47:02)

Anna Vrska, Costa Mesa, spoke as a member of Fairview Park Citizens Advisory Committee; and opposed survey/poll. (05:50:04)

Gene Hutchins, Costa Mesa, spoke in support of open space; opposed survey/poll; and opposed sports fields. (05:52:33)

Tamar Goldmann, Costa Mesa, spoke in opposition of survey/poll; supports accurate needs assessment; legality of sports fields at Fairview Park. (05:56:15)

Cindy Brenneman, Costa Mesa, agreed with Tamar Goldmann's comments; opposition to survey/poll; and keep Fairview Park as is. (05:59:12)

Margaret Mooney, Costa Mesa, spoke in opposition of survey/poll; opposed sports field; and need for lighted fields. (06:01:18)

Beth Rafakes, Costa Mesa, spoke on phone poll problematic; way questions will be structured; a need for statistics; and put on ballot for voters to decide. (06:03:22)

Charles Mooney, Costa Mesa, spoke on open space attracts families; support needs assessment; and look at lighting options. (06:05:45)

MOTION: To continue the meeting past midnight.
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, and Mayor Mensinger.
Nays: None
Absent: None
Motion carried: 5-0

Chuck Perry, Costa Mesa, spoke on history of Fairview Park; neighbors opposed lights; a need for restrooms and parking; and agreed with a survey/poll. (06:08:06)

MOVED/SECOND: Council Member Foley/Council Member Genis
MOTION: Receive and File.

SUBSTITUTION MOTION/SECOND: Mayor Pro Tem Righeimer/Council Member Genis
MOTION: Include questions pertaining to Fairview Park in the Open Space Master Plan Parks and Recreation Survey scope of work.
The motion carried by the following roll call vote:
Ayes: Council Member Genis, Council Member Foley, Council Member Monahan Mayor Pro Tem Righeimer and Mayor Mensinger.
Nays: None
Absent: None
Motion carried: 5-0

ACTION:
City Council approved including Fairview Park in the Open Space Master Plan Parks and Recreation Survey scope of work.

ITEMS REMOVED FROM THE CONSENT CALENDAR (06:28:24)

City Council recessed for a break at 12:14 a.m.
City Council reconvened the meeting at 12:19 a.m.

3. WARRANT RESOLUTION NO. 2531 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 15-03 "A" FOR (-$4,716.45) AND 15-04 FOR $2,220,641.02; AND CITY OPERATING EXPENSES FOR $1,385,088.26; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

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:
Approved Warrant Resolution No. 2531, to be read by the title only, and waived further reading.

4. ARTERIAL STREETS REHABILITATION PROJECT, CITY PROJECT NO. 13-08 (06:34:15)

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

ACTION:
1. City Council accepted the work performed by R.J. Noble Company, and authorized the City Clerk to file the Notice of Completion; and

2. City Council authorized the release the Labor and Material Bond seven (7) months after the filing date; authorized the release the Faithful Performance Bond one (1) year after the filing date; and authorized the release the retention monies 35 days after the Notice of Completion filing date.

7. PROFESSIONAL SERVICES AGREEMENT TO PROVIDE ENVIRONMENTAL CONSULTING SERVICES FOR AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR 216-UNIT APARTMENT DEVELOPMENT AT 2277 HARBOR BOULEVARD (06:34:33)

Public Comments:

Flo Martin, Costa Mesa, spoke on article in OC Register and eviction from Motels and assistance to relocate; and affordability of rental units. (06:35:00)

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 awarded the contract to First Carbon Solutions (FCS) in the amount of $59,929.00 for preparation of the Initial Study / Mitigated Negative Declaration (IS/MND) for the proposed 216-unit apartment development at 2277 Harbor Boulevard; authorized Mayor and City Clerk to sign and execute the contract, and authorized CEO to sign extensions or renewals of the contract. The total number of units may increase to 224, if the easement to the north of the property (0.15-acre in area) is vacated through a separate action by City Council.

8. RESOLUTION AUTHORIZING STREET CLOSURES FOR THE 2015 ORANGE COUNTY MARATHON (06:45:13)

Council Member Foley inquired about the cost to the City to allow for the OC Marathon and reimbursement. (06:45:53)

Discussion ensued on the rate determination for the Police Officers compared by year; total cost for the City; and reimbursement. (06:46:24)

Council Member Foley requested a breakdown of last year's costs for the OC Marathon. (06:50:04)

Gary Kutcher, Event Director of the OC Marathon, spoke on payments to the City; supports bringing people in to stay at the hotels; charity foundations; and kid's participation. (06:52:32)

Council Member Genis discussed percentages for hotel stays for the OC Marathon. (06:57:24)

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, and Mayor Mensinger.
Nays: None
Absent: None

Abstain: Mayor Pro Tem Righeimer (Due to office location next door to Board Member Scott Baugh)
Motion carried: 4-0-0-1

ACTION:
City Council adopted the Resolution designating event routes for the 2015 Orange County (OC) Marathon and approved the temporary street closures for May 3, 2015, as requested for the 2015 OC Marathon.

REPORT – CITY ATTORNEY – None (07:00:38)

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

The Mayor and City Council adjourned in memory of Crystal Morales and Henry Segerstrom at 12:46 a.m.

_____
Stephen M. Mensinger, Mayor

_____
Brenda Green, City Clerk