

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

September 13, 2016

The City Council of the City of Costa Mesa, California met in a Special Closed Session meeting, on Tuesday, September 13, 2016 at 5:00 p.m. in the Council Chambers, 77 Fair Drive, Costa Mesa.

Mayor Mensinger called the meeting to order.

ROLL CALL:

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

Absent: None

PUBLIC COMMENTS: NONE

The meeting was recessed to Conference Room 5A for the Special Closed Session at 5:01 p.m.

SPECIAL CLOSED SESSION

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

Council Member Foley and Council Member Monahan left the Special Closed Session at 7:00 p.m.

CLOSED SESSION REPORT: NONE

ADJOURNMENT

The Special Closed Session meeting adjourned at 7:45 p.m.

Minutes adopted on this 4th day of October, 2016.

Stephen M. Mensinger, Mayor

ATTEST:

Brenda Green, City Clerk

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL, HOUSING
AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY**

September 20, 2016

CALL TO ORDER (00:00:13)

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

PLEDGE OF ALLEGIANCE (00:00:15) – Mayor Pro Tem Righeimer

MOMENT OF SOLEMN EXPRESSION (00:00:47)

Pastor Rod Randall, Harbor Trinity Baptist Church, Costa Mesa

ROLL CALL (00:01:57)

Present: Council Member Foley (arrived at 6:15 p.m.), Council Member Genis, Council Member Monahan (arrived at 6:14 p.m.), Mayor Pro Tem Righeimer and Mayor Mensinger

Absent: None

Officials Present: Chief Executive Officer Tom Hatch, City Attorney Thomas Duarte, Assistant Chief Executive Officer Richard Francis, Economic and Development Services Director Gary Armstrong, Interim Public Services Director Jim Ross, and City Clerk Brenda Green.

CITY ATTORNEY CLOSED SESSION REPORT (00:02:10)

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

ANNOUNCEMENTS (00:02:20)

Mayor Mensinger announced that Public Hearing item number two will not be heard and will be continued to the November 1, 2016 City Council meeting.

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

PRESENTATIONS: (00:04:49)

1. Mayor's Award – Randy Barth, Founder & CEO, THINK Together Shalimar Learning Center

Randy Barth, Founder & CEO of THINK Together Shalimar Learning Center, accepted the Mayor's award.

PUBLIC COMMENTS (00:13:49)

Gary Parkin, Costa Mesa, thanked the City Council for their service and for the Harbor Avenue bike trail beautification project. (00:14:36)

Mark Lim, Costa Mesa, Pastor at Berean Community Church, spoke on the Appeal of Conditional Use Permit PA-16-48 for the Arts and Learning Conservatory and shared parking requirements at 3184 Airway Avenue, Suite A. (00:15:59)

Matthew Freeman, Costa Mesa, spoke on parking access problems at 3004 and 3006 Jeffrey Drive. (00:19:00)

Roberta Buchanan, Newport Beach, spoke regarding problems with coyotes. (00:21:01)

Frank Chlarson, Costa Mesa, spoke regarding problems with coyotes. (00:24:00)

Alex Reich, Costa Mesa, spoke on desalination; in opposition to Measure Y; and in support of Measure AA. (00:25:56)

Shannon Thier, Costa Mesa, spoke regarding problems with coyotes. (00:28:56)

Gina Johnston, Costa Mesa, spoke regarding problems with coyotes. (00:32:41)

Ned McCune, Costa Mesa, spoke regarding problems with coyotes. (00:33:51)

Sandra Jacobs, Costa Mesa, spoke regarding problems with coyotes; and requested red curbs at the entrance to Marche Lane. (00:36:59)

Kim Hendricks, Costa Mesa, spoke in support of Measure AA regarding Fairview Park. (00:39:14)

Jay Humphrey, Costa Mesa, spoke on a political campaign flyer regarding Measure Y. (00:42:27)

Chuck Perry, Costa Mesa, spoke in support of the new Costa Mesa High School stadium; on new development and infrastructure improvements on Victoria Street; and politics. (00:44:06)

Karl Ahlf, Costa Mesa, spoke on the budget surplus and hiring more police officers. (00:46:17)

Charlene Ashendorf, Costa Mesa, spoke in support of the "Age of Love" film shown at the Senior Center; and in support of the improvements and programs at the Senior Center. (00:48:17)

Beth Refakes, Costa Mesa, thanked the community for donating dresses for a ball gown event on behalf of the Military Affairs team; spoke on the candy drive; and on legislation AB 1907 signed by Governor Brown. (00:50:23)

Tamar Goldmann, Costa Mesa, spoke on a political campaign flyer regarding Measure Y. (00:53:53)

Speaker, spoke on a Town Hall meeting on Thursday, September 22, 2016 and invited citizens to attend. (00:56:16)

Speaker, spoke on density; Measures Y and AA; paying down the pension liability; and hiring police and fire personnel. (00:57:44)

Speaker, spoke on the importance of voting; Banning Ranch; sober living homes; and crime. (01:01:01)

Mayor Pro Tem Righeimer addressed comments made on crime and group homes. (01:03:35)

Council Member Foley spoke on Freedom of Speech. (01:04:29)

T. Koken, Costa Mesa, spoke on the Banning Ranch meeting; parks; and sang a song. (01:05:39)

Tom Pollitt, Costa Mesa, spoke on city employees and campaigns; and the unfunded pension liability. (01:08:50)

Public Comments Closed

COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS (01:11:58)

Mayor Pro Tem Righeimer requested the CEO to address the coyote problems; spoke on the police association; negotiations with Firefighter association; cost of pensions; employee's salaries; and political issues. (01:12:03)

Mayor Mensinger requested staff bring before the City Council a Resolution opposing Proposition 57; spoke on the coyote problems; employee contributions to pensions; and on public comments. (01:25:06)

Council Member Foley spoke on a council member's comments; reserve accounts; public safety jobs; announced a School Board election forum on September 21, 2016; announced the Foundation Home Tour on December 1, 2016; requested staff research red curbs on Marche Lane; and spoke on campaign donations. (01:30:22)

Council Member Genis spoke on the coyote problems; in support of a Resolution opposing Proposition 57; in support of the program THINK together; Firefighters staffing levels and salaries; and on equipment and the budget. (01:39:16)

Council Member Monahan spoke on the coyote problems and solutions; burrowing owls; Police Department and Fire Department recruitments; the Care Ambulance contract; requested information on uniformed Firefighters at a political event; spoke on development issues and measures; negotiations with associations; and thanked the Police Reserve officers for their work. (01:46:57)

REPORT – CHIEF EXECUTIVE OFFICER (CEO) – (01:57:44)

CEO Hatch stated staff will follow up on issues that were brought up; and spoke on addressing the coyote problems.

PUBLIC HEARING: (01:59:38)

2. APPEAL OF CONDITIONAL USE PERMIT PA-16-48 FOR ARTS AND LEARNING CONSERVATORY AND SHARED PARKING REQUIREMENTS AT 3184 AIRWAY AVENUE, SUITE A (01:59:39)

MOTION: To Continue Public Hearing item to the November 1, 2016 City Council meeting. (01:59:50)

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

CONSENT CALENDAR (02:00:00)

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 13 except for 2, 4 and 11.

MOVED/SECOND: Council Member Monahan/Council Member Foley (02:00:26)

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

1. READING FOLDER

- a. Claims received by the City Clerk: Edwin Cruz, Cheryl Giacomino and Wallace M. Joan

ACTION:

City Council received and filed.

3. MINUTES OF THE REGULAR CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF SEPTEMBER 6, 2016

ACTION:

City Council approved the minutes of September 6, 2016.

5. REFUND OF CASH DEPOSIT IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS15-00689 FOR PARKWAY IMPROVEMENTS AT 1726 SUPERIOR AVENUE, COSTA MESA, CALIFORNIA

ACTION:

City Council approved the refund of cash deposit in connection with Encroachment Permit No. PS15-00689 in the amount of \$56,336.52 to Walgreens Family of Companies, 106 Wilmot Rd, Deerfield, IL 60015.

6. MEMORANDUM OF UNDERSTANDING FOR SCHOOL RESOURCE OFFICER PROGRAM – ACADEMIC YEAR 2016-2017

ACTION:

City Council approved the Memorandum of Understanding (MOU) between the City of Costa Mesa and the Newport-Mesa Unified School District pertaining to the School Resource Officer program for academic year 2016-2017.

7. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF COSTA MESA AUTHORIZING ACCEPTANCE OF GRANT AWARDS FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR THE "SELECTIVE TRAFFIC ENFORCEMENT PROGRAM"

ACTION:

1. City Council adopted Resolution 16-72 which authorizes the CEO or his designee to accept the grant awards from the California Office of Traffic Safety for the "Selective Traffic Enforcement Program" (STEP); and
2. Approved Budget Adjustment #17-003 for the total amount of \$165,000 to increase revenue and appropriation for overtime and professional development associated with the 2016 OTS STEP grant.

8. AWARD THE PURCHASE OF ONE NEW 2017 FORD SUPER DUTY F-450 DRW XL 2WD REGULAR-CAB TRUCK WITH CTEC DUMP BODY AND HOIST AND ONE NEW 2017 FORD SUPER DUTY F-350 DRW XL 2WD REGULAR-CAB TRUCK WITH CTEC STEEL BODY, HIGH PRESSURE WASHING PUMPS AND EQUIPMENT

ACTION:

1. City Council approved and authorized the Chief Executive Officer to execute a purchase order for the purchase of one 2017 Ford Super Duty F-450 DRW XL 2WD regular-cab truck with a CTEC dump-body and hoist through the National Joint Powers Alliance (NJPA) contract #102811, in conjunction with the National Auto Fleet Group, 490 Auto Center Drive, Watsonville, CA 95076 in the amount of \$81,276.98; and
2. Approved and authorized the Chief Executive Officer to execute a purchase order for the purchase of one 2017 Ford F-350 DRW XL 2WD regular-cab truck with a CTEC utility body and high pressure spray pumps and equipment through the National Joint Powers Alliance (NJPA) contract #102811, in conjunction with the National Auto Fleet Group, 490 Auto Center Drive, Watsonville, CA 95076 in the amount of \$80,604.18.

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

ACTION:

City Council approved and authorized the Chief Executive Officer to sign the sole source purchase request for 517 mobile receiver radios and accessories identified as eligible for the radio promotion offered by Motorola in an amount not to exceed \$2,313,666.78.

10. REQUEST FOR A “RESIDENT ONLY” PARKING RESTRICTION ON MILBRO STREET BETWEEN BAKER STREET AND POST ROAD

ACTION:

1. City Council adopted Resolution No. 16-73 approving the implementation of a “**Resident Only**” parking restriction on Milbro Street between Baker Street and Post Road; and
2. Authorized the Transportation Services Manager to extend the “**resident only**” parking restriction for a maximum of 1,000 feet as needed.

12. PROFESSIONAL SERVICES AGREEMENT WITH SHOW DEVELOPMENT WEST TO PROVIDE LIGHTING AND ENTERTAINMENT SERVICES FOR THE SNOOPY HOUSE HOLIDAY DISPLAY

ACTION:

City Council authorized the City CEO to enter into a Professional Services Agreement with Show Development West, to continue lighting and entertainment services for the Snoopy House Holiday display, for an additional two-year contract, in an amount not to exceed \$50,000.

13. COOPERATIVE PURCHASE OF OFFICE SUPPLIES THROUGH STAPLES ADVANTAGE

ACTION:

City Council approved a price agreement through National Joint Powers Alliance cooperative Contract #010615-SCC for the purchase and delivery of necessary and approved office supplies with Staples Advantage, for an initial term expiring on September 19, 2017, and optional three (3) one-year extensions.

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

PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55): (02:00:49)

1. CONTINUED PUBLIC HEARING FOR THE VACATION OF EXCESS RIGHT-OF-WAY AT 671-673 W. 17th STREET AT TWO LOCATIONS: W. 17th STREET AND SUPERIOR AVENUE (02:00:53)

Raja Sethuraman, Transportation Services Manager, presented the Staff Report.
(02:01:20)

Public Comments: (2:04:4)

Jay Humphrey, Costa Mesa, spoke on planning for bikeways and walkways along 17th Street. (02:05:04)

Speaker, requested clarification on this item. (02:07:10)

Karl Ahlf, Costa Mesa, spoke on having bikeways and walkways. (02:08:09)

Public Comments Closed.

MOVED/SECOND: Council Member Monahan/Council Member Foley (02:08:45)

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 adopted Resolution No. 16-65 ordering the vacation of a portion of West 17th Street and Superior Avenue Right-Of-Way (ROW); and
2. Authorized execution of the Quitclaim Deed by the Mayor and the City Clerk. .
3. **AN ORDINANCE TO ADOPT CODE AMENDMENT CO-16-03 – AMENDMENT TO TITLE 13, CHAPTER II (ZONING DISTRICTS ESTABLISHED); CHAPTER III (PLANNING APPLICATIONS), CHAPTER IV (CITYWIDE LAND USE MATRIX); CHAPTER V, ARTICLE 7 (DEVELOPMENT STANDARDS FOR INSTITUTIONAL AND RECREATIONAL AND INSTITUTIONAL AND RECREATIONAL SCHOOL DISTRICTS) TO INCLUDE THE INSTITUTIONAL AND RECREATIONAL - MULTI-USE DISTRICT ADOPTED UNDER THE 2015-2035 COSTA MESA GENERAL PLAN; AND TO REZONE 2501 HARBOR BOULEVARD TO INSTITUTIONAL AND RECREATIONAL - MULTI-USE. (02:09:43)**

Daniel Inloes, Senior Planner, presented the Staff Report. (02:10:30)

Discussion ensued on the zoning; institutional uses; supportive housing; and revisions to Chapter 5. Development Standards to include 6,000 square feet for Single Family Residential – Minimum Lot Size and 50 percent Minimum and Maximum percent of site used for Single Family Residential. (02:17:20)

No public comments on this item.

MOVED/SECOND: Mayor Pro Tem Righeimer/Council Member Monahan
(02:31:35)

The motion carried by the following roll call vote:

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

Nays: Council Member Foley

Absent: None

Motion carried: 4-1

ACTION:

City Council gave first reading to Ordinance 16-09, to be read by title only, and further reading waived, to adopt Code Amendment CO-16-03 to amend Title 13: Chapter II (Zoning Districts Established), Chapter II (Planning Applications), Chapter IV (Citywide Land Use Matrix), and Chapter V, Article 7 (Development Standards for Institutional and Recreational and Institutional and Recreational School Districts) to include the Institutional and Recreational-Multi-Use District the corresponding district to the General Plan land use designation of Multi-Use Center which was adopted under the 2015-2035 Costa Mesa General Plan, including changes to Chapter 5 as follows:

Single Family Residential – Minimum Lot Size	Residential Development Not Permitted	6,000 s.f.
Minimum and maximum percent of site used for Single Family Residential	Residential Development Not Permitted	50%

The amendment will establish a new zoning district and associated standards for new development within this district. Rezone R-16-04 will rezone 2501 Harbor Boulevard, the current Fairview Developmental Center, from Institutional and Recreational to Institutional and Recreational - Multi-Use.

4. **AN ORDINANCE TO ADOPT CODE AMENDMENT CO-16-02 – AMENDMENT TO TITLE 13, CHAPTER V, ARTICLE 11 (DEVELOPMENT STANDARDS – MIXED-USE OVERLAY DISTRICT) TO INCLUDE THE HARBOR BOULEVARD MIXED-USE OVERLAY DISTRICT AND TO ADD A NEW ARTICLE (ARTICLE 12) PERTAINING TO THE RESIDENTIAL INCENTIVE OVERLAY DISTRICT AS ADOPTED UNDER THE 2015-2035 COSTA MESA GENERAL PLAN (02:32:45)**

Mel Lee, Senior Planner, presented the Staff Report. (02:33:50)

Public Comments: (02:37:00)

Cynthia McDonald, Costa Mesa, spoke in opposition to the overlay and the replacement of businesses; and in support of Measure Y. (02:37:26)

Robin Leffler, Costa Mesa, spoke in opposition to this item. (02:39:25)

Public Comments Closed.

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Righeimer
(02:42:07)

The motion carried by the following roll call vote:

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

Nays: Council Member Foley and Council Member Genis

Absent: None

Motion carried: 3-2

ACTION:

City Council gave first reading to Ordinance 16-10, to be read by title only, and further reading waived, to adopt Code Amendment CO-16-02 to amend Title 13, Chapter V, Article 11 (Development Standards – Mixed-Use Overlay District) to include the Harbor Boulevard Mixed-Use Overlay District and to add a new article (Article 12) pertaining to the Residential Incentive Overlay District as adopted under the 2015-2035 Costa Mesa General Plan. The amendment will establish standards for new development in these overlay districts.

Council Member Foley spoke in opposition to the item. (02:42:15)

Mayor Pro Tem Righeimer spoke in support of the item. (02:43:15)

OLD BUSINESS: (02:44:03)

- 1. SECOND READING OF ORDINANCE 16-08: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA ADOPTING DA-16-03 APPROVING A FOURTH AMENDMENT TO THE SEGERSTROM HOME RANCH DEVELOPMENT AGREEMENT DA-00-01 (02:44:14)**

Minoo Ashabi, Principal Planner, presented the Staff Report. (02:44:40)

No public comments on this item.

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Righeimer
(02:45:57)

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. 16-08, to be read by title only, and further reading waived, approving a fourth amendment to the Segerstrom Home Ranch Development Agreement No. DA-00-01.

NEW BUSINESS: (02:46:10)

1. APPOINTMENT TO SENIOR COMMISSION (02:46:16)

Brenda Green, City Clerk, presented Staff Report. (02:46:20)

No public comments on this item.

MOTION: To appoint Charlene Ashendorf to fill one vacancy on the Senior Commission. (02:48:10)

MOVED/SECOND: Council Member Foley/Council Member Genis

The motion failed by the following roll call vote:

Ayes: Council Member Genis and Council Member Foley

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

Absent: None

Motion failed: 2-3

MOTION: To appoint Gary Parkin to fill one vacancy on the Senior Commission. (02:48:30)

MOVED/SECOND: Mayor Mensinger/Mayor Pro Tem Righeimer

The motion carried by the following roll call vote:

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

Nays: Council Member Foley

Absent: None

Motion carried: 4-1

ACTION:

City Council appointed Gary Parkin to fill one vacancy on the Senior Commission.

2. **REQUEST TO CANCEL THE REGULARLY SCHEDULED CITY COUNCIL MEETING OF OCTOBER 18, 2016 AND CONSIDER A CALL FOR A SPECIAL CITY COUNCIL MEETING FOR EITHER OCTOBER 17 OR 19, 2016 (02:50:15)**

Kelly Shelton, Executive Assistant to the CEO, presented Staff Report. (02:50:30)

Public Comments: (02:51:55)

Speaker, spoke in opposition to changing the meeting date. (02:52:05)

Public Comments Closed.

MOVED/SECOND: Mayor Pro Tem Righeimer/Council Member Monahan (02:53:20)

The motion carried by the following roll call vote:

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

Nays: Council Member Genis and Council Member Foley

Absent: None

Motion carried: 3-2

ACTION:

1. City Council cancelled the regularly scheduled City Council meeting of October 18, 2016; and
2. Called for a Special City Council meeting on Monday, October 17th.

Council Member Genis spoke in opposition to the motion. (02:53:33)

Mayor Mensinger spoke in support of the motion. (02:54:40)

Council Member Foley spoke in opposition to the motion. (02:55:48)

Mayor Pro Tem Righeimer spoke in support of the motion. (02:57:15)

ITEMS REMOVED FROM THE CONSENT CALENDAR: (02:58:00)

2. **WARRANT RESOLUTION NO. 2563 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 16-18 FOR \$2,218,726.96, 16-18 "A" FOR \$-2,217.28, and 16-19 FOR \$2,181,414.07; AND CITY OPERATING EXPENSES FOR \$2,822,051.37; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID (02:58:07)**

Public Comments: (02:58:10)

Speaker, spoke on the itemization of legal fees. (02:58:29)

Public Comments Closed.

MOVED/SECOND: Council Member Monahan/Mayor Mensinger (02:59:55)

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 Warrant Resolution No. 2563.

4. **AMENDMENT TO SITE LEASE AGREEMENT WITH T-MOBILE WEST TOWER LLC (03:00:04)**

Mayor Pro Tem Righeimer recused himself and left the dais due to T-Mobile being his tenant at a building location. (03:00:15)

Public Comments: (03:00:30)

Speaker, requested clarification on this item; spoke on campaign contributions and leasing locations by Council Members. (03:00:35)

Public Comments Closed.

MOVED/SECOND: Council Member Monahan/Mayor Mensinger (03:01:55)

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Abstain: Mayor Pro Tem Righeimer

Motion carried: 4-0-1

ACTION:

City Council approved the amendment to the Lease Agreement with T-Mobile West LLC for the cell tower located at Costa Mesa Tewinkle Park.

Discussion ensued on having cell towers at business locations. (03:02:02)

11. PORTABLE OFFICE COMPLEX AND SITE CONSTRUCTION - CITY PROJECT NO. 16-15 (03:02:55)

Public Comments: (03:03:00)

Beth Refakes, Costa Mesa, spoke in support of this project and requested clarification on staffing. (03:03:13)

Speaker, spoke on the temporary facility and qualified engineering staff for this project. (03:04:15)

Public Comments Closed.

Discussion ensued on having a temporary facility. (03:05:05)

MOVED/SECOND: Council Member Monahan/Council Member Foley (03:06:50)

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

1. City Council accepted the bid withdrawal from Patriot Contracting & Engineering; and
2. Rejected all bids; and

3. Adopted Resolution No. 16-74 declaring that the Portable Office Complex and Site Construction Project No. 16-15 can be performed more economically by employees of the City and authorizing this project to be done by force account (4/5 vote required); and
4. Authorized staff to negotiate contracts with qualified contractors and equipment vendors within the existing budgeted amount; and
5. Authorized the Chief Executive Officer and the City Clerk to execute the Public Works Agreements for this project.

CONTINUED PUBLIC COMMENTS: (03:07:05)

Cindy Black, Costa Mesa, spoke on campaign contributions; in opposition to a political mailer; and in support of Measure Y and AA. (03:07:34)

Cynthia McDonald, Costa Mesa, spoke on a political campaign mailer; and in support of Measure Y. (03:10:29)

REPORT – CITY ATTORNEY – NONE (03:12:32)

Council Member Foley requested invoices from Rutan & Tucker, LLP. (03:12:35)

ADJOURNMENT - The Mayor adjourned the meeting at 9:05 p.m. in memory of Sergeant David W. Lester, Burt Morgan and Lynnette Dodge.

Minutes adopted on this 4th day of October, 2016.

Stephen M. Mensinger, Mayor

ATTEST:

Brenda Green, City Clerk