

UNOFFICIAL UNTIL APPROVED

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

September 8, 2015

CALL TO ORDER

The meeting was called to order by the Mayor at 5:05 p.m. at The Neighborhood Community Center, 1845 Park Ave, Costa Mesa, California.

ROLL CALL

Present: Mayor Mensinger, Mayor Pro Tem Righeimer, Council Member Foley (arrived at 5:40 p.m.), Council Member Genis, Chair Dickson, Vice-Chair Matthews, Commissioner Andranian, Commissioner McCarthy; and Commissioner Sesler (Arrived at 5:25 p.m.)

Absent: Council Member Monahan

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

ITEMS FOR DISCUSSION (00:00:37)

1. PROPOSED LAND USE ALTERNATIVE FOR THE YEAR 2015-2025 GENERAL PLAN UPDATE, INCLUDING THE FAIRVIEW DEVELOPMENTAL CENTER (2501 HARBOR BOULEVARD) AND LOS ANGELES TIMES (1375 SUNFLOWER AVENUE) SITES

Presentation by Laura Stetson, Principal, MIG Consulting, LLC, Daryl Zerfass, Principal and Traffic Engineer at Stantec Consulting, and Roger Dale, Economic Consultant with the Natelson Dale Group; including a summary of the process to date; prior direction and action; proposed land use changes; property owners requests; traffic implications; and economic implications. (00:02:06)

Discussion ensued on the Land Use Changes proposed city-wide effecting only 4% of properties; no changes to the Westside Urban Plans; focus on encouraging revitalization; and new development where traffic can be accommodated. (00:06:58)

Discussion ensued on the Segerstrom Home Ranch property and allowable development; floor area ratio (FAR); and maintaining the current traffic trips. (00:07:41)

Discussion ensued on the Sakioka Lot 2; FAR; allowing additional units per acre; and traffic trips. (00:08:48)

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Discussion ensued on two areas where Residential Incentive Overlays are proposed: Harbor Blvd and Newport Blvd. (00:09:35)

Discussion ensued on the SoBECA Urban Plan; increased density; and a cap on residential units. (00:12:12)

Discussion ensued on the Harbor Boulevard Mixed Use Overlay; and consolidation of properties. (00:12:47)

Discussion ensued on Fairview Developmental Center; State owned property; and anticipated uses. (00:13:48)

Discussion ensued on the LA Times property at 1375 Sunflower; and Robinson Pharma at 1683 Sunflower. (00:15:26)

Discussion ensued on market-based development assumptions; preliminary fiscal projections; and refinement of Fiscal Impact Model.

Laura Stetson requested City Council to provide direction on any further changes to the draft land use plan; authorize preparation of General Plan Amendments based on draft land use plan; authorize preparation of EIR; identify possible alternatives to be considered in the EIR; and, spoke on the proposed timeline. (00:35:00)

Council Member Genis requested the studies for the traffic model and economic model; density; and traffic trip generation rate. (00:37:30)

PUBLIC COMMENTS (00:43:05)

Leonard Clickmen, Costa Mesa, spoke on behalf of Rose Equities and the property located at 1683 Sunflower; and advantages for future projects. (00:44:46)

Ross Bourne, Costa Mesa, spoke on adequate amenities to keep big name tenants within the City. (00:47:11)

George Sakioka, Costa Mesa, spoke on capital development and long term economic vitality. (00:48:03)

Kathy Esfahani, Costa Mesa, spoke on the Fairview Developmental Site; residential overlay for Harbor Blvd and Newport Blvd; the need for affordable housing; transitional housing; and low income. (00:49:51)

Kyle Woosley, Costa Mesa Chamber of Commerce, spoke in favor of development and economic development; land use; and a balanced approach. (00:51:58)

Tamar Goldmann, Costa Mesa, spoke on finances; traffic; and urged a moratorium on development until parking issues are addressed. (00:53:10)

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Robin Leffler, Costa Mesa, spoke on the existing General Plan; and requested a later start time for Study Sessions. (00:55:14)

Dianne Russell, Costa Mesa, spoke on plans for working families and homeless in Costa Mesa. (00:57:19)

Christine Nolf, Costa Mesa, spoke on the incorporation of affordable housing. (00:58:15)

Mary Godwin, Costa Mesa, expressed concern with increased density; and parking problems. (00:59:49)

Rebecca Ramon, Costa Mesa, spoke on progress in Costa Mesa and the needs of the community. (01:01:44)

Carl Cade, with Tribune Real Estate Holdings, spoke on the LA Times site; and creating a dynamic mixed-use commercial project. (01:02:17)

Linda Tang, spoke on behalf of Costa Mesa Affordable Housing Coalition, spoke in support of affordable housing; and setting aside 20% for lower income households. (01:03:43)

Jeff Dritley, Managing Partner at Kearney Real Estate Company, spoke on partnering with the Tribune Company; revitalization; FAR density; and urban commercial use and mixed-use overlays. (01:05:23)

Kristina Tijerina, Costa Mesa, spoke in support of the General Plan. (01:07:31)

Eleanor Egan, Costa Mesa, spoke on the traffic studies; West 19th St. traffic problems; park fees; and mixed-use overlay. (01:09:08)

Wendy Leece, Costa Mesa, spoke on the General Plan visioning statement; the need for open space; and listening to residents input. (01:11:18)

Speaker, Costa Mesa, spoke in support of Commissioner McCarthy's comments pertaining to the Fairview Developmental site; requested the inclusion of input from the public regarding the Fairview Park Developmental site; and an opportunity for City sports fields. (01:13:22)

Kim Hendricks, Costa Mesa, spoke in favor of low density uses; and spoke on reduced traffic; water resources; and required impact analysis. (01:15:29)

Gay Royer, Costa Mesa, spoke on having a Veterans site at Fairview Developmental Site. (01:17:37)

Jay Humphrey, Costa Mesa, spoke on the increase of high density houses; loss of jobs; and affordable housing. (01:19:19)

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Justin McCluster, CJ Segerstrom & Sons, spoke on Home Ranch; quality of life; and requested the consistency of trips to match the use. (01:21:23)

Jim Kevrins, Costa Mesa, spoke in support of the infill and live/work units; and supports additional safe bicycle lanes. (01:22:39)

Cynthia McDonald, Costa Mesa, expressed concern regarding traffic impacts north of the 405; spoke on walkability and bikeability; and developer assessed impact fee for bikeways and trails. (01:24:42)

John Howley, Costa Mesa, spoke in support of Fairview Park remaining as parkland and open space; and \$5 million towards road work and repairs. (01:26:52)

Barrie Fisher, Costa Mesa, spoke on affordable senior housing. (01:27:56)

Mike Balsamo, representing the Building Industry Association, spoke on the General Plan process; and that more residential housing is needed. (01:29:09)

Anna Vrska, Costa Mesa, requested calculations regarding traffic and economic studies; spoke on water shortage; lower density housing; and a better balance between resident's requests and the developer; and does not support the changes to the General Plan as presented. (01:30:25)

Susan Iwamoto, Costa Mesa, spoke on enhanced infrastructure financing districts; and the need for affordable housing. (01:32:23)

Matt Hardke, on behalf of Todd Ferguson and Donald Shermen, requested their properties to be included in the Harbor Residential Overlay in order to consolidate the parcels located at the South West corner of Harbor and Victoria. (01:34:18)

Brandon Johnson, Costa Mesa, spoke on addressing the North Costa Mesa area as a total comprehensive area, and spoke on the Fairview Developmental Site. (01:35:38)

Robert Sterling, Costa Mesa, spoke on the Fairview Developmental Center Site. (01:38:14)

Speaker, on behalf of the Costa Mesa Affordable Housing Coalition, spoke on the residential overlay; density bonus; incentives for market rate; and requiring developers to provide a 20% allocation to affordable housing. (01:39:49)

DIRECTION FROM COUNCIL AND COMMISSION

Council Member Foley

- Open to residential north of 405. Thought that done correctly, mix use could benefit the commercial area and also reduce traffic.
- Would like to consider and study the traffic study, alternative 2, pg. 4b of staff

report.

- Fairview Development Center, agreed with Council Member Genis; supports land reserved for public purpose, predominantly parkland; and veterans housing as well as some other transitional housing.
- LA Times facility, would like to see the study and a little more input from staff.
- Open to studying the Pharma site. Like the idea of looking at the entire area, north of the 405.
- Harbor Blvd., concerned about a "canyon effect" of housing all the way down. Also, the impacts of the recent plans by Santa Ana and how they impact Costa Mesa plans. Not in support of increasing the allowance of housing on Harbor Blvd. other than on the ends.
- SOBECA, concerned about density in that area, and how it will create a complete traffic backlog. Would like to study how the most recent approval of housing is impacting what's currently on the ground.
- Do not support the turning of Newport Blvd. into all housing. Would prefer a way to revitalize Newport Blvd. with hotels and making it attractive for tourism for boutique or unique themed motels that are family friendly.
- Concerned about high density housing on Newport would and impacts on eastside residents and in general do not support the building of high density housing along the freeway.
- Agree with Council Member Genis and Mayor Pro Tem Righeimer regarding the economic study and getting more information on how those numbers are calculated.
- Not supportive of the 40 units/acre density citywide.
- Concerned about the timing of the General Plan and meetings of the Bikeability Committee and their recommendations.
- Does not support Council Member Monahan's comments because not enough time to discuss with Staff.

Council Member Genis

- Agreed with Mayor Pro Tem Righeimer on some issues.
- Concerned with the overall numbers with regard to balance; 60% high density housing not being a healthy mix. Concerned about having a more transitory population if we tilt toward multi-family.
- Believes Fairview was acquired for public purposes and should be used for public purposes, parks and parklands.
- Do not object to the 40 units/acre north of the 405, but it is too high for south of the 405.
- Need to be looking at incentivizing housing affordability at our next staff report for the urban plans.
- Concerned about exclusionary housing, and that it opens up the City to a lot of problems and it's not good for the community. Supports a more inclusionary proposal.

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- Concerned about addition of 20,000 more people and the need for parkland, about 85 more acres of parkland. In support of parkland, whether if it's Fairview or somewhere north of the 405, or even in the southwest area.
- With respect to Council Member Monahan's comments, don't see the need for the changing of densities.

Mayor Pro Tem Righeimer

- Agreed that the north part of 405, walkability and bikeability has to be dialed in.
- In support of Home Ranch property FAR increasing from .40 to .64 FAR to the 1.2 million sq/ft.
- Does not support residential north of the 405, west of South Coast Plaza.
- LA times, not supportive of any more density than the Home Ranch property; 0.64 on existing 20 acres, and no residential.
- Need to keep traffic inside the development and keep them from going to the main streets.
- Robinson Pharma building, does not support any of proposed changes.
- Sakioka property, concerned about increasing FAR, it's just way too dense. Similar density to the lakes project, with 5 story 100 units per acre; 100 du/acre on this property.
- Fairview Development Center, once in a lifetime opportunity for the City. There is a need for park fields in the City and affordable housing. This site is not for the institutional or business type projects. Would not support 1,000 units here; supports lower density and maintaining 25% of the property as parks and open space. Include affordable housing and regular housing there, with lower density (not 1,000 but more like 500).
- The issues of parks and bikeability and some of the densities north of 405 should be studied.
- Would like to see this come back at the October meeting.

Mayor Mensinger

- North of 405, agreed with Council Member Genis and Mayor Pro Tem Righeimer; housing is a problem. FAR, agreed with Council Member Genis and Mayor Pro Tem Righeimer on increase. He would like to see the projects built. Would like to see that there is some sort of trigger to build.
- Fairview, needs to remain open spaces, some housing included.
- Motels on Harbor Blvd., it is what they are. The only way to encourage change, is to make them adhere to the codes and laws.
- In support of Council Member Monahan's comments prepared by Gary.

Chairman Dickson

- Stated that when looking at a General Plan, let us have something that will actually carry out the will of the people and can be implemented.

Director of Development Services, Gary Armstrong, spoke on comments received from Council Member Monahan (02:23:53):

- Suggests expanding the Residential Incentive Overlay Zone to include properties on the east side of Newport Blvd from Flower to 20th Street and extend eastward to Fullerton Avenue. On the west side of Newport Blvd, it would include properties from Bay Street to Victoria along Newport Blvd.
- The properties be given a lower cap than 40 du's per acre and that 24 du's per acre would be adequate. The overlays are important to incorporate in the General Plan Update, and if the General Plan was delayed in any way he suggested that the Council prioritize the creation of these overlays separately.
- Requested that staff bring forward recommendations for revised Residential Zoning Densities based on the August 10, 2015 survey staff prepared of other Orange County cities.
- No amendments are needed to the existing Westside Urban Plans.

City Council and Planning Commission recessed for a break at 7:40 p.m.

City Council and Planning Commission reconvened the meeting at 7:50 p.m.

2. PROPOSED AMENDMENTS TO THE WESTSIDE AND SOBECA URBAN PLANS (02:36:03)

Presentation by Claire Flynn, Assistant Development Services Director, Development Services Department summarizing the Westside Urban Plan Projects. (02:36:36)

Discussion ensued on the proposed Urban Plan Amendment for the following Urban Plans: (02:37:23)

1. SP-05-06 SoBECA Urban Plan
2. SP-05-07 19 West Urban Plan
3. SP-05-08 Mesa West Bluffs Urban Plan
4. SP-05-09 Mesa Vest Residential Ownership Urban Plan

PUBLIC COMMENTS (03:07:50)

Gay Royer, Costa Mesa, spoke on the Urban Plan not fitting with the Coastal City; and no place for children to play. (03:08:04)

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Jim Kevrins, Costa Mesa, spoke in support of open space; and changing design guidelines from boxy units. (03:09:58)

Linda Tang, spoke on behalf of Costa Mesa Affordable Housing Coalition, spoke on buyer profile; and supports strategies for more affordable homes. (03:11:19)

Peter Zehnder, from Collective Housing Supply, spoke on the new architectural guidelines; and that Costa Mesa already has strict parking requirements. (03:13:24)

Susan Iwamoto, Costa Mesa, spoke on the incentives for mobile home parks; and combining parcels. (03:15:50)

John Holly, Costa Mesa, spoke on the park fees generated and requested a mandate that park fees be spent within the overlay area; and supports a cap on three story developments. (03:17:45)

Brent Stoll, Member of Costa Mesa Bikeability and Walkability Committee, spoke on the installation of bikeways; and requiring a walkability plan included on all new projects. (03:20:10)

Kathy Esfahani, Costa Mesa, spoke in support of more affordable housing. (03:21:34)

Bonnie Copeland, Costa Mesa, spoke on the traffic concerns; and supports lower density. (03:23:50)

Wendy Leece, Costa Mesa, spoke in support of changing the architectural guidelines. (03:24:50)

Robin Leffler, Costa Mesa, spoke in support of low profile and low density developments; and supports a moratorium on three story small lot developments. (03:26:48)

Eleanor Egan, Costa Mesa, spoke on the live/work units as high density housing; inadequate parking; the repeal of amendment #1; and development standards. (03:28:55)

Jay Humphrey, Costa Mesa, spoke in supports of a minimum 500 ft. work area; and not in support of including roof deck as open space. (03:31:02)

Taoward Lee, Costa Mesa, spoke on aesthetics; open space; and defining top decks as open space. (03:32:59)

Mike Balsamo, representing the Building Industry Association, spoke on Orange County being an urban area; letting the market mandate the decisions. (03:34:46)

Leonard Clickman, Costa Mesa, spoke in regards to mixed-use developments; traffic; and affordable housing. (03:36:56)

Speaker, Costa Mesa, requested better developments; and replacing infrastructure. (03:38:54)

Cynthia McDonald, Costa Mesa, expressed opposition to the roof tops decks being considered as open space; supports bikeway and walkability elements; and enforcing bike racks for new businesses. (03:40:41)

Diane Russell, Costa Mesa, spoke on affordable housing; and supports working families. (03:42:23)

Anna Vrska, Costa Mesa, spoke on a balance for the developments; addressing economic and citizen concerns; and opposed to density. (03:44:35)

Isabell Kearins, Costa Mesa, spoke on good solutions and high density. (03:45:42)

Brandon Johnson, Costa Mesa, spoke on live-work units decreasing traffic. (03:46:51)

DIRECTION FROM COUNCIL AND COMMISSION

Mayor Mensinger

- Roof deck: Supportive of counting the roof decks as open space.
- Require conditions that parking is used for parking.

Mayor Pro Tem Righeimer

- Remove shower and bath on 1st floor.
- Keep development standards flexible.
- Require color board submission, absolutely in favor; what they present is what they deliver.
- Not supportive of changing the minimum workspace area.
- Garages: Not supportive of tandem garages.
- Supportive of roof decks counted as a story.
- Not concerned with minimum one-acre lot size deviation, provided that development project of less than one acre are meeting the development standards.

Council Member Genis

- Front setback: Expressed understanding for the need to widen the street. Interested in having an average setback, getting rid of the sheer walls.
- Open Space: Some projects look nice; some do not.
- Not supportive of roof decks to be counted as open space.
- Concerned with shade and privacy of taller projects.
- Opposed to having color board submissions.
- Concerned with shade and privacy of taller projects.
- Opposed to having color board submissions.

Council Member Foley

- Pocket Park: Depending on size of the development, make a standard for pocket park.
- Roof deck: Does not support counting roof decks toward open space, not to the full amount, only a portion of open space.
- Concerns with impact on streetscape, density, parking, architectural features more so than the color; Does not believe that the color board submission as necessary.
- Require residents to have an actual business in their live/work or change it into a lifestyle.
- The development standards for density bonuses for live/work units but not really being live/work is a problem.

Chair Rob Dickson

- Color board submission: Emphasized that renderings should look like the actual project once built.
- Supportive of conditions of approval to ensure that live/work are being used for work and preventing short-term rentals.

Planning Commissioner Colin McCarthy

- Not interested in mandating or changing the 250 sq/ft vs. 500 sq/ft work space requirement.

ADJOURNMENT

Mayor Mensinger adjourned the meeting at 9:45 p.m.

Minutes adopted on this 6th day of October, 2015.

Stephen M. Mensinger, Mayor

ATTEST:

Brenda Green, City Clerk

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

September 15, 2015

CALL TO ORDER

The meeting was called to order by the Mayor at 5:02 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 (arrived at 5:20 p.m.), and Council Member Monahan

Council Members Absent: None

PUBLIC COMMENTS ON CLOSED SESSION ITEMS – NONE

CLOSED SESSION

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

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

The City Council reconvened at 5:49 p.m.

CALL TO ORDER (00:00:10)

The meeting was called to order by the Mayor at 5:50 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

PLEDGE OF ALLEGIANCE (00:00:25) – Council Member Genis

MOMENT OF SOLEMN EXPRESSION (00:00:55)

Father Phil DeVaul, St. John the Divine Episcopal Church, Costa Mesa

ROLL CALL (00:02:34)

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

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

CITY ATTORNEY CLOSED SESSION REPORT (00:02:46)

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

Council Member Foley stated that she met earlier in the day with Mr. Gagne, a firefighter and CEO Hatch to discuss concerns with equipment, staffing and other issues. (00:02:57)

ANNOUNCEMENTS (00:03:21)

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

PRESENTATIONS (00:06:11)

1. Mayor's Cup: Costa Mesa American Little League (00:06:35)

Players, Coaches and Officials from both the Costa Mesa American and Costa Mesa National Little Leagues accepted the Mayor's Award.

PUBLIC COMMENTS (00:20:51)

Richard Huffman, Costa Mesa, spoke on an upcoming USTA Pro Classic Tennis Tournament on September 18, 2015. (00:21:44)

Beth Rafakes, Costa Mesa, spoke on the Military Affairs Team Trunk or Treat Event. (00:23:50)

Barrie Fisher, Costa Mesa, thanked Council for bringing together her neighborhood on issues of concern; and thanked Planning Commissioner Tim Sesler for his kind words. (00:26:11)

Wendy Leece, Costa Mess, spoke on the reorganization plan of the Costa Mesa Fire Department. (00:27:08)

Karl Ahlf, Costa Mesa, requested the return of the bus benches and bus shelter. (00:30:25)

Tamar Goldmann, Costa Mesa, spoke on comments made by Council Members regarding developments. (00:32:55)

Carol Williams, Costa Mesa, spoke against fireworks on July 4th; and Sober Living Homes. (00:35:48)

Speaker, Costa Mesa, spoke on the refund of appeal fees. (00:37:33)

Speaker, Costa Mesa, spoke on the refund of appeal fees. (00:40:30)

Robin Leffler, Costa Mesa, spoke on speaking anonymously; refund of appeal fees; requested the return of bus benches; and the General Plan update. (00:43:03)

Speaker, Costa Mesa, spoke on bicycle safety and homeless issues; and requested reopening the bathrooms at parks. (00:46:04)

Jay Humphrey, Costa Mesa, spoke on Sober Living offices on 19th St.; and requested a written policy on refund of appeal fees. (00:48:39)

Speaker, Costa Mesa, spoke on speaking anonymously; procedures for filing of an appeal; and refund of appeal fees. (00:50:59)

COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (00:53:46)

Council Member Genis spoke on the Vector Control District Meeting on September 17, 2015 at 3:00 p.m. and aerial spraying; problems with mosquito's and standing water; spoke on privacy of speaker names; and requested to adjourn in memory of Frank Forbath. (00:53:48)

Council Member Monahan – none.

Mayor Pro Tem Righeimer spoke on the appeal process; spoke on speaker names; spoke on the General Plan update and effecting 4% of the City; and spoke on problems at Motels. (00:58:45)

Mayor Mensinger spoke on the Police promotion ceremony Wednesday, September 16, 2015 at 9:00 a.m.; spoke on Friday, September 18, 2015 Walk with the Mayor; various avenues to address citizens concerns; and Fire Chief Dan Stefano spoke on the Fire Departments reorganization plan. (01:06:17)

Council Member Foley spoke on speaker names and Government Code Section 54953.3; requested an update of the Fire Department reorganization plan; spoke on sandbag availability and flooding areas in the City; expressed condolences for Frank Forbath and memorial services to be held on September 26, 2015; expressed her public condolences to three young adults who lost their lives; spoke on the State of Schools event to be held on September 30, 2015 at Estancia High School; spoke on the removal of bus benches; spoke on the Costa Mesa High School Annual Gala to be held on September 19, 2015; requested a report to create a policy for refunds on appeals; and an update of the Golf Carts Masterplan. (01:14:01)

REPORT – CHIEF EXECUTIVE OFFICER (CEO) (01:27:41)

Chief Executive Officer Tom Hatch spoke on concerns with flooding and sand bag assistance; spoke on Fire Department updates and strategic plan; and highlighted the Police Departments effort for video streaming.

CONSENT CALENDAR (01:40:58)

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 12 except for 8, 10 and 12.

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

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 adopted and approved Ordinances and Resolutions by reading title only, and further reading waived.

2. READING FOLDER

- a. Claims received by the City Clerk: Dean Corbin

ACTION:

City Council received and filed.

3. WARRANT RESOLUTION NO. 2542 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 15-17 "A" FOR (\$-11.50) AND 15-18 FOR \$2,179,953.31; AND CITY OPERATING EXPENSES FOR \$1,604,342.92; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

ACTION:

City Council approved Warrant Resolution No. 2542, to be read by the title only, and waived further reading.

4. 2012 – 2013 STREET REHABILITATION PROJECT – CITY PROJECT NO. 13-01

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 released the Faithful Performance bond (1) year after the filing date; and released the retention monies 35 days after the Notice of Completion filing date.

5. MINUTES

ACTION:

City Council approved the minutes of the Regular City Council and Successor Agency Meeting and Special Joint Meeting with the Costa Mesa Housing Authority of September 1, 2015.

6. REVIEW AND APPROVAL OF THE SUCCESSOR AGENCY'S ADMINISTRATIVE BUDGET FOR THE 15-16B SIX-MONTH FISCAL PERIOD OF JANUARY 1, 2016 TO JUNE 30, 2016

ACTION:

Successor Agency adopt Successor Agency Resolution No. 15-49, to be read by the title only, and waived further reading, approving the Successor Agency's Administrative Budget for the 15-16B Six-Month Fiscal period subject to submittal and approval by the Oversight Board pursuant to the Dissolution Law.

7. REVIEW AND APPROVAL OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE 15-16B SIX-MONTH FISCAL PERIOD OF JANUARY 1, 2016 TO JUNE 30, 2016

ACTION:

Successor Agency adopt Successor Agency Resolution No. 15-50, to be read by the title only, and waived further reading, approving the recognized Obligation Payment Schedule for the 15-16B Six-Month Fiscal Period of January 1, 2016 to June 30, 2016 ("ROPS 15-16B"), subject to submittal to and review by the Oversight Board and then DOF. Further, the Assistant Finance Director, in consultation with legal counsel, shall be authorized to request and complete meet and confer session(s) with the DOF and authorized to make augmentations, modifications, additions or revisions as may be necessary or directed by D

9. SOLE SOURCE PURCHASE FOR THE REPLACEMENT OF POLICE RADIOS FOR THE ORANGE COUNTY 800 MHZ COUNTYWIDE COORDINATED COMMUNICATIONS SYSTEM UPGRADE

ACTION:

City Council approved the Chief Executive Officer to sign the Sole Source purchase request for ninety-six (96) police patrol car and motorcycle radios identified as eligible for the "Hot Red" radio promotion offered by Motorola in an amount not to exceed \$705,000.00.

11. AUTHORIZE AND DIRECT THE CITY OF COSTA MESA'S CONVEYANCES AND ASSIGNMENTS TO THE COSTA MESA HOUSING AUTHORITY OF ALL INTERESTS IN CERTAIN PROPERTIES AND AFFORDABLE HOUSING PROJECTS LOCATED AT 745 W. 18TH STREET AND 734, 740 AND 744 JAMES STREET ACQUIRED THROUGH FORECLOSURE PROCEEDINGS

MOVED/SECOND: Council Member Monahan/Council Member Foley

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Abstain: Council Member Genis

Motions carried: 4-0-0-1

ACTION:

City Council and Housing Authority adopted a Joint Resolution No. 15-52, to be read by title only, and waived further reading, authorizing and directing:

1. The City's
 - (a) conveyances and transfers of fee title by Quitclaim Deeds to the Costa Mesa Housing Authority; and

- (b) Assignments of Regulatory Agreements and bills of sale to all personal property to the Housing Authority; and
2. The Housing Authority's acceptance of such conveyances by Quitclaim Deed and the Assignments of Regulatory Agreements and bills of sale, all relating to certain real properties located at 745 W. 18th Street (APN: 424-052-01) and 734, 740 and 744 James Street (APNs 424-052-18, 424-052-19 and 424-052-20) in the City of Costa Mesa, State of California; and
 3. The CEO and his authorized representative(s) on behalf of the City, and the Executive Director and his authorized representative(s) on behalf of the Housing Authority, to execute, and the City Clerk/Secretary to attest, the Quitclaim Deeds and the Assignment and Bill of Sale Agreements for such affordable housing properties.

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

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

OLD BUSINESS (01:42:23)

1. SECOND READING OF ORDINANCE NO. 15-10: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, FOR A MUNICIPAL CODE AMENDMENT CO-15-02, AMENDING TITLE 8, CHAPTER V RELATED TO VAPING IN PUBLIC FACILITIES AND TITLE 13 RELATED TO REGULATIONS FOR SMOKING AND VAPING USES

Staff report, including a PowerPoint presentation presented by Associate Planner, Stephanie Roxas. (01:43:15)

Discussion ensued on legal existing and non-conforming uses. (01:44:20)

Public Comments:

Wendy Leece, Costa Mesa, spoke on a business disclosing dangers; warning children; and in support of the Ordinance. (01:49:55)

Karl Ahlf, Costa Mesa, spoke in support of the Ordinance. (01:51:30)

Speaker, Costa Mesa, requests a moratorium on vaping lounges. (01:53:15)

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council gave second reading and adopted Ordinance No. 15-10, to be read by title only, and waived further reading.

2. **SECOND READING OF ORDINANCE NO. 15-07: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING A CAPITAL ASSET NEEDS ORDINANCE ADDING ARTICLE 8 TO TITLE 2 CHAPTER V OF THE COSTA MESA MUNICIPAL CODE TO ESTABLISH THE REQUIREMENTS FOR A MINIMUM ALLOCATION OF 5% OF ANNUAL GENERAL FUND REVENUE TO THE CAPITAL EXPENDITURES ACCOUNT AND A MINIMUM ALLOCATION OF 1.5% TO A CAPITAL FACILITIES ACCOUNT ANNUALLY (01:56:29)**

Staff report presented by Interim Finance Director Stephen Dunivent. (01:57:13)

Council Member Foley spoke in opposition to the Ordinance. (01:58:09)

Mayor Pro Tem Righeimer spoke in favor of the Ordinance. (01:58:30)

Council Member Genis spoke in opposition to the Ordinance. (01:58:48)

Mayor Mensinger spoke in favor of the Ordinance. (01:59:13)

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

Motion carried: 3-2

ACTION:

City Council gave second reading and adopted Ordinance No. 15-07, to be read by title only, and waived further reading.

NEW BUSINESS (02:00:15)

1. URBAN MASTER PLAN SCREENING REQUEST (UMP-15-02) FOR A 6-UNIT DETACHED SMALL LOT RESIDENTIAL DEVELOPMENT WITHIN THE MESA WEST RESIDENTIAL OWNERSHIP URBAN PLAN LOCATED AT 592 HAMILTON STREET (02:00:18)

Staff report, including a PowerPoint presentation presented by Associate Planner, Stephanie Roxas. (02:00:37)

Discussion ensued on open space; and concerns regarding parking spaces. (02:03:11)

Public Comments:

Wendy Leece, Costa Mesa, spoke in favor of the project and design; and requested the applicant address deviation requests. (02:05:34)

Jay Humphrey, Costa Mesa, spoke in favor of the project and design; spoke on average daily trips; concern with deviations; and concerns regarding parking. (02:06:42)

Tamar Goldmann, Costa Mesa, spoke in opposition of the deviations and density. (02:09:51)

Robin Leffler, Costa Mesa, requested a moratorium on this type of development; and opposed the deviations; and parking concerns. (02:10:47)

Nick Louis, Developer, spoke on the Urban Plan Master Plan; and open space. (02:14:50)

Council Member Genis spoke on parking requirements. (02:17:49)

Mayor Mensinger spoke in favor of the project; and single-family units. (02:22:27)

Council Member Foley spoke in favor of the project; and requested no deviations. (02:23:29)

ACTION:

City Council provided feedback on the proposed Urban Master Plan for a 6-unit, two-story, detached small lot residential development project within the Mesa West Residential Ownership Urban Plan.

2. FAIRVIEW PARK NORTH BLUFF TRAIL REALIGNMENT – COUNCIL MEMBER GENIS’ REQUEST TO REVIEW PARKS AND RECREATION COMMISSION’S ACTION (02:24:37)

Council report, including a PowerPoint presentation presented by Council Member Genis. (02:26:03)

Discussion ensued on Environmental Review; Fish and Wild Life and CEQA; and costs for alternatives considered. (02:35:12)

Staff report, including a PowerPoint presentation presented by, Director of Public Services, Ernesto Munoz. (02:42:01)

Discussion ensued on the geotechnical report; and placement of dirt and stability in the Canyon.

PowerPoint presentation presented by Tony Bomkamp with Glen Lukos Associates. (02:56:01)

Public Comments:

Devon Bradley, Costa Mesa, spoke on concern with proximity to healthy coastal sagebrush; and spoke on the value of preservation of biological resources. (03:06:41)

Richard Mehren, Costa Mesa, spoke on the need for trail repair; and original path not intended for vehicles. (03:09:48)

Karl Ahlf, Costa Mesa, spoke in opposition of the project. (03:11:41)

Andrew Campbell, Costa Mesa, spoke on high ground water conditions; stability of the hill; and in support of maintaining the current trail condition. (03:12:23)

Kim Hendricks, Costa Mesa, provided Council Members with documents; spoke on environmental study and investigation; and maintaining the trail. (03:18:00)

Jay Humphrey, Costa Mesa, spoke in opposition of the plan and using concrete; spoke in favor of maintaining Fairview Park as natural; and requested the existing trail be repaired. (03:21:05)

Wendy Leece, Costa Mesa, spoke on additional correspondence provided; spoke in opposition to removing dirt trails and adding concrete; and maintaining the current Master Plan. (03:23:20)

Robin Leffler, Costa Mesa, spoke on no need for ADA compliance; and spoke in favor of maintaining the current trail. (03:26:11)

Cindy Black, Costa Mesa, spoke in opposition of the project; and referenced photos. (03:29:07)

Robert Graham, Costa Mesa, spoke on the existing trail; and the obligation to provide ADA access. (03:32:28)

Discussion ensued on the length vs. slope; Fish and Wildlife review; repairing the path; Master Plan consistency; and handicap access and parking. (03:39:00)

Mayor Pro Tem Righeimer spoke on repairing the path vs. realignment; ADA accessibility; and concrete repairs. (03:47:15)

Council Member Monahan spoke on retaining walls; praised Staffs efforts; and supports the project. (03:51:25)

Council Member Genis spoke in opposition to the project; and that it is inconsistent with the Fairview Park Master Plan. (03:52:57)

Council Member Foley spoke in opposition to the project; and that i is inconsistent with the Fairview Park Master Plan. (03:54:56)

Mayor Mensinger praised Staffs efforts; spoke on the concrete trails; ADA issues; and users of the Park. (03:57:48)

MOTION: City Council reverse the Parks and Recreation Commission's determination that the proposed Fairview Park North Bluff Trail Realignment is consistent with the Fairview Park Master Plan.

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

SUBSTITUTE MOTION: Mayor Pro Tem Righeimer/Council Member Monahan
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

Motion carried: 3-2

ACTION:

City Council upheld the Parks and Recreation Commission's determination that the proposed Fairview Park North Bluff Trail Realignment is consistent with the Fairview Park Master Plan.

ITEMS REMOVED FROM THE CONSENT CALENDAR (04:00:31)

8. AMENDMENT TWO TO PROFESSIONAL SERVICES AGREEMENT FOR GENERAL PLAN UPDATE (04:00:37)

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

1. City Council approved Amendment Two, additional scope of work and additional fees of \$39,400 to the Professional Services Agreement with Moore Iacofano Goltsman, Inc. (MIG), formerly known as Hogle-Ireland; and
2. City Council extended the contract period by one (1) year from October 1, 2015 to October 1, 2016; and
3. City Council authorized the City Chief Executive Officer to sign Amendment Two to the Professional Services Agreement with MIG.

10. NOTICE OF INTENT FOR THE VACATION OF EXCESS RIGHT-OF-WAY AT 752 WEST 19TH STREET (04:01:38)

Discussion ensued on the vacation of the right-of-way for the pedestrian and bicycle access; off street shared bike trail; and future trails along 19th Street. (04:01:56)

Public Comments:

Speaker, Costa Mesa, spoke in support of having a bikeway on the 19th Street; and riverbed closure. (04:08:46)

Rick Huffman, Costa Mesa, spoke on 19th Street as a place to increase bikeability; and the Master Plan. (04:09:50)

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

SUBSTITUTE MOTION: City Council delay the item for 120 days.

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: 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

Motion carried: 3-2

ACTION:

1. City Council set a public hearing on October 20, 2015 for the vacation of excess Right-Of-Way (ROW) at 752 West 19th Street; and
2. City Council adopted Resolution 15-51, to be read by title only, and waived further reading, of Intent to vacate excess Right-Of-Way (ROW) at 752 West 19th Street.

12. PROFESSIONAL SERVICES AGREEMENT WITH SCIENTIA CONSULTING GROUP, INC. (04:13:49)

Public Comments:

Speaker, Costa Mesa, spoke on the problems with the crime mapping. (04:14:20)

Discussion ensued on having a presentation on how to use crime mapping at a future meeting.

Police Chief Sharpnack spoke on the functionality of the CAD program; and the continual effort of producing a better product for the Community. (04:20:01)

Information Technology Director Steve Ely, clarified that Scientia is not an affiliation to Sunguard which supports the crime mapping program; and provided a timeline on the I.T. Systems. (04:21:56)

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

1. City Council approved the Professional Services Agreement (PSA) with Scientia Consulting Group, Inc. (Scientia) in an amount not exceeding \$175,440; and
2. City Council authorized the Chief Executive Officer (City CEO) to sign the PSA with Scientia Consulting Group, Inc. in the amount not to exceed \$175,440 annually; and
3. City Council authorized the CEO to sign for any justified rate increase to the contract within his signing authority and to extend the PSA for four (4) additional one-year terms.

REPORT – CITY ATTORNEY – NONE (04:26:36)

ADJOURNMENT – To the Regular Meeting (04:26:40)

The Mayor and City Council adjourned the meeting in honor and memory of Frank Forbath, Claire N. Honsaker, Steve E. Stinson, and Christopher Burke at 10:17 p.m.

Minutes adopted on this 6th day of October, 2015.

Stephen M. Mensinger, Mayor

ATTEST:

Brenda Green, City Clerk

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

September 22, 2015

The City Council of the City of Costa Mesa, California met in a Special Closed Session, on Tuesday, September 22, 2015 at 5:00 p.m. in Council Chambers, 77 Fair Drive, Costa Mesa.

Mayor Mensinger called the meeting to order.

ROLL CALL:

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

Council Members Absent: None

Mayor Mensinger stated for the record that he and Mayor Pro Tem Righeimer will not be participating in Closed Session Item #1.

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.
2. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Costa Mesa Firefighters Management Association (CMFMA), pursuant to California Government Code Section 54957.6.
3. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Costa Mesa Firefighters Association (CMFA), pursuant to California Government Code Section 54957.6.
4. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Costa Mesa Division Managers Association (CMDMA), pursuant to California Government Code Section 54957.6.
5. Conference with Thomas R. Hatch, Chief Executive Officer, regarding Unrepresented Executive employees, pursuant to California Government Code Section 54957.6.

PUBLIC COMMENTS:

The meeting was recessed to Conference Room 5A for the closed session at 5:02 p.m.

The City Attorney stated there was no reportable action.

ADJOURNMENT

The special meeting adjourned at 7:20 p.m.

Minutes adopted on this 6th day of October, 2015.

Stephen M. Mensinger, Mayor

ATTEST:

Brenda Green, City Clerk