

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

JANUARY 2, 2018

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

Absent: None

PUBLIC COMMENTS ON CLOSED SESSION ITEMS – NONE

The City Council recessed to Conference Room 5A at 4:05 p.m. for Closed Session to consider the following items:

1. 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.

2. 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.

3. 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.

The City Council reconvened at 6:01 p.m.

CALL TO ORDER (00:00:10)

The meeting was called to order by the Mayor at 6:01 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

PLEDGE OF ALLEGIANCE (00:00:32) - Council Member Stephens

MOMENT OF SOLEMN EXPRESSION (00:00:51) - Pastor Jordan Hansen, Newport Mesa Church

ROLL CALL

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 (00:01:52) – NONE

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

ANNOUNCEMENTS (00:01:56) - "Costa Mesa Minute" was played featuring upcoming events and activities in the community.

PRESENTATIONS (00:04:42)

Raja Sethuraman, Public Service Director, provided a presentation on the Public Services Street Improvement Projects.

PUBLIC COMMENTS – MATTER NOT LISTED ON THE AGENDA (00:12:31)

Tim Lewis spoke on the animal shelter and animal rescues. (00:12:49)

Jay Humphrey, Costa Mesa, spoke on the Small Lot Ordinance and overlay zones; and noise levels at the Orange County Fairgrounds. (00:17:06)

Flo Martin, Costa Mesa, spoke regarding the speed limits on Fair Drive and requested speed monitors. (00:20:09)

Reggie Mundekis spoke on the OC Fairgrounds Master Site Plan process. (00:21:36)

Kevin Orton, Costa Mesa, spoke on issues associated with transients and group homes. (00:23:57)

Beth Refakes, Costa Mesa, inquired on the status of the signal preemption and Council Chambers upgrade; and spoke regarding the landscaping on the 55 freeway terminus. (00:26:06)

Steven Chan, Costa Mesa, spoke on Smart and Final and Holiday Bar nuisance problems. (00:30:18)

Speaker, spoke on problems due to Sober Living Homes. (00:34:17)

Dan Goldmann, Costa Mesa, spoke on ambulance costs; and safety issues while driving. (00:37:30)

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS (00:41:00)

Council Member Stephens spoke on the Listening Tour with Council Member Foley on January 29th; Costa Mesa United Tournament on January 15th; Animal Shelter contract issues; thanked firefighters; and thanked Council Member Foley for the trip to Washington D.C. regarding sober living issues. (00:41:13)

Council Member Righeimer spoke on Brad Long's Memorial Service. (00:43:09)

Mayor Pro Tem Mansoor requested study sessions on formation of an Airport Issues committee and non-toxic weed control. (00:44:06)

Council Member Foley spoke on pedestrian safety; requested updates on the overlays and mental health funding; and spoke on agendaing proposal for non-toxic Costa Mesa for the next City Council meeting. (00:45:10)

Mayor Genis spoke on non-toxic issues; re-examination of the Noise Ordinance; Animal Services contract; moving forward on the overlays; and welcomed the new Finance Director Stacy Daugherty.

CONSENT CALENDAR: (00:54:21)

MOVED/SECOND: Council Member Righeimer/Mayor Genis

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 7 except for 2, 4 and 7.

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

1. **READING FOLDER** - Claims received by the City Clerk: William Tyler Davis and GEICO as Subrogee for Noelle Swanger.

ACTION:

City Council received and filed.

3. **MINUTES OF THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY MEETINGS OF NOVEMBER 7, 2017 AND NOVEMBER 21, 2017** - City Manager's Office/City Clerk Division

ACTION:

City Council approved the minutes of November 7, 2017 and November 21, 2017.

5. **APPROVE A SOLE SOURCE JUSTIFICATION REQUEST FOR AIR EXCHANGE INC. FOR THE PURCHASE AND INSTALLATION OF PLYMOVENT EXHAUST SYSTEMS AT FIRE STATIONS 2, 3, 4, 5 AND 6**
Fire & Rescue Department/Public Services Department

ACTION:

1. City Council approved a Sole Source Justification with Air Exchange, Inc., 1494-B East Francis Street, Ontario, CA 91761 for the purchase and installation of Plymovent Vehicle Exhaust System at Fire Stations 2,3,4,5 and 6; and
 2. Approved and authorized the City Manager and the City Clerk to execute a Professional Services Agreement with Air Exchange, Inc. for the purchase and installation of the Plymovent Vehicle Exhaust System for an amount not to exceed \$249,000, effective January 2, 2018 through complete installation and final acceptance by the City.
6. **CITYWIDE SCHOOL ZONE TRAFFIC CALMING PROJECT, FEDERAL PROJECT NO. SRTSL-5312 (090), CITY PROJECT NO. 15-04**
Public Services Department/Engineering Division

ACTION:

1. City Council approved Contract Change Order No. 2 in the amount of \$12,972.00; and
2. Accepted the work performed by Asplundh Construction Group and authorized the City Clerk to file the Notice of Completion; and
3. Authorized the release of the Labor and Materials Bond seven (7) months after the filing date; release of the Faithful Performance Bond six (6) months after the filing date; and release of the retention monies after the Notice of Completion is filed.

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

ITEMS REMOVED FROM THE CONSENT CALENDAR:

2. **WARRANT RESOLUTION NO. 2589 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 17-24 FOR \$2,330,457.47; AND CITY OPERATING EXPENSES FOR \$1,955,926.38; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID (00:54:59)**
Finance Department

Public Comment:

Speaker, spoke on legal costs. (00:55:05)

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. 2589.

4. **ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA REVERSING THE DECISION OF THE PLANNING COMMISSION AND DENYING CONDITIONAL USE PERMIT PA-17-36 TO ALLOW AN ANIMAL SHELTER FOR DOGS AND CATS TO BE OPERATED BY THE ORANGE COUNTY HUMANE SOCIETY (OCHS) AT 642 BAKER STREET (00:57:52)** Development Services Department/Planning Division

Public Comment:

Speaker, spoke on various options for the Animal Shelter. (00:58:12)

MOVED/SECOND: Council Member Foley/Council Member Stephens
The motion carried by the following roll call vote:

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

Nays: Council Member Righeimer

Absent: None

Motion carried: 4-1

ACTION:

City Council adopted Resolution No. 18-01 reversing the Planning Commission's approval of Planning Application PA-17-36.

7. PROFESSIONAL ENGINEERING SERVICES TO PROVIDE AS-NEEDED STAFF SUPPORT FOR VARIOUS CAPITAL IMPROVEMENT PROGRAM PROJECTS (00:59:13) Public Services Department/Engineering Division

Council Member Foley inquired on the status of permanent staffing, reducing consultants, and the vacancy report. (00:59:37)

Discussion ensued on staff support; design and construction management services; and filling vacant positions. (00:59:53)

Mayor Genis spoke on renumeration and flexibility in benefit packages. (01:05:38)

Discussion ensued on the reasons for vacancies. (01:07:24)

Council Member Righeimer spoke on the government process for hiring and retirements. (01:09:18)

Public Comment:

Speaker, spoke on vacancies. (01:13:00)

MOVED/SECOND: Council Member Righeimer/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:

1. City Council approved Amendment No. 2 to the Professional Services Agreement with CivilSource, Inc., 9890 Irvine Center Drive, Irvine, California 92618, increasing the maximum compensation by \$355,000.00, to secure additional services, on an as-needed basis, for Project/Construction Management and Public Works Inspection for various Council-approved Capital Improvement Program (CIP) projects; and
2. Approved Amendment No. 3 to the Professional Services Agreement with Interwest Consulting Group, Inc., 15140 Transistor Lane, Huntington Beach, California 92649, increasing the maximum compensation by \$500,000.00, to secure additional services, on an as-needed basis, for Project/Construction Management and Public Works Inspection for various Council-approved CIP projects and extended the term of the Agreement through June 30, 2018; and
3. Authorized the City Manager to execute the Amendments.

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

- 1. CODE AMENDMENT CO-16-04B – AMENDMENT TO ARTICLES 2 AND 3 (SIGN REGULATIONS) OF CHAPTER VIII (SIGNS) OF TITLE 13 (PLANNING, ZONING AND DEVELOPMENT) OF THE COSTA MESA MUNICIPAL CODE REGARDING NON-COMMERCIAL BANNERS (01:15:46)**

Development Services Department/Planning Division

Willa Bouwens-Killeen, Zoning Administrator, presented the staff report. (01:16:28)

Discussion ensued on non-commercial banners and the maximum sign area. (01:18:22)

Public Hearing Opened:

No public comments on this item.

Public Hearing Closed.

Discussion ensued on political signs. (01:21:42)

MOVED/SECOND: Council Member Righeimer/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 gave first reading to Ordinance No. 18-02, read by title only, and further reading waived, adopting Zoning Code Amendment CO-16-04B to amend Articles 2 (General Provisions) and 3 (Sign Regulations) of Chapter VIII (Signs) of Title 13 (Planning, Zoning and Development) of the Costa Mesa Municipal Code.

- 2. AN ORDINANCE 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 (01:22:53)**

Planning Division/Development Services Department

Minoo Ashabi, Principal Planner, presented the staff report. (01:23:34)

Discussion ensued on minimum lot size; tandem parking; code enforcement mechanism; garage requirements; and parking concerns. (01:34:30)

Mayor Genis spoke on the Regional Housing Needs Allocation (RHNA); and public transit. (01:43:52)

Discussion ensued on tandem parking requirements; and the bus lines. (01:46:50)

Public Hearing Opened:

Speaker, spoke on the issue. (01:58:48)

Speaker, spoke on the issue. (02:01:22)

Tom Walker, Costa Mesa, spoke on the issue (02:04:23)

Jay Humphrey, Costa Mesa, spoke on parking problems and impacts on neighbors. (02:07:30)

Speaker, spoke against the Ordinance. (02:10:17)

Rick Huffman, Costa Mesa, spoke in support of the Ordinance. (02:11:24)

Speaker, spoke on market rate rental units. (02:14:13)

Speaker, spoke on various types of lots and doing more research. (02:15:30)

Public Hearing Closed.

MOVED/SECOND: Council Member Righeimer/Mayor Genis (02:16:34)

MOTION: To approve the recommended actions with two changes to the proposed Ordinance.

Council Member Righeimer spoke on the motion. (02:16:34)

Discussion ensued on the minimum lot size. (02:20:03)

Scott Porter, Deputy City Attorney, spoke on tandem parking space. (02:34:14)

Mayor Genis spoke in support of the motion. (02:35:30)

Council Member Foley spoke to not supporting the motion; and offered a substitute motion of postponing the item until the next City Council meeting. (02:48:30)

Council Member Stephens spoke to supporting the substitute motion. (02:51:00)

Council Member Righeimer spoke against the substitute motion. (02:51:56)

Mayor Genis spoke against the substitute motion. (02:52:36)

Council Member Foley spoke in support of the substitute motion. (02:53:20)

Discussion ensued on the pending applications. (02:53:50)

MOVED/SECOND: Council Member Foley/Council Member Stephens
SUBSTITUTE MOTION: To continue the item to the January 16, 2018 City Council meeting.

The motion failed by the following roll call vote:

Ayes: Council Member Foley and Council Member Stephens.

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

Absent: None

Motion failed: 2-3

MOVED/SECOND: Council Member Righeimer/Mayor Genis

ORIGINAL MOTION: To approve the recommended actions with two changes to the proposed Ordinance.

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:

1. City Council found that the ordinance is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15282(h) of the CEQA Guidelines, which states that "the adoption of an ordinance regarding second units in a single-family or multifamily zone by a city to implement the provisions of Sections 65852.1 and 65852.2 of the Government Code" relating to "granny" housing and "second unit ordinances" are exempt from the requirements of CEQA; and
2. Introduced for first reading Ordinance No. 18-03, with two changes, read by title only, and further reading waived, adopting Code Amendment CO-17-01 for the following amendments to Title 13 (Zoning Code):
 - Chapter I, Article 2, Section 13-6: Replace Second Unit definition with Accessory Dwelling Units (ADU) 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.

Below are the following two changes to the Ordinance:

- Revise the minimum lot size for R-1 properties that would be allowed an ADU from 7,500 square feet (recommended by Planning Commission) to 7,900 square feet; and,
- Include additional language further defining tandem parking by amending the second to last sentence of the first paragraph of subsection (g) of Municipal Code section 13-35 to provide as follows:

"Parking for the accessory dwelling unit may be provided as tandem parking on an existing driveway leading to a garage or carport but must be in addition to any parking required for the single family residence and must not block more than one other parking space, including any parking space in a garage.

The other sentences within (g) would remain unchanged.

City Council recessed into a break at 9:04 p.m. (03:02:50)

City Council reconvened at 9:12 p.m. (03:11:02)

3. 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 (03:11:03) – Development Services Department/Planning Division

Barry Curtis, Economic and Development Services Director, spoke on the applicant's request for a continuance. (03:12:37)

PUBLIC COMMENTS ON THE REQUEST FOR A CONTINUANCE:

Speaker, spoke against a continuance. (03:14:32)

Speaker, spoke against a continuance. (03:17:01)

MOVED/SECOND: Council Member Righeimer/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 opened and continued the public hearing to the January 16, 2018 City Council meeting.

Public Hearing Opened:

Denise Townsend, Costa Mesa, spoke against the project. (03:19:18)

Discussion ensued on setbacks and the General Plan Amendment. (03:23:45)

4. **PLANNING APPLICATION PA-17-04 FOR A CONDITIONAL USE PERMIT FOR THE CONVERSION OF AN EXISTING INDUSTRIAL BUILDING TO A BANQUET FACILITY, ON-SITE AND OFF-SITE VALET PARKING, AND A MINOR CONDITIONAL USE PERMIT FOR SALE OF ALCOHOLIC BEVERAGES AFTER 11:00 PM NOT WITHIN 200 FEET OF RESIDENTIAL USES AND DEVIATION FROM PARKING REQUIREMENTS WITH OFF-SITE SHARED PARKING WITH 705, 722, 729, AND 1626 OHMS WAY FOR A PROPOSED PROJECT AT 1618 OHMS WAY (03:28:09)** Development Services Department/Planning Division

Mayor Genis spoke on the appellant's request for a continuance. (03:27:40)

Ex Parte Communications: Council Member Righeimer and Council Member Mansoor met with former Mayor Peter Buffa; and Council Member Foley and Council Member Stephens met with the applicant and former Mayor Buffa. (03:28:48)

Council Member Righeimer spoke against a continuance. (03:29:32)

Mayor Genis spoke on refunding the appellant's appeal fees. (03:30:08)

PUBLIC COMMENTS ON THE REQUEST FOR A CONTINUANCE:

Steve Fortunato, applicant, spoke against a continuance. (03:33:30)

Speaker, Costa Mesa, spoke in support of a continuance. (03:37:35)

Speaker, spoke against a continuance. (03:37:49)

Speaker, spoke against a continuance. (03:38:17)

Mayor Genis made a motion to continue the item for two weeks. Motion died due to lack of a second. (03:38:40)

Dan Inloes, Senior Planner, presented the staff report. (03:39:21)

Mr. Fortunato provided a power point presentation and spoke on the project. (03:59:30)

Discussion ensued on the valet stand; Uber and Lyft pick-up and drop-off zones; Hours of Operation; and limiting occupancy. (04:07:35)

Discussion ensued on operational conditions and revisions to the Conditions of approval. (04:17:35)

Public Hearing Opened:

Adrian Foley, President of Brookfield Residential, spoke in support of the project. (04:28:59)

August Williams, Valet Company Operator, spoke in support of the project. (04:31:18)

Troy Wooden, Costa Mesa, spoke in support of the project. (04:33:30)

Speaker, spoke against the project. (04:35:14)

Speaker, spoke in support of the project. (04:36:40)

Peter Buffa, Costa Mesa, spoke in support of the project. (04:38:15)

Speaker, spoke in support of the project. (04:41:21)

Beth Refakes, Costa Mesa, spoke on valet parking concerns and availability of shared parking. (04:44:25)

Speaker, spoke on noise concerns and monitoring negative impacts. (04:46:46)

Speaker, spoke on parking enforcement. (04:49:52)

Public Hearing Closed.

MOVED/SECOND: Council Member Righeimer/Council Member Foley (04:52:47)

MOTION: To uphold with revisions the Planning Commission's decision to approve a Conditional Use Permit for the renovation of an existing one-story, 6,461-square-foot industrial building at 1618 Ohms Way to an event venue (The Harper).

Council Member Righeimer spoke on the motion. (04:54:00)

Discussion ensued on reducing occupancy; capacity limits; and overlay periods. (04:55:10)

Council Member Stephens spoke on reducing occupancy during overlaps. (05:08:50)

MOVED/SECOND: Mayor Genis/Council Member Stephens (05:14:00)

SUBSTITUTE MOTION: To approve the Conditions of Approval as previously stated, with the Occupancy Permit instead of the Building Permit, and add to Condition No. 3 “and a maximum of 200 people shall be onsite prior to 6:30 p.m., Monday-Friday”; and that the review period should be 8 months and 14 months.

The motion failed by the following roll call vote:

Ayes: Council Member Stephens and Mayor Genis.

Nays: Council Member Foley, Council Member Righeimer, and Mayor Pro Tem Mansoor.

Absent: None

Motion failed: 2-3

MOVED/SECOND: Council Member Righeimer/Council Member Foley
(05:15:00)

ORIGINAL MOTION: To uphold with revisions the Planning Commission’s decision to approve a Conditional Use Permit for the renovation of an existing one-story, 6,461-square-foot industrial building at 1618 Ohms Way to an event venue (The Harper).

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 upheld with revisions the Planning Commission’s decision by adoption of Resolution No. 18-02, to approve a Conditional Use Permit for the renovation of an existing one-story, 6,461-square-foot industrial building at 1618 Ohms Way to an event venue (The Harper). The revisions are as follows: a) Under Exhibit A, findings to elaborate on the business meeting the 83 parking spaces required for use. B) Under Exhibit B, Conditions of Approval which include modifying condition number 8, replacing the words “issuance of building permit” with “prior to final inspection” and as well as removing previous condition of approval 27 (prior to issuance of building permit).

City Council recessed into a break at 11:15 p.m. (05:15:10)

City Council reconvened at 11:22 p.m. (05:22:30)

OLD BUSINESS:

1. SECOND AMENDMENT TO THE AGREEMENT WITH CLEANSTREET FOR STREET SWEEPING SERVICES (05:22:40)

Public Services Department/Maintenance Services Division

Raja Sethuraman, Public Services Director, spoke on the agreement and the attachments in full. (05:22:51)

Public Comments:

Wendy Leece, Costa Mesa, thanked staff for signage; and spoke on ensuring all resident complaints are addressed prior to approval of the contract. (05:23:45)

Speaker, spoke in support of the contract. (05:25:21)

MOVED/SECOND: Mayor Pro Tem Mansoor/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 the Second Amendment to the Maintenance Agreement with CleanStreet, 1937 W. 169th Street, Gardena, CA 90247, to increase the annual amount of the contract by 2.6 percent (\$18,190.00) for residential, collector, and arterial street sweeping City-wide, based on the Consumer Price Index; and
2. Authorized the City Manager to execute the Amendment.

2. SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING ARTICLE 1 (SOLID WASTE COLLECTION) OF CHAPTER IV (GARBAGE, RUBBISH AND WEEDS) OF TITLE 8 (HEALTH AND SANITATION) OF THE COSTA MESA MUNICIPAL CODE TO MEET NEW STATE MONITORING AND REPORTING REGULATIONS (05:27:17)

Public Services Department/Administration Division

Amber Haston, Management Analyst, presented the staff report. (05:27:53)

Discussion ensued on indemnity stipulation in the contract. (05:28:50)

Public Comments:

Jay Humphrey, Costa Mesa, spoke on code enforcement concerns. (05:30:35)

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council gave second reading to and adopted Ordinance No. 18-01, read by title only, and further reading waived, amending Article 1 (Solid Waste Collection) of Chapter IV (Garbage, Rubbish, and Weeds) of Title 8 (Health and Sanitation) of the Costa Mesa Municipal Code.

New Business Item 2 was considered next.

NEW BUSINESS:

2. NAMING THE COMMUNITY CENTER AFTER NORMA HERTZOG (05:33:29)
Office of the City Council

Tamara Letourneau, Assistant City Manager, presented the staff report.
(05:33:34)

Discussion ensued regarding a City Facility naming policy. (05:35:00)

Mayor Pro Tem Mansoor spoke on the need for public participation and a procedure for naming City facilities. (05:37:18)

Council Member Foley spoke on bringing the item forward. (05:38:12)

Public Comments:

Mary Hornbuckle, Costa Mesa, spoke in support of the item. (05:39:34)

Peter Buffa, Costa Mesa, spoke in support of the item. (05:41:56)

Wendy Leece, Costa Mesa, spoke in support of the item. (05:43:25)

Jay Humphrey, Costa Mesa, spoke in support of the item. (05:44:00)

Andrea Marr, Costa Mesa, spoke in support of the item. (05:44:37)

Beth Refakes, Costa Mesa, spoke in support of a policy for naming buildings.
(05:45:32)

Flo Martin, Costa Mesa, spoke in support of the item. (05:46:55)

MOVED/SECOND: Council Member Righeimer/Mayor Pro Tem Mansoor
(05:47:31)

MOTION: To receive and file and for staff to come back with a process and policy for naming City facilities.

Discussion ensued on the timing and process; naming of Jack Hammett Sports Complex and Fairview Park; and renaming the library. (05:49:20)

MOVED/SECOND: Council Member Foley/Mayor Genis (06:01:25)

MOTION: To continue the meeting past midnight.

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Stephens and Mayor Genis.

Nays: Council Member Righeimer and Mayor Pro Tem Mansoor.

Absent: None

Motion carried: 3-2

ACTION:

City Council continued the meeting past midnight.

Council Member Stephens spoke in support of the item. (06:01:30)

MOVED/SECOND: Council Member Stephens/Council Member Foley

SUBSTITUTE MOTION: To name the Community Center after Norma Hertzog.

The motion failed by the following roll call vote:

Ayes: Council Member Foley and Council Member Stephens

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

Absent: None

Motion failed: 2-3

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

ORIGINAL MOTION: To receive and file and for staff to come back with a process and policy for naming City facilities.

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 received and filed and directed staff to come back with a process and policy for naming City facilities.

City Council resumed the meeting in order with New Business Item 1.

MOVED/SECOND: Council Member Righeimer/Mayor Genis

MOTION: To continue New Business Items 1 and 3 to the January 16, 2018 City Council meeting.

The motion carried by the following roll call vote:

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

Nays: Council Member Foley

Absent: None

Motion carried: 4-1

1. **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 the January 16, 2018 City Council meeting.

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

ACTION:

City Council continued the item to the January 16, 2018 City Council meeting.

ADDITIONAL COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS (06:07:30)

Mayor Pro Tem Mansoor requested a study session on non-toxic pesticides. (06:07:40)

Council Member Foley spoke on agendizing items. (06:09:30)

REPORT – CITY MANAGER (06:10:21) - NONE

REPORT – CITY ATTORNEY (06:10:24) - NONE

ADJOURNMENT (06:10:26) - The Mayor adjourned the meeting at 12:11 a.m.

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

A handwritten signature in blue ink, appearing to read "S. L. Genis", written over a horizontal line.

Sandra L. Genis, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Brenda Green", written over a horizontal line.

Brenda Green, City Clerk