

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

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

**TUESDAY, FEBRUARY 16, 2016**  
**CITY COUNCIL CHAMBERS, 77 FAIR DRIVE**  
**CLOSED SESSION – 5:00 P.M.**  
**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**

**CLOSED SESSION – 5:00 P.M.**

**ROLL CALL**

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

Council Members Absent: Council Member Foley

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 existing litigation: The Kennedy Commission; Mehrnoosh Barimani; Timothy Dadey; Denise Riddell; and Patricia Wagner v. City of Costa Mesa, a municipal corporation, Orange County Superior Court Case No. 30-2016-00832585-CU-WM-CJC, pursuant to California Government Code Section 54956.9(d)(1).

## FOR INFORMATIONAL PURPOSES ONLY

3. Conference with legal counsel regarding existing litigation: City of Costa Mesa, a municipal corporation, et al., v. Civic Center Barrio Housing, Orange County Superior Court Case No. 30-2014-00715552-CU-BC-CJC, pursuant to California Government Code Section 54956.9(d)(1).

Council Member Genis stated she will not be participating on Closed Session Item #3 due to a potential conflict of interest.

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

#### **CALL TO ORDER**

#### **ROLL CALL**

Present: Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer, Mayor Mensinger  
Absent: Council Member Foley

#### **CITY ATTORNEY CLOSED SESSION REPORT**

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

City Attorney reported regarding Closed Session 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. On a vote of 4-0 (Council Member Foley absent), City Council provided direction to initiate litigation. The defendants and actions will be disclosed when litigation commences.

#### **CONSENT CALENDAR:**

##### **Items 1, 2, 3, and 4**

**MOVED/SECOND:** Council Member Monahan/Mayor Pro Tem Righeimer

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Foley

Motions carried: 4-0-1

**FOR INFORMATIONAL PURPOSES ONLY**

**1. READING FOLDER**

- a. Claims received by the City Clerk: Luis Silva Hernandez, Jesus Ibarra, Angela Leong, Eric Marienthal, and Maria T. Ortiz Ramirez.

**ACTION:**

City Council received and filed.

**2. WARRANT RESOLUTION NO. 2551 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 16-02 "A" FOR \$11,959.83; AND 16-03 FOR \$2,111,818.90; AND CITY OPERATING EXPENSES FOR \$1,888,638.31; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID**

**ACTION:**

City Council approved Warrant Resolution No. 2551.

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

**ACTION:**

City Council approved the minutes of February 2, 2016.

**4. ADOPT RESOLUTIONS 16-06 AND 16-07 CONSENTING THE INCLUSION OF THE CITY OF COSTA MESA PROPERTIES IN THE CALIFORNIA HOME FINANCE AUTHORITY (CHF) PACE PROGRAMS AND ASSOCIATE MEMBERSHIP IN CALIFORNIA HOME FINANCE AUTHORITY TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES, ENERGY AND WATER EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING AN AMENDMENT TO A CERTAIN JOINT POWERS AGREEMENT RELATED THERETO**

**ACTION:**

- 1. City Council reviewed and adopted Resolution 16-06, consenting to Inclusion of Properties within the City's Incorporated Area in the California Home Finance Authority (CHF) Community Facilities District No. 2014-1 (Clean Energy) to Finance Renewable Energy Generation, Energy Efficiency, Water Conservation and Electric Vehicle Charging Infrastructure Improvements and approving associate membership in CHF; and
- 2. City Council reviewed and adopted Resolution 16-07, consenting to Inclusion of Properties within the City's Incorporated Area in the California Home Finance Authority (CHF) PACE Program to Finance Renewable Energy Generation, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure and approving associate membership in CHF.

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

**OLD BUSINESS:**

**1. REQUEST TO CLOSE OFF WALL OPENINGS ALONG VICTORIA STREET AND DORSET LANE**

**MOVED/SECOND:** Mayor Pro Tem Righeimer/Council Member Monahan

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Foley

Motions carried: 4-0-1

**ACTION:**

City Council approved the request to close off the wall openings to pedestrian access at the following locations:

1. Raleigh Avenue (south side of Victoria Street)
2. Meyer Place (north side of Victoria Street)
4. Wallace Avenue (south side of Victoria Street)
7. Dorset Lane at Fairview Road

**MOVED/SECOND:** Mayor Pro Tem Righeimer/Council Member Monahan

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Foley

Motions carried: 4-0-1

**ACTION:**

City Council approved the request to close off the wall opening to pedestrian access at the following location:

3. Miner Street (north side of Victoria Street)

**MOVED/SECOND:** Council Member Monahan/Council Member Genis

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Foley

Motions carried: 4-0-1

**ACTION:**

City Council approved to keep the wall openings to pedestrian access at the following locations:

5. Victoria Frontage (West)
6. Victoria Frontage (East)

## FOR INFORMATIONAL PURPOSES ONLY

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

- 1. AN ORDINANCE TO ADOPT CODE AMENDMENT CO-15-05: AN AMENDMENT TO TITLE 13 OF THE COSTA MESA MUNICIPAL CODE RELATED TO WATER EFFICIENT LANDSCAPE PLAN AND RELATED GUIDELINES**

**MOVED/SECOND:** Council Member Genis/Mayor Pro Tem Righeimer

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Foley

Motions carried: 4-0-1

**ACTION:**

1. City Council gave first reading to Ordinance No. 16-03, to be read by title only, and further reading waived, and adopted Code Amendment CO-15-05 amending Costa Mesa Municipal Code Title 13 Chapter VII, Landscape Standards.

**MOVED/SECOND:** Council Member Genis/Mayor Pro Tem Righeimer

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Foley

Motions carried: 4-0-1

**ACTION:**

2. City Council adopted Resolution No. 16-05, approving an update to the Water Efficient Landscape Guidelines.

### NEW BUSINESS:

- 1. URBAN MASTER PLAN SCREENING REQUEST (UMP-15-05) FOR A 3-UNIT DETACHED RESIDENTIAL DEVELOPMENT AT 1979 ANAHEIM AVENUE**

**ACTION:**

City Council provided feedback on the proposed Urban Master Plan for a three-story, 3-unit detached residential development within the Mesa West Residential Ownership Urban Plan.

## FOR INFORMATIONAL PURPOSES ONLY

### 2. **FINANCIAL UPDATE INCLUDING: REVIEW OF JUNE 30, 2015 CAFR, FISCAL YEAR 2015-16 MID-YEAR BUDGET REPORT, AND FIVE-YEAR FINANCIAL PLAN**

**MOVED/SECOND:** Council Member Monahan/Council Member Genis

The motion carried by the following roll call vote:

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

Nays: Mayor Pro Tem Righeimer

Absent: Council Member Foley

Motions carried: 3-1-1

#### **ACTION:**

1. From the June 30, 2015 CAFR report:

- a. City Council received and filed the Comprehensive Annual Financial Report; and
- b. City Council approved FY 15-16 budget adjustments for \$980,153 in carry over prior year encumbrances to FY 15-16; and
- c. City Council approved a FY 15-16 budget adjustment for, and the payment of, an additional \$500,000 to further reduce the Fire Side Fund debt.

**MOVED/SECOND:** Council Member Monahan/Council Member Genis

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Foley

Motions carried: 4-0-1

2. From the FY 2015-16 Mid-year Budget report:

- a. City Council received and filed this report; and
- b. City Council approved recommended FY 2015-16 budget adjustments as listed, excluding Item Nos. 16 and 17 on Attachment 2G regarding the funding of cardiac monitors; and
- c. City Council added one new full-time Community Outreach Worker to support the Costa Mesa Housing Authority Rapid Re-housing Program; and
- d. City Council authorized a transfer of funds from the Housing Authority Fund 222 to reimburse the General Fund expenses of \$309,515 used to pay off the loan balances of the program properties on 18<sup>th</sup> Street.

## FOR INFORMATIONAL PURPOSES ONLY

**MOVED/SECOND:** Council Member Monahan/Council Member Genis

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Foley

Motions carried: 4-0-1

3. From the Five-year Financial Plan:

a. City Council received and filed the five-year plan; and

b. City Council provided direction to staff regarding issues raised in connection with the five-year financial plan and future priorities.

**ITEMS REMOVED FROM THE CONSENT CALENDAR – NONE**

**REPORT – CITY ATTORNEY – NONE**

**ADJOURNMENT** – The Mayor and City Council adjourned at 9:34 p.m.