

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

June 14, 2016

The City Council of the City of Costa Mesa, California met in a Special Closed Session, on Tuesday, June 14, 2016 at 6:05 p.m. in the Council Chambers, 77 Fair Drive, Costa Mesa.

Mayor Mensinger called the meeting to order.

ROLL CALL:

Council Members Present: Council Member Foley
Council Member Genis
Mayor Pro Tem Righeimer
Mayor Mensinger

Council Members Absent: Council Member Monahan

PUBLIC COMMENTS: NONE

The meeting was recessed to Conference Room 5A for the Special Closed Session at 6:08 p.m.

CLOSED SESSION

1. Conference with legal counsel regarding existing litigation: Jeffrey Horn v. City of Costa Mesa, et al., Orange County Superior Court, Case No. 30-2014-00762143-CU-OE-CJC, pursuant to California Government Code Section 54956.9(d)(1).

The City Attorney stated there was no reportable action.

ADJOURNMENT

The special meeting adjourned at 6:45 p.m.

Minutes adopted on this 5th day of July, 2016.

Stephen M. Mensinger, Mayor

ATTEST:

Brenda Green, City Clerk

MINUTES OF THE SPECIAL MEETING OF THE COSTA MESA CITY COUNCIL

June 14, 2016

CALL TO ORDER (00:00:12)

The meeting was called to order by the Mayor at 7:03 p.m. at Costa Mesa City Hall, Council Chambers, 77 Fair Drive, Costa Mesa, California.

ROLL CALL (00:00:15)

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

Absent: Council Member Monahan

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

PUBLIC HEARING: (00:00:36)

1. 2015-2035 General Plan and Final Environmental Impact Report (EIR) SCH# 2015111053 (00:00:45)

Laura Stetson, consultant with MIG, provided an overview of the CEQA process and purpose; spoke on the Environmental Impact Report; responses to comments; clarified information on agriculture, biology, habitat areas; and spoke on the air quality analysis. (00:01:50)

Discussion ensued on public letters submitted and on the AQMP. (00:15:06)

Mino Ashabi, Principal Planner, reviewed the recommended actions for Council consideration; spoke on the Multi-Use Center designation for the Fairview Developmental Center site; spoke on the traffic analysis, tourism and public storage overlay zone; action by the Airport Land Use Commission and the circulation element map. (00:29:54)

Derald Zerfass from Stantec Consulting Services Inc., spoke on the traffic analysis zone; presented updated maps and trip generation comparisons. (00:34:00)

Roger Dale from The Natelson Dale Group Inc., provided an update on the fiscal analysis; reviewed economic implications; spoke on the 2035 net general fund cash flow with 450 additional hotel rooms; and spoke on the net general fund impact per acre of developed land by land use. (00:39:41)

Discussion ensued on the traffic counts and data. (00:47:55)

PUBLIC COMMENTS: (00:52:12)

Linda Witt-King, Newport Beach, spoke on addressing homeless issues; and high density. (00:52:59)

Beth Refakes, Costa Mesa, spoke on the overlay zone and annual fiscal impact for public storage uses; and the process for public comments. (00:56:11)

Alex Reich, Costa Mesa, spoke against the proposed General Plan and requested affordable housing. (00:59:18)

Ron Amburgey, Costa Mesa, spoke on the Fairview Developmental Center site and keeping the property a public area; requested a partnership with the County for mental, homeless and veteran facilities; and recommended adding more sports fields. (01:02:22)

Steven LaMotte, BIA Government Affairs Director, spoke in support of housing and the proposed General Plan. (01:05:13)

Jay Humphrey, Costa Mesa, spoke on visualizing developments in the City. (01:07:06)

Greg Thunell, Costa Mesa, spoke on the Environmental Impact Report and accurate descriptions. (01:10:09)

Speaker, requested an accurate population analysis be included. (01:13:07)

Kim Hendricks, spoke on missing public comments; database for species; corrections on the Environmental Impact Report; availability of response to comments; and Banning Ranch. (01:16:02)

Paul Garfield, Costa Mesa, expressed concern on the overlay concept on Harbor Boulevard and density; and spoke on air density data. (01:19:07)

Speaker, spoke on police staffing levels; parkland availability; and a library fee. (01:21:36)

Richard J. Mehren, Costa Mesa, spoke on allowing more open space at the Fairview Developmental Center site. (01:24:04)

Katie Arthur, Costa Mesa, expressed concern on high density; and the widening of 17th Street. (01:25:09)

Jim Kevins, Costa Mesa, thanked Council and spoke in support of the redevelopment in the City and more housing; and spoke on property rights. (01:27:01)

Dianne Russell, Costa Mesa, Affordable Housing Coalition Member, spoke on replacing motels and inclusion of affordable housing. (01:30:17)

June McKinzie, Costa Mesa, expressed concern on the increase of the homeless; and spoke on traffic and density. (01:32:59)

Linda Tang, Kennedy Commission representative, urged the City to delay approving the item; spoke on density at Fairview Developmental Center site and the inclusion of an affordable housing element. (01:36:08)

Debby Koken, Costa Mesa, spoke on the Bikeway and Walkability Committee suggestions to improve traffic flow and air quality. (01:37:52)

Terry Koken, Costa Mesa, spoke on open space; affordable housing and the homeless. (01:38:59)

Speaker, spoke on pollution concerns and traffic. (01:41:10)

Tamar Goldmann, Costa Mesa, spoke in opposition to high density and spoke on the development initiative. (01:42:30)

Margaret Mooney, Costa Mesa, spoke on the designation at the Fairview Developmental Center site; requested open space, public institutional uses and sports fields at the Fairview Developmental Center site; and meeting the needs of the disabled. (01:45:44)

Cindy Black, Costa Mesa, spoke on CEQA impacts; spoke on previous speaker comments; and critical habitats. (01:48:48)

George Abrina, Costa Mesa, spoke on smart growth and traffic concerns. (01:51:48)

Speaker, spoke on affordable housing and requested to delay approving the item. (01:54:55)

Public Comments Closed

Discussion ensued on the Governor's affordable housing proposal and effects to the General Plan; an overlay for a tourism incentive; and list of landmarks under community design. (01:57:00)

Council Member Genis requested clarification and recommended changes to various items in the Environmental Impact Report and the General Plan. (02:04:00)

Council Member Genis spoke on low income housing; density bonuses; and rental housing. (02:23:00)

Mayor Pro Tem Righeimer spoke on the minor changes in trip generation under the General Plan; the need for a general plan change; spoke on nodes, overlays, and problem motels; the Fairview Developmental Center site; open space; affordable housing; traffic modeling; and public storage businesses. (02:25:20)

Mayor Mensinger thanked staff for their efforts and spoke on improvements in the City and traffic changes. (02:42:24)

Council Member Foley spoke on adopting land use changes that are economically viable that do not create a burden on taxpayers; adopting a plan that prioritizes compatibility in uses; and on the creation of employment centers and promotion of tourism. (02:45:50)

MOTION: To remove the Mesa Verde Center node at the Southwest corner of Mesa Verde Drive and Harbor Boulevard from the Residential Incentive Overlay. (02:50:40)

MOVED/SECOND: Council Member Foley/Council Member Genis

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

ACTION:

City Council directed staff to remove the Mesa Verde Center node at the Southwest corner of Mesa Verde Drive and Harbor Boulevard from the Residential Incentive Overlay.

MOTION: To include a new General Plan goals, objectives, policies relating to promoting tourism and hotel/motel revitalization. (02:52:33)

MOVED/SECOND: Council Member Foley/Council Member Genis

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

ACTION:

City Council directed staff to include a new General Plan goals, objectives, and policies relating to promoting tourism and hotel/motel revitalization.

MOTION: To include as an alternative to the residential overlay on Newport Boulevard, that incentives be created for mixed use facilities with desirable restaurants and or retail and office space and public storage. (02:55:08)

MOVED: Council Member Foley

Motion died due to lack of a second.

MOTION: To initiate and process a General Plan Amendment/Specific Plan Amendment to establish an overlay zone to promote storage uses along Newport Boulevard to be separate and apart from this General Plan Amendment process. (03:00:05)

MOVED/SECOND: Council Member Foley/Council Member Genis

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

ACTION:

City Council directed staff to initiate and process a General Plan Amendment/Specific Plan Amendment to establish an overlay zone to promote storage uses along Newport Boulevard to be separate and apart from this General Plan Amendment process.

MOTION: To reconsider the land use proposed for the Fairview Developmental Center site, to increase the percentage of Public/Institutional uses to 40 percent, Open Space to 37 percent, with a balance of a maximum of 450 units, a maximum of 150 dwelling units at 10 du/acre and a maximum of 300 du/acre at 40 units per acre with a priority on rapid re-housing, social and homeless services, veterans services and housing, sports fields and recreational centers. (03:02:30)

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: Mayor Pro Tem Righeimer and Mayor Mensinger.

Absent: Council Member Monahan

Motion failed: 2-2-1

Council Member Genis spoke on trips for Public/Institutional uses; and would like to allow transitional housing within the public institutional areas. (03:04:00)

MOTION: To remove 17th Street widening. (03:10:35)

MOVED: Council Member Foley

Motion died due to lack of a second.

Discussion ensued on downgrading the lanes on 17th Street and working with the Orange County Transportation Authority; consistency with the master plan; and having policies available at the next meeting to downgrade the lanes on 17th Street. (03:10:45)

MOTION: To remove residential overlays at Newport Boulevard and Harbor Boulevard. (03:13:15)

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: Mayor Pro Tem Righeimer and Mayor Mensinger.

Absent: Council Member Monahan

Motion failed: 2-2-1

MOTION: To direct staff to specify the following land uses for the proposed Multi-Use Center designation for the Fairview Developmental Center site in the 2015-2035 General Plan: 1. Maximum 582 residential units: Maximum 250 dwelling units at 5 du/acre and Maximum 332 dwelling units at 40 du/acre; 2. Minimum 25 percent Open Space/Park Uses (25.6 acres); 3. Maximum 0.25 FAR for Public/Institutional Uses for maximum 12 percent of the site (139,660 square feet). (03:13:50)

MOVED/SECOND: Mayor Mensinger/Mayor Pro Tem Righeimer

The motion failed by the following roll call vote:

Ayes: Mayor Pro Tem Righeimer and Mayor Mensinger.

Nays: Council Member Foley and Council Member Genis.

Absent: Council Member Monahan

Motion failed: 2-2-1

Council Member Foley requested staff to analyze the numbers presented at 5 dwelling units per acre. (03:15:15)

MOTION: To include new General Plan policies pursuant to the Airport Land Use Commission's recommendation. (03:15:50)

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, Mayor Pro Tem Righeimer and Mayor Mensinger.

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

ACTION:

City Council directed staff to include new General Plan policies pursuant to the Airport Land Use Commission's recommendation.

MOTION: To initiate and process a General Plan Amendment (Low Density Residential) and Rezone for 2850 Mesa Verde Drive to be separate and apart from this General Plan Amendment process. (03:16:04)

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, Mayor Pro Tem Righeimer and Mayor Mensinger.

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

ACTION:

City Council directed staff to initiate and process a General Plan Amendment (Low Density Residential) and Rezone for 2850 Mesa Verde Drive to be separate and apart from this General Plan Amendment process.

COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS (03:19:47)

Council Member Foley - none

Council Member Genis reported her attendance at a Demographics conference. (03:19:50)

Mayor Pro Tem Righeimer – none

Mayor Mensinger – none

ADJOURNMENT – Mayor Mensinger adjourned the meeting at 10:24 p.m. in memory of the victims of the shootings in Orlando, Florida.

Stephen M. Mensinger, Mayor

ATTEST:

Brenda Green, City Clerk

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

June 21, 2016

CALL TO ORDER

The Closed Session meeting was called to order by the Mayor at 5:07 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

ROLL CALL

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

Council Members Absent: Council Member Foley

PUBLIC COMMENTS ON CLOSED SESSION ITEMS – NONE

CLOSED SESSION

The City Council recessed into Closed Session at 5:08 p.m. to consider the following items:

1. Conference with legal counsel regarding existing litigation: City of Costa Mesa, a municipal corporation, et al., v. Civic Center Barrio Housing, Orange County Superior Court Case No. 30-2014-00715552-CU-BC-CJC, pursuant to California Government Code Section 54956.9(d)(1).
2. Conference with legal counsel regarding existing litigation: Timothy Dadey, et al. v. City of Costa Mesa, Superior Court of California, County of Orange, Case No. 30-2014-00757962-CU-CR-CJC, pursuant to California Government Code Section 54956.9(d)(1).

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

CALL TO ORDER (00:00:12)

The meeting was called to order by the Mayor at 5:49 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

PLEDGE OF ALLEGIANCE (00:00:23) – Mayor Mensinger

MOMENT OF SOLEMN EXPRESSION (00:00:50)

Tim Donovan, St. Joachim Catholic Church, Costa Mesa

ROLL CALL (00:03:01)

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

Absent: Council Member Foley

Officials Present: Chief Executive Officer Tom Hatch, Deputy City Attorney Tarquin Preziosi, Assistant Chief Executive Officer Tamara Letourneau, Economic and Development Services Director Gary Armstrong, Interim Public Services Director Jim Ross, and City Clerk Brenda Green.

CITY ATTORNEY CLOSED SESSION REPORT (00:03:17)

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

ANNOUNCEMENTS (00:03:23)

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

CEO Tom Hatch introduced newly hired Interim Public Services Director Jim Ross. (00:05:52)

PUBLIC COMMENTS (00:06:44)

Chuck Perry, Costa Mesa, spoke in support of city improvements. (00:07:33)

Alex Reich, Costa Mesa, spoke on the internet and Banning Ranch. (00:09:10)

Beth Refakes, Costa Mesa, spoke on fireworks safety. (00:12:24)

Tom Pollitt, Costa Mesa, thanked the Mayor for hosting the Sunday meetings with the Mayor; and spoke in support of city improvements. (00:13:58)

Jay Humphrey, Costa Mesa, spoke on various types of jobs and housing. (00:15:14)

Teresa Drain, Costa Mesa, spoke on public safety and alertness. (00:17:42)

Speaker, Costa Mesa, spoke on public comments and prostitution arrests data. (00:20:28)

Kim Hendricks, Costa Mesa, spoke on the Open Space Master Plan telephone survey. (00:23:29)

Speaker, spoke on a balanced budget; employee staffing; homelessness; mentally challenged institutions; and artificial turf. (00:26:41)

Susan Shaw, Costa Mesa, spoke on Harbor Boulevard traffic and signal coordination. (00:30:11)

Nicole Zarate, Community Services Program Inc., spoke on Community Service Programs and training opportunities to reduce impaired driving. (00:31:39)

Robin Leffler, Costa Mesa, spoke on public comments; initiatives; and past election results. (00:33:10)

Speaker, spoke on the Jones & Mayer law firm representing Costa Mesa and first amendment rights. (00:36:23)

Jim Kevins, Costa Mesa, spoke on city improvements and developments. (00:39:43)

Gary Parkin, Costa Mesa, thanked Council for their services; and spoke on housing in the city. (00:44:37)

Speaker, spoke on sober living home problems. (00:46:07)

Speaker, spoke on good governance responsibility. (00:49:09)

Speaker, spoke on respect and sober living homes. (00:52:25)

Public Comments Closed

COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (00:55:19)

Mayor Mensinger spoke on campaigning; meet with the Mayor meetings; a balanced budget; and city improvements. (00:55:21)

Council Member Foley - absent

Council Member Genis spoke on her attendance at special events for schools; the evaluation of the City Manager and City Attorney; the future of Fairview Park; and the budget. (01:00:49)

Council Member Monahan spoke on the fundraiser for Fresh Beginnings Ministries for the network of homeless solutions; a feasibility petition for lights and artificial turf study to be done at three schools; and problems at motels.(01:03:57)

Mayor Pro Tem Righeimer spoke on public speakers; subsidized housing; and sober living homes. (01:09:43)

REPORT – CHIEF EXECUTIVE OFFICER (CEO) – (01:23:20)

Chief Executive Officer Tom Hatch spoke on the 4th of July holiday and fireworks safety.

Chief of Police Sharpnack spoke on the hiring of new police officers. (01:25:00)

CONSENT CALENDAR (01:33:16)

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 9 except for 2, 5, 7, and 8.

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Righeimer (01:33:28)

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Foley

Motion carried: 4-0-1

1. READING FOLDER

a. Claims received by the City Clerk: Bernie Hesch and Oliver M. Sacks

ACTION:

City Council received and filed.

3. MINUTES OF THE REGULAR CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF JUNE 7, 2016

ACTION:

City Council approved the minutes of June 7, 2016.

4. AGREEMENT EXTENSIONS FOR BUILDING SAFETY & FIRE PREVENTION PLAN REVIEW AND INSPECTION SERVICES

ACTION:

City Council authorized the Mayor to execute Amendment No. 4 to extend the final term of Professional Services Agreements (PSAs) approved in FY 2012-2013, for building safety and fire prevention plan reviews and inspection services, with the companies of Scott Fazekas & Associates Inc., Bureau Veritas, Melad & Associates, Interwest Group, and CSG Consultants Inc.

6. HYLAND AVENUE – MACARTHUR BOULEVARD PROJECT – BUDGET ADJUSTMENT

ACTION:

City Council approved Budget Adjustment BA-16-016 recognizing and appropriating Measure M2 grant funding received for the project in the amount of \$37,500.

9. HOUSING AUTHORITY BUDGET AMENDMENT FOR FY-15-16

ACTION:

City Council and Housing Authority adopted joint Resolution No. 16-44 of City Council and Housing Authority relating to FY15-16 Housing Authority Budget Amendment for the Housing and Community Development Department (HCD) relating to revenues and expenses for the James St./W. 18th St. Properties.

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

PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55): (01:34:05)

1. ADOPTION OF FISCAL YEAR 2016-2017 APPROPRIATIONS LIMIT (01:34:10)

Staff report by Stephen Dunivent, Interim Finance Director. (01:34:30)

Public Comments: None

Discussion ensued regarding the triple flip process and sales tax allocation. (01:35:10)

MOVED/SECOND: Mayor Pro Tem Righeimer/Council Member Monahan (01:39:02)

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Foley

Motion carried: 4-0-1

ACTION:

City Council adopted Resolution No. 16-45 establishing the Fiscal Year 2016-2017 Appropriations Limit for the City of Costa Mesa at \$214,145,081 by using the County of Orange's population growth for population adjustment, and the California per capita income growth for inflationary adjustment.

2. ADOPTION OF THE FISCAL YEAR 2016-17 BUDGET (01:39:43)

Staff report by Stephen Dunivent, Interim Finance Director. (01:39:54)

Discussion ensued on the budget balance; status of the Gas Tax Fund; and budget structuring and adjustments. (01:48:10)

Public Comments: (01:52:53)

Ralph Taboada, Costa Mesa, requested monies be redirected from Capital Projects to other needs. (01:53:42)

Robin Leffler, Costa Mesa, spoke on building the reserves and public indebtedness. (01:56:27)

Public Comments Closed

MOVED/SECOND: Mayor Pro Tem Righeimer/Mayor Mensinger (01:59:09)

Mayor Pro Tem Righeimer spoke on the budget; reserves; sales tax; the economy; and fire station and library funding. (01:59:13)

Council Member Genis spoke on funding for fire stations number 2 and 3. (02:09:30)

MOVED/SECOND: Mayor Pro Tem Righeimer/Mayor Mensinger

The motion carried by the following roll call vote: (02:10:35)

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

Nays: None

Absent: Council Member Foley

Motion carried: 4-0-1

ACTION:

1. City Council approved Resolution No. 16-46 adopting the City of Costa Mesa FY 16-17 Operating and Capital Budget including the Budget Addendum; and
2. Approved Parks & Recreation Commission and CEO recommended FY 15-16 capital project budget adjustments included on the Budget Addendum; and

3. Approved job descriptions and recommended Salary Resolution No. 16-47 and Resolution No. 16-48 for the following:
 - a. Senior Code Enforcement Officer
 - b. Senior Management Analyst
 - c. Senior Management Analyst - Confidential
 - d. Management Aide
 - e. Management Aide – Confidential
 - f. Additional Confidential Unit designations
 - g. Website Coordinator; and
4. Directed staff to review existing fees for potential update for additional cost recovery.

**3. 2015-2035 GENERAL PLAN AND FINAL ENVIRONMENTAL IMPACT REPORT (EIR) – SCH# 2015111053 (02:10:48)
(8:00 P.M. OR AS SOON AS POSSIBLE THEREAFTER)**

Claire Flynn, Assistant Director of Development Services, presented the staff report and reviewed focus areas, including Segerstrom Home Ranch; Sakioka Lot 2; LA Times Site; and the Fairview Developmental Center. (02:12:33)

Laura Stetson, consultant with MIG, clarified information on the Environmental Impact Report, including water supply and demand; air quality; open space; and the Fairview Developmental Center site. (02:31:41)

Dan Inloes, Senior Planner, spoke on changes and updates to the General Plan including the removal of old policies that were not supported; updating the community design element; adding landmarks; and including sustainable goals and policies. (02:41:20)

Public Comments: (02:46:20)

Teresa Drain, Costa Mesa, spoke on the Development at 125 E. Baker Street; and the SoBECA overlay plan. (02:47:20)

Jay Humphrey, Costa Mesa, spoke on visualizing developments in the City. (02:50:56)

Speaker, spoke on a map for sober living homes. (02:55:35)

Sylvia Hatton, Costa Mesa, spoke on affordable housing in Costa Mesa. (02:57:44)

Robert Cartwright, Costa Mesa, spoke on campaign contributions and various concerns. (02:59:39)

Kim Hendricks, Costa Mesa, spoke on the General Plan and expressed concerns on the Environmental Impact Report. (03:01:59)

Linda Tang, Kennedy Commission representative, spoke on affordable housing; the Fairview Developmental Center site; residential density; overlays; and requested the City Council delay approving the item. (03:05:14)

Steven LaMotte, BIA Government Affairs Director, spoke in support of the General Plan and Environmental Impact Report. (03:07:22)

Dianne Russell, spoke in support of affordable housing; and against the proposed residential overlays on Harbor Boulevard and Newport Boulevard and the Environmental Impact Report. (03:09:56)

John Howley, spoke on the west side bluffs overlay; cap on density; park areas; and development fees. (03:12:31)

Sharon Ball, spoke in support of affordable housing and space. (03:14:44)

Steve Dzida, spoke in support of affordable housing. (03:17:58)

Andrea Marr, spoke in support of affordable housing. (03:21:36)

Linda Witt-King, Costa Mesa, spoke on density at hotels; assessing a transient occupancy tax for sober living homes; and spoke on affordable housing. (03:24:06)

Kathy Esfahani, Costa Mesa Affordable Housing Coalition representative, spoke on legal consequences of adopting the overlay zone. (03:27:15)

Reverend Sian Wiltshire, spoke in support of affordable housing. (03:30:52)

Wendy Leece, spoke in support of affordable housing; cumulative impacts and long term impacts; and inclusion of the Banning Ranch project. (03:33:16)

Margaret Sharpe, Costa Mesa, spoke on the Fairview Developmental Center site and housing the homeless. (03:36:32)

Margaret Mooney, Costa Mesa, spoke in support of affordable housing and Senate Bill 72 regarding the Fairview Developmental Center site. (03:38:41)

Jim Kevins, Costa Mesa, spoke on supporting higher density with a cap and supports diverse developments. (03:41:07)

Joanne Perler, Costa Mesa, spoke against high density development; and a lack of analysis on traffic and water. (03:43:59)

MOTION: To approve the recommended action; to use the May 31, 2016 Mixed-Use Center Development Plan for the Fairview Developmental Center site, including the distinction of using 50 acres for the 250 dwelling units for low density residential; 25.65 acres for passive park, 332 dwelling units for high density residential, 139.66 thousand square feet for institutional (office), and to use the am peak hour of 577 and pm peak hour of 669 for high density residential and institutional (office). (03:47:10)

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

Mayor Righeimer spoke on regional needs assessment numbers for affordable housing; and thanked staff for their work. (03:51:55)

Council Member Genis inquired if Mayor Pro Tem Righeimer would accept an amendment to change the residential incentive overlay to a base density of 28 units per acre with a 20 percent affordability requirement for the motel overlay. (03:54:25)

Mayor Pro Tem Righeimer and Council Member Monahan declined to accept the amendment. (03:55:00)

Council Member Genis spoke on institutional uses for open space. (03:55:29)

Council Member Genis expressed opposition to the motion and cited the following reasons for her opposition to the motion: lack of analysis in important areas, improper deferral for many impact areas, improper deferral results in segmentation of impact analysis, lack of a cumulative impact analysis, inconsistencies in the document, last minute analysis not subject to public review and public vetting, traffic analysis was based on outdated numbers, and inconsistencies on the noise. (04:08:20)

Council Member Genis spoke on density bonuses; and expressed concern on housing impacts south of the 405 freeway. (04:09:35)

Mayor Mensinger and Council Member Monahan complemented staff and consultants on their work on the general plan. (04:14:05)

MOTION: To approve the recommended action; to use the May 31, 2016 Mixed-Use Center Development Plan for the Fairview Developmental Center site, including the distinction of using 50 acres for the 250 dwelling units for low density residential; 25.65 acres for passive park, 332 dwelling units for high density residential, 139.66 thousand square feet for institutional (office), and to use the am peak hour of 577 and pm peak hour of 669 for high density residential and institutional (office). (03:47:10)

MOVED/SECOND: Mayor Pro Tem Righeimer/Council Member Monahan
The motion carried by the following roll call vote: (04:17:05)

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

Nays: Council Member Genis

Absent: Council Member Foley

Motion carried: 3-1-1

ACTION:

1. City Council adopted Council Resolution No. 16-49, adopting findings pursuant to the California Environmental Quality Act, adopting a statement of overriding considerations, certifying the Final Environmental Impact Report (SCH#2015111053), and adopting a mitigation monitoring and reporting program for the 2015-2035 General Plan; and

2. Adopted Council Resolution No. 16-50, approving and adopting the Costa Mesa 2015-2035 General Plan including the use of the May 31, 2016 Mixed-Use Center Development Plan for the Fairview Developmental Center site and the distinction of using 50 acres for the 250 dwelling units for low density residential; 25.65 acres for passive park, 332 dwelling units for high density residential, 139.66 thousand square feet for institutional (office), and to use the am peak hour of 577 and pm peak hour of 669 for high density residential and institutional (office).

NEW BUSINESS: (04:17:15)

1. APPOINTMENT TO SENIOR COMMISSION (04:17:17)

Staff report by Brenda Green, City Clerk. (04:17:18)

Mayor Mensinger directed staff to come back with a recommendation to increase the commission members to nine. (04:19:25)

Public Comments: None

MOTION: To appoint Lee Ramos to the Senior Commission. (04:21:15)

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Foley

Motion carried: 4-0-1

ACTION:

City Council appointed Lee Ramos to fill one vacancy on the Senior Commission.

City Council recessed into a break at 10:16 p.m. (04:21:35)

City Council returned at 10:26 p.m. (04:31:20)

2. LIONS PARK PROJECTS AND FIRE STATION 1 UPDATED FUNDING PLAN (04:31:25)

Staff report by Stephen Dunivent, Interim Finance Director. (04:31:40)

Public Comments: (04:36:10)

Robin Leffler, Costa Mesa, spoke against indebtedness and expressed concern on the financing for the plan. (04:36:59)

Beth Refakes, Costa Mesa, expressed concern on the cost of the financing and debt of the plan; recommended taxpayers decide on the funding; and supports completing the fire station. (04:40:13)

Speaker, expressed concern on lumping the financing and spoke on other locations for the library. (04:43:30)

Public Comments Closed

MOVED/SECOND: Council Member Monahan/Mayor Mensinger (04:45:16)

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Foley

Motion carried: 4-0-1

ACTION:

1. City Council reviewed and approved in concept the updated funding plan; and
2. Authorized staff to assemble a financing team to finalize the funding plan.
3. **INITIATIVE PETITION ENTITLED, “AN INITIATIVE REQUIRING CHANGES IN USE AT FAIRVIEW PARK BE SUBJECT TO VOTER APPROVAL” QUALIFYING FOR THE BALLOT; CONSIDERATION OF ADOPTING NEW ORDINANCE, OR ORDERING REPORT (04:46:25)**

Staff report by Brenda Green, City Clerk. (04:46:43)

Public Comments: (04:49:25)

Chris Bunyan, Costa Mesa, spoke in opposition to the measure. (04:50:00)

Speaker, spoke in support of the measure. (04:53:25)

Jay Humphrey, Costa Mesa, spoke in support of the measure. (04:54:31)

Jim Kevins, Costa Mesa, spoke in opposition to the measure. (04:55:41)

Kim Hendricks, Costa Mesa, spoke in support of the measure. (04:59:03)

Robin Leffler, Costa Mesa, spoke in support of the measure. (05:02:50)

Speaker, Costa Mesa, spoke in support of the measure. (05:06:42)

Cindy Black, Costa Mesa, spoke in support of the measure. (05:07:41)

Public Comments Closed

MOVED/SECOND: Council Member Genis/Mayor Pro Tem Righeimer (05:09:50)

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Foley

Motion carried: 4-0-1

ACTION:

City Council accepted the Certificate of Sufficiency issued by the County of Orange Registrar of Voters regarding, “An Initiative Requiring Changes in use at Fairview Park be Subject to Voter Approval”.

MOTION: To approve recommended item number 2 and adopt the resolutions to place the measure on the November 8, 2016 consolidated election. (05:10:08)

MOVED: Council Member Genis

Mayor Pro Tem Righeimer seconded the item for discussion. (05:10:19)

Mayor Pro Tem Righeimer withdrew his seconded motion. (05:10:50)

Motion died due to lack of a second.

MOTION: To order a report pursuant to Election Code § 9212 and to bring back at the July 5, 2016 meeting.

MOVED/SECOND: Mayor Pro Tem Righeimer/Council Member Monahan
(05:10:57)

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Foley

Motion carried: 4-0-1

ACTION:

City Council ordered a report pursuant to Election Code § 9212 and to bring back at the July 5, 2016 meeting.

MOTION: Direct staff to prepare an alternative measure.

MOVED/SECOND: Mayor Pro Tem Righeimer/Council Member Monahan
(05:12:35)

Mayor Pro Tem Righeimer spoke on items that the report and an alternative measure should address. (05:15:00)

Council Member Genis spoke on the reasons for supporting the initiative.
(05:16:40)

Mayor Mensinger spoke on improvements at Fairview Park and supporting an alternative measure. (05:19:35)

MOTION: Direct staff to prepare an alternative measure.

MOVED/SECOND: Mayor Pro Tem Righeimer/Council Member Monahan
(05:12:35)

The motion carried by the following roll call vote: (05:23:01)

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

Nays: Council Member Genis

Absent: Council Member Foley

Motion carried: 3-1-1

ACTION:

City Council directed staff to prepare an alternative measure.

4. CONSIDERATION OF A CITY INITIATIVE PETITION REGARDING MEDICAL MARIJUANA BUSINESSES (05:23:21)

Staff report by Tarquin Preziosi, Deputy City Attorney. (05:23:41)

Discussion ensued regarding medical marijuana permitting; transporting of products; and including insurance provisions. (05:31:58)

Public Comments: (05:39:39)

Robert Taft Jr., expressed support for the city measure. (05:39:59)

Speaker, spoke against marijuana delivery; and would like to see a limit on facilities. (05:44:07)

Robin Leffler, Costa Mesa, spoke in opposition to the measure. (05:47:04)

MOTION: To bring this item back at the July 5, 2016 meeting. (05:52:25)

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

Council Member Genis would like to see the separation between businesses being considered; and insurance provisions. (05:52:42)

City Attorney Preziosi spoke on the language of competing measures. (05:53:40)

Mayor Pro Tem Righeimer recommended not adding the distances of business locations and adding the PDI area but not the Soco area. (05:54:35)

MOTION: To bring this item back at the July 5th meeting. (05:52:25)

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

The motion carried by the following roll call vote: (05:57:53)

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

Nays: None

Absent: Council Member Foley

Motion carried: 4-0-1

ACTION:

City Council requested this item be brought back at the July 5, 2016 meeting.

ITEMS REMOVED FROM THE CONSENT CALENDAR (05:58:06)

2. **WARRANT RESOLUTION NO. 2559 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 16-11 "A" FOR \$4,878.56 and 16-12 for \$2,165,712.16; AND CITY OPERATING EXPENSES FOR \$2,931,129.87; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID (05:58:10)**

Public Comments: None

MOVED/SECOND: Council Member Monahan/Mayor Mensinger (05:58:25)

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Foley

Motion carried: 4-0-1

ACTION:

City Council approved Warrant Resolution No. 2559.

5. **AMENDMENT TO EXTEND TERM OF CARE AMBULANCE SERVICES AGREEMENT (05:58:39)**

Public Comments: (05:58:48)

Jay Humphrey, Costa Mesa, expressed concern on extending the contract; and supports the plan utilizing fire department personnel. (05:59:14)

Robin Leffler, Costa Mesa, expressed support of ambulance service and recommended having a public hearing to reconsider the item. (06:01:00)

Public Comments Closed

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Righeimer
(06:03:40)

Council Member Genis spoke on addressing options for ambulance transport.
(06:04:04)

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Righeimer
(06:03:40)

The motion carried by the following roll call vote (06:06:38)

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

Nays: None

Absent: Council Member Foley

Motion carried: 4-0-1

ACTION:

City Council approved Amendment Number Five extending the term of the Ambulance Services Agreement with Care Ambulance Service, Inc., for the continuation of emergency ambulance and patient billing services until September 1, 2018.

7. RENEWED MEASURE M2 ELIGIBILITY (06:06:50)

Public Comments: None

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Righeimer
(06:07:00)

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Foley

Motion carried: 4-0-1

ACTION:

1. City Council approved the City's Seven-Year Capital Improvement Program (CIP) for Fiscal Year 2016-17 through Fiscal Year 2022-23; and
2. Authorized the City Engineer to complete and submit the Pavement Management Plan; and
3. Approved the City's Maintenance of Effort (MOE) for Fiscal Year 2016-17.

8. HARBOR BOULEVARD AND GISLER AVENUE INTERSECTION IMPROVEMENT PROJECT, CITY PROJECT NO. 16-02 (06:07:10)

Public Comments: None

Discussion ensued on traffic signal issues and coordination. (06:07:20)

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Righeimer
(06:11:30)

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Foley

Motion carried: 4-0-1

ACTION:

1. City Council adopted the plans, specifications and working details for the Harbor Boulevard and Gisler Avenue Improvement Project, City Project No. 16-02; and
2. Rejected the bid submitted by United Engineering & Construction, Inc., 336 N. Central Avenue, Suite 10A, Glendale, CA 91203; and
3. Approved the Budget Adjustment No. 16-015 in the amount of \$496,538.00; and
4. Awarded a construction contract to Vido Samarzich, Inc. 4972 Crestview Place, Alta Loma, CA 91701 in the amount of \$735,645.00 (base bid plus additive bid item No. AD-1); and
5. Authorized the Mayor and the City Clerk to execute the Public Works agreement.

REPORT – CITY ATTORNEY – NONE (06:11:39)

ADJOURNMENT - The Mayor adjourned the meeting at 12:03 a.m.

Minutes adopted on this 5th day of July, 2016.

Stephen M. Mensinger, Mayor

ATTEST:

Brenda Green, City Clerk