

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

November 3, 2015

CALL TO ORDER

The Closed Session meeting was called to order by the Mayor at 5:00 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

ROLL CALL

Council Members Present: Mayor Mensinger, Mayor Pro Tem Righeimer, Council Member Genis, and Council Member Monahan (Arrived at 5:20 p.m.)

Council Members Absent: Council Member Foley

PUBLIC COMMENTS ON CLOSED SESSION ITEMS – NONE

CLOSED SESSION

The City Council recessed into Closed Session at 5:01 p.m. to consider the following item:

1. Conference with legal counsel regarding anticipated litigation, significant exposure to litigation pursuant to California Government Code Section 54956.9(d)(4) for one potential case.
2. Conference with legal counsel regarding anticipated litigation, significant exposure to litigation pursuant to California Government Code Section 54956.9(d)(2) for one potential case.

The City Council reconvened at 6:00 p.m.

CALL TO ORDER (00:00:21)

The meeting was called to order by the Mayor at 5:45 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

PLEDGE OF ALLEGIANCE (00:00:27) – Mayor Mensinger

MOMENT OF SOLEMN EXPRESSION (00:00:56)

Principal Caleb McFerran, Christ Lutheran Church & School, Costa Mesa

ROLL CALL (00:03:49)

Present: Council Member Foley (Arrived at 6:00 p.m.), Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer, Mayor Mensinger

Absent: None

Officials Present: Chief Executive Officer Tom Hatch, City Attorney Thomas Duarte, Assistant Chief Executive Officer Rick Francis, Assistant Chief Executive Tamara Letourneau, Economic and Development Services Director Gary Armstrong, Public Services Director Ernesto Muñoz, and City Clerk Brenda Green.

CITY ATTORNEY CLOSED SESSION REPORT (00:03:55)

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

Council Member Foley expressed the Fire Association President's disappointment that the Closed Session meeting was cancelled. (00:04:07)

ANNOUNCEMENTS (00:04:36)

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

PRESENTATIONS (00:06:49)

1. Mayor's Award: Heidi Beth and Donna Swift - Postponed

PUBLIC COMMENTS (00:06:56)

Donald Dumain, Costa Mesa, requested permit parking for Cleveland Ave, Paularino Ave, Dorset Lane and Buchanan Way, and submitted a survey and petition. (00:08:14)

Kim Hendricks, Costa Mesa, spoke on the filling of the Fairview Park Canyon. (00:09:19)

Eric Wisener, Costa Mesa, requested permit parking for Cleveland Ave, Paularino Ave, Dorset Lane and Buchanan Way, and submitted a survey and petition. (00:12:36)

Kevin Nelson, San Clemente, spoke on the filling of the Fairview Park Canyon. (00:15:42)

Tom Strachan, Costa Mesa, requested permit parking for Cleveland Ave, Paularino Ave, Dorset Lane and Buchanan Way, and submitted a survey and petition. (00:17:17)

Ray Klima, Costa Mesa, requested permit parking for Cleveland Ave, Paularino Ave, Dorset Lane and Buchanan Way, and submitted a survey and petition. (00:18:33)

Beth Refakes, Costa Mesa, spoke on the Military Affairs Trunk or Treat event. (00:19:01)

Wendy Leece, Costa Mesa, spoke on the passing of Forrest Werner; spoke on Public Safety services and the reorganization of the Fire Department. (00:21:57)

Steve White, Costa Mesa, spoke on medical marijuana. (00:24:54)

Kathy Esfahani, Costa Mesa, spoke on affordable housing and long term occupancy at motels. (00:28:04)

UNOFFICIAL UNTIL APPROVED

Robin Leffler, Costa Mesa, spoke on Public Safety and medical transport vehicles in the City. (00:31:13)

Chuck Perry, Costa Mesa, spoke on the new developments in the City. (00:34:17)

Charlene Ashendorf, Costa Mesa, spoke on the homeless and working together for solutions. (00:35:29)

Speaker, Costa Mesa, spoke on information obtained on the internet. (00:38:24)

Speaker, Costa Mesa, requested individuals to register to vote; spoke on affluenza; and heroin addiction. (00:41:29)

COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (00:43:50)

Mayor Mensinger spoke on the Walk with the Mayor, and working together regarding the homeless issues. (00:43:56)

Council Member Foley had no comments. (00:47:22)

Council Member Genis requested minor modifications requests to be posted on the website, and spoke in support of affordable housing. (00:47:38)

Council Member Monahan had no comments. (00:50:25)

Mayor Pro Tem Righeimer had no comments. (00:50:38)

REPORT – CHIEF EXECUTIVE OFFICER (CEO) (00:50:46)

Paul E. Shoenberger, General Manager of Mesa Water District, provided an update on activities related to water conservation and announced a future meeting to be held on November 12, 2015 at 6:00 p.m. regarding water conservation. (00:51:20)

CONSENT CALENDAR (00:58:25)

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 8.

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

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: Justin Craft and Amy Nield

ACTION:

City Council received and filed.

2. **WARRANT RESOLUTION NO. 2545 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 15-21 "A" FOR \$0.00; AND 15-22 FOR \$2,189,295.44; AND CITY OPERATING EXPENSES FOR \$1,724,756.48; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID**

ACTION:

City Council approved Warrant Resolution No. 2545, to be read by the title only, and waived further reading.

4. **CLEARBROOK LANE ALLEY (ALLEY NO. 46), FLOWER STREET ALLEY (ALLEY NO. 81), BROADWAY ALLEY (ALLEY NO. 89), AND MAGNOLIA STREET ALLEYS (ALLEY NO. 91, ALLEY NO. 93, AND ALLEY NO. 94) IMPROVEMENT PROJECT – CITY PROJECT NO. 15-13**

ACTION:

1. City Council adopted plans, specifications, and working details for the Clearbrook Lane Alley (Alley No. 46), Flower Street Alley (Alley No. 81), Broadway Alley (Alley No. 89), and Magnolia Street Alleys (Alley No. 91, Alley No. 93, and Alley No. 94) Improvement Project – City Project No. 15-13; and
2. City Council awarded a construction contract to Black Rock Construction Company, 615 N. Berry Street, Unit G, Brea, CA 92821, in the amount of \$848,500.00; and
3. City Council authorized the Mayor and City Clerk to execute the Public Works Agreement.

5. MINUTES

ACTION:

City Council approved the minutes of the City Council and Successor Agency to the Redevelopment Agency of October 20, 2015

6. FINAL MAP FOR TRACT NO. 17848 FOR A 24-UNIT CONDOMINIUM PROJECT AT 650 HAMILTON STREET, COSTA MESA, CALIFORNIA

ACTION:

City Council approved the Final Map for Tract No. 17848 and authorized the signing of the Map by the City Clerk and the City Engineer.

7. PROFESSIONAL ENGINEERING SERVICES TO PROVIDE AS-NEEDED STAFF SUPPORT FOR VARIOUS CAPITAL IMPROVEMENT PROGRAM PROJECTS

ACTION:

1. City Council awarded a contract to Civil Source, Inc., 9890 Irvine Center Drive, Irvine, California 92618, in an amount not to exceed \$940,000 to provide Project/Construction Management staff support as-needed for various Council-approved Capital Improvement Program (CIP) projects, and authorized the Mayor and the City Clerk to execute the Professional Services Agreement; and
2. City Council approved Budget Transfer No. 16-123 in the amount of \$450,000.

8. INDUSTRIAL WAY WATER QUALITY AND STORM DRAIN IMPROVEMENTS, CITY PROJECT NO. 14-08

ACTION:

1. City Council approved Change Order Number 3 in the amount of \$216,266.32; and
2. City Council accepted work performed by Lonerock, Inc. and authorized the City Clerk to file the Notice of Completion; and
3. City Council released the Faithful Performance Bond one (1) year after the filing date; and released the retention monies 35 days after the Notice of Completion filing date.

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

PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55): (00:59:09)

1. GENERAL PLAN AMENDMENT GP-14-04/REZONE R-14-04/ZONING CODE AMENDMENT CO-14-02/AND MASTER PLAN PA-14-27 FOR COSTA MESA APARTMENTS AT 2277 HARBOR BOULEVARD (00:59:42)

Staff report, including a PowerPoint presentation presented by Associate Planner, Ryan Loomis and Zoning Administrator, Willa Bouwens-Killeen. (01:01:55)

Discussion ensued by council members about the proposed development project relating to recreation amenities; open space; volume of grading; parking structure; traffic study; trip counts; affordable housing; income levels; number of school-age children in long term occupant households; rent levels; and density bonuses. (01:13:23)

Christine O'Donoghue, Environmental Coordinator, discussed the Air Quality analysis included in the MND. (01:19:55)

PowerPoint presentation presented by authorized agent for the property owner, Donald Lamm. (01:37:35)

Discussions ensued on several matters, including distinction between the term median income versus the term moderate income; a moving plan and relocation benefit plan; rent rates within the City; and landlord/tenant laws. (02:02:55)

Public Comments:

Kathy Esfahani, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (02:23:12)

Sylvia Hatton, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households, and played a video. (02:26:38)

Ryan Esfahani, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households, and played a video. (02:29:07)

Dianne Russell, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households, and played a video. (02:31:47)

Andrew McNeely, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households, and played a video. (02:34:25)

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Joan Politeo, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households, and played a video. (02:35:51)

Bahram Esfahani, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households, and played a video. (02:38:27)

Scott Bell, Costa Mesa, spoke in support of the proposed development. (02:40:37)

City Council recessed at 8:43 p.m.

City Council reconvened at 8:48 p.m.

Eva Goodwin-Noriego, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (02:45:33)

Mick Meldrum, Costa Mesa, spoke in support of the proposed development. (02:48:15)

Harold Weitzberg, Costa Mesa, spoke on addressing the process for affordable housing issues. (02:49:47)

Brett Russell, Costa Mesa, spoke in support of the proposed development; concern with safety issues; and provided alternatives for families that need a home. (02:52:01)

Andrea Marr, Costa Mesa, spoke in support of low income affordable housing. (02:54:40)

Linda Tang, representing the Kennedy Commission, spoke in favor of at least 20% of the proposed development as affordable units; and submitted a letter. (02:56:25)

Patty Uchytel, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (02:59:25)

Edward Collett, Costa Mesa, spoke on residency and relocation from the Costa Mesa Motor Inn to a new location. (03:01:55)

Charles Mooney, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (03:03:11)

Speaker, Costa Mesa, spoke in support of the proposed development. (03:04:56)

Charlene Ashendorf, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (03:06:35)

UNOFFICIAL UNTIL APPROVED

Irene Elizabeth Ruvalcava, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (03:09:03)

Wendy Leece, Costa Mesa, spoke on including affordable housing in all future housing projects. (03:09:49)

Jay Humphrey, Costa Mesa, spoke in support of providing housing for all citizens, and in support of affordable housing. (03:12:41)

Chuck Perry, Costa Mesa, spoke in support of the proposed development. (03:15:45)

Christine Nolf, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (03:17:53)

Mike Bargas, Costa Mesa, spoke in support of the proposed development. (03:19:39)

Cynthia McDonald, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working household. (03:21:44)

Tamar Goldmann, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (03:24:50)

Speaker, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (03:27:28)

Anthony Wagner, Costa Mesa, spoke in support of the proposed development. (03:29:06)

Speaker, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (03:30:32)

Richard Walker, Attorney for Public Law Center, spoke on the Mitigated Negative Declaration; State density bonus law; and spoke against the proposed development. (03:33:50)

Speaker, Costa Mesa, spoke on crime statistics in the area and in support of the proposed development. (03:36:18)

Speaker, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (03:39:30)

Guillermo Monge, Costa Mesa, spoke against the proposed development. (03:42:32)

Sean Golden, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (03:45:39)

Robin Leffler, Costa Mesa, spoke in favor of at least 20% of the proposed development is affordable to lower income working households. (03:47:52)

Donald Lamm provided a PowerPoint presentation on proposed development project; economic feasibility of demolition of existing motel and development of proposed apartment project; availability of rental units in developments located within Costa Mesa that he described as affordable apartments. (03:56:29)

Lionel Levy, Chief Operating Officer of Miracle Mile Properties, spoke on the proposed development, the timeline for notices and the closure of the Costa Mesa Motor Inn, and his relocation/moving plan to provide monetary stipends equal to three months of rent rebates to current long-term occupants, along with a contribution of \$200,000 for additional assistance. (04:02:30)

Council Member Foley spoke about the owner's moving plan and relocation assistance program; requested that the window for relocation timeline be changed from June 1 and to anytime between February 1, 2016 until the planned closure date of August 1, 2016; requested the \$200,000 of additional relocation monies be deposited with the Housing Authority for oversight and administration; and requested the landlord provide the motel occupants who are in good standing be provided a letter of reference. (04:06:42)

Council Member Foley motioned (Item #4) to add to the Conditions of Approval that the \$200,000 be deposited with the Housing Authority and the specific details for the account and administration be evaluated and prepared by the City Attorney, Special Counsel, the CEO and Community Development Staff; and the relocation is a private program consented to by the private owner in order to mitigate the impacts of the change of use of the property. (04:36:12)

Mayor Pro Tem Righeimer seconded the motion (Item #4) and requested that groups that have previously assisted the City be considered to help administer the funds. (04:37:02)

Discussion ensued regarding administration of the \$200,000 funds and the relocation start date of February 1, 2016. (04:37:29)

Council Member Foley voiced concern that the \$200,000 of funding be targeted to pay for occupants to transition to housing. (04:37:44)

Council Member Foley added to the motion (Item #4) that the relocation start date be February 1, 2016 so long as the long-term occupants are working with the relocation consultant to find appropriate housing. (04:38:00)

Mayor Pro Tem Righeimer agreed to the February 1st date and that the building materials used match the renderings. (04:38:18)

CEO Hatch clarified the funds might go into another account to be determined at a later date and Staff may bring back a report to Council for clarification. (05:01:47)

1. **MOVED/SECOND:** Council Member Monahan/Mayor Mensinger
The motion carried by the following roll call vote:

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

Nays: Council Member Genis

Absent: None

Motion carried: 4-1

ACTION:

City Council approved Initial Study/Mitigated Negative Declaration and General Plan Amendment GP-14-04 by adoption of Resolution No. 15-60, to be read by title only, and further reading waived; and

2. **MOVED/SECOND:** Council Member Monahan/Council Member Foley
The motion carried by the following roll call vote:

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

Nays: Council Member Genis

Absent: None

Motion carried: 4-1

ACTION:

City Council gave first reading to Ordinance No. 15-14, to be read by title only, and further reading waived, approving Rezone R-14-04; and

3. **MOVED/SECOND:** Council Member Monahan/Mayor Mensinger
The motion carried by the following roll call vote:

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

Nays: Council Member Genis

Absent: None

Motion carried: 4-1

ACTION:

City Council gave first reading to Ordinance No. 15-15, to be read by title only, and further reading waived, for Zoning Code Amendment CO-14-02; and

4. **MOVED/SECOND:** Council Member Foley/Mayor Pro Tem Righeimer
The motion carried by the following roll call vote:
Ayes: Council Member Foley, Council Member Monahan, Mayor Pro Tem
Righeimer and Mayor Mensinger
Nays: Council Member Genis
Absent: None
Motion carried: 4-1

ACTION:

City Council approved Planning Application PA-14-27 by adoption of Resolution No. 15-61, to be read by title only, and further reading waived.

City Council recessed at 11:00 p.m.

City Council reconvened at 11:15 p.m.

2. **CODE AMENDMENT CO-15-04 TO AMEND, REPEAL, AND ADD SECTIONS TO TITLE 13 (PLANNING, ZONING AND DEVELOPMENT), RELATING TO GROUP HOMES, SOBER LIVING HOMES, BOARDING HOUSES, AND RESIDENTIAL CARE FACILITIES OF THE COSA MESA MUNICIPAL CODE (05:03:13)**

Staff report, including a PowerPoint presentation presented by Senior Planner, Mel Lee and Tarquin Preziosi, City Attorney. (05:04:54)

Public Comments:

Fernando Pedroza, Costa Mesa, spoke on the proposed Ordinance Amendment and conflicts with the provision 13-322 (4) regarding, eviction from or involuntary termination of residency in a group home. (05:15:39)

Michael Stute, Costa Mesa, spoke in support of the Ordinance. (05:18:32)

Yesenia Umani, Employee of Solid Landings, spoke on their business and on drug addictions. (05:51:05)

Robert Mann, Costa Mesa, spoke on substance abuse and the need for Sober Living Homes. (05:24:06)

Adam Shandrow, Facilities Director for Solid Landings, spoke in support of Sober Living Homes. (05:27:19)

Paul DuMont, Housing Rights Advocate Volunteer, spoke on regulations of Sober Living Homes. (05:29:40)

Natalie Schmitz, Community Outreach Manager for Solid Landings, spoke on Sober Living operations and provided statistics of employment, donations and positive impacts. (05:32:43)

Robin Leffler, Costa Mesa, spoke on existing lawsuits and spoke in support of the Ordinance. (05:35:46)

Britten Devereux, Costa Mesa, spoke on addiction and alcoholism and the Solid Landing business. (05:38:04)

Jay Humphrey, Costa Mesa, requested clarification on the Royal Palm Sober Living location. (05:40:58)

David Sheridan, Executive Director of Sober Living Network, spoke on Sober Living operations. (05:43:24)

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council approved to continue the meeting passed midnight.

Public Comments (continued)

Speaker, Costa Mesa, spoke in support of the Ordinance. (05:47:02)

Barrie Fisher, Costa Mesa, spoke in support of the Ordinance and requested removal of the exemptions for State licensed homes. (05:59:38)

Patricia Bintliff, Costa Mesa, spoke on the Orange County Sober Living Coalition and quality assurance process. (05:52:43)

Amy Phee, Costa Mesa, spoke in support of the Ordinance and regulating Sober Living homes. (05:55:47)

Mary Helen Beatificato, Costa Mesa, spoke on the operations of Sober Living homes and spoke in opposition of the Ordinance. (05:57:54)

Grant McNiff, Costa Mesa, spoke in opposition of the Ordinance. (06:01:01)

Speaker, Costa Mesa, spoke in support of the Ordinance and requested more enforcement. (06:04:08)

Discussion ensued on requiring houses to be 1,000 feet apart, additional Code Enforcement patrol; and no more than 2 parolees in a house. (06:07:25)

Tarquin Preziosi spoke on the Health and Safety Code and State licensed facilities of six or fewer. (06:16:47)

1. **MOVED/SECOND:** Mayor Pro Tem Righeimer/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:

City Council approved and gave first reading to Ordinance No. 15-11, to be read by title only, and further reading waived, revising Title 13, of the Costa Mesa Municipal Code with regard to group homes, state licensed facilities and boardinghouses in the Multiple-Family Residential (MFR) zones and Planned Development zones ("MFR Group Home Ordinance"); and

2. **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:

Council directed Staff to remove the wording from the Ordinance regarding Requirements for issuance of operator's permit "Any owner/operator or staff person of a sober living home is a recovering drug or alcohol abuser and upon the date of application or employment has had less than one (1) full year of sobriety." City Council approved and gave first reading to Ordinance No. 15-13, to be read by title only, and further reading waived, revising Title 9 of the Costa Mesa Municipal Code with regard to operator's permits for group homes in the MFR zones. (06:19:05)

3. **PLANNING APPLICATION PA-11-03 – CONDITIONAL USE PERMIT FOR A PRIVATE HELISTOP FOR NET DEVELOPMENT CO. AT 3132 AIRWAY AVENUE (06:23:31)**

Staff report, including a PowerPoint presentation presented by Senior Planner, Mel Lee. (06:24:38)

Discussion ensued on the Noise Study and decibel levels. (06:29:51)

Kevin Coleman, applicant, spoke on the decibel levels. (06:32:11)

Public Comment:

Robin Leffler, Costa Mesa, spoke on the decibel levels and spoke against the project. (06:34:24)

MOVED/SECOND: Mayor Pro Tem Righeimer/Mayor Mensinger
To approve the helistop by adoption of City Council Resolution No. 15-59, to be read by title only, and further reading waived, subject to conditions of approval.

SUBSTITUTE MOTION: Deny the application.

MOTION/SECOND: Council Member Genis/Council Member Foley
The motion failed by the following roll call vote:

Ayes: Council Member Foley, and Council Member Genis
Nays: Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger
Absent: None
Motion failed: 2-3

ORIGINAL MOTION: Mayor Pro Tem Righeimer/Mayor Mensinger
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 approved the helistop by adoption of City Council Resolution No. 15-59, to be read by title only, and further reading waived, subject to conditions of approval.

4. PUBLIC HEARING FOR THE VACATION OF A PORTION OF SIDEWALK AND LANDSCAPE EASEMENT AT 580 ANTON BOULEVARD (06:39:53)

Staff report presented by Ernesto Munoz, Director of Public Services. (06:40:09)

MOVED/SECOND: Council Member Genis/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. 15-58, to be read by title only, and further reading waived, ordering the vacation of a portion of Sidewalk and Landscape Easement at 580 Anton Boulevard; and

City Council authorized the execution of the Quitclaim Deed by the Mayor and the City Clerk.

OLD BUSINESS: (06:42:14)

1. SECOND READING OF ORDINANCE NO. 15-12 FOR SECOND AMENDMENT TO DEVELOPMENT AGREEMENT DA-00-02 (SEGERSTROM TOWN CENTER) (06:42:18)

Staff report presented by Gary Armstrong, Director of Development Services. (06:40:09)

Public Comment:

Robin Leffler, Costa Mesa, spoke in objection to the changing of a project at the hearing. (06:43:09)

MOVED/SECOND: Council Member Monahan/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 second reading and adopted Ordinance No. 15-12, to be read by title only, and waived further reading.

NEW BUSINESS: (06:45:56) – NONE

ITEMS REMOVED FROM THE CONSENT CALENDAR (06:45:59) – NONE

REPORT – CITY ATTORNEY (06:46:02) – NONE

ADJOURNMENT (06:46:26)

The Mayor and City Council adjourned at 12:59 a.m.

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



Stephen M. Mensinger, Mayor

ATTEST:



Brenda Green, City Clerk