

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY

JANUARY 16, 2018

CALL TO ORDER

The Closed Session was called to order by the Mayor at 4:03 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

ROLL CALL

Present: Council Member Foley (arrived at 4:49 p.m.), Council Member Righeimer, Council Member Stephens, Mayor Pro Tem Mansoor and Mayor Genis.

Absent: None

PUBLIC COMMENTS ON CLOSED SESSION ITEMS:

Speaker, spoke on Closed Session item numbers 5 and 8 and requested for City Council to not settle the cases.

Mayor Genis recused herself from Closed Session item number 8 and stepped down from the dais and left the Council Chambers due to living within 500 feet of a Morningside property.

The City Council recessed to Conference Room 5A at 4:10 p.m. for Closed Session to consider the following items:

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Subdivision (b)(1) of Section 54957, California Government Code
Title: City Manager

2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Subdivision (b)(1) of Section 54957, California Government Code
Title: City Attorney

3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code
Name of Case: Timothy Dadey, et al. v. City of Costa Mesa, Orange County Superior Court of California, Case No. 30-2014-00757962-CU-CR-CJC.

4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code
Name of Case: The Kennedy Commission, et al. v. City of Costa Mesa, Orange County Superior Court of California, Case No. 30-2016-00832585-CU-WM-CJC.

5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code
Name of Case: Yellowstone Women's First Step House, Inc., and Sober Living Network, Inc. v. City of Costa Mesa, U.S. District Court, Central District of California, Case No. SACV14-01852 JVS.

**6. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION
INITIATION OF LITIGATION – ONE POTENTIAL CASE**

Pursuant to Subdivision (d)(4) of Section 54956.9, California Government Code

**7. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
SIGNIFICANT EXPOSURE TO LITIGATION – ONE POTENTIAL CASE**

Pursuant to Subdivision (d)(2) of Section 54956.9, California Government Code

8. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code
Name of Case: City of Costa Mesa v. Morningside Recovery, LLC, Orange County Superior Court of California, Case No. 30-2018-00964593-CU-OR-CJC.

The City Council reconvened at 6:14 p.m.

CALL TO ORDER (00:00:20)

The meeting was called to order by the Mayor at 6:14 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

PLEDGE OF ALLEGIANCE (00:00:46) - Council Member Righeimer

MOMENT OF SOLEMN EXPRESSION (00:01:03)

Pastor Kenneth Dennis, Watermark Church, Costa Mesa

ROLL CALL (00:02:45)

Present: Council Member Foley, Council Member Righeimer, Council Member Stephens, Mayor Pro Mansoor, and Mayor Genis.

Absent: None

Officials Present: City Manager Tom Hatch, City Attorney Thomas Duarte, Assistant City Manager Tamara Letourneau, Economic and Development Services Director Barry Curtis, Public Services Director Raja Sethuraman, and City Clerk Brenda Green.

CITY ATTORNEY CLOSED SESSION REPORT (00:03:11) – NONE

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

ANNOUNCEMENTS (00:03:28) - "Costa Mesa Minute" was played featuring upcoming events and activities in the community.

PRESENTATIONS (00:06:10)

The 2018 Sister City Youth Ambassadors from Wyndham, Australia made a presentation and were presented with certificates of appreciation by the Mayor.

PUBLIC COMMENTS – MATTER NOT LISTED ON THE AGENDA (00:12:40)

Alex Reich, Costa Mesa, spoke on the changing of the Mayor's position; City staff; and City Council campaign donations. (00:13:10)

Al Melone, Costa Mesa, spoke on an issue with a dog shelter. (00:15:38)

Liz McNabb, Costa Mesa and Parks and Recreation Commissioner, spoke on Fairview Park issues and the decomposed granite path. (00:18:50)

Kim Hendricks, Costa Mesa, spoke on Fairview Park issues; Fish Fry location; the decomposed granite path; and grading of the canyon. (00:21:50)

Tim Lewis, Costa Mesa, spoke on the Hamilton and Harbor project; and an animal shelter. (00:25:07)

Robin Leffler, Costa Mesa, spoke on Planning Commissioners and their positions on Measure Y; and spoke against intense development; and spoke on reimbursement to the City for the decomposed granite path. (00:27:37)

Wendy Leece, Costa Mesa, spoke on the decomposed granite path and resolving the issue. (00:30:10)

Beth Refakes, Costa Mesa, requested traffic enforcement in residential neighborhoods; spoke on the volume of items on the agenda; and thanked City Manager Hatch and Assistant City Manager Letourneau for their attendance at the Freedom Committee meeting.

Speaker, spoke on the decomposed granite path; the volume of items on the agenda; honoring Norma Hertzog and other notable citizens; and naming of City facilities. (00:35:33)

Speaker, spoke on the Mayor position; and Mayor Genis' and Mayor Pro Tem Mansoor's communications with residents. (00:37:52)

Gary Parker, Costa Mesa and Historical Preservation Committee member, spoke on notable citizens listed on the website. (00:42:46)

Speaker, spoke on Sober Living Homes and paying taxes. (00:44:00)

Speaker, spoke on crimes at Wilson Park. (00:47:10)

Speaker, spoke on e-mail communications; and Sober Living, crime and homeless issues. (00:50:43)

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

Council Member Righeimer spoke on public comments; community involvement; the Costa Mesa United golf tournament; political issues; and the length of the meetings. (00:53:13)

Mayor Pro Tem Mansoor spoke on participating respectfully in the meeting; e-mail communications; hiring of police officers; issues at Wilson Park; Assembly Bill 109 and Proposition 47; length of City Council meetings; and offered condolences to the Gilman family. (00:57:10)

Council Member Foley spoke on the service for Police Officer Jess Gilman; hiring of police officers; a safe community; e-mail communications; and Measure Y. (01:01:00)

Mayor Genis spoke on attendance at the League of Cities webinar on pension issues; control of mosquitos at Fairview Park; the Freedom Committee; e-mail communications; Officer Jess Gillman and adjourning in his memory; and offered condolences to Arlene Schaeffer for the passing of her husband. (01:05:16)

Council Member Stephens thanked Dan Baker and all participants for Snoopy House; requested an update on the animal shelter issue; Fish Fry at Fairview Park; Haven of Hope visit at San Antonio, Texas; homeless issues; police staffing levels; e-mail communications; and offered condolences to the Gilman family and Arlene Schaeffer. (01:09:02)

CONSENT CALENDAR (01:12:45)

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

MOTION: Approve recommended actions for Consent Calendar item numbers 1 through 9 except for 1, 8 and 9.

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

2. **MINUTES OF THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY MEETING OF DECEMBER 5, 2017 - City Manager's Office/City Clerk Division**

ACTION:

City Council approved the minutes of December 5, 2017.

3. **INFORMATION TECHNOLOGY STRATEGIC PLAN AND ROADMAP FOR THE CITY OF COSTA MESA – Information Technology Department**

ACTION:

City Council authorized the City Manager and the City Clerk to execute a one (1) year Professional Service Agreement for the Information Technology Strategic Plan and Roadmap with ThirdWave Corporation, 11400 West Olympic Boulevard, Suite 200, Los Angeles, CA 90064, in an amount not to exceed \$86,892.00, beginning on February 1, 2018 and ending on January 31, 2019.

4. **FISCAL YEAR 2016-2017 INDEPENDENT FINANCIAL AUDIT OF THE COSTA MESA HOUSING AUTHORITY, AS HOUSING SUCCESSOR; AND, HOUSING SUCCESSOR ANNUAL REPORT OF THE LOW AND MODERATE INCOME HOUSING ASSET FUND UNDER SECTION 34176.1 OF THE DISSOLUTION LAW AND SECTION 34328 OF THE CALIFORNIA HOUSING AUTHORITIES LAW - Finance Department**

ACTION:

City Council received and filed the Fiscal Year 2016-2017 Independent Financial Audit of the Low and Moderate Income Housing Asset Fund and the Fiscal Year 2016-2017 Housing Successor Annual Report prepared under the California Health and Safety Code Section 34176.1 as the housing successor and Section 34328 as a housing authority.

5. RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE 18-19 A-B FISCAL PERIOD OF JULY 1, 2018 TO JUNE 30, 2019 - Finance Department

ACTION:

Successor Agency adopted Successor Agency Resolution No. 18-03 approving Recognized Obligation Payment Schedule for the 18-19 A-B Annual Fiscal Period of July 1, 2018 to June 30, 2019 ("ROPS 18-19 A-B"), subject to submittal to and review by the Oversight Board and then DOF. Further, the Finance Director or authorized designee, in consultation with legal counsel, shall be authorized to request and complete meet and confer session(s), if any, with the DOF and authorized to make augmentations, modifications, additions or revisions as may be necessary or directed by DOF.

6. STREET REHABILITATION PROJECT, CITY PROJECT NO. 17-14
Public Services Department/Engineering Division

ACTION:

1. City Council adopted the plans, specifications, and working details for the Street Rehabilitation Project, City Project No. 17-14; and
2. Awarded a construction contract to Eagle Paving Company, Inc. dba Toro Engineering 13915 Danielson St., Suite 201, Poway, CA 92064, in the amount of \$2,177,448.00; and
3. Authorized the Mayor and the City Clerk to execute the Public Works Agreement.

7. AUTHORIZE USE OF THE COUNTY OF ORANGE MASTER AGREEMENT MA-080-15011198 WITH UNITED STORM WATER, INC. FOR THE COSTA MESA CONNECTOR PIPE SCREEN INSTALLATION PROJECT
Public Services Department/Engineering Division

ACTION:

City Council authorized the use of the County of Orange Master Agreement MA-080-15011198 with United Storm Water, Inc. to purchase and installed Connector Pipe Screens for a total project cost of \$54,430.00.

ITEMS REMOVED FROM THE CONSENT CALENDAR:

1. **WARRANT RESOLUTION NO. 2590 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 17-24 "A" FOR \$502.24, 17-25 FOR \$2,602,199.22, 17-25 "A" FOR \$7,525.88, AND 17-26 FOR \$2,558,283.72; AND CITY OPERATING EXPENSES FOR \$5,174,869.53; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID (01:13:35) - Finance Department**

Public Comment:

Speaker, spoke on Travel Costa Mesa. (01:13:40)

Mayor Genis spoke on the money for Travel Costa Mesa. (01:14:54)

MOVED/SECOND: Council Member Foley/Council Member Righeimer

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council approved Warrant Resolution No. 2590.

8. **KIMLEY-HORN AND ASSOCIATES PROFESSIONAL SERVICES CONTRACT AMENDMENT FOR SOBER LIVING FACILITY PROGRAM MANAGEMENT (01:15:23)-Development Services Department/Community Improvement Division**

Public Comments:

Speaker, spoke against the contract. (01:15:35)

Wendy Leece, Costa Mesa, requested the City to post on the website a list of recovery homes, similar to the list on the City of Newport Beach website. (01:18:31)

Robert Graham, Costa Mesa, spoke on addressing issues and Steve Mensinger. (01:20:02)

Robin Leffler, Costa Mesa, spoke on Sober Living issues and not placing the item on the Consent Calendar. (01:21:00)

Kim Hendricks, Costa Mesa, spoke on Steve Mensinger and Fairview Park. (01:22:15)

Speaker, spoke on outsourcing and addressing Sober Living issues. (01:22:51)

Speaker, spoke on the growth of the Sober Living homes; inquired on the contract and the services provided by Kimley-Horn; and praised Code Enforcement Officer Winston Karuga. (01:24:22)

Barry Curtis, Economic and Development Services Director, spoke on the contract and services provided. (1:26:28)

Speaker, spoke on the issues with Sober Living Homes in townhomes. (01:28:18)

Public Comments Closed.

Council Member Righeimer spoke on the issue. (01:32:07)

Council Member Foley spoke on the issue; and encouraged citizens to continue reporting Sober Living related issues to the police department at 714-754-5252; new recovery homes at 714-754-4856; and code enforcement issues at 714-754-5021. (01:33:50)

Discussion ensued on the contract amount and City staff assuming the duties of the consultant. (01:37:39)

Council Member Stephens spoke on a user friendly way to report issues to Code Enforcement via the City website. (01:40:07)

Discussion ensued on uploading a list of recovery homes and their locations on the City website. (01:40:07)

MOVED/SECOND: Council Member Foley/Council Member Righeimer

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

1. City Council approved Amendment Number Five to Professional Services Agreement with Kimley-Horn and Associates, Inc. to add \$150,000 and extend the term through December 31, 2018; and

2. Authorized the City Manager and City Clerk to execute the agreement; and
3. Authorized the City Manager and City Clerk to accept and execute future amendments to the agreement.

9. FIRST AMENDMENT TO COMMUNICATIONS SITE LEASE AGREEMENT WITH STC ONE LLC FOR CELL TOWER LOCATED AT SHIFFER PARK (01:43:40) - City Manager's Office

Public Comments:

Speaker, requested Council Member Righeimer to recuse himself and spoke against cell phone towers in the parks; and a telecommunications plan. (01:44:00)

George Berg, Costa Mesa, spoke against cell towers in the parks. (01:46:28)

Council Member Righeimer recused himself and stepped down from the dais, and left the Council Chambers due to a potential conflict of interest of dealing with cell towers. (01:49:40)

Robin Leffler, Costa Mesa, spoke on items being placed on the Consent Calendar. (01:50:32)

Public Comments Closed.

Discussion ensued on the credit for improvements; market rate; negotiation process; additional conditional signing bonus; and underwriting improvement. (01:52:00)

Joe Parker, representing Global Signal Acquisitions II LLC, spoke on the city receiving above market rate; addressed the improvements issues; rent appraisal; and withdrawal of the handball court proposal. (02:04:00)

MOVED/SECOND: Council Member Stephens/Mayor Genis

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Stephens, Mayor Pro Tem Mansoor, and Mayor Genis.

Nays: None

Absent: None

Abstain: Council Member Righeimer

Motion carried: 4-0-0-1

ACTION:

City Council approved the First Amendment and Memorandum to the Communications Site Lease Agreement with STC ONE LLC for the cell tower located at Shiffer Park, 3143 Bear Street, and authorized the City Manager to execute the documents.

City Council recessed into a break at 8:24 p.m. (02:10:35)

City Council reconvened at 8:39 p.m. (02:24:10)

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

1. APPEAL OF THE DENIAL OF SPECIAL USE PERMITS TO OPERATE SOBER LIVING HOMES AT 653 JOANN STREET (SL-15-0019) AND 647 JOANN STREET (SL-15-0041) 02:24:21 - Development Services Department

Mr. Steven Polin, attorney representing Mr. Richard Perlin, applicant and property owner, stated the appeal was withdrawn by Mr. Perlin. (02:25:46)

Discussion ensued on a new operator; filing a writ; initiating code enforcement action; and operator vs. property owner. (02:26:07)

Pursuant to Government Code 54954.2 (b)(2), the City Council determined a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted.

MOVED/SECOND: Council Member Foley/Mayor Pro Tem Mansoor

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council recessed into Closed Session at 8:55 p.m. for the following item:

Conference with Legal Counsel – Anticipated Litigation, Significant Exposure to Litigation. Pursuant to Subdivision (d)(2) of Section 54956.9, California Government Code for one potential case.

City Council reconvened at 9:10 p.m. City Attorney Tom Duarte reported out that there was no reportable action. (02:57:15)

2. REVIEW OF PLANNING COMMISSION MODIFICATION OF ZONING APPLICATION ZA-16-37 TO PERMIT TWO SHIPPING CONTAINERS FOR STORAGE AT THE REAR OF THE PROPERTY AT 777 AND 779 WEST 19TH STREET (02:58:08) – Development Services Department/Planning Division

Roger Rath, Assistant Planner, presented the staff report. (02:58:58)

Mayor Pro Tem Mansoor spoke on the concerns regarding the item. (03:03:10)

Willa Bouwens-Killeen, Zoning Administrator, spoke on our Zoning Code; the Development Standards; Minor Conditional Use Permit process; setback issues; and the trash enclosure. (03:03:40)

Mayor Genis spoke on the Floor Area Ratio (FAR); and the General Plan requirements. (03:07:25)

Barry Curtis, Economic and Development Services Director, spoke on the shipping containers not counted against the FAR. (03:09:10)

Jeremy Krout, representative of the applicant and the property owner, provided a power point presentation and spoke on the project. (03:11:34)

Discussion ensued on the property maintenance; reasons for the shipping containers and making them permanent fixtures; trash containers; bamboo plants; setback concerns; and homeless issues. (03:18:03)

Public Hearing Opened:

Joe Templeton, Costa Mesa, spoke against the Minor Conditional Use Permit (MCUP). (03:34:23)

Jay Humphrey, Costa Mesa, spoke against the MCUP. (03:36:42)

Kevin Reager, Costa Mesa, spoke against the MCUP. (03:38:44)

Beth Refakes, Costa Mesa, spoke against the MCUP. (03:46:51)

Speaker, spoke against the MCUP. (03:49:38)

Robin Leffler, Costa Mesa, spoke against the MCUP. (03:51:30)

Speaker, spoke against the MCUP. (03:53:23)

Speaker, spoke against the MCUP. (03:53:52)

Mr. Krout spoke on the property owner's willingness to comply with the conditions of approval; ventilation in the containers; FAR; and setback issues. (03:55:04)

Public Hearing Closed.

Mayor Pro Tem Mansoor spoke on the motion. (03:58:55)

Council Member Righeimer spoke in support of the motion. (04:01:00)

Mayor Genis spoke in support of the motion. (04:03:50)

Council Member Foley spoke on shipping containers used for creative purposes. (04:05:12)

MOVED/SECOND: Mayor Pro Tem Mansoor/Mayor Genis

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council reversed the Planning Commission's decision by adoption of Resolution No. 18-04 and denied the Minor Conditional Use Permit ZA-16-37 to allow two shipping containers at the rear of the property of the 777 West 19th Street building at 777 and 779 West 19th Street; and directed staff to bring forth a code change addressing the issues of storage containers on properties.

City Council recessed into a break at 10:21 p.m. (04:07:32)

City Council reconvened at 10:28 p.m. (04:14:25)

OLD BUSINESS:

1. **SECOND READING AND ADOPTION OF ORDINANCE 18-03 TO ADOPT CODE AMENDMENT CO-17-01 AMENDING TITLE 13, ARTICLE 2, CHAPTER I, IV, V, VI OF THE COSTA MESA MUNICIPAL CODE RELATED TO ACCESSORY DWELLING UNITS (04:14:32)** - Development Services Dept./Planning Division

Minoo Ashabi, Principal Planner, presented the staff report. (04:15:22)

Public Comments:

Speaker, spoke on reducing the minimum lot size. (04:43:08)

Speaker, spoke on reducing the minimum lot size. (04:45:50)

Cynthia McDonald, supports not having a minimum lot size. (04:48:18)

Rick Huffman, Costa Mesa, spoke on reducing the minimum lot size. (04:50:48)

Beth Refakes, Costa Mesa, spoke on preserving the R1 neighborhoods and the units becoming rentals. (04:53:43)

Speaker, spoke on keeping a minimum 7,900 square feet lot size. (04:55:40)

Robin Leffler, Costa Mesa, spoke on preserving the R1 neighborhoods. (04:57:29)

Speaker, spoke on keeping a minimum 7,900 square feet lot size. (04:59:41)

Barrie Fisher, Costa Mesa, spoke on the units becoming rentals. (05:00:44)

Robert Graham, Costa Mesa, spoke on the units becoming rentals and keeping a larger lot size. (05:04:12)

Speaker, spoke on the need for parking data. (05:06:55)

Speaker, spoke on the units becoming rentals and keeping a larger lot size. (05:08:37)

Public Comments Closed.

Council Member Righeimer spoke on the motion. (05:10:19)

Council Member Foley spoke against the motion. (05:12:40)

Mayor Pro Tem Mansoor spoke in support of the motion. (05:15:40)

Mayor Genis spoke in support of the motion. (05:16:33)

Council Member Stephens spoke against the motion. (05:19:25)

MOVED/SECOND: Council Member Righeimer/Mayor Genis

The motion carried by the following roll call vote:

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

Nays: Council Member Foley and Council Member Stephens.

Absent: None

Motion carried: 3-2

ACTION:

City Council gave second reading and adopted Ordinance No. 18-03, read by title only, and further reading waived, adopting Code Amendment CO-17-01 for the following amendments to Title 13 (Zoning Code) related to Accessory Dwelling Units (ADU):

- Chapter I, Article 2, Section 13-6: Replace Second Unit definition with Accessory Dwelling Unit definition;
- Chapter IV, Section 13-30: Create a consistent reference to ADU as a land use category for R-1 and R2-MD zones;
- Chapter V, Article 1, Section 13-35: Revise certain development standards of Second Units (parking, owner occupancy, maximum size, etc.); and
- Chapter VI, Section 13.85: Amend residential parking requirements to include a minimum of one parking space per bedroom or a maximum of one parking for detached ADU with certain exceptions to allow for carpool, transit use, etc.

2. SECOND READING AND ADOPTION OF ORDINANCE NO. 18-02 FOR AN AMENDMENT TO TITLE 13 OF THE COSTA MESA MUNICIPAL CODE RELATED TO NON-COMMERCIAL BANNERS (05:28:08)

Development Services Department/Planning Division

No public comments on this item.

MOVED/SECOND: Council Member Foley/Council Member Righeimer

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council gave second reading and adopted Ordinance No. 18-02, (Code Amendment CO-16-04B), read by title only, and further reading waived, amending Title 13 of the Costa Mesa Municipal Code related to non-commercial banners.

NEW BUSINESS:

Council Member Righeimer spoke on continuing all of the New Business items to a future City Council meeting. (05:29:02)

Mayor Genis spoke on continuing all of the New Business items except New Business item number 2, Appointments to Animal Services Committee. (05:29:30)

MOVED/SECOND: Council Member Righeimer/Council Member Stephens

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council continued New Business item numbers 1, 3, 4, 6, and 7 to a future City Council meeting and considered New Business item number 2 next.

2. APPOINTMENTS TO ANIMAL SERVICES COMMITTEE

City Manager's Office/City Clerk's Office

Brenda Green, City Clerk, presented the staff report. (05:30:09)

Mayor Pro Tem Mansoor spoke on the applications. (05:31:06)

Mayor Genis appointed herself as the committee liaison and Council Member Stephens as the alternate. (05:31:50)

Public Comments:

Robin Leffler, Costa Mesa, spoke in support of applicant Tracy Hughes. (05:32:05)

Public Comments Closed.

Mayor Pro Tem Mansoor made a motion to appoint Marilyn Brooks, Tracy Hughes, Jay B. Litvak, Colleen Moroney-Murray, Sandya Narasimhan, Thanh Kim Nguyen, and Christie McDaniel as regular members. (05:33:25)

Mayor Genis offered a substitute motion to appoint Jay Litvak, Tracy Hughes, Christie McDaniel, and Dana Lavin as regular members for two-year terms; Rebecca Walls, Marilyn Brooks, and Harriet Brown as regular members for one-year terms; and Angela Minjares and Sandy Johnson as alternate members for two-year terms. (05:34:24)

Mayor Pro Tem Mansoor withdrew his motion and seconded Mayor Genis' motion. (05:36:30)

Council Member Stephens spoke in support of Linda Kwoun as an alternate member instead of Sandy Johnson and the maker of the motion and the second agreed. (05:38:02)

MOVED/SECOND: Mayor Genis/Mayor Pro Tem Mansoor

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council appointed the following members to the Animal Services Committee:

Four regular members for two-year terms: Jay B. Litvak, DVM, Tracy Hughes, Christie McDaniel, and Dana Lavin.

Three regular members for one-year terms: Rebecca "Becca" Walls, Marilyn Brooks, and Harriet Brown.

Two alternates for two-year terms: Angela Minjares and Linda Kwoun.

THE FOLLOWING NEW BUSINESS ITEMS WERE CONTINUED TO A FUTURE CITY COUNCIL MEETING:

1. WORK PLAN FOR SMALL LOT & OVERLAY ZONES

Development Services Department/Planning Division

ACTION:

City Council continued the item to a future City Council meeting.

3. RESOLUTION SUPPORTING LOCAL AUTHORITY TO CERTIFY AND REGULATE RESIDENTIAL RECOVERY FACILITIES (SOBER LIVING HOMES) – City Manager/Administration

ACTION:

City Council continued the item to a future City Council meeting.

4. PROVIDE DIRECTION TO STAFF REGARDING THE PREPARATION OF A DETAILED STAFF REPORT REGARDING THE POSITION OF THE CITY ATTORNEY – Office of the City Council

ACTION:

City Council continued the item to a future City Council meeting.

THIS ITEM WAS WITHDRAWN FROM THE AGENDA.

~~5. **MOBILE HOME PARK COMMITTEE** – City Manager/Administration~~

~~RECOMMENDATION:~~

~~Council Member Foley requests formal City Council consideration to establish a committee to address mobile home parks issues and concerns in Costa Mesa.~~

6. PILOT PROGRAM FOR PORTABLE RESTROOMS – Office of the City Council

ACTION:

City Council continued the item to a future City Council meeting.

7. AIRPORT NOISE FROM JOHN WAYNE AND LONG BEACH AIRPORTS
Development Services Department/Planning Division

ACTION:

City Council continued the item to a future City Council meeting.

ADDITIONAL COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS - NONE

REPORT – CITY MANAGER (05:40:17)

City Manager Hatch provided an update on the Animal Shelter and spoke on an interim agreement for a temporary shelter.

REPORT – CITY ATTORNEY (05:45:21) - NONE

ADJOURNMENT (05:45:24)

The Mayor adjourned the meeting at 11:59 p.m. in memory of Officer Jess Gilman.

Minutes adopted on this 6th day of February, 2018.



Sandra L. Genis, Mayor

ATTEST:



Brenda Green, City Clerk