

**UNOFFICIAL UNTIL APPROVED****REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY – 5:45 P.M.****November 3, 2015****CALL TO ORDER**

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

**ROLL CALL**

Council Members Present: Mayor Mensinger, Mayor Pro Tem Righeimer, and Council Member Genis, Council Member Monahan (Arrived at 5:20 p.m.)

Council Members Absent: Council Member Foley

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

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

1. Conference with legal counsel regarding anticipated litigation, significant exposure to litigation pursuant to California Government Code Section 54956.9(d)(4) for one potential case.
2. Conference with legal counsel regarding anticipated litigation, significant exposure to litigation pursuant to California Government Code Section 54956.9(d)(2) for one potential case.

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

**CALL TO ORDER (00:00:21)**

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.

**PLEDGE OF ALLEGIANCE (00:00:27) – Mayor Mensinger****MOMENT OF SOLEMN EXPRESSION (00:00:56)**

Principal Caleb McFerran, Christ Lutheran Church & School, Costa Mesa

**ROLL CALL (00:03:49)**

Present: Council Member Foley (Arrived at 6:00 p.m.), 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 (00:03:55)**

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

Council Member Foley expressed the Fire Association President's disappointment that the Closed Session meeting was cancelled. (00:04:07)

**ANNOUNCEMENTS (00:04:36)**

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

**PRESENTATIONS (00:06:49)**

1. Mayor's Award: Heidi Beth and Donna Swift - Postponed

**PUBLIC COMMENTS (00:06:56)**

Donald Dumain, Costa Mesa, requested permit parking for Cleveland Ave, Paularino Ave, Dorset Lane and Buchannan Way, and submitted a survey and petition. (00:08:14)

Kim Hendricks, Costa Mesa, spoke on the filling of the Fairview Park Canyon. (00:09:19)

Eric Wisener, Costa Mesa, requested permit parking for Cleveland Ave, Paularino Ave, Dorset Lane and Buchannan Way, and submitted a survey and petition. (00:12:36)

Kevin Nelson, San Clemente, spoke on the filling of the Fairview Park Canyon. (00:15:42)

Tom Strachan, Costa Mesa, requested permit parking for Cleveland Ave, Paularino Ave, Dorset Lane and Buchannan Way, and submitted a survey and petition. (00:17:17)

Ray Klima, Costa Mesa, requested permit parking for Cleveland Ave, Paularino Ave, Dorset Lane and Buchannan Way, and submitted a survey and petition. (00:18:33)

Beth Refakes, Costa Mesa, spoke on the Military Affairs Trunk or Treat event. (00:19:01)

Wendy Leece, Costa Mesa, spoke on the passing of Forrest Werner; spoke on Public Safety services and the reorganization of the Fire Department. (00:21:57)

Steve White, Costa Mesa, spoke on medical marijuana. (00:24:54)

Kathy Esfahani, Costa Mesa, spoke on affordable housing and long term occupancy at motels. (00:28:04)

Robin Leffler, Costa Mesa, spoke on Public Safety and medical transport vehicles in the City. (00:31:13)

Chuck Perry, Costa Mesa, spoke on the new developments in the City. (00:34:17)

Charlene Ashendorf, Costa Mesa, spoke on the homeless and working together for solutions. (00:35:29)

Speaker, Costa Mesa, spoke on information obtained on the internet. (00:38:24)

Speaker, Costa Mesa, requested individuals to register to vote; spoke on affluenza; and heroin addiction. (00:41:29)

**COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (00:43:50)**

Mayor Mensinger spoke on the Walk with the Mayor, and working together regarding the homeless issues. (00:43:56)

Council Member Foley had no comments. (00:47:22)

Council Member Genis requested minor modifications requests to be posted on the website, and spoke in support of affordable housing. (00:47:38)

Council Member Monahan had no comments. (00:50:25)

Mayor Pro Tem Righeimer had no comments. (00:50:38)

**REPORT – CHIEF EXECUTIVE OFFICER (CEO) (00:50:46)**

Paul E. Shoenberger, General Manager of Mesa Water District, provided an update on activities related to water conservation and announced a future meeting to be held on November 12, 2015 at 6:00 p.m. regarding water conservation. (00:51:20)

**CONSENT CALENDAR (00:58:25)**

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

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motions carried: 5-0

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

**ACTION:**

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

2. **READING FOLDER**

- a. Claims received by the City Clerk: Justin Craft and Amy Nield

**ACTION:**

City Council received and filed.

2. **WARRANT RESOLUTION NO. 2545 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 15-21 "A" FOR \$0.00; AND 15-22 FOR \$2,189,295.44; AND CITY OPERATING EXPENSES FOR \$1,724,756.48; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID**

**ACTION:**

City Council approved Warrant Resolution No. 2545, to be read by the title only, and waived further reading.

4. **CLEARBROOK LANE ALLEY (ALLEY NO. 46), FLOWER STREET ALLEY (ALLEY NO. 81), BROADWAY ALLEY (ALLEY NO. 89), AND MAGNOLIA STREET ALLEYS (ALLEY NO. 91, ALLEY NO. 93, AND ALLEY NO. 94) IMPROVEMENT PROJECT – CITY PROJECT NO. 15-13**

**ACTION:**

1. City Council adopted plans, specifications, and working details for the Clearbrook Lane Alley (Alley No. 46), Flower Street Alley (Alley No. 81), Broadway Alley (Alley No. 89), and Magnolia Street Alleys (Alley No. 91, Alley No. 93, and Alley No. 94) Improvement Project – City Project No. 15-13; and
2. City Council awarded a construction contract to Black Rock Construction Company, 615 N. Berry Street, Unit G, Brea, CA 92821, in the amount of \$848,500.00; and
3. City Council authorized the Mayor and City Clerk to execute the Public Works Agreement.

**5. MINUTES**

**ACTION:**

City Council approved the minutes of the City Council and Successor Agency to the Redevelopment Agency of October 20, 2015

**6. FINAL MAP FOR TRACT NO. 17848 FOR A 24-UNIT CONDOMINIUM PROJECT AT 650 HAMILTON STREET, COSTA MESA, CALIFORNIA**

**ACTION:**

City Council approved the Final Map for Tract No. 17848 and authorized the signing of the Map by the City Clerk and the City Engineer.

**7. PROFESSIONAL ENGINEERING SERVICES TO PROVIDE AS-NEEDED STAFF SUPPORT FOR VARIOUS CAPITAL IMPROVEMENT PROGRAM PROJECTS**

**ACTION:**

- 1. City Council awarded a contract to Civil Source, Inc., 9890 Irvine Center Drive, Irvine, California 92618, in an amount not to exceed \$940,000 to provide Project/Construction Management staff support as-needed for various Council-approved Capital Improvement Program (CIP) projects, and authorized the Mayor and the City Clerk to execute the Professional Services Agreement; and
- 2. City Council approved Budget Transfer No. 16-123 in the amount of \$450,000.

**8. INDUSTRIAL WAY WATER QUALITY AND STORM DRAIN IMPROVEMENTS, CITY PROJECT NO. 14-08**

**ACTION:**

- 1. City Council approved Change Order Number 3 in the amount of \$216,266.32; and
- 2. City Council accepted work performed by Lonerock, Inc. and authorized the City Clerk to file the Notice of Completion; and
- 3. City Council 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.

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

**PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55): (00:59:09)**

**1. GENERAL PLAN AMENDMENT GP-14-04/REZONE R-14-04/ZONING CODE AMENDMENT CO-14-02/AND MASTER PLAN PA-14-27 FOR COSTA MESA APARTMENTS AT 2277 HARBOR BOULEVARD (00:59:42)**

Staff report, including a PowerPoint presentation presented by Associate Planner, Ryan Loomis and Zoning Administrator, Willa Bouwens-Killeen. (01:01:55)

Discussion ensued by council members about the proposed development project relating to recreation amenities; open space; volume of grading; parking structure; traffic study; trip counts; affordable housing; income levels; number of school-age children in long term occupant households; rent levels; and density bonuses. (01:13:23)

Christine O'Donoghue, Environmental Coordinator, discussed the Air Quality analysis included in the MND. (01:19:55)

PowerPoint presentation presented by authorized agent for the property owner, Donald Lamm. (01:37:35)

Discussions ensued on several matters, including distinction between the term median income versus the term moderate income; a moving plan and relocation benefit plan; rent rates within the City; and landlord/tenant laws. (02:02:55)

Public Comments:

Kathy Esfahani, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (02:23:12)

Sylvia Hatton, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households, and played a video. (02:26:38)

Ryan Esfahani, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households, and played a video. (02:29:07)

Dianne Russell, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households, and played a video. (02:31:47)

Andrew McNeely, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households, and played a video. (02:34:25)

**UNOFFICIAL UNTIL APPROVED**

Joan Politeo, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households, and played a video. (02:35:51)

Bahram Esfahani, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households, and played a video. (02:38:27)

Scott Bell, Costa Mesa, spoke in support of the proposed development. (02:40:37)

City Council recessed at 8:43 p.m.

City Council reconvened at 8:48 p.m.

Eva Goodwin-Noriego, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (02:45:33)

Mick Meldrum, Costa Mesa, spoke in support of the proposed development. (02:48:15)

Harold Weitzberg, Costa Mesa, spoke on addressing the process for affordable housing issues. (02:49:47)

Brett Russell, Costa Mesa, spoke in support of the proposed development; concern with safety issues; and provided alternatives for families that need a home. (02:52:01)

Andrea Marr, Costa Mesa, spoke in support of low income affordable housing. (02:54:40)

Linda Tang, representing the Kennedy Commission, spoke in favor of at least 20% of the proposed development as affordable units; and submitted a letter. (02:56:25)

Patty Uchytel, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (02:59:25)

Edward Collett, Costa Mesa, spoke on residency and relocation from the Costa Mesa Motor Inn to a new location. (03:01:55)

Charles Mooney, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (03:03:11)

Speaker, Costa Mesa, spoke in support of the proposed development. (03:04:56)

Charlene Ashendorf, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (03:06:35)

**UNOFFICIAL UNTIL APPROVED**

Irene Elizabeth Ruvalcava, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (03:09:03)

Wendy Leece, Costa Mesa, spoke on including affordable housing in all future housing projects. (03:09:49)

Jay Humphrey, Costa Mesa, spoke in support of providing housing for all citizens, and in support of affordable housing. (03:12:41)

Chuck Perry, Costa Mesa, spoke in support of the proposed development. (03:15:45)

Christine Nolf, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (03:17:53)

Mike Bargas, Costa Mesa, spoke in support of the proposed development. (03:19:39)

Cynthia McDonald, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working household. (03:21:44)

Tamar Goldmann, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (03:24:50)

Speaker, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (03:27:28)

Anthony Wagner, Costa Mesa, spoke in support of the proposed development. (03:29:06)

Speaker, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (03:30:32)

Richard Walker, Attorney for Public Law Center, spoke on the Mitigated Negative Declaration; State density bonus law; and spoke against the proposed development. (03:33:50)

Speaker, Costa Mesa, spoke on crime statistics in the area and in support of the proposed development. (03:36:18)

Speaker, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (03:39:30)

Guillermo Monge, Costa Mesa, spoke against the proposed development. (03:42:32)

**UNOFFICIAL UNTIL APPROVED**

Sean Golden, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (03:45:39)

Robin Leffler, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (03:47:52)

Donald Lamm provided a PowerPoint presentation on proposed development project; economic feasibility of demolition of existing motel and development of proposed apartment project; availability of rental units in developments located within Costa Mesa that he described as affordable apartments. (03:56:29)

Lionel Levy, Chief Operating Officer of Miracle Mile Properties, spoke on the proposed development, the timeline for notices and the closure of the Costa Mesa Motor Inn, and his relocation/moving plan to provide monetary stipends equal to three months of rent rebates to current long-term occupants, along with a contribution of \$200,000 for additional assistance. (04:02:30)

Council Member Foley spoke about the owner's moving plan and relocation assistance program; requested that the window for relocation timeline be changed from June 1 and to anytime between February 1, 2016 until the planned closure date of August 1, 2016; requested the \$200,000 of additional relocation monies be deposited with the Housing Authority for oversight and administration; and requested the landlord provide the motel occupants who are in good standing be provided a letter of reference. (04:06:42)

Council Member Foley motioned (Item #4) to add to the Conditions of Approval that the \$200,000 be deposited with the Housing Authority and the specific details for the account and administration be evaluated and prepared by the City Attorney, Special Counsel, the CEO and Community Development Staff; and the relocation is a private program consented to by the private owner in order to mitigate the impacts of the change of use of the property. (04:36:12)

Mayor Pro Tem Righeimer seconded the motion (Item #4) and requested that groups that have previously assisted the City be considered to help administer the funds. (04:37:02)

Discussion ensued regarding administration of the \$200,000 funds and the relocation start date of February 1, 2016. (04:37:29)

Council Member Foley voiced concern that the \$200,000 of funding be targeted to pay for occupants to transition to housing. (04:37:44)

Council Member Foley added to the motion (Item #4) that the relocation start date be February 1, 2016 so long as the long-term occupants are working with the relocation consultant to find appropriate housing. (04:38:00)

Mayor Pro Tem Righeimer agreed to the February 1<sup>st</sup> date and that the building materials used match the renderings. (04:38:18)

CEO Hatch clarified the funds might go into another account to be determined at a later date and Staff may bring back a report to Council for clarification. (05:01:47)

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

The motion carried by the following roll call vote:

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

Nays: Council Member Genis

Absent: None

Motion carried: 4-1

**ACTION:**

City Council approved Initial Study/Mitigated Negative Declaration and General Plan Amendment GP-14-04 by adoption of Resolution No. 15-60, to be read by title only, and further reading waived; and

2. **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 Righeimer and Mayor Mensinger

Nays: Council Member Genis

Absent: None

Motion carried: 4-1

**ACTION:**

City Council gave first reading to Ordinance No. 15-14, to be read by title only, and further reading waived, approving Rezone R-14-04; and

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

The motion carried by the following roll call vote:

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

Nays: Council Member Genis

Absent: None

Motion carried: 4-1

**ACTION:**

City Council gave first reading to Ordinance No. 15-15, to be read by title only, and further reading waived, for Zoning Code Amendment CO-14-02; and

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

**ACTION:**

City Council approved Planning Application PA-14-27 by adoption of Resolution No. 15-61, to be read by title only, and further reading waived.

City Council recessed at 11:00 p.m.

City Council reconvened at 11:15 p.m.

2. **CODE AMENDMENT CO-15-04 TO AMEND, REPEAL, AND ADD SECTIONS TO TITLE 13 (PLANNING, ZONING AND DEVELOPMENT), RELATING TO GROUP HOMES, SOBER LIVING HOMES, BOARDING HOUSES, AND RESIDENTIAL CARE FACILITIES OF THE COSA MESA MUNICIPAL CODE (05:03:13)**

Staff report, including a PowerPoint presentation presented by Senior Planner, Mel Lee and Tarquin Preziosi, City Attorney. (05:04:54)

Public Comments:

Fernando Pedroza, Costa Mesa, spoke on the proposed Ordinance Amendment and conflicts with the provision 13-322 (4) regarding, eviction from or involuntary termination of residency in a group home. (05:15:39)

Michael Stute, Costa Mesa, spoke in support of the Ordinance. (05:18:32)

Yesenia Umani, Employee of Solid Landings, spoke on their business and on drug addictions. (05:51:05)

Robert Mann, Costa Mesa, spoke on substance abuse and the need for Sober Living Homes. (05:24:06)

Adam Shandrow, Facilities Director for Solid Landings, spoke in support of Sober Living Homes. (05:27:19)

Paul DuMont, Housing Rights Advocate Volunteer, spoke on regulations of Sober Living Homes. (05:29:40)

Natalie Schmitz, Community Outreach Manager for Solid Landings, spoke on Sober Living operations and provided statistics of employment, donations and positive impacts. (05:32:43)

**UNOFFICIAL UNTIL APPROVED**

Robin Leffler, Costa Mesa, spoke on existing lawsuits and spoke in support of the Ordinance. (05:35:46)

Britten Devereux, Costa Mesa, spoke on addiction and alcoholism and the Solid Landing business. (05:38:04)

Jay Humphrey, Costa Mesa, requested clarification on the Royal Palm Sober Living location. (05:40:58)

David Sheridan, Executive Director of Sober Living Network, spoke on Sober Living operations. (05:43:24)

**MOVED/SECOND:** Council Member Genis/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 approved to continue the meeting passed midnight.

Public Comments (continued)

Speaker, Costa Mesa, spoke in support of the Ordinance. (05:47:02)

Barrie Fisher, Costa Mesa, spoke in support of the Ordinance and requested removal of the exemptions for State licensed homes. (05:59:38)

Patricia Bintliff, Costa Mesa, spoke on the Orange County Sober Living Coalition and quality assurance process. (05:52:43)

Amy Phee, Costa Mesa, spoke in support of the Ordinance and regulating Sober Living homes. (05:55:47)

Mary Helen Beatificato, Costa Mesa, spoke on the operations of Sober Living homes and spoke in opposition of the Ordinance. (05:57:54)

Grant McNiff, Costa Mesa, spoke in opposition of the Ordinance. (06:01:01)

Speaker, Costa Mesa, spoke in support of the Ordinance and requested more enforcement. (06:04:08)

Discussion ensued on requiring houses to be 1,000 feet apart, additional Code Enforcement patrol; and no more than 2 parolees in a house. (06:07:25)

Tarquin Preziosi spoke on the Health and Safety Code and State licensed facilities of six or fewer. (06:16:47)

1. **MOVED/SECOND:** Mayor Pro Tem Righeimer/Council Member Monahan

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

**ACTION:**

City Council approved and gave first reading to Ordinance No. 15-11, to be read by title only, and further reading waived, revising Title 13, of the Costa Mesa Municipal Code with regard to group homes, state licensed facilities and boardinghouses in the Multiple-Family Residential (MFR) zones and Planned Development zones (“MFR Group Home Ordinance”); and

2. **MOVED/SECOND:** Mayor Pro Tem Righeimer/Mayor Mensinger

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:**

Council directed Staff to remove the wording from the Ordinance regarding Requirements for issuance of operator’s permit “Any owner/operator or staff person of a sober living home is a recovering drug or alcohol abuser and upon the date of application or employment has had less than one (1) full year of sobriety.” City Council approved and gave first reading to Ordinance No. 15-13, to be read by title only, and further reading waived, revising Title 9 of the Costa Mesa Municipal Code with regard to operator’s permits for group homes in the MFR zones. (06:19:05)

3. **PLANNING APPLICATION PA-11-03 – CONDITIONAL USE PERMIT FOR A PRIVATE HELISTOP FOR NET DEVELOPMENT CO. AT 3132 AIRWAY AVENUE (06:23:31)**

Staff report, including a PowerPoint presentation presented by Senior Planner, Mel Lee. (06:24:38)

Discussion ensued on the Noise Study and decibel levels. (06:29:51)

Kevin Coleman, applicant, spoke on the decibel levels. (06:32:11)

Public Comment:

Robin Leffler, Costa Mesa, spoke on the decibel levels and spoke against the project. (06:34:24)

**MOVED/SECOND:** Mayor Pro Tem Righeimer/Mayor Mensinger  
To approve the helistop by adoption of City Council Resolution No. 15-59, to be read by title only, and further reading waived, subject to conditions of approval.

**SUBSTITUTE MOTION:** Deny the application.

**MOTION/SECOND:** Council Member Genis/Council Member Foley  
The motion failed by the following roll call vote:

Ayes: Council Member Foley, and Council Member Genis  
Nays: Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger  
Absent: None  
Motion failed: 2-3

**ORIGINAL MOTION:** Mayor Pro Tem Righeimer/Mayor Mensinger  
The motion carried by the following roll call vote:

Ayes: Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger  
Nays: Council Member Foley, and Council Member Genis  
Absent: None  
Motion carried: 3-2

**ACTION:**  
City Council approved the helistop by adoption of City Council Resolution No. 15-59, to be read by title only, and further reading waived, subject to conditions of approval.

**4. PUBLIC HEARING FOR THE VACATION OF A PORTION OF SIDEWALK AND LANDSCAPE EASEMENT AT 580 ANTON BOULEVARD (06:39:53)**

Staff report presented by Ernesto Munoz, Director of Public Services. (06:40:09)

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

**ACTION:**

City Council adopted Resolution No. 15-58, to be read by title only, and further reading waived, ordering the vacation of a portion of Sidewalk and Landscape Easement at 580 Anton Boulevard; and

City Council authorized the execution of the Quitclaim Deed by the Mayor and the City Clerk.

**OLD BUSINESS: (06:42:14)**

**1. SECOND READING OF ORDINANCE NO. 15-12 FOR SECOND AMENDMENT TO DEVELOPMENT AGREEMENT DA-00-02 (SEGERSTROM TOWN CENTER) (06:42:18)**

Staff report presented by Gary Armstrong, Director of Development Services. (06:40:09)

Public Comment:

Robin Leffler, Costa Mesa, spoke in objection to the changing of a project at the hearing. (06:43:09)

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

**ACTION:**

City Council gave second reading and adopted Ordinance No. 15-12, to be read by title only, and waived further reading.

**NEW BUSINESS: (06:45:56) – NONE**

**ITEMS REMOVED FROM THE CONSENT CALENDAR (06:45:59) – NONE**

**REPORT – CITY ATTORNEY (06:46:02) – NONE**

**ADJOURNMENT (06:46:26)**

The Mayor and City Council adjourned at 12:59 a.m.

Minutes adopted on this 5<sup>th</sup> day of January, 2016.

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Stephen M. Mensinger, Mayor

ATTEST:

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Brenda Green, City Clerk

**REGULAR MEETING OF THE CITY COUNCIL, HOUSING AUTHORITY, AND  
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY – 5:45 P.M.**

**December 1, 2015**

**CALL TO ORDER (00:00:11)**

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.

**PLEDGE OF ALLEGIANCE (00:00:21) – Council Member Foley**

**MOMENT OF SOLEMN EXPRESSION (00:00:49)**

Pastor David Manne, Calvary Chapel, Costa Mesa

**ROLL CALL (00:02:55)**

Present: Council Member Foley, Council Member Genis (arrived at 5:53 p.m.),  
Council Member Monahan, Mayor Pro Tem Righeimer (arrived at 5:53  
p.m.) 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 (00:03:07)**

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

Council Member Foley spoke with the Fire Association President regarding the delay of the contract. (00:03:16)

**ANNOUNCEMENTS (00:03:37)**

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

**PRESENTATIONS: NONE**

**PUBLIC COMMENTS (00:06:05)**

Tom Pollitt, Costa Mesa, spoke on library funding, pension funding; and reducing expenses. (00:06:50)

**UNOFFICIAL UNTIL APPROVED**

Dyson Worth, Costa Mesa, spoke on problems with flooding on Canyon Drive due to the change of slope. (00:09:40)

Cindy B, Costa Mesa, spoke on the Military Affairs Team and Spark of Love Toy Drives. (00:11:51)

Greg Thunell, Costa Mesa, spoke on the causes of homelessness. (00:13:54)

Chuck Perry, Costa Mesa, spoke on keeping the Community Center. (00:17:09)

Speaker, Costa Mesa, spoke on the contracts for Police and Fire; spoke in opposition to outsourcing medic services; and the Costa Mesa First Initiative. (00:18:38)

Beth Rafakes, Costa Mesa, spoke on the Military Affairs Team Toy Drive. (00:21:44)

Tamar Goldmann, Costa Mesa, spoke on the General Plan update and development. (00:24:10)

**REPORT – CHIEF EXECUTIVE OFFICER (CEO) (00:28:01)**

Fire Chief Dan Stefano spoke on the Fire Department reorganization. (00:30:16)

Jeff Arthur, Chair of the Pension Oversight Committee, provided a report from the Committee. (00:41:40)

CEO Hatch spoke on Emergency Preparedness and available sandbags. (00:54:53)

Steve Ely, Director of IT, spoke on the capital improvement projects program on the City website. (00:56:27)

**COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (01:02:04)**

Council Member Genis spoke on the Professional Services Contract for Planning Consultants and requested an update on unfilled positions; General Plan Notice of Preparation input; Association of California Cities report on growth; Vector Control and aerial spraying; and spoke on the tour of the Animal Shelter. (01:02:07)

Council Member Monahan spoke on the review of the County Animal Shelter; spoke on the CEO's report; Snoopy House; Canyon Drive flooding; the Fire Plan and paramedics; and Fire and Police negotiations and documents available on the website. (01:07:56)

Mayor Pro Tem Righheimer spoke on the new developments in the City; and wished all a Happy Holiday. (01:11:27)

Mayor Mensinger spoke on the Toy Drive and providing collection containers at various locations; paramedic services; new developments in the City; flooding at the Canyon Drive property; and meetings with the Mayor. (01:12:29)

Council Member Foley spoke on the cleaning of the bus stops; spoke on notifying parents on emergency issues at the schools; spoke on the Toy Drive and City's donations of baseball caps; requested in February a review on a Housing Ordinance; Capital Improvements update on the website; the Home Tour and thanked sponsors; announced the annual coat drive for kids; and wished all a Happy Holiday. (01:14:54)

**CONSENT CALENDAR (01:25:23)**

**MOTION:** Approve recommended actions for Consent Calendar Item Nos. 1 through 9 except for 1, 4, 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

**2. READING FOLDER**

- a. Claims received by the City Clerk: Joseph Bonofiglio and Ada M. Mezquita.

**ACTION:**

City Council received and filed.

**3. WARRANT RESOLUTION NO. 2547 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 15-23 "A" FOR \$23,621.07; AND 15-24 FOR \$2,118,951.36; AND CITY OPERATING EXPENSES FOR \$1,631,098.80; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID**

**ACTION:**

City Council approved Warrant Resolution No. 2547, to be read by the title only, and waived further reading.

**5. HARBOR BOULEVARD IMPROVEMENTS FROM SOUTH COAST DRIVE TO SUNFLOWER AVENUE, CITY PROJECT NO. 14-07 – CHANGE ORDER NO. 3**

**ACTION:**

- 1. City Council approved Contract Change Order (CCO) No. 3 in the amount of \$80,812.65; and
- 2. City Council approved Budget Adjustment Authorization No. 16-008 in the amount of \$30,000.00; and
- 3. City Council authorized the Chief Executive Officer to execute the Contract Change Order.

**6. A RESOLUTION APPROVING A REVISED EFFECTIVE DATE TO THE WASTE DISPOSAL AGREEMENT AMENDMENT BETWEEN THE COUNTY OF ORANGE AND THE CITY OF COSTA MESA**

**ACTION:**

City Council adopted Resolution No. 15-64, to be read by title only, and further reading waived, revising the effective date of the Waste Disposal Agreement (WDA) Amendment between the County of Orange and the City to allow for the continued importation of waste at the County’s three (3) landfills and to extend the terms of the WDA through June 30, 2025.

**7. RECOMMENDED ACCEPTANCE AND ALLOCATION OF THE 2015 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FUNDS**

**ACTION:**

- 1. City Council approved Staff’s recommendation to allocate 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) funds to the Police Department’s operating budget; and
- 2. City Council approved the budget adjustment (BA #16-007) to increase revenue and appropriations in the JAG fund, and allocate funds as follows:
  - o Technology Improvement – South Coast Plaza Streaming Live Video to Responding Police Vehicles: \$17,290.00.

**8. MEASURE M2 EXPENDITURE REPORT**

**ACTION:**

City Council adopted Resolution No. 15-65, to be read by title only and further reading waived, approving the Measure M2 Expenditure Report.

----- **END OF CONSNT CALENDAR** -----

**PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55): (01:26:00)**

**1. ANNUAL REVIEW OF THE CITYWIDE TRAFFIC IMPACT FEE PROGRAM**

Staff report presented by Ernesto Munoz, Director of Public Services. (01:26:43)

Council Member Genis spoke on the timeframe for the Study. (01:30:07)

Public Comments:

Joanne Perla, Costa Mesa, spoke on the raising of Traffic Impact Fees. (01:32:12)

Tom Pollitt, Costa Mesa, spoke against raising Traffic Impact Fees. (01:35:19)

Mr. Munoz explained the incentive program. (01:36:39)

Council Member Foley spoke on eliminating or changing the incentive program. (01:38:51)

Council Member Genis spoke on eliminating the incentive program; raising fees; the economics; taxpayers not subsidizing; and the true cost of developments. (01:40:44)

Mayor Pro Tem Righeimer spoke on the calculating of the per Average Daily Trip and the incentive plan. (01:44:34)

Council Member Monahan spoke on not supporting the substitute motion; the history of the fee and incentive program; and the nexus for reaching the fee. (01:47:04)

Council Member Genis spoke on the justification of charging fees. (01:51:49)

Council Member Foley spoke on the rationale of the incentive program; housing developments benefiting from the program; and not needing the incentive program. (01:54:07)

**MOVED/SECOND:** Council Member Monahan/Mayor Pro Tem Righeimer To adopt Resolution No. 15-66, to be read by title only, and further reading waived, approving the recommendations by the Traffic Impact Fee Ad Hoc Committee and Staff as follows:

1. Continue the current Traffic Impact Fee of \$181.00 per Average Daily Trip (ADT); and

2. Continue the incentive program for new developments by assessing Traffic Impact Fees on an incremental basis for the first 100 trips; and
3. Approve the annual accounting of the Citywide Traffic Impact Fee Program.

**SUBSTITUTE MOTION:** Continue the current Traffic Impact Fee at \$181 per Average Daily Trip and eliminate the incentive program.

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

The motion failed by the following roll call vote:

Ayes: Council Member Foley and Council Member Genis

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

Absent: None

Motion failed: 2-3

**ORIGINAL MOTION:** Council Member Monahan/Mayor Pro Tem Righeimer

The motion carried by the following roll call vote:

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

Nays: Council Member Genis

Absent: None

Motion carried: 4-1

**ACTION:**

City Council adopted Resolution No. 15-66, to be read by title only, and further reading waived, approving the recommendations by the Traffic Impact Fee Ad Hoc Committee and Staff as follows:

1. Continue the current Traffic Impact Fee of \$181.00 per Average Daily Trip (ADT); and
  2. Continue the incentive program for new developments by assessing Traffic Impact Fees on an incremental basis for the first 100 trips; and
  3. Approve the annual accounting of the Citywide Traffic Impact Fee Program.
2. **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING SECTIONS 8-76, 8-77, AND 8-83 OF CHAPTER IV (GARBAGE, RUBBISH, AND WEEDS), OF TITLE 8 (HEALTH SANITATION), OF THE COSTA MESA MUNICIPAL CODE, RELATING TO MANDATORY COMMERCIAL WASTE AND ORGANICS RECYCLING (01:59:41)**

Staff report, including a PowerPoint presentation presented by Ernesto Munoz, Director of Public Services. (02:00:27)

Council Member Monahan spoke on haulers that can provide services. (02:07:49)

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

**ACTION:**

City Council introduced for first reading, Ordinance No. 15-16, to be read by title only, and further reading waived, to amend sections 8-76, 8-77, and 8-83 of Chapter IV (Garbage, Rubbish, and Weeds) of Title 8 regarding Mandatory Commercial Waste Recycling and new requirements of Mandatory Organics Recycling required by the State of California.

**OLD BUSINESS: NONE**

**NEW BUSINESS: (02:17:05)**

**1. URBAN MASTER PLAN SCREENING REQUEST (UMP-15-04) FOR A 10-UNIT DETACHED RESIDENTIAL DEVELOPMENT AT 522 AND 526 BERNARD STREET (02:17:09)**

Staff report, including a PowerPoint presentation presented by Minoo Ashabi, Principal Planner. (02:17:26)

Discussion ensued on parking availability and access. (02:23:16)

Presentation presented by the Applicant, Michael Marini. (02:24:37)

Public Comments:

Tamar Goldmann, Costa Mesa, spoke in opposition of the project. (02:28:39)

Miguel Zamarripa Costa Mesa, spoke in opposition of the project due to traffic concerns; and spoke on the Urban Development Plan. (02:29:06)

Council Member Genis spoke on the General Plan Update; concerns with the setback; and spoke on the design. (02:32:10)

Council Member Foley spoke on the current proposal design and spoke on sufficient parking. (02:34:34)

**ACTION:**

City Council provided feedback on proposed Urban Master Plan for a two and three-story, 10-unit detached residential development within the Mesa West Residential Ownership Urban Plan.

**ITEMS REMOVED FROM THE CONSENT CALENDAR (02:38:25)**

- 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 (02:28:33)**

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

**ACTION:**

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

- 4. PROFESSIONAL SERVICES CONTRACT FOR PLANNING CONSULTANTS (02:39:55)**

Public Comments:

Tamar Goldmann, Costa Mesa, spoke on the salaries of the Planners and paying for outsourcing. (02:39:51)

CEO Hatch spoke on the recruitments of Planning Staff. (02:42:20)

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

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 with The Lilley Planning Group, not to exceed \$93,000.00; and
2. City Council authorized the Chief Executive Officer to sign the Professional Services Agreement with The Lilley Planning Group; and
3. City Council authorized the Chief Executive Officer to sign the renewals of the approved Professional Services Agreement.

**9. PROFESSIONAL SERVICES AGREEMENT FOR CONSTRUCTION MANAGEMENT SERVICES FOR REMODELING AND/OR NEW CONSTRUCTION OF VARIOUS CITY FACILITIES (02:45:21)**

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

**ACTION:**

1. City Council awarded the Kitchell CEM, Inc., 940 South Coast Drive, Suite 115, Costa Mesa, California 92626, in an amount not to exceed \$906,218.00 for professional services for construction management services for various City facilities; and
2. City Council authorized the Mayor and the City Clerk to execute the Professional Services Agreement.

**REPORT – CITY ATTORNEY – NONE (02:38:25)**

**ADJOURNMENT (02:45:41)**

The Mayor and City Council adjourned at 8:33 p.m.

Minutes adopted on this 19<sup>th</sup> day of January, 2016.

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Stephen M. Mensinger, Mayor

ATTEST:

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Brenda Green, City Clerk

**REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY AND SPECIAL JOINT MEETING WITH THE COSTA MESA HOUSING AUTHORITY – 5:45 P.M.**

**November 17, 2015**

**CALL TO ORDER (00:00:20)**

The meeting was called to order by the Mayor at 5:48 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

**PLEDGE OF ALLEGIANCE (00:00:28) – Council Member Foley**

**ROLL CALL (00:00:52)**

Present: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer (arrived at 6:10 p.m.) 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 (00:01:06) – NONE**

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

**ANNOUNCEMENTS (00:01:18)**

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

**PRESENTATIONS (00:03:32)**

1. Mayor’s Award: Hydee Beth and Donna Swift - (00:03:33)

Ms. Hydee Beth and Ms. Donna Barnhard-Swift, Costa Mesa residents and school and community volunteers, accepted the Mayor’s Award.

**PUBLIC COMMENTS (00:12:17)**

Beth Rafakes, Costa Mesa, spoke on the Military Affairs Team Toy Drive and the project funding for Fire Station No. 1. (00:13:08)

**UNOFFICIAL UNTIL APPROVED**

Emily Goodwin, Regional Manager of Ygrene Energy Fund, spoke on the YGrene Energy Fund. (00:15:33)

Cindy Brenneman, Costa Mesa, spoke on speaking during public comments. (00:17:19)

Chuck Perry, Costa Mesa, spoke on the Boys Club; building improvements in the City; and red curbs. (00:19:44)

Speaker, Costa Mesa, spoke on the Veteran's Day Event at the Orange County Fair. (00:22:22)

Farooq Ansari, Costa Mesa, spoke on the Summer Learning Lag. (00:25:12)

Ralph Taboada, Costa Mesa, spoke on the budget and City spending, Pension Cost Sharing; and Police negotiations. (00:29:49)

Wendy Leece, Costa Mesa, spoke on the Fire Department reorganization plan and employee negotiations. (00:33:19)

Speaker, Costa Mesa, spoke on the Veteran's Day Event at the Orange County Fair and requested Mayor Pro Tem Righeimer recuse himself from Old Business Item #2. (00:36:25)

Mayor Pro Tem Righeimer stated the statements made by the previous speaker are incorrect. (00:38:30)

**COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (00:39:10)**

Council Member Foley thanked Staff for their assistance at the luncheon pertaining to the Arts; spoke on attendance at the Veterans Day event at the OC Fairgrounds; spoke on Cindy Brenneman speaking at Council Meetings and her volunteer position; requested a status update of the Fire Department reorganization plan; requested speed humps on St. Claire be agendaized for a future City Council meeting; and spoke on the December 3<sup>rd</sup> Costa Mesa Home Tour. (00:39:12)

Council Member Genis spoke on attendance at the Veteran's Day Event at the OC Fairgrounds; spoke on the funding for supportive and transitional housing; spoke on the Boys Club; attendance at Reason Foundation luncheon regarding Transportation in California; and acknowledged Elizabeth Perry who knits hats for cancer patients. (00:46:31)

Council Member Monahan had no comments. (00:52:33)

Mayor Pro Tem Righeimer spoke on attendance at St. John the Baptist Veteran's Day Event; the COIN process; and spoke on documents on the City website regarding Police negotiations. (00:52:41)

City Council Member Foley objected to the comments made by Mayor Pro Tem Righeimer regarding Police negotiations. (00:55:46)

City Attorney Tom Duarte stated that comments need to be general in nature and cannot attempt to influence or influence the decision. (00:57:38)

City Council recessed at 6:47 p.m.

City Council reconvened at 6:54 p.m.

Mayor Mensinger requested a follow-up on the Boys Club; spoke on attendance at St. John the Baptist on Veteran's Day; and requested a timeline for the Fire Department reorganization plan. (00:59:40)

Council Member Foley continued to object to Mayor Pro Tem Righeimer providing comments on Police negotiations. (01:01:37)

Council Member Monahan spoke on the COIN process and negotiations available on the City website. (01:03:13)

City Attorney Tom Duarte stated that comments need to be general in nature and cannot attempt to influence or influence the decision. (01:04:17)

Mayor Pro Tem Righeimer read a printed document that is available on the City website regarding Police salary negotiations. (01:03:52)

**REPORT – CHIEF EXECUTIVE OFFICER (CEO) (01:08:41)**

CEO Hatch spoke on following up on items the Boys Club; the Fire Station reorganization plan; and highlighted City Staff working with local groups to prepare for El Nino.

**CONSENT CALENDAR (01:10:52)**

**MOTION:** Approve recommended actions for Consent Calendar Item Nos. 1 through 10 except for 7.

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

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: Victoria Backstrom, Dorothy Bayliss and Michael Patrick Killelea

**ACTION:**

City Council received and filed.

3. **WARRANT RESOLUTION NO. 2546 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 15-22 "A" FOR \$62,398.63; AND 15-23 FOR \$2,100,482.57; AND CITY OPERATING EXPENSES FOR \$1,703,085.25; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID**

**ACTION:**

Approved Warrant Resolution No. 2546, to be read by the title only, and waived further reading.

4. **AWARD THE PURCHASE OF ONE NEW 2016 DUMP TRUCK**

**ACTION:**

City Council approved and authorized the Chief Executive Officer to execute a purchase order for the purchase of one new 2016 114SD Freightliner Conventional Chassis with a compressed natural gas powered engine and a fifteen foot (15') 10/12 cubic yard capacity dump bed, through the National Joint Powers Alliance (NJPA) #102811, in conjunction with National Auto Fleet Group, 490 Auto Center Drive, Watsonville, CA 95076 in the amount of \$181,344.16.

**5. MINUTES**

**ACTION:**

City Council approved the minutes of the City Council Special Closed Session Meeting of October 29, 2015.

**6. AWARD THE PURCHASE OF ONE NEW 2016 FORD F750, NIXON-EGLI, PB, BC-4 ASPHALT PATCH TRUCK**

**ACTION:**

City Council approved and authorized the Chief Executive Officer to execute a purchase order for the purchase of one 2016 Ford F-750, regular cab XLT truck with a 'Nixon-Egli' asphalt patch truck bed through the National Joint Powers Alliance (NJPA) #113012-in conjunction with Nixon-Egli Equipment Company, 2044 South Vineyard Avenue, Ontario, CA 91761 in the amount of \$173,044.96.

**8. REQUEST FOR A "RESIDENT ONLY" PARKING RESTRICTION ON PARSONS STREET BETWEEN VICTORIA STREET AND THE SOUTH END OF THE CUL-DE-SAC**

**ACTION:**

1. City Council adopted Resolution No. 15-63, to be read by title only and further reading waived, approving the implementation of a "Resident Only" parking restriction on Parsons Street between Victoria Street and the south end of the cul-de-sac; and
2. City Council authorized the Transportation Services Manager to extend the "resident only" parking restriction for a maximum of 1,000 feet, as needed.

**9. A RESOLUTION CHANGING THE DAY AND START TIME OF THE HOUSING AUTHORITY MEETINGS TO OCCUR CONCURRENTLY WHEN THE CITY COUNCIL MEETINGS ARE HELD**

**ACTION:**

The Housing Authority adopted Resolution No. 2015-01 entitled: A RESOLUTION OF THE COSTA MESA HOUSING AUTHORITY APPROVING AND ADOPTING THE SECOND AMENDED AND RESTATED BYLAWS OF THE COSTA MESA HOUSING AUTHORITY.

**10. SOLE SOURCE PURCHASE OF TWO (2) PIERCE ARROWXT FIRE ENGINES**

**ACTION:**

City Council authorized the sole source purchase of two (2) Pierce ArrowXT Fire Engines from South Coast Fire Equipment, Inc., 2020 South Baker, Ontario, CA 91761. The total net purchase cost, including state/local taxes and manufacturer-discount shall be \$1,340,961.44.

**ITEMS REMOVED FROM THE CONSENT CALENDAR (01:11:25)**

**7. REQUEST FOR A “RESIDENT ONLY” PARKING RESTRICTION ON MURRAY LANE, FERNHEATH LANE, DONNYBROOK LANE, WARREN LANE, ROYCE LANE, AND KILLYBROOKE LANE BETWEEN BAKER STREET AND WATSON AVENUE**

Public Comments:

Jim Hastie, Costa Mesa, spoke in support of the resident only parking. (01:12:09)

Louise Rose, Costa Mesa, spoke in support of the resident only parking. (01:15:08)

Isaac Torres, Costa Mesa, spoke in opposition to the resident only parking. (01:18:23)

Robert Serrano, Costa Mesa, spoke in support of the resident only parking. (01:21:12)

David Mackenzie, Costa Mesa, spoke in support of the resident only parking. (01:22:27)

Mayor Mensinger requested Staff to research parking issues and safety concerns on Baker Street. (01:25:30)

Council Member Genis spoke on the pedestrian safety issues and reporting car repairs on public streets to Code Enforcement and/or the Police Department. (01:26:52)

Council Member Foley requested Staff to encourage conversation with property owners requiring garages being made available for parking and the possibility of shared parking with neighboring businesses. (01:28:39)

Director of Public Services Ernesto Munoz provided figures on available parking. (01:29:40)

Mayor Pro Tem Righeimer spoke on the safety issues on Baker Street; garages being used for storage; requested an option for mandatory garage parking and the enforcement for apartments through an Ordinance; and a restriction on number of parking permits issued. (01:31:40)

Mr. Munoz spoke on returning with a report in January. (01:35:42)

**UNOFFICIAL UNTIL APPROVED**

Council Member Monahan spoke on coordinating with the Police Department for enforcement once the new parking signs are installed. (01:35:57)

Discussion ensued on the possibility of an Ordinance for parking enforcement; educating neighbors regarding the new parking update; and the renting out of garages as a separate unit from regular units. (01:36:19)

**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 Righimer and Mayor Mensinger

Nays: None

Absent: None

Motion carried: 5-0

**ACTION:**

1. City Council adopted Resolution No. 15-62, to be read by title only and further reading waived, approving the implementation of a "Resident Only" parking restriction on Murray Lane, Fernheath Lane, Donnybrook Lane, Warren Lane, Royce Lane, and Killybrooke Lane between Baker Street and Watson Avenue; and
2. City Council authorized the Transportation Services Manager to extend the "resident only" parking restriction for a maximum of 1,000 feet, as needed.

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

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

**OLD BUSINESS: (01:38:08)**

1. **SECOND READING OF ORDINANCE NO. 15-14 FOR REZONE NO. R-14-04 AND ORDINANCE NO. 15-15 FOR CODE AMENDMENT NO. CO-14-02 – 2277 HARBOR BOULEVARD – MOTOR INN**

Staff report presented by Ryan Loomis, Associate Planner; and Celeste Brady, Special Counsel of Stradling Yocca Carlson & Rauth. (01:39:18)

Public Comments:

Sylvia Hatton, Costa Mesa, spoke on the \$200,000 relocation funds and accountability of the monies. (01:41:12)

Mrs. Drain, Costa Mesa, spoke on the affordable housing and relocation assistance plan. (01:42:21)

**UNOFFICIAL UNTIL APPROVED**

Wendy Leece, Costa Mesa, requested considering the poor for future housing projects. (01:45:04)

Tamar Goldmann, Costa Mesa, spoke on allowing longer term stays at other hotels and spoke on parking concerns. (01:47:06)

Mayor Mensinger spoke on a conversation with Mercy House offering to assist with free transitional assistance for the residents at Motor Inn. (01:49:00)

Council Member Foley requested the monies to not be used for administration costs, only for relocation costs; spoke on replacing motels with high density projects; spoke on the bringing forth of additional projects; and allowing for affordable housing. (01:49:56)

Mayor Pro Tem Righeimer spoke on the monies to relocate the families and spoke in support of the project. (01:51:28)

Council Member Genis spoke in opposition of the project. (01:57:52)

Mayor Mensinger requested CEO Hatch speak with Larry Haynes of Mercy House regarding the transitioning services to be provided. (02:10:43)

Council Member Foley requested a third party administrator instead of through Mercy House. (02:11:34)

Council Member Monahan spoke in favor of Mercy House offering their services at no cost for transitioning housing services. (02:13:07)

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

**ACTION:**

1. City Council gave second reading and adopted Ordinance No. 15-14, to be read by title only, and further reading waived, approving Rezone R-14-04 for a rezone of the zoning classification from C1 (Local Business District) to PDR-HD (Planned Development Residential – High Density) for the 4.15-acre development site located at 2277 Harbor Boulevard; and

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

**ACTION:**

2. City Council gave second reading and adopted Ordinance No. 15-15, to be read by title only, and further reading waived, approving Code Amendment CO-14-02 to amend Costa Mesa Municipal Code Title 13 for a site-specific density of 54 dwelling units per acre for the 2277 Harbor Boulevard, as established by General Plan Amendment GP-14-04. The amendment is proposed to Table 13-58 (Planned Development Standards) to allow a site-specific density of 54 dwelling units per acre for this project.

**2. SECOND READING OF ORDINANCE NO. 15-11 AND ORDINANCE NO. 15-13 FOR CODE AMENDMENT NO. CO-15-04 – MFR GROUP HOME (02:16:50)**

Staff report presented by Mel Lee, Senior Planner and Tarquin Preziosi, City Attorney. (02:18:37)

Public Comments:

Fernando Pedroza, representing Solid Landings, spoke on the enforcement and the transferring of patients back to their home place; and working on a collaboration with the City. (02:20:51)

Jay Humphrey, Costa Mesa, expressed concern with the apartments on Royal Palm being used as Group Homes; and spoke against the current Ordinance as proposed. (02:22:50)

Speaker, Costa Mesa, spoke on not knowing the location of all Group Homes and spoke on the number of units legally allowed and their enforcement. (02:27:21)

Wendy Leece, Costa Mesa, spoke in support of recovery, spoke on concerns of the legal contract agreement with patients including relapse; spoke on enforcement; and commercial licenses. (02:30:29)

Grant McNiff, Costa Mesa, spoke in opposition to the proposed Ordinance. (02:33:34)

Speaker, Costa Mesa, requested Mayor Pro Tem Righeimer recuse himself from voting on the item; spoke in opposition of the proposed Ordinance; and supports the City of Orange's Group Home Ordinance. (02:35:26)

Tarquin Preziosi spoke on the R2 Multi-Family Zone and 650 ft. separation between Sober Living Homes and State regulations versus what the City can regulate. (02:39:10)

Discussion ensued on the City of Orange's Group Home Ordinance and the number of parolees allowed to reside together. (02:44:31)

CEO Hatch spoke on the map being circulated; spoke on 297 locations of Group Homes with 144 on the City's current list, 153 are non-existing addresses and 27 other locations to be furthered investigated. (02:49:52)

1. **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. 15-11 to be read by title only, and waived further reading revising Title 13 of the Costa Mesa Municipal Code with regard to group homes, state licensed facilities and boardinghouses in the Multiple-Family Residential (KMJFR) zones and Planned Development zones ("MFR Group Home Ordinance"); and

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

**ACTION:**

City Council gave second reading and adopted Ordinance No. 15-13 to be read by title only, and waived further reading revising Title 9 of the Costa Mesa Municipal Code with regard to operator's permits for group homes in the MFR zones.

City Council recessed at 8:50 p.m.

City Council reconvened at 8:57 p.m.

**NEW BUSINESS: (02:54:58)**

**1. CONSIDERATION OF THE NEW DONALD DUNGAN LIBRARY, NEIGHBORHOOD COMMUNITY CENTER, AND PARK IMPROVEMENTS PROJECT AT LIONS PARK**

Staff report, including a PowerPoint presentation presented by Tamara Letourneau, Assistant CEO. (02:55:10)

Steve Johnson representing Johnson Favaro presented a PowerPoint presentation regarding work and completion of Phase 1. (02:57:55)

Helen Fried, County Librarian of Orange County, provided a brief statement and spoke to staffing of the new library. (03:33:22)

Staff report, including a PowerPoint presentation presented by Steve Dunivent, Interim Finance Director regarding the Fiscal Analysis review. (03:35:53)

Discussion ensued on occupancy size for various rooms; meeting certain accommodations; funding options; and user groups. (03:45:07)

Public Comments:

Wendy Leece, Costa Mesa, spoke in support of the project and supports a parcel tax to fund the project. (03:57:49)

Mary Ellen Goddard, Costa Mesa, spoke in support of the project. (04:00:26)

Tamar Goldmann, Costa Mesa, spoke on fiduciary responsibility and spoke against tearing town the Neighborhood Community Center. (04:01:55)

Beth Rafakes, Costa Mesa, spoke on safety concerns; expressed concern on the dollar amount; and spoke in support of funding for a new Fire Station. (04:05:06)

Discussion ensued on parcel tax, certificates of participation and a general obligation bond. (04:08:04)

Discussion ensued on Option 3, Funding with reduced debt that includes:  
(04:08:44)

- o Start of project could be FY 16-17
- o Uses some gas tax and park fees
- o Uses all FY 16-17 1.5% cap. Facilities funds
- o Uses half the 5% CIP funds
- o Debt of \$25,258,131
- o Lower annual payment: \$1,535,751.00

CEO Hatch spoke on the upcoming fiscal year budget; and current allocated funds. (04:11:09)

Mayor Pro Tem Righeimer spoke in favor of the project. (04:14:26)

Council Member Genis spoke in favor of a the project; spoke on the group reservations; requested further information on events such as community functions that would exceed capacity in the Costa Mesa room; and spoke on bonding and debt financing. (04:17:01)

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

**ACTION:**

City Council approved the Donald Dungan Library, Neighborhood Community Center, and Park Improvements Project, specifically regarding the following:

1. City Council approved the recommended option to build new library building; renovate existing Donald Dungan library to serve as the new Neighborhood Community Center (NCC); demolition of the NCC; and proposed parking and landscape developments in two (2) phases; and
2. City Council approved in concept for further development funding option 3 as described in the Fiscal Review section of this report and Attachment 1C Part 3 including Fire Station 1 and direct staff to return with an update on the funding options as part of the FY 15-16 mid-year budget report; and
3. City Council authorized the Mayor to execute a second professional services agreement with Johnson Favaro for architectural services for the new Donald Dungan Library, NCC, and Park Improvements Project at Lions Park (City Project No. 800015), in the amount of \$2,991,287, for a five (5) year term, and execute the option for a two-year extension if needed.

**REPORT – CITY ATTORNEY – NONE (04:23:06)**

**ADJOURNMENT (04:23:11)**

The Mayor and City Council adjourned at 10:25 p.m.

Minutes adopted on this 5<sup>th</sup> day of January, 2016.

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Stephen M. Mensinger, Mayor

ATTEST:

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Brenda Green, City Clerk

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

**December 8, 2015**

The City Council of the City of Costa Mesa, California met in a Special Closed Session, on Tuesday, December 8, 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

**CLOSED SESSION**

**1. CONFERENCE WITH LABOR NEGOTIATOR**

Pursuant to California Government Code Section 54957.6  
Agency Negotiator: Thomas R. Hatch, Chief Executive Officer  
Employee Organization: Costa Mesa Firefighters Association (CMFA)

**2. CONFERENCE WITH LABOR NEGOTIATOR**

Pursuant to California Government Code Section 54957.6  
Agency Negotiator: Thomas R. Hatch, Chief Executive Officer  
Employee Organization: Costa Mesa Fire Management Association (CMFMA)

**PUBLIC COMMENTS:**

Flo Martin, Costa Mesa, spoke on the James Owen Memorial and the Firefighter profession.

The meeting was recessed to Conference Room 5A for the closed session at 5:05 p.m.

The City Attorney stated there was no reportable action.

**ADJOURNMENT**

The special meeting adjourned at 6:00 p.m.

Minutes adopted on this 5<sup>th</sup> day of January, 2016.

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Stephen M. Mensinger, Mayor

ATTEST:

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Brenda Green, City Clerk

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

**December 11, 2015**

The City Council of the City of Costa Mesa, California met in a Special Closed Session, on Friday, December 11, 2015 at 10:12 a.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 Pro Tem Righeimer  
Mayor Mensinger

**CLOSED SESSION**

**1. CONFERENCE WITH LABOR NEGOTIATOR**

Pursuant to California Government Code Section 54957.6

Agency Negotiator: Thomas R. Hatch, Chief Executive Officer

Employee Organization: Costa Mesa Police Association (CMPA)

**PUBLIC COMMENTS:**

The meeting was recessed to Conference Room 5A for the closed session at 10:13 a.m.

The City Attorney stated there was no reportable action.

**ADJOURNMENT**

The special meeting adjourned at 11:05 a.m.

Minutes adopted on this 5<sup>th</sup> day of January, 2016.

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Stephen M. Mensinger, Mayor

ATTEST:

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Brenda Green, City Clerk