

**ACTION REPORT
AGENDA
CITY OF COSTA MESA
REGULAR CITY COUNCIL, AND SUCCESSOR AGENCY
TO THE REDEVELOPMENT AGENCY* MEETING**

*NOTE: ALL AGENCY AND AUTHORITY MEMBERSHIPS ARE REFLECTED IN THE TITLE "COUNCIL MEMBER."

THE REGULARLY SCHEDULED CLOSED SESSION AT 5:00 P.M. IS CANCELLED

**TUESDAY, AUGUST 4, 2015
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE
REGULAR MEETING – 5:45 P.M.**

STEPHEN M. MENSINGER
Mayor

JAMES M. RIGHEIMER
Mayor Pro Tem

GARY MONAHAN
Council Member

SANDRA GENIS
Council Member

KATRINA FOLEY
Council Member

City Attorney
Thomas Duarte

Chief Executive Officer
Thomas R. Hatch

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

CITY ATTORNEY CLOSED SESSION REPORT – NONE

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

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CONSENT CALENDAR:

Items 1, 2, 3, 4, 5, and 6

MOVED/SECOND: Council Member Monahan/Council Member Foley

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motions carried: 5-0

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

ACTION:

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

2. **READING FOLDER**

a. Claims received by the City Clerk: Carmen Contreras, and Ramon Martin

ACTION:

City Council received and filed.

3. **WARRANT RESOLUTION NO. 2540 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 15-14 "A" FOR \$2.74 AND 15-15 FOR \$2,119,338.88; AND CITY OPERATING EXPENSES FOR \$1,932,207.19; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID**

ACTION:

Approved Warrant Resolution No. 2540, to be read by the title only, and waived further reading.

4. **AWARD CONTRACT FOR DEFERRED COMPENSATION PLAN MONITORING SERVICES**

ACTION:

1. City Council awarded a contract for Deferred Compensation Plan monitoring services for one year to Benefit Funding Service Group ("BFSG"), in the total amount of \$25,000, with an option to extend the contract in four one-year periods; and

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2. City Council authorized the City Chief Executive Officer to sign and execute a professional services agreement with the selected firm, as approved by City Attorney's Office.

5. MINUTES

ACTION:

City Council approved the minutes of the Regular City Council and Successor Agency Meeting of July 21, 2015.

6. CONVERSION OF CODE ENFORCEMENT OFFICER POSITION TO PARK RANGER

ACTION:

City Council approved the newly created Code Enforcement Officer position approved in the FY 2015-16 adopted budget to an additional Park Ranger position within the Police Department.

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

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

1. PROPOSED 2015 UPDATE TO THE PARK IN-LIEU FEES (PARK FEES)

MOVED/SECOND: Council Member Genis/Council Member Monahan

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

1. City Council gave the first reading to Ordinance No. 15-09, to be read by title only, and waived further reading, relating to Park Impact Fees for Multi-Family Residential Renter Development (Apartments) in Costa Mesa.

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

The motion carried by the following roll call vote:

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

Nays: Council Member Monahan

Absent: None

Motion carried: 4-1

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ACTION:

2. City Council approve the current methodology for calculating Parkland In-Lieu fees per unit (no changes) for new Single-Family and Multi-Family residential development for residential subdivisions.

MOVED/SECOND: Mayor Pro Tem Righeimer/Mayor Mensinger

MOTION: City Council approved Park Impact Fees for Apartments-Multi-Family Renter, at \$5,000 per unit.

SUBSTITUTE MOTION: City Council approve Park Impact Fees for Apartments-Multi-Family Renter as follows: Properties that have 0-25 units \$1,250.00; 26-50 units \$2,500; and 50 units and above \$5,000.

MOVED/SECOND: Council Member Monahan

The motion died due to a lack of second.

MOVED/SECOND: Mayor Pro Tem Righeimer/Mayor Mensinger

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

3. City Council approved Park Impact Fees for Apartments-Multi-Family Renter, at \$5,000 per unit.

2. APPEAL OF PLANNING COMMISSION'S APPROVAL OF CASE NO. PA-08-27A1 TO AMEND AN EXISTING CONDITIONAL USE PERMIT FOR A JEWELRY STORE WITH ANCILLARY PAWN SERVICES AT 1872 NEWPORT BOULEVARD

MOTION: Uphold the Planning Commission's decision and adopt Resolution No. 15-45.

MOVED/SECOND: Mayor Pro Tem Righeimer/Mayor Mensinger

SUBSTITUTE MOTION: Remove requirement for minimum loan amounts of \$2,500; expand the list of eligible goods for pawning, and the building sign be renovated or removed.

MOVED/SECOND: Council Member Monahan/Council Member Foley

The motion failed by the following roll call vote:

Ayes: Council Member Foley, and Council Member Monahan

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

Absent: None

Motion failed: 2-3

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MOVED/SECOND: Mayor Pro Tem Righeimer/Mayor Mensinger

The motion carried by the following roll call vote:

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

Nays: Council Member Foley and Council Member Monahan

Absent: None

Motion carried: 3-2

ACTION:

City Council upheld the Planning Commission's decision, and adopted Resolution No. 15-45, read by title only and waived further reading, approving an amendment to the Conditional Use Permit PA-08-27A1 relating to certain conditions of approval for an existing jewelry store with ancillary pawn brokerage services at 1872 Newport Boulevard.

MOVED/SECOND: Council Member Foley/Council Member Genis

The motion carried by the following roll call vote:

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

Nays: Mayor Pro Tem Righeimer

Absent: None

Motion carried: 4-1

ACTION: Continued the meeting past midnight, and scheduled Public Hearing Item #4, and New Business Items # 2 – 4 to the Council Meeting of September 1, 2015.

3. APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF PLANNING APPLICATION PA-14-41: CONDITIONAL USE PERMIT FOR OPERATION OF AN OUTDOOR FARMERS MARKET AT 183 E. BAY STREET (ST. JOHN THE DIVINE EPISCOPAL CHURCH)

Note: the Regular City Council Meeting of August 4, 2015 continued past midnight. Ordinance No. 15-08 was approved on August 5, 2015 at 1:34 a.m.

MOTION: City Council uphold the Planning Commission's decision and adopt Resolution No. 15-46, to be read by title only, and further reading waived, Planning Application PA-14-41 – A Conditional Use Permit (CUP) for the operation of a Farmers Market at an existing church (St. John the Divine Episcopal Church).

MOVED/SECOND: Mayor Pro Tem Righeimer/Mayor Mensinger

Mayor Mensinger withdrew his 2nd.

The motion died due to a lack of a second.

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MOVED/SECOND: Mayor Mensinger/Council Member Foley

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council adopted Resolution No. 15-46, read by title only and further reading waived, reversing the Planning Commission's decision and denying PA-14-41 – A Conditional Use Permit (CUP) for the operation of a Farmers Market at an existing church (St. John the Divine Episcopal Church).

4. FIRST READING OF THE CAPITAL ASSET NEEDS ORDINANCE
(Rescheduled to September 1, 2015)

OLD BUSINESS:

1. SECOND READING OF ORDINANCE NO. 15-08: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING REZONE R-14-05 FOR THE PROPERTY LOCATED AT 2880 MESA VERDE DRIVE EAST FROM I&R (INSTITUTIONAL AND RECREATIONAL) TO SINGLE FAMILY RESIDENTIAL DISTRICT (R1)

Note: the Regular City Council Meeting of August 4, 2015 continued past midnight. Ordinance No. 15-08 was approved on August 5, 2015 at 1:39 a.m.

MOVED/SECOND: Council Member Foley/Council Member Genis

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council gave the second reading and adopted Ordinance No. 15-08, read by title only, and waived further reading, approving Rezone R-14-05 to rezone a 2-acre site from I&R (Institutional and Recreational) to R1 (Single Family Residential District), for property located at 2880 Mesa Verde Drive East.

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NEW BUSINESS:

1. **URBAN MASTER PLAN SCREENING REQUEST (UMP-15-01) FOR A 10-UNIT DETACHED SMALL LOT RESIDENTIAL DEVELOPMENT WITHIN THE MESA WEST RESIDENTIAL OWNERSHIP URBAN PLAN LOCATED AT 527 AND 531 BERNARD STREET**

ACTION:

City Council provided feedback on a proposed Urban Master Plan for a 2- and 3-story, 10-unit, detached, small lot residential development project within the Mesa West Residential Ownership Urban Plan.

2. **COUNCIL DIRECTION FOR ALLOCATION OF FIELD USE FEES**
(Rescheduled to September 1, 2015)
3. **REQUEST FOR REFUND OF APPEAL FEE FOR ZA-15-01**
(Rescheduled to September 1, 2015)
4. **DESIGNATION OF VOTING DELEGATE AND VOTING DELEGATE ALTERNATE FOR 2015 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE**
(Rescheduled to September 1, 2015)

REPORT – CITY ATTORNEY

ADJOURNMENT – The Mayor and City Council adjourned at 2:07 a.m.