

UNOFFICIAL UNTIL APPROVED

MINUTES OF THE SPECIAL MEETING OF THE COSTA MESA CITY COUNCIL

April 22, 2014

CALL TO ORDER

The meeting was called to order by the Mayor at 7:00 p.m. at Costa Mesa City Hall, Council Chambers, 77 Fair Drive, Costa Mesa, California.

ROLL CALL

Present: Mayor Righeimer, Mayor Pro Tem Mensinger, Council Member Monahan (arrived 7:19 p.m.), Council Member Leece, and Council Member Genis

Absent: None

Officials Present: Chief Executive Officer Thomas R. Hatch, City Attorney Thomas Duarte, Assistant CEO Rick Francis, Assistant CEO/Administrative Services Director Tamara Letourneau; Economic and Development Services Director Gary Armstrong, Public Services Director Ernesto Muñoz, Interim Finance Director Steve Dunivent and City Clerk Brenda Green.

PUBLIC HEARING ON PROPOSED CHARTER

Kimberly Hall Barlow, Special Counsel, presented a report on the draft charter that was prepared by the Charter Committee.

Discussion ensued on Prevailing Wage Law; Uniform Cost Accounting Act; Outsourcing; Civic Openness In Negotiations; Charter Review Commission; Qualifications for Office; and Administrative positions. (08:25)

PUBLIC COMMENTS (00:00:40)

Harold Weitzberg, Costa Mesa, spoke on the process and expressed opposition to a Charter.

James Bridges, Costa Mesa, spoke in support of an elected Charter Commission.

Melissa Abrams, Costa Mesa, spoke on Section 806 and Powers.

Chris McEvoy, Costa Mesa, spoke in opposition to a Charter.

Greg Thunell, Costa Mesa, spoke in opposition to a Charter.

Gene Hutchins, Costa Mesa, thanked the Charter Committee and spoke in support of the Charter due to the pension provisions.

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Susan Shaw, Costa Mesa, spoke regarding public comments after changes are made to the document.

Terry Koken, Costa Mesa, spoke in opposition to a Charter.

Perry Valentine, Costa Mesa, thanked the Charter Committee for their time; and spoke in opposition to a Charter.

Cindy Brenneman, Costa Mesa, spoke in opposition to a Charter.

City Council recessed 7:56 p.m. – 8:05 p.m.

Tamar Goldmann, Costa Mesa, spoke in opposition to a Charter.

Ron Amburgey, Costa Mesa, spoke in support of the Charter.

Sue Lester, Costa Mesa, thanked the Committee Members and spoke in opposition to a Charter, and spoke on a cost analysis.

Tom Pollitt, Costa Mesa, thanked Committee Members and Staff, and spoke in support of a Charter.

Anna Vrska, Costa Mesa, spoke in opposition to a Charter.

Jay Humphrey, Costa Mesa, thanked the Committee Members and spoke in opposition to a Charter.

Karl Alf, Costa Mesa, spoke in opposition to a Charter.

Speaker, spoke in support of a Charter.

Robin Leffler, Costa Mesa, spoke in opposition to a Charter.

Public Comments were closed.

Council Member Monahan spoke on the need for a Charter.

Council Member Genis spoke regarding Section 104 - Powers.

Council Member Leece spoke in opposition to the Charter.

Mayor Pro Tem Mensinger spoke in support of the Charter.

Mayor Righeimer spoke in support of the Charter.

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Discussion ensued regarding eminent domain and that there are no changes pertaining to eminent domain in the Charter.

Discussion ensued regarding public bidding.

Discussion ensued regarding mailers and the Questions and Answers on the flyers.

ADJOURNMENT – Mayor Righeimer adjourned the meeting at 9:23 p.m.

Minutes adopted this 21st day of April, 2015.

Stephen M. Mensinger, Mayor

ATTEST:

Brenda Green, City Clerk

MINUTES OF THE CITY COUNCIL SPECIAL STUDY SESSION MEETING

April 29, 2014

CALL TO ORDER (00:00:11)

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

ROLL CALL (00:00:23)

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

Council Members Absent: Council Member Genis and Council Member Monahan

Officials Present: CEO Thomas Hatch, Assistant CEO Rick Francis, Assistant CEO Tamara Letourneau, City Attorney Thomas Duarte, Economic and Development Services Director Gary Armstrong, Public Services Director Ernesto Munoz, and City Clerk Brenda Green.

PUBLIC COMMENTS

ITEMS FOR DISCUSSION (00:02:15)

1. AUTHORIZE THE ISSUANCE OF A REQUEST FOR PROPOSAL FOR THE ARCHITECTURAL PLANNING AND DESIGN OF THE PROPOSED LIBRARY AT THE NEIGHBORHOOD COMMUNITY CENTER

Tammy Letourneau, Assistant Chief Executive Officer, presented Staff Report. (00:02:20)

Helen Freid of County Librarian OC Public Libraries, discussed conversion of the Community Center into a new library; and introduced the architects. (00:07:22)

Riata Kalwani of KAL Architects, Inc., provided a presentation; spoke on repurposing both the Neighborhood Community Center (NCC) and the Donald Dungan Library. (00:08:44)

Public Comments:

Barbara Steck, President of the Costa Mesa Library Foundation, spoke on the library as a good compromise; and that more space is needed. (00:20:39)

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Bob Ooten, President of the Library, spoke on the size of the library is limiting. (00:21:15)

Mary Ellen Goddard, Member of Friends of the Library and Costa Mesa Library Foundation, spoke in support of the project; and additional services that will be provided. (00:22:53)

Charlene Ashendorf, Costa Mesa, spoke in support of the update of the library. (00:24:24)

Robin Leffler, Costa Mesa, spoke on the gain of the Library and the loss of the Existing Community Center. (00:25:43)

Bonnie Copeland, Costa Mesa, spoke on justifying spending on the library. (00:27:21)

Cindy B, Costa Mesa, spoke in support of a new library and the refurbishing of current buildings. (00:28:22)

Beth Rafakes, Costa Mesa, spoke on the issues with the design and usage of the Neighborhood Community Center (NCC); and recommended not spending funds yet. (00:30:15)

Teresa Drain, Costa Mesa, spoke on different libraries; not changing the Community Center; and suggested building a new library at a different location. (00:32:15)

Anna Vrska, Costa Mesa, agreed with previous speaker; and the need to keep the Community Center. (00:34:23)

Council Member Leece spoke about building a new library with the help of the Library Foundation and Friends of the Library; described the Tustin Library layout; and spoke on the Donald Dungan Library accommodating user groups. (00:35:29)

CEO Hatch discussed the user groups of the Community Center. (00:38:48)

Council Member Leece spoke about the unused facilities around town and underutilized school facilities. (00:41:52)

Tammy Letourneau spoke on the length of time before construction; and discussed plans to work with each user group to address their needs. (00:43:05)

Helen Freid discussed the computer area and public space in the proposed library. (00:45:16)

Mary Ellen Goddard, Costa Mesa, discussed fundraising with Costa Mesa Library Foundation; raising monies; and supports the project. (00:47:39)

Discussion ensued on the usage of the Newport Beach library. (00:51:26)

Mayor Pro Tem Mensinger discussed the correlation in fundraising; transportation; and finding facilities for the user groups. (00:52:41)

Mayor Righeimer spoke on the costs for the new library; working with the proposed project to meet the needs of additional meeting space; recommended additional square footage; and supports project going out to bid. (00:54:13)

Discussion ensued on funding from donor; and grants. (00:57:45)

2. GENERAL PLAN UPDATE – LAND USE ALTERNATIVES (01:00:53)

Gary Armstrong, Director of Development Services, presented the Staff Report. (01:01:04)

Council Member Leece spoke on an in depth traffic study. (01:03:08)

Discussion ensued on traffic impacts; a traffic study; land use alternatives; and the EIR. (01:04:40)

Laura Stetson, of MIG Hogle-Ireland, provided a presentation that included eight areas of the community of Land Use Alternatives that include: Area A – Business Park Overlay, Area B – Segerstrom Home Ranch, Area C – Sakioka Lot 2, Area D – Residential Overlay, Area E – Corridor Mixed Use, Area F – Westside Overlay, Area G – Newport Boulevard Mixed Use, and Area H – SoBeca. (01:05:14)

Discussion ensued on land use; reduction in trips in residential versus commercial; and amortization. (01:19:14)

Gary Armstrong spoke on the proposed trips; and Industrial uses. (01:32:05)

Discussion ensued on removing or replacing mobile home parks; affordable housing in the City; and the existing overlay. (01:36:55)

Gary Armstrong requested preliminary feedback from Council; and noted that the added elements are: Conservation, Safety, Noise, Open Space and Recreation Elements. (01:44:30)

Public Comments:

John Holly, Costa Mesa, spoke on live/work units; new development; and family businesses. (01:51:16)

Beth Rafakes, Costa Mesa, spoke on the issues with density and live-work units; and the loss of Industrial businesses. (01:55:03)

Gary Smith, Costa Mesa, Business Owner of GS Manufacturing, spoke on the high density residential impacts to Industrial businesses. (01:57:13)

Bonnie Copeland, Costa Mesa, spoke in opposition to multi-family dwellings; new overlay districts, increased density, variances, and traffic and parking problems. (01:58:24)

Shelia Pfafflin, Costa Mesa, spoke against the Westside Plan and increased density. (01:59:58)

Cynthia McDonald, Costa Mesa, spoke on the Northside of Costa Mesa: and concerns with density. (02:01:21)

Julie Ronsworth, Costa Mesa, business owner of Blinn and Young; discussed concerns with having to relocate her business. (02:03:31)

Jay Humphrey, Costa Mesa, spoke on the General Plan; expressed concern with the outreach meetings not providing enough feedback; issues with traffic throughout the City; and discussed protecting the mobile home parks. (02:05:33)

Rick Putlovitz, Costa Mesa, spoke on the cost of relocating a business to another City; and spoke against high density. (02:08:20)

Robin Leffler, Costa Mesa, spoke on the community outreach; and the Westside overlays. (02:09:30)

Kim Harding, Costa Mesa, spoke as a business owner; spoke about the City as an optimal place to have a small business. (02:11:56)

Roger MacGregor, Costa Mesa, spoke against high density. (02:13:37)

Speaker, Costa Mesa, spoke on noise created at his Industrial business; and spoke against changing the General Plan. (02:17:09)

Mike Balsalmo, Costa Mesa, spoke on vehicular traffic; and demographic trends. (02:18:20)

Council Member Leece expressed disappointment with the outreach meetings; concerned with high density; and residents opposed to live-work units. (02:20:40)

Discussion ensued on the estimated traffic study; traffic indexes; added elements; live-work units; and the Quimby Law. (02:22:08)

Gary Armstrong stated that there is currently no fees for apartments but Staff is requesting a study be conducted. (02:25:15)

Director of Public Services, Ernesto Munoz, spoke on the update of the Open Space Master Plan. (02:26:20)

Mayor Righeimer spoke on the outreach meetings; Westside trips numbers; setbacks from residential to reduce heights and noise; and SoBeca. (02:29:28)

Mayor Pro Tem Mensinger spoke on balancing residential and manufacturing; and requested setting up guidelines and criteria to protecting existing uses. (02:43:21)

Discussion ensued on community outreach meetings; protecting businesses; and refining and adapting an overlay. (02:54:41)

Mayor Righeimer read into the record Council Member Genis's comments pertaining to the General Plan; General Plan updated growing exponentially; concerned with loss of economic base locations; high density uses; review economic implications; and cost revenue study and economic modeling of the City. (03:03:39)

Council Member Leece requested an economic report; and more outreach to the community. (03:04:53)

ADJOURNMENT

The Mayor adjourned the meeting at 7:39 p.m.

Minutes adopted on this 21st day of April, 2015.

Stephen M. Mensinger, Mayor

ATTEST:

Brenda Green, City Clerk

**MINUTES OF THE SPECIAL JOINT STUDY SESSION OF THE CITY COUNCIL AND
PLANNING COMMISSION**

June 10, 2014

CALL TO ORDER

The meeting was called to order by the Mayor at 4:35 p.m. in Conference Room 1A at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

ROLL CALL

Present: Mayor Righeimer, Mayor Pro Tem Mensinger, Council Member Genis, Council Member Leece, Council Member Genis, Chair Fitzpatrick, Chair Fitzpatrick, Vice Chair Dickson, Commissioner Matthews and Commissioner McCarthy.

Absent: Council Member Monahan (Arrived at 4:41 p.m.), Commissioner Sesler (Arrived at 5:05 p.m.)

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

PUBLIC COMMENTS (00:01:50)

Carrie Renfro, Costa Mesa, spoke on a moratorium on the issuance of building permits for Group Homes. (00:02:02)

Ann Parker, Costa Mesa, spoke on a moratorium on the issuance of building permits for Group Homes. (00:02:48)

Council Member Leece spoke on the moratorium requested and suggested it be included in the goals for Fiscal Year 2014-15. (00:06:38)

ITEM FOR DISCUSSION

1. ESTABLISHING PLANNING COMMISSION GOALS FOR FISCAL YEAR 2014-15

Presentation by Jerry Guarracino, Interim Assistant Director of Development Services. (00:07:26)

City Council and Planning Commissioners discussed goals and provided the following Planning Commission Goals for 2014-15.

1. Code Enforcement/Neighborhood Improvement Task Force (NITF):
 - A. Monitor and track progress of NITF relative to Residential Community Impacts:
 - i. Reconcile resident's list with City's list of properties, with the potential to cause Community Impacts
 - ii. Complaints and Evidence – Clarify for the Planning Commission and public the following as it relates to the reporting of Residential Community Impacts:
 - a. Understand the process of reporting and recording “issues,” (Formal Complaint Process).
 - b. Standardize the reporting practices.
 - c. Determining what rises to a level of “nuisance.”
 - B. Support NITF by appropriate Planning Commission action
 - i. Address Land Use issues through Ordinances, amendments or modification as needed.
 - C. Train Code Enforcement Officers on parking regulations and ticketing of on street vehicles.
 - D. Review and build on the experience gained from the four previous Targeted Neighborhood Improvement Programs
 - i. Key insights learned from programs
 - ii. Specifically focus on multi-family uses
 - iii. Continue to explore strategies to address overflow parking from older multifamily uses, including the use of new technology advances, for example “Car Lifts.”
 - E. Expand the focus of the NITF to include business impacts on the community; i.e., auto dealerships public address systems, banner removal and cleanup, inventory storage and business activity in the public right-of-way.
2. General Plan update and implementation
 - A. General Plan Update – Consider the draft document and make recommendation to City Council
 - B. Revise or revoke existing Specific Plans (i.e. Newport Blvd. Specific Plan and 17th Street Specific Plan)

- C. Revise/Update/Consolidate the Urban Master Plans for consistency with the New General Plan
 - i. Staff to coordinate a study session on the Westside Urban Plans
 - ii. Encourage community engagement in the update process
- 3. Zoning Code Updates
 - A. Update monument sign standards and requirements for potential recommendations of Sign Ordinance revisions to City Council.
 - B. Consistency Zoning follow-up to the General Plan updates
 - C. Accessory Structure Regulations/Over Sized Garages
 - i. Model after Huntington Beach; i.e. eliminate wet bars, eliminate 2nd story exterior ingress/egress
- 4. Consider residential parking solution when impact is not from commercial uses;
 - A. Prepare a “Guide for Residential Parking Controls” that explains the options and process to implement parking controls in residential neighborhoods (Public Services effort w/Planning Assistance).
- 5. “Motel Regulation, Inspections and Enforcement”
 - A. As part of the General Plan update consider incentives and flexible development and land use standards to promote and encourage motel conversions and redevelopment.
 - B. Consider an Ordinance to limit Long Term Occupancy rooms at motels and forward recommendation to City Council.
 - C. Review for compliance, existing Motel CUP’s for Long Term Occupancy (CMMI).
 - D. Continue to monitor the findings of the Neighborhood Improvement Taskforce Annual Motel Inspections, as reported in the quarterly report.
 - E. Identify properties for Title 20 investigations and potential nuisance action.
- 6. Review CUP regulation, enforcement and monitoring.

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- A. Review Zoning Code Chapter IV – Citywide Land Use Matrix to determine if changes should be made to which uses should be permitted, which should require a CUP or which should be prohibited. The goal would be to reduce the application for CUP's in zones that are not appropriate for the use and to permit (allow by right) more uses where appropriate.
 - B. Explore applicant based funding source options to pay for follow-up inspections and certifications.
 - C. Implement a policy to suspend annual CUP inspection due to staffing constraints; move to a complaint response, or as needed basis.
7. Planning Commission Training:
- A. Schedule periodic training for the Commissioners on best practices/procedures, CEQA and relevant planning topics, including legal requirements for a Variance.
8. Affordable Housing:
- A. Consider strategies to encourage affordable workforce housing, use density bonus as an incentive to provide affordable housing.
9. Make recommendations to Council regarding potential components of an Economic Development Plan for the City.

ADJOURNMENT

Mayor Righeimer adjourned the meeting at 6:00 p.m.

Stephen M. Mensinger, Mayor

ATTEST:

Brenda Green, City Clerk

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

September 20, 2011

CALL TO ORDER

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

ROLL CALL

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

Council Members Absent: None

CALL TO ORDER (00:00:02)

PLEDGE OF ALLEGIANCE (00:00:20) – Mayor Gary Monahan

MOMENT OF SOLEMN EXPRESSION (00:00:43)

Elder Robert Van Sweden, The Church of Jesus Christ of Latter-day Saints

ROLL CALL (00:02:22)

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

Absent: None

Officials Present: Chief Executive Officer Thomas R. Hatch, City Attorney Thomas Duarte, Assistant Chief Executive Officer Rick Francis, Finance and IT Director Bobby Young, Acting Economic and Development Services Director Claire Flynn, Senior Planner Mel Lee, Interim Development Services Director Khanh Nguyen, Public Services Director Peter Naghavi, Recreation Supervisor Lisa McPherson, and City Clerk Julie Folcik.

CLOSED SESSION REPORT - None

ANNOUNCEMENTS (00:02:36)

Costa Mesa Community Announcements and a video presentation for the First Costa Mesa Restaurant Week.

PRESENTATIONS (00:06:31)

Fred Arnold, Chairperson of the Costa Mesa 1/5 Support Group, spoke on the 1/5 Marines Status Update. (00:06:41)

Mayor Monahan recognized athlete Sharon Day. (00:14:34)

PUBLIC COMMENTS (00:18:22)

Doug Bryant, Costa Mesa, spoke on the police helicopter patrolling College Park. (00:19:03)

Robin Leffler, Costa Mesa, spoke on a letter received from a group called The Costa Mesa Taxpayers Association. (00:21:31)

Milo Koci spoke on the memorial tributes to Haeyoon Miller. (00:25:12)

Eleanor Egan, Costa Mesa, spoke on the Public Records Act. (00:28:21)

Ernie Feeney, Costa Mesa, spoke on the painting of the Senior Center parking lot. (00:30:52)

Perry Valentine, Costa Mesa, spoke on the City Council approving an open-ended contract; and the RFP process. (00:33:17)

Jay Humphrey, Costa Mesa, spoke on the police helicopter noise; and the RFP process. (00:36:26)

Tamar Goldmann, Costa Mesa, spoke on Council Member Mensinger's support of the local public schools; and legal expenditures on the website. (00:38:49)

Rachel Hamilton, Costa Mesa, spoke on the Airport Working Group Fundraiser event. (00:42:05)

Sandra Genis, Costa Mesa, spoke on the Public Safety Bar-B-Q; September 11th Remembrance; Public Funds; and Taxpayers letter. (00:43:00)

Mayor Pro Tem Righeimer spoke on the September 11th event; and City finances. (00:46:02)

Greg Thunell, Costa Mesa, spoke on the City Council's actions, and Public Service duties. (00:47:45)

Kevin Nelson, Costa Mesa, spoke on Banning Ranch in Newport Beach. (00:51:00)

James Proctor, Costa Mesa, spoke on the Constitution; and the Secret Service. (00:54:17)

Tom Pollitt, Costa Mesa, spoke on an article in the Orange County Register regarding Worker's Compensation Claims. (9:55:17)

Mayor Monahan stated a study session on Worker's Compensation will be held on October 25th. (00:58:23)

Chris McEvoy, Costa Mesa, spoke on Banning Ranch in Newport Beach. (00:58:51)

Mark McIlroy, Costa Mesa, spoke on the damage to a kiosk in Canyon Park. (01:00:58)

Discussion ensued between Council Member Mensinger and Peter Naghavi, Public Services Director, regarding the donation of labor to the Kiosk project in Canyon Park; and weekly vandalism in the Park. (01:02:28)

Jeff Cullen, Costa Mesa, spoke on the budget issue, and outsourcing. (01:03:09)

PUBLIC HEARINGS (01:06:06)

1. PUBLIC HEARING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING ZONING CODE AMENDMENT CO-10-06, AMENDING TITLE 13, ARTICLE 2 DEFINITIONS, AND CHAPTERS III, IV, V, VI, AND XII OF THE COSTA MESA MUNICIPAL CODE RELATING TO RESIDENTIAL SECOND UNITS, GRANNY UNITS, AND ACCESSORY APARTMENTS. (01:06:22)

Claire Flynn, Acting Economic and Development Services Director, spoke on the Zoning Code Amendments; State Law Requirements; and second unit ordinances. (01:07:01)

Public Comments:

Sandra Genis, Costa Mesa, spoke on second units. (01:25:40)

Robin Leffler, Costa Mesa, spoke on second units in the R1 Zone. (01:27:19)

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

The motion carried unanimously:

Ayes: Monahan, Righeimer, Bever, Leece, Mensinger

Noes: None

ACTION: City Council introduced Ordinance No. 11- XX for first reading, to be read by title only, and waived further reading, regarding Zoning Code Amendment Code CO-10-06, amending Title 13, Article 2 Definitions and, and

Chapters III, IV, V, VI, and XII of the Costa Mesa Municipal Code relating to Residential Second Units, Granny Units, and Accessory Apartments including the minimum lot size of 8500 square feet, and a minimum of two parking spaces for the second unit, in addition to the parking required for the primary dwelling unit.

2. **PUBLIC HEARING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, TO AMEND TITLE 13, CHAPTER VII, ARTICLE 2, GENERAL PROVISIONS AND ARTICLE 3, SIGN REGULATIONS, OF THE COSTA MESA MUNICIPAL CODE RELATED TO SIGN REGULATIONS. (01:31:42)**

Mel Lee, Senior Planner, spoke on the possible revisions to the City sign code; and California Sign Association. (01:32:07)

Public Comments:

Perry Valantine, Costa Mesa, spoke on sign modification; and supports the ordinance. (01:43:53)

Sandra Genis, Costa Mesa, spoke in support of the ordinance. (01:45:54)

John Feeney, Costa Mesa, spoke on sign regulations. (01:47:05)

Robin Leffler, Costa Mesa, spoke on visual clutter; and supports the ordinance. (01:50:20)

Beth Refakes, Costa Mesa, expressed concern over sign height, and painted signs. (01:51:28)

Mr. Lee spoke on the current sign code relating to murals and super graphics and height standards. (01:54:06)

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

The motion carried unanimously:

Ayes: Monahan, Righeimer, Bever, Leece, Mensinger

Noes: None

ACTION: City Council introduced Ordinance No. 11-XX for first reading, to be read by title only, and waived further reading amending Title 13, Chapter VII, Article 2, General Provisions and Article 3, Sign Regulations, of the Costa Mesa Municipal Code Related to Sign Regulations.

3. PUBLIC HEARING: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, TO ADOPTING AN ON-LINE RECREATION REGISTRATION SYSTEM USE FEE. (02:00:51)

Lisa McPherson, Recreation Supervisor, spoke on the current recreation system versus Active Network system. (02:01:48)

Public Comments:

Sandra Genis, Costa Mesa, spoke on the system use fee. (02:13:25)

MOTION/SECOND: Council Member Mensinger/Mayor Monahan

The motion carried by the following roll call vote:

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

Noes: Council Member Leece

The motion carried 4-1:

Council Member Mensinger made a motion to support the staff's recommendation, and call the \$5.00 system use fee a convenience fee. (02:17:20)

ACTION: City Council adopted Resolution No. 11-39 adopting an on-line recreation registration convenience fee and approving a Services Agreement with The Active Network, Inc. in the amount of \$22,057.28, for a three-year (3) term with the option of two (2) three-year extensions.

Mayor Monahan called for a break. (02:20:54)

RECESS THE REGULAR CITY COUNCIL MEETING AND CONVENE TO THE SPECIAL JOINT MEETING OF THE CITY COUNCIL AND THE REDEVELOPMENT AGENCY (RDA) (02:22:45)

ROLL CALL

Agency Members Present: Chair Monahan, Vice Chair Righeimer, Agency Member Bever, Agency Member Leece, Agency Member Mensinger

Absent: None

PUBLIC COMMENTS – None

OLD BUSINESS (02:23:52)

City and Agency Actions under 2011 Redevelopment Legislation (02:23:55)

1. **From the meeting of September 6, 2011, Ordinance No. 11-09: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ELECTING TO COMPLY WITH AND PARTICIPATE IN THE VOLUNTARY ALTERNATIVE REDEVELOPMENT PROGRAM CONTAINED IN DIVISION 24, PART 1.9 OF THE CALIFORNIA HEALTH AND SAFETY CODE. (02:24:10)**

Bobby Young, Finance and IT Director, provided report on Old Business Item #1, New Business Item #2; and Item #3. (02:25:37)

MOTION/SECOND: Chair Monahan/Agency Member Leece

The motion carried unanimously:

Ayes: Monahan, Righeimer, Bever, Leece, Mensinger

Noes: None

ACTION: Agency Board adopted Ordinance No. 11-09, to be read by title only, and waived further reading, electing to comply with and participate in the Voluntary Alternative Redevelopment Program contained in Division 24, Part 1.9 of the California Health and Safety Code. (02:27:51)

NEW BUSINESS (02:28:42)

2. **A RESOLUTION OF THE COSTA MESA REDEVELOPMENT AGENCY, CITY OF COSTA MESA, CALIFORNIA, ADOPTING AN INITIAL RECOGNIZED OBLIGATION PAYMENT SCHEDULE, TRANSMITTING SUCH SCHEDULE TO THE CITY, AS SUCCESSOR AGENCY, APPROVING AN AGREEMENT TO TRANSFER TAX INCREMENT BETWEEN THE AGENCY AND THE CITY OF COSTA MESA, AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH. (02:28:44)**

MOTION/SECOND: Chair Monahan/Agency Member Mensinger

The motion carried unanimously:

Ayes: Monahan, Righeimer, Bever, Leece, Mensinger

Noes: None

ACTION: Agency Board adopted Resolution No. 11-XX adopting an initial Recognized Obligation Payment Schedule, transmitting such schedule to the City, as Successor Agency, approving an Agreement to Transfer Tax Increment between the Agency and the City of Costa Mesa, and making certain findings in connection therewith.

3. **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ACCEPTING TRANSMITTAL OF THE AGENCY'S INITIAL RECOGNIZED OBLIGATION PAYMENT SCHEDULE; APPROVING AN AGREEMENT TO TRANSFER TAX INCREMENT BETWEEN THE CITY AND THE**

**AGENCY; AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH.
(02:29:01)**

MOTION/SECOND: Chair Monahan/Agency Member Mensinger

The motion carried unanimously:

Ayes: Monahan, Righeimer, Bever, Leece, Mensinger

Noes: None

ACTION: Agency Board adopted Resolution No. 11-XX accepting transmittal of the Agency's initial Recognized Obligation Payment Schedule; approving an Agreement to Transfer Tax Increment between the City and the Agency; and making certain findings in connection therewith.

REPORTS (02:29:42)

Agency Attorney - None

Executive Director – None

SPECIAL JOINT MEETING OF THE CITY COUNCIL AND THE REDEVELOPMENT AGENCY WAS ADJOURNED AND THE REGULAR CITY COUNCIL MEETING WAS RECONVENED. (02:29:48)

NEW BUSINESS (02:30:02)

- 1. Naming a city park after prominent citizen Jack Hammett, and selecting and approving the new name if a park location is chosen. (02:30:17)**

Peter Naghavi, Public Services Director, spoke on Jack Hammett's dedication, and life service, to the City of Costa Mesa; and recommended Civic Center Park for the renaming. (02:30:29)

Discussion ensued between Council Member Leece and Mr. Naghavi regarding sign adjustments at the Farm Sports Complex. (02:33:00)

Sandra Genis, Costa Mesa, spoke on Jack Hammett's accomplishments. (02:34:43)

Beth Refakes, Costa Mesa, spoke about Jack Hammett. (02:36:26)

CEO Hatch stated a verbal offer has come in to help with the sign costs. (02:37:50)

Discussion ensued between Council Member Bever and Mr. Hammett about his preference of a park. (02:38:45)

Mayor Pro Tem Righeimer spoke on the reasons for renaming a park after Jack Hammett; made a motion his name be added to the Farm Sports Complex, and it be called the Jack Hammett Sports Complex. (02:40:08)

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

The motion carried unanimously:

Ayes: Monahan, Righeimer, Bever, Leece, Mensinger

Noes: None

ACTION: City Council authorized renaming the Farm Sports Complex the Jack Hammett Sports Complex

Mayor Monahan stated it was an honor to rename the park the Jack Hammett Sports Complex. (02:43:21)

Mr. Hammett thanked the City Council and staff for the honor; and spoke on his life in Costa Mesa. (02:43:41)

REPORT-CHIEF EXECUTIVE OFFICER (CEO) (02:45:32)

CEO Hatch spoke on the tree which fell and killed a citizen; arborists report concerning tree removal; discussion ensued with Mr. Naghavi regarding the tree situation; and response to Public Comments. (02:45:45)

Mr. Fitzpatrick expressed concern regarding Costa Mesa's participation in tree removal. (03:00:30)

CONSENT CALENDAR (03:03:00)

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 12 except for Items 2, 9, 10, 11, and 12

MOVED/SECOND: Council Member Bever/Council Member Mensinger

The motion carried unanimously:

Written Communications

1. Reading Folder

ACTION: Received and processed

(a) Claim received by the City Clerk: Kimberly Aldridge.

(b) Requests for Alcohol Beverage Control licenses: Tabu Shabu Restaurant LLC, and The Boulevard.

Warrants

3. **WARRANT RESOLUTION 2386: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 11-18 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 11-18 for \$2,085,126.66 and Payroll No. 11-17A for \$5,349.30, and City operating expenses for \$307,816.89, including payroll deductions.**

ACTION: Approved

4. **WARRANT RESOLUTION 2387: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding City operating expenses for \$1,164,391.**

ACTION: Approved

5. **Professional Services Agreement with Michael Balliet Consulting, 26351 Tarrasa Lane, Mission Viejo, for the administration of the city's Source Reduction and Recycling Element (SRRE), in the amount of \$33,500, for a term beginning October 1, 2011 through September 30, 2012, and with an option to extend the Professional Services Agreement on October 1st of each fiscal year for up to a maximum of five (5) years if the contract adjustment is equal to or less than the annual Consumer Price Index (CIP).**

ACTION: Approved; authorized the Mayor and City Clerk to sign

6. **Professional Services Agreement with Western Transit Services, 1619 East Lincoln Avenue, Anaheim, for driver services for the Costa Mesa Senior Mobility Program, in the amount of \$219,218, for a three-year (3) term with one (1) optional two-year (2) extension.**

ACTION: Approved; authorized the Mayor and City Clerk to sign

7. **Amendment of Professional Services Agreement, with Carl Warren & Company, to extend the term beginning January 1, 2011 and ending no later than December 31, 2012, in an amount not to exceed \$75,000.**

ACTION: Approved; authorized the City CEO and City Clerk to sign

8. **Completion of American Recovery and Reinvestment Act (ARRA) Rehabilitation of Wilson Street (from Harbor Boulevard to Anaheim Avenue), Federal Project No. ESPL-5312(081), City Project No. 10-10, by R.J. Noble Company, 15505 East Lincoln Avenue, Orange.**

ACTION: Accepted work; authorized City Clerk to file a Notice of Completion; release retention monies 35 days thereafter; exonerate the Labor and Material Bond seven (7) months thereafter; and exonerate the Faithful Performance Bond seven (7) months thereafter

ITEMS REMOVED FROM THE CONSENT CALENDAR (03:03:44)

Minutes

2. Regular meeting of September 6, 2011. (03:03:46)

Mayor Monahan requested minutes be moved to the next meeting. (03:03:47)

MOTION/SECOND: Mayor Monahan/Council Member Bever
The motion carried unanimously:

ACTION: Approved minutes to be agendized to the next meeting

Administrative Actions

9. Memorandum of Understanding between the cities of Costa Mesa, Huntington Beach, Westminster, and Fountain Valley for the administration of awarded grant funding via Southern California Edison. (03:03:57)

Mr. Dan Baker stated this funding will help set up an energy shop to assist local municipalities to streamline their energy endeavors; spoke on energy enterprise energy management software system for in-depth energy analysis; grant funding loss; and signing of the MOU (03:04:24)

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

ACTION: Approved; authorized the Mayor and City Clerk to sign

10. Request for Proposal (RFP) for Jail Services. (03:08:41)

Tamar Goldmann, Costa Mesa, spoke on jail services. (03:09:20)

Greg Thunell, Costa Mesa, spoke against outsourcing jail services. (03:10:21)

Perry Valentine, Costa Mesa, spoke on memo analysis; and City employees. (03:12:14)

Jay Humphrey, Costa Mesa, spoke on jail services; and video services. (03:15:19)

Sandra Genis, Costa Mesa, spoke on liability insurance. (03:18:10)

Robin Leffler, Costa Mesa, spoke on outsourcing and liability. (03:19:38)

Mayor Pro Tem Righeimer stated the City Council, the CEO, a group of two, will meet with any representative to discuss the contracts they have with the City; spoke on outsourcing; RFP's ; labor representatives; and cost qualifications. (03:22:14)

Mayor Monahan spoke on the budget stabilization plan from Santa Ana; Brown Act Violation; jail proposal; PERS liability; and RFP's. (03:31:16)

Discussion ensued regarding legal analysis of outsourcing; spoke on employee reduction; and requested CEO Hatch to speak on the process of evaluation for level of service. (03:35:21)

CEO Hatch stated the price factor is only one of many factors; current level of service will be used for comparison when looking at new proposals; innovation and creativity component will be included in the proposals; and a fair and objective proposal analysis given to the City Council by staff. (03:41:13)

Discussion ensued between Council Member Mensinger and CEO Hatch regarding the Police Department; Park Rangers; and adequate service levels. (03:43:36)

Council Member Bever spoke on State Law service levels. (03:50:58)

MOTION/SECOND: Mayor Monahan/Mayor Pro Tem Righeimer

Council Member Leece stated she will not support the motion.

Discussion ensued regarding motivation and opinion of a Council Member. (03:52:46)

The motion carried by the following roll call vote:

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

Noes: Council Member Leece

The motion carried 4-1:

ACTION: City Council authorized staff to release the RFP

11. Request for Proposal (RFP) for Video Production Services. (03:54:38)

Perry Valantine, Costa Mesa, spoke on the video services. (03:55:10)

Tamar Goldman, Costa Mesa, spoke on outsourcing; and excessive spending. (03:57:20)

Greg Thunell, Costa Mesa, spoke on video services. (04:01:17)

Robin Leffler, Costa Mesa, spoke on lay-off notices; and outsourcing. (04:04:10)

Sandra Genis, Costa Mesa, spoke on outsourcing, and work quality. (04:07:00)

Beth Refakes, Costa Mesa, spoke on work submission for the RFP. (04:09:14)

Council Member Mensinger spoke on the creation of the outsourcing process. (04:13:11)

Discussion ensued regarding current staff competing in the process; old video equipment; employee contracts; and the outsourcing process. (04:14:42)

MOTION/SECOND: Mayor Pro Tem Righeimer/Mayor Monahan

Council Member Leece stated she will not be supporting the motion. (04:24:26)

The motion carried by the following roll call vote:

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

Noes: Council Member Leece

The motion carried 4-1:

ACTION: City Council authorized staff to release the RFP

12. Request for Proposal (RFP) for Building Inspection Services. (04:25:54)

Perry Valantine, Costa Mesa, requested information as to the RFP's being made public; spoke on number of building inspectors; and emergency situations. (04:26:15)

Tamar Goldmann, Costa Mesa, spoke on building inspection. (04:30:54)

Jay Humphrey, Costa Mesa, requested contract information regarding RFP language. (04:33:21)

Sandra Genis, Costa Mesa, spoke on conflict of interest clause; and prevailing wage laws. (04:36:26)

Mayor Monahan spoke on fewer building inspectors; and motioned to send out the RFP with the two changes regarding scoring and going through the City Attorneys office. (04:38:35)

MOTION/SECOND: Mayor Monahan/Mayor Pro Tem Righeimer

The motion carried by the following roll call vote:

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

Noes: Council Member Leece

The motion carried 4-1:

ACTION: City Council authorized staff to release the RFP

OLD BUSINESS (04:39:24)

1. **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, TO REZONE A 3.7-ACRE PARCEL FROM C1 (LOCAL BUSINESS DISTRICT) AND P (PARKING) TO R2-MD (MULTIPLE FAMILY RESIDENTIAL) FOR PROPERTY LOCATED AT 2626 HARBOR BOULEVARD.**

Mayor Monahan stated there was a request to continue this item for 30 days. (04:39:26)

MOTION/SECOND: Mayor Monahan/Mayor Pro Tem Righeimer

The motion carried unanimously:

ACTION: City Council continued the item.

NEW BUSINESS (04:39:43)

2. **General Plan Screening Request Amendment to GPS-11-03, to allow greater development flexibility for Sakioka Lot 2 located at 14850 Sunflower Avenue. (04:39:46)**

Claire Flynn, Acting Economic and Development Services Director, spoke on the undeveloped site on Sunflower Avenue; zoned for commercial and/or residential use; General Plan Amendments; and the screening request. (04:40:05)

George Sakioka, Sakioka Company, representing the property owners, stated that they supported the staff's direction to initiate the General Plan Amendment for the property screening. (04:45:54)

MOTION/SECOND: Mayor Monahan/Council Member Leece

The motion carried unanimously:

ACTION: City Council accepted City-initiated General Plan Screening request for processing

COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (04:46:51)

Council Member Mensinger spoke on the outsourcing process; spoke on the Woodbridge Invitational; Talbert Park; and flight patterns over the Fair area. (04:56:54)

Mayor Pro Tem Righeimer spoke on employee compensation; helicopter sale; outsourcing; worker's compensation; and TeWinkle Park. (04:58:42)

Council Member Bever spoke on campaign reform. (05:06:31)

Council Member Leece spoke on the Homeless Task Force Meeting; crime newsletter; Costa Mesa Historical Society; and new businesses in Costa Mesa. (05:07:29)

Discussion ensued regarding the median trees in Newport Beach versus the ones on the Costa Mesa side. (05:11:30)

Discussion ensued regarding the crime statistics, and the information received. (05:12:57)

Mayor Monahan - None

REPORT – CITY ATTORNEY - None

REPORT – CHIEF EXECUTIVE OFFICER (CEO) (05:14:00)

CEO Hatch spoke on unfunded liability; worker's compensation; and Banning Ranch Development. (05:14:03)

CLOSED SESSION (05:20:38)

The City Council recessed into closed session at 11:23 p.m. to consider the following items:

1. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Firefighters Association (CMFA), Costa Mesa Police Officers Association (CMPOA) and Costa Mesa Police Management Association (CMPMA), Costa Mesa Fire Fighters Management Association, and Costa Mesa Division Managers Association pursuant to Government Code Section 54957.6

2. Conference with legal counsel regarding existing litigation: Costa Mesa Employees Association v. City of Costa Mesa, a municipal corporation, et al., Orange County Superior Court Case No. 30-2011 00475281, pursuant to Government Code Section 54956.9(a).
3. Conference with legal counsel, regarding existing litigation: City of Costa Mesa v. D'Alessio Investments, LLC, a Nevada Corporation; et al.: Orange County Superior Court Case No. 30-2011-00468876, pursuant to subdivision (a) of Government Code Section 54956.9.

PUBLIC COMMENTS ON CLOSED SESSION ITEMS - None

The Mayor adjourned the meeting at 11:22 p.m.

Stephen M. Mensinger, Mayor

Brenda Green, City Clerk

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

APRIL 15, 2014

CALL TO ORDER

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

ROLL CALL

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

Council Members Absent: None

PUBLIC COMMENTS ON CLOSED SESSION ITEMS

CLOSED SESSION

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

1. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organization: Costa Mesa Police Officers Association (CMPOA), 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 City Employee Association (CMCEA), pursuant to California Government Code Section 54957.6.
3. Conference with legal counsel regarding existing litigation: Costa Mesa Employees Association v. City of Costa Mesa, a municipal corporation, et al., Orange County Superior Court Case No. 30-2011 00475281, pursuant to California Government Code Section 54956.9(a).
4. Conference with legal counsel regarding existing litigation: Agnieszka Szczerbinska Baltusis and Victor Baltusis v. City of Costa Mesa, a municipal corporation, et al., Orange County Superior Court Case No. 30-2012 00607875, pursuant to California Government Code Section 54956.9(a).
5. Request for Special Leave of Absence: Public Employee, pursuant to California Government Code Section 54957(b)(1).

Mayor Righeimer and Mayor Pro Tem Mensinger recused themselves from Closed Session item number 3 due to a potential conflict.

The City Council reconvened at 6:05 p.m.

CALL TO ORDER (00:00:16)

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

MOMENT OF SOLEMN EXPRESSION (00:00:54) –

David Manne, Calvary Chapel of Costa Mesa

ROLL CALL (00:02:09)

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 (00:02:22)

City Attorney Duarte reported on Closed Session item 5: Request for Leave of Absence

(5-0 vote) – City Council approved the request.

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

ANNOUNCEMENTS (00:02:45)

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

PRESENTATIONS (00:05:12)

Dave Kiff, City Manager, City of Newport Beach, provided an update and a presentation on the John Wayne Airport. (00:05:25)

Presentation by Transportation Corridor Authority (TCA) on all electronic tolling (no cash booths). (00:11:32)

Recognition of Code Enforcement Officer Mike Tucker and Grace Fellowship Church for assisting a citizen in property maintenance. (00:23:11)

PUBLIC COMMENTS (00:29:00)

Chris McEvoy, Costa Mesa, spoke regarding a Charter; public participation; the 2014 election; and Fairview Park. (00:29:23)

Chuck Berry, Costa Mesa, spoke regarding the rehabilitation of Victoria Street; and Vanguard University Soccer field and parking. (00:32:05)

Flo Martin, Costa Mesa, spoke regarding Firefighters and Paramedics who saved her sons life. (00:33:33)

Beth Refakes, Costa Mesa, spoke on the collection for the 1/5 Marine Battalion; a 60th Anniversary Committee follow up; and requested a link on the website for John Wayne Airport issues. (00:36:59)

Sue Lester, Costa Mesa, recognized Mike Tucker on his award and a Costa Mesa Park Ranger for being deployed; and ethics policy. (00:40:40)

Kathie Espahani, Costa Mesa, Affordable Housing Coalition; spoke on the revocation of the Sandpiper Motel Conditional Use Permit. (00:44:01)

Cindy Brenneman, Costa Mesa, spoke regarding donations for the Marines 1/5; a Goat Hill event on Saturday, April 19; fire department donation fund for families; Community Run on April 26; Relay 4 Life on April 31, 2014; distracted drivers and an ethics policy. (00:47:19)

Alan Katz, Costa Mesa, spoke on a crosswalk or light standard on Victoria by Victoria Healthcare. (00:50:29)

Robin Leffler, Costa Mesa, spoke regarding items discussed at the 60th Anniversary meeting. (00:53:01)

COUNCIL MEMBER'S REPORTS, COMMENTS, AND SUGGESTIONS (00:56:19)

Council Member Monahan – spoke regarding the possibility of a medical marijuana initiative. (00:56:23)

Mayor Righeimer – spoke regarding Affordable Housing; the revocation of the Sandpiper Motel Conditional Use Permit; motel rooms and long term stays; and a comment on a blog. (00:57:35)

Mayor Pro Tem Mensinger – echoed the Mayor's sentiments regarding comments on blogs. (01:05:46)

Council Member Genis – spoke on the Goat Hill event; and the Southern California Association of Governments annual conference on May 1st and 2nd. (01:06:54)

Council Member Leece – spoke on public comments; spoke on free speech; the ethics policy; Roberts Rule of Order; motels; affordable housing; the Senior Center; and the Freedom Committee. (01:07:47)

REPORT- CHIEF EXECUTIVE OFFICER (CEO) (01:15:46)

CEO Hatch – spoke on the ethics policy; the Charter Public Hearing on April 22nd; Study Session regarding General Land Use Alternatives; library concepts; budget study session on May 13th; the 60th Anniversary meeting; Costa Mesa Connect Smart Phone application; and a Firefighter rescue at a daycare.

Assistant CEO Richard Francis and Code Enforcement Officer Mike Tucker provided an update on group homes.

CONSENT CALENDAR (01:37:49)

MOTION: Approved recommended actions for Consent Calendar Items Nos. 1-10 except for items 6 and 10.

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

Abstain: Mayor Pro Tem Mensinger and Mayor Righeimer (on Consent Calendar Item No. 9)

Motion carried: 5-0 (items 1-10, excluding item Nos. 6, 9 and 10)

Motion carried: 3-0-2 (on Consent Calendar Item No. 9)

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

ACTION:

City Council waived reading in full of Ordinances and Resolutions and approval and adoption of same by reading title only.

2. **WARRANT RESOLUTION 2513: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 14-06 "A" AND 14-07 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No.14-06 "A" for \$1,957.29, Payroll No. 14-07 for \$2,055,846.95 and City operating expenses for \$1,567,440.24.**

ACTION:

Approved Warrant Resolution No. 2513, to be read by title only and further reading waived.

3. **INVESTMENT MANAGEMENT SERVICES UPDATE**

ACTION:

City Council received and file.

4. **PARKWAY CONCRETE REPAIR (AREA 29) – CITY PROJECT NO. 12-21**

ACTION:

1. City Council accepted the work performed by C.J. Concrete Construction, Inc. and authorize the City Clerk to file the Notice of Completion; and
2. Released the Labor and Material Bond seven (7) months after the filing date; released the Faithful Performance Bond one (1) year after the filing date; and released the retention monies 35 days after the Notice of Completion filing date.

5. **MEMORANDUM OF UNDERSTANDING WITH STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR SHARING OF CLOSED CIRCUIT TELEVISION (CCTV) VIDEOS**

ACTION:

1. City Council approved the attached Memorandum of Understanding between the City of Costa Mesa and the State of California Department of Transportation (Caltrans) for the purpose of sharing Closed Circuit Television (CCTV) video images/streams between Caltrans, participating cities in Orange County, and the City of Costa Mesa; and
2. Authorized the Chief Executive Officer and the City Clerk to execute the above agreement.

7. REQUEST FOR SALE, SERVICE AND CONSUMPTION OF BEER AND WINE BEVERAGES AT FAIRVIEW PARK FOR 2014 CONCERTS IN THE PARK

ACTION:

1. City Council approved the request by the Costa Mesa Community Foundation for the sale, service, and consumption of beer and wine beverages at Fairview Park during the 2014 Summer Concerts in the Park series in a confined area and with appropriate training for servers; and
2. Granted administrative authority to the CEO to annually authorize such request. The CEO will notify Council via memo of said requests and approvals.

8. REQUEST FOR ALCOHOL SERVICE AND CONSUMPTION AT FAIRVIEW PARK FOR ANNUAL FISH FRY

ACTION:

1. City Council approved the Costa Mesa-Newport Harbor Lions Club's request to sell wine and beer at the 2014 Fish Fry; and
2. In addition, granted administrative authority to the CEO to annually authorize such request. The CEO will notify Council via memo of said requests and approvals.

9. APPOINTMENT OF CITY NEGOTIATORS FOR THE COSTA MESA POLICE ASSOCIATION NEGOTIATIONS AND AUTHORIZATION TO PROCEED WITH THE FINANCIAL ANALYSIS OF THE MOU PER THE COIN ORDINANCE

ACTION:

1. City Council designated Tamara Letourneau, Assistant Chief Executive Officer; Richard M. Kreisler, Partner, Liebert Cassidy Whitmore; and, Laura Kalty, Partner, Liebert Cassidy Whitmore as the City's representatives in negotiations with the Costa Mesa Police Association (CMPA); and
2. Authorized staff to have the independent fiscal analysis of the current CMPA Memorandum of Understanding (MOU) completed per the requirements of the COIN Ordinance.

PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55) (01:38:40)

- 1. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ORDERING THE VACATION OF A PORTION OF FULLERTON AVENUE RIGHT-OF-WAY AT 1854 FULLERTON AVENUE (01:45:33)**

Staff report provided by Public Services Director, Ernesto Muñoz.

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 adopted Resolution No. 14-20, to be read by title only and waived further reading, ordering the vacation of a portion of Fullerton Avenue Right-Of-Way at 1854 Fullerton Avenue; and
2. Authorized execution of the Quitclaim Deed by the Mayor and the City Clerk.

- 2. 125 EAST BAKER STREET APARTMENT PROJECT:**

FINAL EIR (STATE CLEARINGHOUSE # 2013081051); GENERAL PLAN AMENDMENT GP-13-02; REZONE R-13-02; ZONING CODE AMENDMENT CO-13-02; MASTER PLAN PA-13-11, AND DEVELOPMENT AGREEMENT DA-14-02 FOR 125 EAST BAKER STREET (01:38:45)

Public Comments:

Robin Leffler, Costa Mesa, spoke on considering the General Plan update first. (01:41:23)

MaryAnn O'Connell, Costa Mesa, spoke regarding traffic and housing. (01:41:50)

Terry Koken, Costa Mesa, spoke on attracting people to Costa Mesa. (01:42:54)

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:

City Council continued the Public Hearing.

OLD BUSINESS – NONE

NEW BUSINESS (01:56:35)

1. APPOINTMENTS TO COUNCIL-APPOINTED COMMITTEES (01:56:41)

Staff report by City Clerk Brenda Green. (01:56:41)

ACTION:

City Council made appointments to fill vacancies on the following committees:

a. Finance Advisory Committee

Mayor Pro Tem Mensinger nominated the following individuals to the Finance Advisory Committee:

James Fidler, Christopher Graham, Howard Hull, Robert Juneman, Tom Pollitt, Richard Riva, Terry Shaw, and Colin Smith, Jeff Arthur

MOTION: Approve

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

Motion carried: 5-0

b. Fairview Park Citizens Advisory Committee

Mayor Pro Tem Mensinger nominated Frank Davern to the Fairview Park Citizens Advisory Committee.

MOTION: Approve

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

Motion carried: 5-0

c. Historical Preservation Committee

Council Member Leece nominated John McQueen to the Historical Preservation Committee as an alternate member.

MOTION: Approve

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

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

Nays: None

Absent: None

Motion carried: 5-0

2. URBAN MASTER PLAN SCREENING REQUEST (UMP-14-01) FOR A 16-UNIT LIVE/WORK DEVELOPMENT LOCATED AT 2026 PLACENTIA AVENUE (02:02:00)

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

Discussion ensued regarding parking; garages; alley setback; retail space; kitchen; and open space. (02:07:10)

Public Comments:

Jay Humphrey, Costa Mesa, spoke regarding parking concerns and tandem parking. (02:12:09)

Robin Leffler, Costa Mesa, spoke on the West Bluffs Urban Plan vision; work units; and open space. (02:13:58)

Matt Hamilton, Applicant, spoke on the work area; kitchen; entrances; work space; parking; alley setback; and tandem parking. (02:16:04)

Discussion continued regarding picnic and outdoor areas; open space; and permeable pavers. (02:18:40)

City Council provided feedback for a proposed 16-unit live/work project within the Mesa West Bluffs Urban Plan.

3. ETHICS POLICY - REMOVED

RECOMMENDATION:

~~Staff recommends that the City Council approve City Council Policy 000-15 establishing an Ethics Policy.~~

ITEMS REMOVED FROM THE CONSENT CALENDAR (02:26:40)

6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DESIGNATING PERMIT PARKING ON CENTER STREET BETWEEN PLACENTIA AVENUE AND WALLACE AVENUE (02:27:06)

Public Comments:

Jay Humphrey, Costa Mesa, spoke on parking concerns. (02:27:30)

Anna Vrska, Costa Mesa, expressed parking concerns due to high density developments. (02:29:45)

Wing Lamm, Costa Mesa, suggested resident parking after 5 p.m. and on the weekend due to the limited parking at his business. (02:30:28)

Discussion ensued regarding parking issues. (02:32:20)

Nelsie Jimenez, Costa Mesa, expressed concerns with having no parking on her street. (02:34:25)

Speaker, Costa Mesa, expressed concerns with having no parking on her street. (02:35:05)

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

SUBSTITUTE MOTION: To approve original staff recommendation

MOVED/SECOND: Council Member Genis/Council Member Leece

Mayor Righeimer requested staff bring back a report in 3 to 4 months.

Council Member Genis and Leece withdrew their substitute motion.

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

1. City Council adopted Resolution No. 14-19, to be read by title only and waived further reading, approving the implementation of a "Resident Only" parking restriction on Center Street, between Placentia Avenue and Wallace Avenue from 5 p.m.-8 a.m.; and
2. Authorized the Transportation Services Manager to extend the "resident only" parking restriction for a maximum of 1,000 feet as needed.

10. PARTICIPATION IN ECONOMIC DEVELOPMENT CONFERENCE (02:41:03)

Council Member Leece requested information from the attendance of this conference. (02:41:03)

MOTION/SECOND: Council Member Monahan/Council Member Leece

Public Comments:

Beth Refakes, Costa Mesa, inquired on the estimated total cost and businesses attracted to Costa Mesa from previous conferences. (02:43:05)

MOTION/SECOND: Council Member Monahan/Council Member Leece

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council provided formal approval, per Council Policy 100-8 for both Mayor Righeimer and Mayor Pro Tem Mensinger to attend the annual International Conference of Shopping Centers (ICSC) conference in Las Vegas, Nevada on May 18-20, 2014, along with City staff.

CONTINUED PUBLIC COMMENTS (02:45:15)

Anna Vrska, spoke on the ethics policy; a leaked memo to the Daily Pilot; 1st Amendment; Committee appointments and late applicants. (02:45:30)

COUNCIL MEMBER COMMENTS ON CONTINUED PUBLIC COMMENTS (00:00:00)

REPORT – CITY ATTORNEY – NONE

ADJOURNMENT (02:48:20) The Mayor adjourned the meeting at 8:49 p.m. to Special City Council meeting, April 22, 2014, 7:00 p.m.

Stephen M. Mensinger, Mayor

Brenda Green, City Clerk

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

April 7, 2015

CALL TO ORDER

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

ROLL CALL

Council Members Present: Mayor Mensinger, Council Member Foley, Council Member Genis, and Council Member Monahan
Council Members Absent: Mayor Pro Tem Righeimer (Arrived at 5:06 p.m.)

PUBLIC COMMENTS ON CLOSED SESSION ITEMS – NONE

CLOSED SESSION

The City Council recessed into Closed Session at 5:05 p.m. to consider the following items:

1. Conference with legal counsel regarding existing litigation: Solid Landings Behavioral Health, Inc.; and Sure Haven, Inc. in its own name and dba Rock Solid Recovery; FPS, LLC: Stephen Fennelly; and Elizabeth Perry v. City of Costa Mesa, District Court for the Central District of California, Case No. 8:14-cv-01838-JVS-JCG, pursuant to California Government Code Section 54956.9(d)(2).

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 (00:00:13)

PLEDGE OF ALLEGIANCE (00:00:23) – Council Member Monahan

MOMENT OF SOLEMN EXPRESSION (00:00:58)

Reverend Father Moushegh Tashjian, St. Mary Armenian Church

ROLL CALL (00:05:12)

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 Yolanda Summerhill, 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 (00:05:22) – NONE

- COIN: Ex Parte Communications pursuant to Municipal Code Section 2-238 (b)

ANNOUNCEMENTS (00:05:29)

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

PRESENTATIONS (00:08:49)

Mayor Mensinger presented the Mayor's Award to Jeff Chon of The Wayfarer.

PUBLIC COMMENTS (00:15:54)

Chuck Perry, Costa Mesa, spoke on requesting benches on Harbor Blvd. (00:16:43)

Susan Shaw, Costa Mesa, spoke on a Public Records Request on lighted fields and field usage. (00:18:07)

Mrs. Drain, Costa Mesa, spoke on 60th anniversary expenses; requested an independent forensic audit; and requests her questions be posted on the website. (00:20:13)

Gloria Estefan, Costa Mesa, spoke on a public records request for a meeting held on October 23, 2014; and crime mapping. (00:24:07)

Suzi Iwamoto, Costa Mesa, spoke on a Mesa Arts District; ZA-15-04; and visioning statement. (00:27:07)

Stephen Chan, Costa Mesa, thanked City Council for their efforts regarding Casa; and requested enforcement and a boycott for Casa, Maison, and Vestal Village. (00:30:33)

Jay Humphrey, Costa Mesa, spoke on an award to the Mayor from the Building Industry; spoke on police staffing levels; and new hires. (00:33:46)

UNOFFICIAL UNTIL APPROVED

Ann Parker, Costa Mesa, spoke regarding Roland Berrera; the Casa bar; and sober living homes. (00:36:09)

Beth Rafakes, Costa Mesa, spoke on the Military Affairs Team; and the Easter Egg Hunt. (00:38:45)

Lisa Salisbury, Costa Mesa, spoke on revitalizing business in Costa Mesa; and in support of businesses Casa and Maison. (00:43:00)

Tom Pollitt, Costa Mesa, spoke on organizing the Costa Mesa Tea Party; and the Police Association negotiations; and the economy. (00:44:48)

Barrie Fisher, Costa Mesa, spoke on closing off cul de sacs at Victoria Ave. (00:47:48)

Jim Kerihs, Costa Mesa, spoke on developments; design standards; and zoning. (00:50:56)

Greg Ridge, Costa Mesa, spoke on Fairview Park; and the vernal pools location. (00:53:58)

Tamar Goldmann, Costa Mesa, spoke on the increase in Public Records Requests. (00:56:34)

Cindy B, Costa Mesa, spoke on Aliso Viejo police staffing levels. (00:59:42)

COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (01:00:20)

Council Member Monahan spoke on the 60th anniversary event; Roland Berrera; and the Casa business. (01:00:24)

Mayor Pro Tem Righeimer spoke on closing the cul de sac; development on the Christian Science property; library expansion project meeting; and Cal Trans I-405 toll lanes and the EIR released. (01:04:39)

Mayor Mensinger spoke on the closure of the cul-de-sac at Victoria Ave; and requested an update for the Police Department Reserve program. (01:14:23)

Council Member Foley congratulated Estancia High School and TeWinkle Foundation on the 50th Anniversary Gala and the Sonora Elementary fundraiser; Harper School request to paint red curbs; requested 60th Anniversary question and answers be posted on City website; request a written report on options for a forensic audit and estimated cost; library expansion meeting notices send to School District for distribution; requested police presence at the cul-de-sacs at Victoria Ave; and application for High School Signature Academies deadline April 15. (01:16:17)

Council Member Genis congratulated Orange College speech and debate team; spoke regarding burlesque performances at Casa; consideration of 60th anniversary forensic audit; spoke on the Fairview Development issue and opportunities; and land acquisitions for parkland. (01:23:27)

REPORT – CHIEF EXECUTIVE OFFICER (CEO) (01:28:23) - NONE

CONSENT CALENDAR (01:12:45)

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

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: Dario Aguirre, Jeff Arthur, Chase Johnson and Leigh White.

ACTION:

City Council received and filed.

3. **WARRANT RESOLUTION NO. 2533 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 15-05 "A" FOR (\$0.00); 15-06 FOR \$2,075,723.79; 15-06 "A" FOR \$2,227.24; AND 15-07 FOR \$2,110,814.00; AND CITY OPERATING EXPENSES FOR \$3,459,064.06; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID**

ACTION:

Approved Warrant Resolution No. 2533, to be read by the title only, and waived further reading.

4. REQUEST FOR SALE, SERVICE AND CONSUMPTION OF BEER AND WINE BEVERAGES AT FAIRVIEW PARK FOR 2015 CONCERTS IN THE PARK SERIES

ACTION:

City Council approved the request by the Costa Mesa Community Foundation for the sale, service, and consumption of beer and wine beverages at Fairview Park during the 2015 Summer Concerts in the Park series. City Council granted administrative authority to the CEO to annually authorize such request. The CEO will notify council via memo of said requests and approvals.

5. MINUTES

(A) 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 those meetings)

Motion carried: 4-1

ACTION:

City Council approved the minutes of the Special Joint Study Session Meeting of the City Council, Planning Commission and Parks and Recreation Commission for October 20, 2011; minutes of the Closed Session Meetings of the City Council for November 8, 2011 and June 10, 2014; minutes of the Joint Housing Authority, City Council and the City Council acting as the Successor Agency for June 12, 2012; minutes of the Adjourned Meeting/Special Study Session of May 28, 2013; minutes of the Special City Council meeting of June 10, 2014; and the minutes of the City Council Study Session for February 11, 2014.

(B) 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 Closed Session Meetings of the City Council for January 13, 2015, March 24, 2015 (9:00 a.m.) and March 24, 2015 (5:00 p.m.); minutes of the City Council Study Session for March 10, 2015; minutes of the Adjourned Regular City Council Meeting of December 16, 2014; and minutes of the Regular City Council and Successor Agency meeting of March 17, 2015.

6. 2014 ANNUAL REVIEW OF THE COSTA MESA GENERAL PLAN

ACTION:

City Council approved the 2014 Annual Report of the Costa Mesa General Plan.

10. DESIGNATION OF VOTING DELEGATE FOR THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) 2015 REGIONAL CONFERENCE AND GENERAL ASSEMBLY

ACTION:

City Council designated Council Member Genis as the delegate for the upcoming Annual SCAG Regional Conference and General Assembly.

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

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

OLD BUSINESS: (01:29:58)

1. SECOND READING OF ORDINANCE 15-03 FOR CODE AMENDMENT CO-15-01 RELATED TO SMALL LOT ORDINANCE

Public Comments:

Jay Humphrey, Costa Mesa, spoke on parking requirements; and parking problems. (01:31:12)

Tamar Goldmann, Costa Mesa, spoke on parking requirements; and parking problems. (01:32:21)

Ann Parker, Costa Mesa, spoke on small lot developments; and parking problems. (01:34:37)

Council Member Foley spoke in opposition of the Ordinance; parking requirements are insufficient; and is opposed to the minimum distances between the buildings and side yards. (01:35:43)

Mayor Mensinger spoke on small lot developments; parking requirements; and utilizing garages for parking. (01:37:33)

Council Member Genis spoke on guest parking; no garage guest parking; and first reading modification. (01:39:41)

Discussion ensued that the following verbiage will be removed from proposed Ordinance No. 15-03, "Required open parking may be provided in a two-car or three-car garage provided that a minimum of one open parking space is provided per unit."

Yolanda Summerhill, City Attorney, stated that a first reading and a second reading will need to occur in order to update wording in the Small Lot Ordinance. (01:41:07)

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

The motion carried by the following roll call vote:

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

Nays: Council Member Foley, and Council Member Genis

Absent: None

Abstain: None

Motion carried: 3-2

ACTION:

1. City Council gave the first reading of Ordinance 15-03, to be read by title only and waived further reading, amending Title 13, Chapter V, Article 2.5, Residential Small Lot Subdivision, of the Costa Mesa Municipal Code; and
2. City Council amended the Parking Standards in Table 13-42 of the proposed Ordinance No. 15-03, removing "Required open parking may be provided in a two-car or three-car garage provided that a minimum of one open parking space is provided per unit," and that the item return for a second reading.

NEW BUSINESS: (01:42:57)

1. APPOINTMENTS TO VARIOUS COMMITTEES AND THE SENIOR COMMISSION

City Clerk, Brenda Green, provided the Staff Report. (01:43:05)

Public Comments:

Jim Kerichs, Costa Mesa, introduced himself; and spoke on his application to the Bikeway and Walkability Committee. (01:47:21)

Gloria Estefan, Costa Mesa, spoke on voting for new people on the committees.
(01:47:42)

SENIOR COMMISSION (01:48:17)

MOTION: Appoint Ann Perry

Motion/Second: Mayor Pro Tem Righeimer/Mayor Mensinger

The motion carried: 4-1:

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

Noes: Council Member Foley

Absent: None

MOTION: Appoint Wendy Leece

Motion/Second: Council Member Genis/Council Member Foley

The motion failed 2-3:

Ayes: Council Member Foley, and Council Member Genis

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

Absent: None

MOTION: Appoint Sue Healey

Motion/Second: Mayor Mensinger/Council Member Monahan

The motion carried: 5-0:

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

Noes: None

Absent: None

ACTION:

1. City Council appointed and filled two additional regular member positions on the Senior Commission: Ann Perry to a 4 year term; and Sue Healey to a 2 year term.

ACCESS, BUILDING, FIRE AND HOUSING BOARD OF APPEAL (01:51:07)

MOTION: Appoint Jacob Batista, Gilbert Figueroa, Bill L. Mason, Tariq Shamma, and Larry Weichman

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

The motion carried 5-0:

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

Noes: None

Absent: None

MOTION: Appoint Jim Fitzpatrick – Alternate

Motion/Second: Council Member Monahan/Mayor Mensinger

The motion carried: 3-2:

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

Noes: Council Member Foley, and Council Member Genis,

Absent: None

MOTION: Appoint Josue Castaneda – Alternate

Motion/Second: Mayor Mensinger/Council Member Genis

The motion carried 5-0:

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

Noes: None

Absent: None

ACTION:

2. City Council appointed and filled five regular member vacancies and two alternate member vacancies on the Access, Building, Fire and Housing Board of Appeal: Jacob Batista, Gilbert Figueroa, Bill L. Mason, Tariq Shamma, and Larry Weichman to a 4 year term (2015 –2019); and Josue Castaneda, and Jim Fitzpatrick as alternate members.

CULTURAL ARTS COMMITTEE (01:53:37)

MOTION: Appoint Kathleen Eric, Lisa Grant, Frank Gutierrez, Andrea Marr, Monica Morita, Tracy Taber, and Chrystal A. Swope; alternate members - Rocky Evans and Jason Komala; and Stacie Wendland as a School Representative.

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

The motion carried 5-0:

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

Noes: None

Absent: None

ACTION:

3. City Council appointed and filled seven regular member vacancies and two alternate member vacancies on the Cultural Arts Committee: Kathleen Eric, Lisa Grant, Frank Gutierrez, Monica Morita; Andrea Marr, and Tracy Taber to a two year term (2015 – 2017); and Chrystal A. Swope to a one year term (2015 – 2016); and alternate members: Rocky Evans to a two year term (2015 – 2017) and Jason Komala to a one year term (2015 – 2016); and Stacie Wendland as a Representative from the School District.

HISTORICAL PRESERVATION COMMITTEE (01:55:02)

MOTION: Appoint Dave Gardner, Karen McKenna-Juergens, John McQueen, and Gary Parkin; and alternate member - Matthew Fletcher.

Motion/Second: Council Member Genis/Council Member Foley

The motion carried 5-0:

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

Noes: None

Absent: None

ACTION:

4. City Council appointed and filled four regular member vacancies and one alternate member vacancy on the Historical Preservation Committee: Dave Gardner, Karen McKenna-Juergens, John McQueen, and Gary Parkin to a term of April 2015 – April 2017; and Matthew Fletcher as an alternate member to a term of April 2015 – April 2016.

HOUSING AND PUBLIC SERVICE GRANT COMMITTEE (01:55:32)

MOTION: Appoint Tony Capitelli, Denise Rochelle Dew-Bennett, Christian Eric, Jeff R. Mathews, Yvonne Rowden, and Eric Vu

Motion/Second: Mayor Mensinger/Mayor Pro Tem Righeimer

The motion carried 5-0:

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

Noes: None

Absent: None

ACTION:

5. City Council appointed and filled six regular member vacancies on the Housing and Public Service Grant Committee: Tony Capitelli, Denise Rochelle Dew-Bennett, Christian Eric, Jeff R. Mathews, Yvonne Rowden, and Eric Vu to a term of April 2015 – April 2017.

PENSION OVERSIGHT COMMITTEE (01:56:03)

MOTION: Appoint Jeff Arthur, James H. Bridges, Robert Juneman, Al Melone, Gary Parkin, Tim Sesler, Ralph Taboada, and George Turner; re-advertise for one vacancy on the Pension Oversight Committee; and conduct meetings once per month.

Motion/Second: Mayor Pro Tem Righeimer/Mayor Mensinger

The motion carried 4-1:

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

Noes: Council Member Monahan

Absent: None

MOTION: Re-advertise Pension Oversight Committee Appointments

Motion/Second: Council Member Monahan/

Motion failed for the lack of a second.

ACTION:

6. City Council appointed and filled eight regular member vacancies on the Pension Oversight Committee: Jeff Arthur, James H. Bridges, Robert Juneman, Al Melone, Gary Parkin, Tim Sesler, Ralph Taboada, and George Turner to a term of April 2015 – April 2017; re-advertise for one vacancy on the Pension Oversight Committee; and conduct meetings once per month.

TRAFFIC IMPACT FEE AD HOC COMMITTEE (02:01:57)

MOTION: Appoint Walt Davenport, George Sakioka, and Kerry Smith

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

The motion carried 5-0:

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

Noes: None

Absent: None

MOTION: Cynthia McDonald

Motion/Second: Council Member Foley/Council Member Genis

The motion failed 2-3:

Ayes: Council Member Foley, and Council Member Genis

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

Absent: None

MOTION: To re-advertise for one vacancy for one at-large representative on the Traffic Impact Fee AD HOC Committee.

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

The motion carried 3-0:

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

Noes: None

Absent: None

Abstain: Council Member Foley, and Council Member Genis

Discussion ensued on qualifications and job description for the Traffic Impact Fee AD HOC Committee. (02:02:55)

ACTION:

7. City Council appointed and filled three regular member vacancies: Walt Davenport - at-large representative, George Sakioka - major developers' representative, and Kerry Smith - small developers' representative, on the Traffic Impact Fee Ad Hoc Committee: Walt Davenport, George Sakioka, and Kerry Smith to a term of April 2015 – April 2019; and re- advertise for one vacancy for one at-large representative on the Traffic Impact Fee AD HOC Committee.

City Council recessed for a break at 7:55 p.m.

City Council reconvened the meeting at 8:00 p.m.

BIKEWAY AND WALKABILITY COMMITTEE (02:14:00)

MOTION: Appoint Leah Ersoylu

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

The motion carried 5-0:

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

Noes: None

Absent: None

MOTION: Appoint Flo Martin

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

The motion carried 5-0:

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

Noes: None

Absent: None

MOTION: Appoint Jim Erickson

Motion/Second: Council Member Foley/Council Member Genis

The motion carried 5-0:

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

Noes: None

Absent: None

MOTION: Appoint Jim Kerins

Motion/Second: Council Member Genis/Council Member Monahan

The motion carried 5-0:

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

Noes: None

Absent: None

MOTION: Appoint Tony Capitelli

Motion/Second: Mayor Mensinger/Council Member Genis

The motion carried 5-0:

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

Noes: None

Absent: None

MOTION: Appoint James Kane

Motion/Second: Mayor Pro Tem Righeimer/Mayor Mensinger

The motion carried 5-0:

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

Noes: None

Absent: None

MOTION: Appoint Richard J. Huffman, II

Motion/Second: Council Member Monahan/Council Member Foley

The motion carried 4-1:

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

Noes: Mayor Mensinger

Absent: None

MOTION: Appoint Cynthia McDonald

Motion/Second: Council Member Foley/Council Member Genis

The motion failed 2-3:

Ayes: Council Member Foley, and Council Member Genis

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

Absent: None

MOTION: Appoint John C. Merrill

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

The motion carried 5-0:

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

Noes: None

Absent: None

MOTION: Appoint Donna Check

Motion/Second: Mayor Mensinger/Council Member Monahan

The motion carried 5-0:

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

Noes: None

Absent: None

MOTION: Appoint Ralph Taboada

Motion/Second: Mayor Pro Tem Righeimer/Mayor Mensinger

The motion carried 5-0:

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

Noes: None

Absent: None

MOTION: Appoint Brent Stoll

Motion/Second: Council Member Monahan/Mayor Mensinger

The motion carried 4-1:

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

Noes: Council Member Genis

Absent: None

MOTION: Appoint Andrea Marr

Motion/Second: Council Member Foley/Council Member Genis

The motion carried 3-2:

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

Noes: Mayor Pro Tem Righeimer, and Mayor Mensinger

Absent: None

MOTION: Appoint Jim Drain

Motion/Second: Council Member Genis/Council Member Foley

The motion failed 2-3:

Ayes: Council Member Foley, and Council Member Genis

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

Absent: None

MOTION: Appoint Max Poling

Motion/Second: Mayor Mensinger/Council Member Monahan

The motion carried 4-1:

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

Noes: Council Member Foley

Absent: None

MOTION: Appoint Kathleen Brown

Motion/Second: Mayor Mensinger/Mayor Pro Tem Righeimer

The motion carried 5-0:

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

Noes: None

Absent: None

MOTION: Appoint Michael M.S. Chun

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

The motion carried 4-1:

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

Noes: Council Member Foley

Absent: None

ACTION:

8. City Council appointed and filled fifteen regular member vacancies on the Bikeway and Walkability Committee: Kathleen Brown, Tony Capitelli, Donna Check, Michael M.S. Chun, Jim Erickson, Leah Ersoylu, Richard J. Huffman, II, James Kane, Jim Kerins, Andrea Marr, Flo Martin, John C. Merrill, Max Poling, Brent Stoll, and Ralph Taboada to a 2 year term.

ITEMS REMOVED FROM THE CONSENT CALENDAR (02:24:37)

7. **BUDGET ADDENDUM TO ENGAGEMENT OF LEGAL SERVICES LETTER WITH MEYERS, NAVE, RIBACK, SILVER & WILSON AS SPECIAL LEGAL COUNSEL ON FAIRVIEW PARK**

Mayor Mensinger recused himself due to a potential conflict and per the advice of legal counsel. (02:24:41)

Public Comments:

Susan Shaw, Costa Mesa, spoke on legal parameters. (02:27:20)

Teresa Drain, Costa Mesa, requested an update of the meeting with U.S. Fish and Wildlife Services. (02:28:25)

Jay Humphrey, Costa Mesa, spoke on attorney services; attorney's participation at meetings; and not changing Fairview Park. (02:28:51)

Greg Ridge, Costa Mesa, spoke on the U.S. Department of Fish and Wildlife letter; vernal pools protection; taxpayer's expenditures and the decomposed granite path. (02:31:01)

Cindy B, Costa Mesa, requested an update from the U.S. Fish and Wildlife on the decomposed granite path. (02:34:15)

Cindy Black, Costa Mesa, spoke on the DG path; communications with Mayor Mensinger; and presented a slide presentation, which a copy will be kept on file in the City Clerk's Office. (02:34:43)

Discussion ensued on U.S. Department of Fish and Wildlife and U.S. Attorney's Office investigation and the decomposed granite path; the vernal pools; adopted procedures; and proper laws. (02:38:01)

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 Pro Tem Righeimer.

Nays: None

Absent: None

Abstain: Mayor Mensinger (Potential conflict and per the advice of legal counsel)

Motion carried: 4-0

ACTION:

City Council authorized the Mayor to execute a Budget Addendum, dated March 31, 2015, to the Legal Services Agreement with Meyers, Nave, Riback, Silver & Wilson ("Meyers Nave") for special counsel legal services in connection with endangered species, environmental and other issues relating to Fairview Park.

8. REQUEST FOR AMENDMENT TO COUNCIL POLICY 100-8 CITY COUNCIL CONFERENCE, MEETING AND TRAINING EXPENDITURES – (02:44:04)

Executive Assistant Kelly Shelton provided the Staff Report on Council Policy 100-8. (02:44:37)

Discussion ensued on budgeted monies for Council travel. (02:46:08)

Public Comments:

Jay Humphrey, Costa Mesa, spoke in support of Council Members travel being approved at a Council Meeting. (02:47:26)

Teresa Drain, Costa Mesa, spoke in support of Council Members travel being approved at a Council Meeting. (02:49:08)

Cindy B, Costa Mesa, spoke in support of Council Members travel being approved at a Council Meeting. (02:49:50)

Mayor Pro Tem Righeimer spoke on travel mileage; and recommended that travel must be within the United States. (02:51:25)

Council Member Foley spoke on the State Law that requires reporting out on conferences attended; and recommended that a staff report be prepared and agendaized for a Council Meeting to satisfy the requirements. (02:52:14)

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

The motion carried by the following roll call vote:

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

Nays: Mayor Mensinger

Absent: None

Abstain: None

Motion carried: 4-1

ACTION: City Council amended the Council Policy 100-8 pertaining to City Council conference, meeting and training expenditures that will include: travel must be within the United States; and an increase in annual budget from \$2,000 to \$4,000 for each Council Member to attend conferences.

9. **PARTICIPATION IN ECONOMIC DEVELOPMENT CONFERENCE AND CONSIDERATION TO CANCEL THE CITY COUNCIL MEETING OF MAY 19, 2015 – (02:53:04)**

Executive Assistant Kelly Shelton provided the Staff Report. (02:44:37)

Public Comments:

Jay Humphrey, Costa Mesa, spoke on requiring City Council approval. (02:54:14)

Teresa Drain, Costa Mesa, requested detailed information on the conference. (02:54:59)

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

No action was taken on No. 1 due to previous approval of Consent Calendar Item No. 8.

ACTION:

1. ~~City Council provided formal approval, per Council Policy 100-8 for both Mayor Mensinger and Mayor Pro Tem Righeimer to attend the annual RECon – The Global Retail Real Estate Convention – International Conference of Shopping Centers (ICSC) in Las Vegas, Nevada on May 17-20, 2015, along with City staff; and~~
2. City Council approved canceling the May 19, 2015 City Council Meeting.

REPORT – CITY ATTORNEY – NONE

ADJOURNMENT in Memory of Joel Moskowitz’.

The Mayor adjourned the meeting at 8:44 p.m.

Stephen M. Mensinger, Mayor

Brenda Green, City Clerk

UNOFFICIAL UNTIL APPROVED

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

April 14, 2015

The City Council of the City of Costa Mesa, California met in a Special Closed Session, on Tuesday, April 14, 2015 at 5:06 p.m. in Council Chambers, 77 Fair Drive, Costa Mesa.

Council Member Monahan called the meeting to order.

ROLL CALL:

Council Members Present:	Council Member Katrina Foley Council Member Sandra Genis Council Member Gary Monahan
Council Members Absent:	Mayor Stephen M. Mensinger Mayor Pro Tem James M. Righeimer

Mayor Stephen M. Mensinger and Mayor Pro Tem James M. Righeimer were not in attendance and are recused from participating on the item.

CLOSED SESSION

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

PUBLIC COMMENTS:

None Received.

The meeting was recessed to Conference Room 5A for the closed session at 5:07 p.m.

The City Attorney stated there was no reportable action.

ADJOURNMENT

The special meeting adjourned at 6:40 p.m.

MINUTES ADOPTED on this 21st day of April, 2015.

Stephen M. Mensinger, Mayor

ATTEST:

Brenda Green, City Clerk