

**REGULAR MEETING OF THE CITY COUNCIL  
CITY OF COSTA MESA**

**June 21, 2011**

The City Council Meeting of the City of Costa Mesa, California met in regular session June 21, 2011, at 6:00 p.m., in the Council Chambers of City Hall, 77 Fair Drive, Costa Mesa. The meeting was called to order by the Mayor.

**PLEDGE OF ALLEGIANCE - Mayor Gary Monahan**

**MOMENT OF SOLEMN EXPRESSION - Pastor Dave Manne, Calvary Chapel of Costa Mesa**

**ROLL CALL**

Council Members Present:	Mayor Gary Monahan Mayor Pro Tem James Righeimer Council Member Eric R. Bever Council Member Wendy Leece Council Member Stephen Mensinger
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Council Members Absent: None

Officials Present:	Chief Executive Officer Thomas R. Hatch City Attorney Thomas Duarte Acting Development Services Director Khahn Nguyen Public Services Director Peter Naghavi City Clerk Julie Folcik Interim Finance Manager Larry Hurst Budget and Research Officer Bobby Young
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**ANNOUNCEMENTS**

The Mayor announced various upcoming events taking place in the city:

- June 18, 2011 – Barrett-Jackson opened its even with a road rally, which started at South Coast Plaza and ended at the Orange County Fair and Event Center
- June 24-26 – Barrett-Jackson Collector-Car Auction – Orange County Fair and Event Center - Visit [www.barrett-jackson](http://www.barrett-jackson) for more information
- June 25, 2011 from 11 a.m. to June 26, 2011 at 11 a.m. – Field Day 2011 hosted by Costa Mesa Emergency Service Amateur Communications - Goat Hill Junction Train Station across from Fairview Park - Call (714) 754-4848 for more information.
- June 30, 2011 at 7 p.m. – Joann Street Bike Trail opening
- New rules for sale and use of fireworks for 4th of July – Sale of fireworks is allowed from June 30, 2011 to 9 p.m. on July 4, 2011. The use of fireworks is allowed 4-10 p.m. on July 2-4, 2011.
- July 5, 2011 at 5:30 p.m. - Concerts in the Park 2011 series - First concert featuring The Peggy Nelson Project - Fairview Park

## **PUBLIC COMMENTS**

Helen Nenadal, President of the Costa Mesa Employees' Association (CMCEA), spoke about the commitment to serve by the employees, outsourcing, and the Request for Proposals (RFPs).

Beth Refakes, Costa Mesa, complimented the budget workshops and the recent resignation of the Interim Police Chief.

Robin Leffler, Costa Mesa, shared her concerns regarding the budget, outsourcing, safety response time due to lack of personnel and the increasing of fees.

Perry Valantine, Costa Mesa, commented on outsourcing, and the privatization of government.

Steve White, Costa Mesa, informed of his responsibilities, expertise required certification(s) in his role as a City employee.

Sandra Genis, Costa Mesa, read excerpts from the former Interim Police Chief's resignation memo to police personnel regarding the various recommendations for department reorganization.

Gant Corum, Costa Mesa, informed of his expertise and required certifications in his role as a City employee, and expressed his opposition to the outsourcing of services; commenting that it was not in the best interest of the community.

Reggie Mundekis spoke in opposition of hiring a private investigator for a second investigation in the death of a City employee.

Robert Brown, Costa Mesa, commended the Council for their efforts in attempting to resolve the City's financial situation.

Todd Sveslosky, Costa Mesa, expressed concern in the changes occurring in the City and of the Council's motivation.

Sue Lester, Costa Mesa, spoke about street sweeping, layoff notices, the status of the RFPs, and the resignation of the Interim Police Chief.

Cindy Brenneman, Costa Mesa, spoke about the budget and her disappointment in the recent resignation of the Interim Police Chief.

Valerie Boston, Costa Mesa, referred to her application for a license for her assistance dog.

Bob Ooten, Costa Mesa, expressed concerns regarding the homeless presence at the Costa Mesa Dungan Branch Library.

Kimberly Claytor, Costa Mesa, expressed support for the City employees.

Jay Photoglou, Corona Del Mar, expressed concerns regarding the Police Department and his Public Records Requests.

Karin Ahlf, Costa Mesa, spoke in opposition of Council's plan to outsource City employees.

James Proctor, Costa Mesa, provided suggestions for generating revenue.

Larry Hemmec, Costa Mesa, expressed opposition to the ending of the Airborne Law Enforcement (ABLE) program and contracting out of the service.

Greg Thunell, Costa Mesa, expressed opposition to the the move to privatize City services.

Terry Koken, Costa Mesa, sang his comments regarding local politics.

Dr. Laura M. Campbell spoke on behalf of the Mesa West Pet Hospital, Costa Mesa, reported an increase in incidents with the presence of homeless on their hospital property.

Karl Ahlf, Costa Mesa, encouraged Council to rescind the layoff notices for City employees and retain the ABLE program.

Jason Chamness, President of the Costa Mesa Police Officers Association, spoke about the resignation of the Interim Police Chief Steven Staveley and reflected upon his qualities and leadership.

Clay Epperson, Costa Mesa, referring to the former Interim Police Chief's resignation memo, commented on the budget.

Loren Wyrick, Costa Mesa, expressed his concerns regarding the Council's methods to address the City's financial problem.

Mary Ann O'Connell, Costa Mesa, spoke about the reduction of City staff and services.

Sean Croson, Costa Mesa, informed the Council that Bowling Green Drive needed repaving.

Katrina Foley, Costa Mesa, spoke on behalf of resident Claudine Steck and expressed concerns regarding the reduction in public safety.

Bob Knapp, Costa Mesa, thanked the Council for their efforts in balancing the budget.

Schwaun, Costa Mesa, expressed concerns regarding expenditures and recent budget related decisions.

Lisa Reedy, Costa Mesa, spoke in opposition of reducing public safety and City

employees.

Robert Graham, Costa Mesa, expressed opposition to the Council's budget related actions and proposals.

The Mayor recessed the meeting at 7:34 p.m.

The Mayor reconvened the meeting at 7:50 p.m.

It was unanimously agreed to take the Council Comments out of order.

## **COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS**

Mayor Pro Tem Jim Righeimer commented on efforts in balancing the budget, the discontinuation of the ABLE program, and challenges with addressing the homeless and problem motel issues.

Council Member Wendy Leece expressed the importance of public safety, commented on the increase in homelessness and the efforts to address the issues, pension reform, employee appreciation and the concern regarding the use of electronic devices during a meeting and the Brown Act.

Council Member Stephen Mensinger spoke about the School Resource Officer program, and the City's budget and cash flow.

## **CONSENT CALENDAR ITEM NOS. 1 THROUGH 14.**

**MOTION: Approve Recommended Actions for Consent Calendar Items 1 through 14, except for Consent Calendar Item Nos. 2, 5, 6, 7, 9, 10, and 11. Moved by Council Member Wendy Leece, seconded by Council Member Stephen Mensinger.**

The motion carried by the following roll call vote:

Ayes: Mayor Gary Monahan, Mayor Pro Tem James Righeimer, Council Member Eric R. Bever, Council Member Wendy Leece, Council Member Stephen Mensinger

Noes: None.

Absent: None.

1. Reading Folder.

The following Claim was received by the City Clerk for processing: Jay Photoglou.

The following Notification Letter was received by the City: Southern California Edison Company's 2012 GRC Phase 2 Application to Establish Marginal Costs, Allocate Revenues, and Design Rates, A.11-06-007.

3. Warrant Resolution 2373, funding City operating expenses for

\$374,461.87.

ACTION: Adopted Resolution.

4. Warrant Resolution 2374, funding Payroll No. 11-12 for \$2,201,371.09, and Payroll No. 11-11A for \$875.08, and City operating expenses for \$588,507.45, including payroll deductions.

ACTION: Adopted Resolution.

8. Renewed Measure M Eligibility.

(a) City's Maintenance of Effort (MOE) for Fiscal Year 2011-2012.

(b) City's Seven (7)-Year Capital Improvement Program (CIP) for Fiscal Year 2011-2012 through Fiscal Year 2017-2018.

(c) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, CONCERNING THE STATUS OF THE CIRCULATION ELEMENT FOR THE CITY OF COSTA MESA.

ACTION: Approved, and adopted Resolution No. 11-24.

12. Completion of American Recovery and Reinvestment Act, Title 24 Cool Roof Replacement at City Hall, 77 Fair Drive, City Project No. 10-11, by F. Rodgers Corporation, 2817 East Cedar Street, #100, Ontario

ACTION: Accept work; authorize City Clerk to file a Notice of Completion; release retention monies 35 days thereafter; exonerate the Labor and Material Bond seven (7) months thereafter; and exonerate the Faithful Performance Bond twelve (12) months thereafter

13. Adopt plans and specifications, and working details for 2010-2011 Community Block Grant (CDBG) Alley Improvement No. 40 (Project "A") and Ford Road Alley No. 41 (Project "B"), City Project No. 11-02, and award a construction contract to Golden State Constructors, 6162 Galipean Drive, Huntington Beach, in the amount of \$169,305 (Base Bid only).

ACTION: Approved; and authorized the Mayor and City Clerk to sign.

14. Adopt plans and specifications, and working details for Alley No. 116, 75 and 76 Improvements, City Project No. 11-01, and award a construction contract to Black Rock Construction, Inc. in the amount of \$280,002.25 (Base Bid only).

ACTION: Approved; and authorized the Mayor and City Clerk to sign.

## **ITEMS REMOVED FROM CONSENT CALENDAR**

2. Regular meeting of June 7, 2011.

**MOTION: Continue the meeting minutes.**

**Moved by Council Member Eric R. Bever, seconded by Mayor Gary Monahan.**

The motion carried by the following roll call vote:

Ayes: Mayor Gary Monahan, Mayor Pro Tem James Righeimer, Council Member Eric R. Bever, Council Member Wendy Leece, Council Member Stephen Mensinger

Noes: None.

Absent: None.

5. Memorandum of Understanding with Newport-Mesa Unified School District (NMUSD) for modification and extension of the School Resource Officer Program for two (2) officers, beginning August 1, 2011 through July 31, 2012.

The following members of the public spoke in support of the SRO program: Karl Ahlf, Costa Mesa; Kimberly Claytor, Costa Mesa; and Robin Leffler, Costa Mesa.

Katrina Foley, Costa Mesa, spoke in support of the program and of increasing the number of officers.

**MOTION: Approve; authorize the Mayor and the City Clerk to sign.**

**Moved by Mayor Gary Monahan, seconded by Council Member Stephen Mensinger.**

The motion carried by the following roll call vote:

Ayes: Mayor Gary Monahan, Mayor Pro Tem James Righeimer, Council Member Eric R. Bever, Council Member Wendy Leece, Council Member Stephen Mensinger

Noes: None.

Absent: None.

6. Agreement between the Costa Mesa Police Department and the 32nd District Agricultural Association to provide traffic management services for all designated Interim Events of the Orange County Fair and Exposition Center, beginning April 1, 2011 through March 31, 2012, in an amount not to exceed \$70,000.

Jay Photoglou, Corona Del Mar, inquired about the effective date of the agreement and a resolution for authorization to enter into the contract with the State.

Perry Valantine, Costa Mesa, inquired if the overtime for the officers was reflected in the compensation report on the City's website.

Sandra Genis, Costa Mesa, commented on Police overtime costs and the understaffing of police personnel.

**MOTION: Approve; authorize the Chief of Police to sign.  
Moved by Mayor Gary Monahan, seconded by Council Member Wendy Leece.**

The motion carried by the following roll call vote:

Ayes: Council Member Eric R. Bever, Council Member Wendy Leece,  
Mayor Pro Tem James Righeimer, Mayor Gary Monahan, Council  
Member Stephen Mensigner

Noes: None.

Absent: None.

7. Agreement between the Costa Mesa Police Department and the 32nd District Agricultural Association, to provide traffic management services for the Orange County Fair, beginning July 15, 2011 through August 14, 2011, in an amount not to exceed \$375,000.

**MOTION: Approve; authorize the Chief of Police to sign.  
Moved by Mayor Gary Monahan, seconded by Council Member Wendy Leece.**

The motion carried by the following roll call vote:

Ayes: Council Member Eric R. Bever, Council Member Wendy Leece,  
Mayor Pro Tem James Righeimer, Mayor Gary Monahan, Council  
Member Stephen Mensigner

Noes: None.

Absent: None.

9. Adopt plans and specifications, and working details for Fairview Park Wetlands and Riparian Habitat Project, City Project No. 11-06.

(a) Accept withdrawal of bid submitted by Marina Landscape, Inc., 1900 South Lewis Street, Anaheim.

(b) Award construction contract to Jeff Tracy, Inc. dba Land Forms Landscape Construction, 27601 Forbes Road, Suite 36, Laguna Niguel, in the amount of \$2,902,978 (Base Bid plus Additive Bid Item Nos. A-1 and A-6).

Public Services Director Peter Naghavi provided a brief overview of the report and responded to questions regarding the temporary sign, as requested by Council Member Leece.

**MOTION: Approve; and authorize the Mayor and City Clerk to sign.  
Moved by Mayor Gary Monahan, seconded by Council Member Wendy Leece.**

The motion carried by the following roll call vote:

Ayes: Mayor Gary Monahan, Mayor Pro Tem James Righeimer, Council Member Eric R. Bever, Council Member Wendy Leece, Council Member Stephen Mensinger

Noes: None.

Absent: None.

10. Adopt plans and specifications, and working details for 2010-2011 Citywide Street Rehabilitation Project, City Project No. 11-07, and award a construction contract to All American Asphalt, Post Office Box 2229, Corona, in the amount of \$2,778,000 (Base Bid plus All Additive Bid Items).

**MOTION: Approve; and authorize the Mayor and City Clerk to sign. Moved by Mayor Gary Monahan, seconded by Council Member Eric R. Bever.**

The motion carried by the following roll call vote:

Ayes: Mayor Gary Monahan, Council Member Eric R. Bever, Council Member Wendy Leece

Noes: None.

Abstain: Mayor Pro Tem James Righeimer, Council Member Stephen Mensinger

Absent: None.

11. Adopt plans and specifications, and working details for Lions Park (Davis Field) Sports Lighting Project at 570 West 18th Street, Costa Mesa, City Project No. 11-09, and award a construction contract to RMF Contracting, Inc. dba R&M Electrical Contracting, 26301 Dimension Drive, Lake Forest, in the amount of \$309,066.25 (Base Bid minus Bid Item No. 3 plus Alternate Bid Item No. 3A), and waive bid irregularity.

Public Services Director Peter Naghavi provided a brief overview of the project and responded to questions from the Council regarding the use of Redevelopment Agency funds.

Sandra Genis, Costa Mesa, spoke about the Redevelopment Agency funds.

**MOTION: Approve; and authorize the Mayor and City Clerk to sign. Moved by Mayor Gary Monahan, seconded by Mayor Pro Tem James Righeimer.**

The motion carried by the following roll call vote:

Ayes: Mayor Gary Monahan, Mayor Pro Tem James Righeimer, Council Member Eric R. Bever, Council Member Stephen Mensinger

Noes: Council Member Wendy Leece

Absent: None.

It was unanimously agreed to address New Business No. 2 and 3 out of order.

## **NEW BUSINESS**

2. Reorganization of the Costa Mesa Police Department
  - a. "Police Department Organization Review" prepared by Management Partners, Inc.
  - b. Interim Police Chief's recommendations on Police Department reorganization.
  - c. Recommendations for Police Department Reorganization

City CEO Tom Hatch presented the report and along with Mike Messina of Management Partners responded to questions from the Council.

Debbie Gonzalez, shelter manager, OC Humane Society, expressed opposition to the outsourcing of animal control services.

Perry Valantine, Costa Mesa, encouraged the Council to consider the recommendations of the Interim Police Chief in the reorganization of the Police Department.

Helen Evers, Costa Mesa, encouraged the Council to weigh the recommendations made relative to animal control, and was not supportive of contracting with the county facility.

Yolanda Macias, Animal Control Officer, expressed concern regarding the impact of eliminating the third animal control officer position.

Reggie Mundekis expressed opposition to the outsourcing of telecommunications (911) and expressed concern regarding consulting costs.

Flo Martin, Costa Mesa, expressed opposition of downsizing and the eliminating of sworn officers while increasing non-sworn personnel.

Sue Lester, Costa Mesa, spoke in opposition to the reduction of sworn-personnel and provided a suggestion for the city to make addition revenue.

Sandra Genis, Costa Mesa, felt that public safety was a priority and opposed the use of a per-capita basis formula for determining the necessary number of sworn personnel.

Dieter Dammeier, attorney for Costa Mesa Police Officers Association, spoke in opposition of reducing the number of officers.

Debbi Koken, Costa Mesa, spoke in opposition to the reduction of police services.

Rob Dimel, Vice-President of the Costa Mesa Police Officers Association, spoke about the cooperative relationship between the City and the Association in negotiations and encouraged maintaining services levels.

Greg Ridge, Costa Mesa, spoke in opposition of the reorganization.

Kelly Vucinic commented on trust.

Chrissy Brooks, Costa Mesa, expressed concern regarding long-term effects of laying off officers.

Robin Leffler, Costa Mesa, spoke in opposition of the reorganization of the police department.

Cindy Brenneman, Costa Mesa, opposed the reduction of sworn officers and supported a volunteer coordinator position.

Tom Pollitt, Costa Mesa, thanked the Council and the City CEO for their efforts to balance the budget.

Walter Garcia, Costa Mesa, encouraged Council to consider the expectations the residents.

Jason Chamness, President of CMPOA, spoke of the priority of providing the residents with the service they expect.

Jim Fitzpatrick, Costa Mesa, expressed his support of the Council's efforts to balance the budget.

Jay Humphrey, Costa Mesa, expressed concern regarding the reduction of police services.

**MOTION: Receive and file the “Police Department Organization Review” prepared by Management Partners, Inc., and the Interim Police Chief’s recommendations on Police Department reorganization; approve the recommended changes to the Police Department as found in the Management Partner’s Recommendations (Table A) and that of the City CEO (Table B), and direct staff to modify the CEO’s proposed budget to reflect the financial impact.**

**Moved by Mayor Pro Tem James Righeimer, seconded by Mayor Gary Monahan.**

The motion carried by the following roll call vote:

Ayes: Mayor Gary Monahan, Mayor Pro Tem James Righeimer, Council Member Eric R. Bever, Council Member Stephen Mensinger

Noes: Council Member Wendy Leece

Absent: None.

3. Introduction to the Preliminary 5-year Financial Forecast.

City CEO Tom Hatch and Budget and Research Officer Bobby Young provided a brief overview of the report and responded to questions from the Council. No action was taken on the item.

**PUBLIC HEARINGS**

1. PUBLIC HEARING: From the meeting of June 7, 2011: Amending the calculations of Rates, Fees, and Charges for services provided by The City Of Costa Mesa Police Department and the Fire Department for Special/Community Events (Administrative Regulations 2.13).

**MOTION: Continue public hearing to July 5, 2011, at 7:00 p.m. Moved by Mayor Gary Monahan, seconded by Council Member Stephen Mensinger.**

The motion carried by the following roll call vote:

Ayes: Council Member Eric R. Bever, Council Member Wendy Leece, Mayor Pro Tem James Righeimer, Mayor Gary Monahan, Council Member Stephen Mensinger

Noes: None.

Absent: None.

2. PUBLIC HEARING: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA ESTABLISHING AND ADOPTING A POLICE DEPARTMENT CITATION SIGN-OFF FEE.

MOTION: Continue public hearing to July 5, 2011 at 7:00 p.m.

Moved by Mayor Gary Monahan, seconded by Council Member Stephen Mensinger.

The motion carried by the following roll call vote:

Ayes: Mayor Gary Monahan, Mayor Pro Tem James Righeimer, Council Member Eric R. Bever, Council Member Wendy Leece, Council Member Stephen Mensinger

Noes: None.

Absent: None.

3. PUBLIC HEARING: City Budget for Fiscal Year 2011-2012.

(a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DETERMINING AND ADOPTING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2011-2012, IN ACCORDANCE WITH ARTICLE XIII-B OF THE CONSTITUTION OF THE STATE OF CALIFORNIA, AS AMENDED BY PROPOSITION 111 AND SENATE BILL 88.

(b) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING A BUDGET FOR THE FISCAL YEAR 2011-2012.

City CEO Tom Hatch presented the staff report.

Colin McCarthy representing the Costa Mesa Taxpayers Association, presented the association's review of the budget, noted their concerns and responded to questions from the City Council.

Lisa Major, Assistant General Manager of Orange County Employees Association (OCEA), presented findings from an independent financial audit of the budget that was performed. She responded to questions from the City Council.

Perry Valantine, Costa Mesa, noted his interest in a response from the Finance Department of the Taxpayers Association and OCEA studies and encouraged the Council to delay action on the recommendations until after a thorough review.

Reggie Mundekis, Costa Mesa, encouraged Council to cancel the layoffs.

Sandra Genis, Costa Mesa, noted her questions relative to the Budget and Council's priority.

Jay Humphrey, Costa Mesa, questioned the the Request for Proposal process, the anticipated savings, and the time table relative to their review.

Colin McCarthy, Costa Mesa, opined that the OCEA financial audit was suggesting a "deficit spending" approach.

Robin Leffler, Costa Mesa, encouraged Council and staff to consider both audits fairly.

**MOTION: Adopt Resolution No. 11-25: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DETERMINING AND ADOPTING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2011-2012, IN ACCORDANCE WITH ARTICLE XIII-B OF THE CONSTITUTION OF THE STATE OF CALIFORNIA, AS AMENDED BY PROPOSITION 111 AND SENATE BILL 88.**

**Moved by Mayor Pro Tem James Righeimer, seconded by Council Member Stephen Mensinger.**

The motion carried by the following roll call vote:

Ayes: Council Member Eric R. Bever, Council Member Wendy Leece, Mayor Pro Tem James Righeimer, Mayor Gary Monahan, Council Member Stephen Mensinger

Noes: None.

Absent: None.

**MOTION: Adopt Resolution 11-26: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING A BUDGET FOR THE FISCAL YEAR 2011-2012.**

**Moved by Mayor Pro Tem James Righeimer, seconded by Council Member Stephen Mensinger.**

Council Member Leece expressed her opposition to motion as she felt that to many cuts in personnel were being made.

The motion carried by the following roll call vote:

Ayes: Mayor Gary Monahan, Mayor Pro Tem James Righeimer, Council Member Eric R. Bever, Council Member Stephen Mensinger

Noes: Council Member Wendy Leece

Absent: None.

## **OLD BUSINESS**

1. Continued from the meeting of May 3, 2011, Appointments to various Council-appointed committees.

- a. Access, Building, Fire and Housing Board of Appeal

- b. Redevelopment and Residential Rehabilitation (3R) Committee

CEO Tom Hatch presented the report.

**MOTION: Appoint the following for Access, Building, Fire and Housing Board of Appeal as regular members: Jacob Batista, Tariq M. Shamma, William (Bill) L. Mason, Gilbert Figueroa, Larry Weichman.**

**Moved by Council Member Stephen Mensinger, seconded by Mayor Pro Tem James Righeimer.**

The motion carried by the following roll call vote:

Ayes: Mayor Gary Monahan, Mayor Pro Tem James Righeimer, Council Member Eric R. Bever, Council Member Wendy Leece, Council Member Stephen Mensinger

Noes: None.

Absent: None.

**MOTION: Appoint Andrew Smith to the 3R Committee as a regular member.**

**Moved by Council Member Stephen Mensinger, seconded by Mayor Pro Tem James Righeimer.**

Council Member Leece requested the maker of the motion to include a nomination for Wil Thoms as an alternate for the 3R Committee. Council

Member Mensinger did not agree.

The motion carried by the following roll call vote:

Ayes: Mayor Gary Monahan, Mayor Pro Tem James Righeimer, Council Member Eric R. Bever, Council Member Wendy Leece, Council Member Stephen Mensinger

Noes: None.

Absent: None.

**MOTION: Appoint Brian Pharris as an alternate member to the Access, Building, Fire and Housing Board of Appeal.**

**Moved by Council Member Stephen Mensinger, seconded by Mayor Pro Tem James Righeimer.**

The motion carried by the following roll call vote:

Ayes: Council Member Eric R. Bever, Mayor Pro Tem James Righeimer, Mayor Gary Monahan, Council Member Stephen Mensinger

Noes: Council Member Wendy Leece

Absent: None.

## **NEW BUSINESS**

1. A RESOLUTION OF THE CITY OF COSTA MESA, CALIFORNIA ADOPTING THE GOVERNMENT ACCOUNTING STANDARDS BOARD STATEMENT NO. 54 ENTITLED "FUND BALANCE REPORTING AND GOVERNMENT FUND TYPE DEFINITIONS."

Interim Finance Director Larry Hurst presented the report and responded to questions from the Council.

**MOTION: Adopt Resolution No. 11-27: ADOPTING THE GOVERNMENT ACCOUNTING STANDARDS BOARD STATEMENT NO. 54 ENTITLED "FUND BALANCE REPORTING AND GOVERNMENT FUND TYPE DEFINITIONS."**

**Moved by Mayor Gary Monahan, seconded by Council Member Eric R. Bever.**

The motion carried by the following roll call vote:

Ayes: Council Member Eric R. Bever, Council Member Wendy Leece, Mayor Pro Tem James Righeimer, Mayor Gary Monahan, Council Member Stephen Mensinger

Noes: None.

Absent: None.

The Mayor recessed the meeting at 11:02 p.m.

## **REPORTS**

## CLOSED SESSION

1. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Firefighters Association (CMFA), Costa Mesa Police Officers Association (CMPOA) and Costa Mesa Police Management Association (CMPMA), Costa Mesa Fire Fighters Management Association, and Costa Mesa Division Managers Association pursuant to Government Code Section 54957.6
2. Conference with legal counsel regarding existing litigation: Henderson vs. City of Costa Mesa: Case Number 30-2010-00386946, pursuant to Government Code Section 54956.9(a).
3. Conference with legal counsel, regarding existing litigation: City of Costa Mesa v. D'Alessio Investments, LLC, a Nevada Corporation; et al.: Orange County Superior Court Case No. 30-2011-00468876, pursuant to subdivision (a) of Government Code Section 54956.9.
4. Conference with legal counsel, regarding existing litigation: Acosta v. City of Costa Mesa, District Court for the Central District of California, Case No. SACV06-233DOC(MLGx), pursuant to Government Code Section 54956.9(a)

The Mayor recessed the meeting at 1:18 p.m. to Conference Room 1B for the closed sessions.

## CLOSED SESSION REPORT

No action taken on the Closed Sessions.

**ADJOURNMENT: The Mayor adjourned the meeting at 1:40 a.m. Next Regular City Council Meeting: July 5, 2011.**

The Mayor adjourned the meeting at 1:40 a.m.

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Mayor of the City of Costa Mesa

ATTEST:

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City Clerk of the City of Costa Mesa