

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

**MAY 15, 2018**

## **CALL TO ORDER**

The Special Closed Session was called to order by Mayor Genis at 5:02 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 Rigueimer, Council Member Stephens, Mayor Pro Tem Mansoor (arrived at 5:10 p.m.), and Mayor Genis.

Absent: None

## **PUBLIC COMMENTS ON SPECIAL CLOSED SESSION - NONE**

The City Council recessed to Conference Room 5A at 5:03 p.m. for Special Closed Session to consider the following items:

### **1. CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Section 54957.6, California Government Code

Agency Designated Representative: Tamara Letourneau, Assistant City Manager

Name of Employee Organization: Costa Mesa Police Management Association (CMPMA)

### **2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code

Name of Case: Orange County Catholic Worker, an unincorporated association: Lisa Bell, Shawn Carroll, Melissa Fields, Larry Ford, Cameron Ralston, Kathy Schuler, Gloria Shoemake, as individuals v. Orange County, City of Anaheim, City of Costa Mesa, and City of Orange, United States District Court, Central District of California – Southern Division, Case No. 8:18-cv-00155.

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

## **CALL TO ORDER (00:00:05)**

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

## **PLEDGE OF ALLEGIANCE (00:00:25) - Mayor Genis**

**MOMENT OF SOLEMN EXPRESSION (00:00:50)**

Pastor Dave Gundlach, Grace Fellowship Church, Costa Mesa

**ROLL CALL (00:02:17)**

Present: Council Member Foley, Council Member Righeimer, Council Member Stephens, Mayor Pro Tem 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 (00:02:30) – NONE**

COIN: Ex Parte Communications pursuant to Municipal Code Section 2-238 (b) (00:02:37) – NONE

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

**PRESENTATIONS:**

1. Friends of the Library Check Presentation for the Lions Park Projects – New Library  
A check in the amount of \$75,000 was presented to the City by Donna Stapleton, President of the Costa Mesa Library Foundation Committee, for a donation towards the new library.

**PUBLIC COMMENTS:**

Gary Parkin, Costa Mesa, spoke on the Mother's Day event at the Senior Center. (00:10:30)

Rebecca Trahan, Costa Mesa, spoke on safety concerns regarding the speed limit on Wilson Street. (00:11:33)

Rocky Evans, Costa Mesa, spoke on extending the hours of the Costa Mesa skate park. (00:15:04)

Reggie Mundekis, spoke on the Orange County Fairgrounds Master Site Plan. (00:16:49)

Joey Lopez, a skateboard instructor, spoke on extending the hours of the Costa Mesa skate park. (00:19:26)

Speaker, spoke on repairing speed signs; and City Council's consideration of agenda matters. (00:19:26)

Barrie Fisher, Costa Mesa, spoke on rescheduling the five appeals scheduled for the July 3<sup>rd</sup> City Council meeting. (00:23:05)

Robin Leffler, Costa Mesa, spoke on Measure Y; and requested the removal of the overlay zones. (00:25:00)

Speaker, spoke on Sober Living issues and bullying; and the Recovery Home Protection Act. (00:26:09)

Speaker, spoke on a Go Fund me page for Philip Leary, a tourist who had an accident in Costa Mesa. (00:29:18)

Speaker, spoke on Sober Living issues and bullying; and voting. (00:32:29)

Speaker, spoke regarding an increase in crime in his neighborhood at Adams and Mesa Verde. (00:35:07)

Beth Refakes, Costa Mesa, spoke on the Arlington Bioswale Project and a pedestrian signal crossing; the OC Fairgrounds Master Site Plan; the Vanguard University project parking; civility at City Council meetings; and security issues. (00:38:42)

Speaker, Costa Mesa High School student, spoke on a homeless individual. (00:41:48)

Speaker, spoke on repealing the Small Lot Ordinance and overlay zones. (00:43:15)

### **COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS (00:45:27)**

Mayor Genis spoke on addressing the Small Lot Ordinance and overlay zones; updating the noise and safety elements in the General Plan; requested the Animal Services Committee address kennels in homes operating in Costa Mesa; OC Fairgrounds and curb cuts; and thanked the Library Foundation for the donation. (00:45:39)

Council Member Stephens spoke on the Fire Department promotion ceremony; reported on attendance at the ACC-OC Golden Hub Awards; spoke on a friend's performance at the OC Performing Arts Center; maintenance issues at the skate park; July 3<sup>rd</sup> City Council meeting agenda; overlays; and thanked Mary Spadoni. (00:49:35)

Council Member Righheimer spoke on Congressman Dana Rohrabacher; campaign issues; and HR 5724. (00:53:19)

Mayor ProTem Mansoor spoke on the District Attorney requesting to speak at a future City Council meeting; July 3<sup>rd</sup> City Council agenda; Costa Mesa Connect and homeless issues; and skate park hours. (00:57:57)

Council Member Foley spoke on Congressman Dana Rohrabacher; skate park hours; spoke against the needle exchange program; requested a meeting with the OC Fairgrounds liaison committee on the Master Site Plan; spoke on July 3<sup>rd</sup> City Council agenda; National Poppy Day and support for the American Legion; and Fire Explorers recruitment. (01:01:29)

**CONSENT CALENDAR (01:04:28)**

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

**MOTION:** Approve recommended actions for Consent Calendar Item Nos. 1 through 7 except for 2 and 5.

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: Jason Gardner, Pablo Lazaro and Robert Ohland.

**ACTION:**

City Council received and filed.

**3. MINUTES OF THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY MEETING OF MARCH 20, 2018**

City Manager's Office/City Clerk Division

**ACTION:**

City Council approved the minutes of March 20, 2018.

**4. PURCHASE, REMOVAL, AND INSTALLATION OF PUBLIC ADDRESS SYSTEM - Public Services Department/Engineering Division**

**ACTION:**

1. City Council accepted the work performed by Tyco SimplexGrinnell for the subject project and authorized the City Clerk to file the Notice of Completion; and
2. Authorized the release of the retention monies immediately after the Notice of Completion is filed.

**6. SECOND AMENDMENT TO THE AGREEMENT WITH CLEANSTREET FOR  
SIDEWALK PRESSURE WASHING SERVICES**  
Public Services Department/Maintenance Services Division

**ACTION:**

1. City Council approved the Second Amendment to the Maintenance Services Agreement with CleanStreet for pressure washing services; and
2. Authorized the City Manager to execute the Second Amendment and future amendments.

**7. EMERGENCY GENERATORS AT POLICE FACILITY, FIRE STATION NO. 4  
AND CORPORATION YARD – CITY PROJECT NO. 17-11**  
Public Services Department/Engineering Division

**ACTION:**

1. City Council approved Contract Change Order No. 3 for City Project #17-11, Emergency Generators at Police Station, Fire Station No. 4 and Corporation Yard in the amount of \$62,482.00; and
2. Authorized the Mayor and City Clerk to execute Contract Change Order No. 3.

**ITEMS PULLED FROM THE CONSENT CALENDAR:**

**2. WARRANT RESOLUTION NO. 2598 OF THE CITY COUNCIL OF THE CITY  
OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND  
DEMANDS, INCLUDING PAYROLL REGISTER NO. 18-08 “A” FOR  
\$10,769.45 AND 18-09 FOR \$2,411,941.73; AND CITY OPERATING  
EXPENSES FOR \$2,409,172.88; AND SPECIFYING THE FUNDS OUT OF  
WHICH THE SAME ARE TO BE PAID (01:05:14) - Finance Department**

Public Comment:

Speaker, spoke on Jones and Mayer invoices. (01:05:32)

**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. 2598.

5. **RENEW PROFESSIONAL SERVICES AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT/HOME CONTRACT STAFF (01:08:19)**  
Development Services Department/Housing & Community Development Division

Council Member Stephens requested to continue the item to the next City Council meeting. (01:08:22)

Willa Bouwens-Killeen, Zoning Administrator, spoke on the contract. (01:09:51)

Public Comments:

Speaker, spoke on the issue. (01:11:30)

Rebecca Trahan, Housing and Public Service Grants Ad Hoc committee member, spoke in support of the contract. (01:13:30)

Council Member Foley spoke on the issue. (01:14:21)

Council Member Stephens spoke on the issue. (01:14:52)

Council Member Foley spoke in support of the contract. (01:16:00)

Mayor Pro Tem Mansoor spoke in support of the contract. (01:17:40)

Mayor Genis spoke in support of the contract. (01:18:24)

Council Member Righeimer spoke on the contract process. (01:19:21)

**MOVED/SECOND:** Council Member Foley/Council Member Stephens  
**MOTION:** To continue the item to the June 5, 2018 City Council meeting.

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 continued the item to the June 5, 2018 City Council meeting.

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

**PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55): (01:20:36)**

- 1. RESOLUTION FOR THE APPLICATION OF GRANT FUNDS FOR THE TRADITIONAL CAPITAL GRANT FOR VEHICLES AND RELATED EQUIPMENT FOR THE COSTA MESA SENIOR CENTER (01:20:42)**  
Parks and Community Services Department

Justin Martin, Parks & Community Services Director, presented the staff report. (01:21:05)

Discussion ensued on the pick-up and delivery services outside the City. (01:22:20)

No public comments on this item.

**MOVED/SECOND:** Council Member Foley/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 conducted the public hearing to determine whether there are any local non-profit transportation providers that can provide the transportation services provided by the Senior Center; and
2. Approved Resolution No. 18-31, certifying there are no non-profit organizations readily available to provide the proposed transportation services and authorizing the submittal of a grant application to the Orange County Transportation Authority (OCTA) for the acquisition of a new vehicle for the existing Senior Mobility Program (SMP) and authorized the Parks & Community Services Director to act as the City's representative.

- 2. PUBLIC HEARING FOR FISCAL YEAR 2018-2019 FUNDING PRIORITIES FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) (01:23:30)**  
Development Services Department/Housing and Community Development

Mike Linares, CDBG/Home Coordinator, presented the staff report. (01:23:50)

Discussion ensued on the grant funding for Second Chance. (01:31:28)

Public Hearing opened:

Holly Hagler, CEO of SeniorServ, spoke on the Senior Meal programs and the grant. (01:35:42)



Sheila DeForest, representing Families Forward, spoke on the program. (01:38:50)

Wendy Weeks, representing Youth Employment Services, spoke on the program. (01:40:24)

Speaker, spoke in support of Mike Linares. (01:43:22)

Rebecca Trahan, Costa Mesa, spoke on the program and in support of Mike Linares. (01:44:09)

Public Hearing closed.

**MOVED/SECOND:** Council Member Foley/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:**

1. City Council conducted the Public Hearing regarding the 2018-2019 Annual Action Plan; and
2. Approved Resolution No. 18-32, which included:
  - a revised recommended allocation of \$1,094,451 for Fiscal Year 2018-2019 Community Development Block Grant
  - a revised recommended allocation of \$505,233 for Fiscal Year 2018-2019 Home Investment Partnerships Grant

City Council recessed into a break at 7:47 p.m. (01:46:23)

City Council reconvened at 7:59 p.m. (01:57:55)

3. **APPEAL OF THE PLANNING COMMISSION'S DENIAL OF CONDITIONAL USE PERMIT PA-16-06 TO ALLOW A SOBER LIVING FACILITY SERVING 46 ADULTS OPERATED BY PACIFIC SHORES RECOVERY, LLC, AT 200, 202, 204, AND 206 CABRILLO STREET (01:57:52)**  
Development Services Department

No Ex Parte Communications to report.

Sheri Vander Dussen, Consultant, presented the staff report. (01:57:55)

Council Member Stephens inquired on the process of the application. (02:07:10)



Mark Manderson, representing Pacific Shores Recovery, LLC, spoke on the facility. (02:08:48)

Discussion ensued on overconcentration; the 650' separation rule; scholarships offered; calls for emergency services; written relapse policy; outreach to the neighbors; and a 24-hour on-site staff. (02:11:28)

Public Hearing opened:

Wendy Leece, Costa Mesa, spoke against the Conditional Use Permit (CUP). (02:34:29)

Allison Avalon, Costa Mesa, spoke against the CUP. (02:37:30)

Barrie Fisher, Costa Mesa, spoke against the CUP. (02:41:23)

Discussion ensued on the Conditional Use Permit process and operator's permits. (02:44:10)

Robin Leffler, Costa Mesa, spoke against the CUP. (02:44:10)

Speaker, spoke against the CUP. (02:50:23)

Speaker, spoke against the CUP. (02:51:55)

Public Hearing closed.

**MOVED/SECOND:** Council Member Stephens/Council Member Righeimer  
**MOTION:** To adopt Resolution No. 18-33, upholding the decision of the Planning Commission to deny Conditional Use Permit PA-16-06 and include the resident testimony in the resolution regarding impacts to off-street parking, the inability for street sweepers to clean the street, and the number of out-of-state license plates observed on vehicles near the facility.

Council Member Stephens spoke on the motion. (02:54:50)

Mayor Genis spoke in support of the motion. (02:57:22)

Council Member Righeimer spoke in support of the motion. (02:59:51)

Council Member Foley spoke in support of the motion. (03:01:36)

**MOVED/SECOND:** Council Member Stephens/Council Member Righeimer  
**MOTION:** To adopt Resolution No. 18-33, upholding the decision of the Planning Commission to deny Conditional Use Permit PA-16-06 and include the resident testimony in the resolution regarding impacts to off-street parking, the inability for street sweepers to clean the street, and the number of out-of-state license plates observed on vehicles near the facility.

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 adopted Resolution No. 18-33, upholding the decision of the Planning Commission to deny Conditional Use Permit PA-16-06 and included the resident testimony in the resolution regarding impacts to off-street parking, the inability for street sweepers to clean the street, and the number of out-of-state license plates observed on vehicles near the facility.

Discussion ensued on non-compliance; business license process; and appeal process after denial of the CUP. (03:04:46)

**OLD BUSINESS: NONE**

**NEW BUSINESS:**

**1. JAIL SERVICES CONTRACT BETWEEN G4S SECURE SOLUTIONS (USA) INC. AND THE CITY OF COSTA MESA (03:13:52)**

Police Department/Support Services Division

Bryan Glass, Captain, presented the staff report. (03:14:12)

Discussion ensued on the contract increase; and the RFP process. (03:18:40)

Public Comments:

Speaker, inquired on the jail services. (03:21:16)

Public Comments closed.

Captain Glass spoke on the jail services. (03:22:24)

**MOVED/SECOND:** Council Member Righeimer/Council Member Foley

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 received and filed the independent auditor's report regarding the proposed jail services contract between G4S Secure Solutions (USA) Inc. and the City of Costa Mesa.

**2. POLICY REGARDING NAMING A CITY FACILITY (03:24:39)**

City Manager's Office

Dan Baker, Assistant to the City Manager, presented the staff report. (03:24:46)

Discussion ensued on the process; and seeking public input. (03:26:20)

Public Comments:

Arthur Goddard, Costa Mesa, spoke on the issue. (03:26:20)

Speaker, spoke on the issue. (03:35:56)

Robin Leffler, Costa Mesa, spoke on the issue. (03:36:57)

Beth Refakes, Costa Mesa, spoke on the issue. (03:38:09)

Public Comments closed.

Council Member Foley spoke on the issue. (03:41:24)

Mayor Pro Tem Mansoor spoke on the issue. (03:46:30)

Mayor Genis spoke on the issue. (03:47:00)

Council Member Stephens spoke on the issue. (03:50:50)

Council Member Righeimer spoke on the issue. (03:53:00)

**MOVED/SECOND:** Council Member Righeimer/Council Member Stephens

**MOTION:** Direct staff to revise Council Policy 800-1 and bring it back to a future City Council meeting for consideration.

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 directed staff to revise Council Policy 800-1 and bring it back to a future City Council meeting for consideration.

**ADDITIONAL COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS - NONE**

**REPORT – CITY MANAGER - NONE**

**REPORT – CITY ATTORNEY - NONE**

**ADJOURNMENT** – Mayor Genis adjourned the meeting at 10:00 p.m.

**Minutes adopted on this 19<sup>th</sup> day of June, 2018.**



Sandra L. Genis, Mayor

ATTEST:



Brenda Green, City Clerk