

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

**JUNE 19, 2018**

## **CALL TO ORDER**

The Closed Session was called to order by Mayor Genis at 4:07 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 (arrived at 4:10 p.m.), and Mayor Genis.

Absent: None

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

The City Council recessed to Conference Room 5A at 4:10 p.m. for 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: Timothy Dadey, et al. v. City of Costa Mesa, Orange County Superior Court of California, Case No. 30-2014-00757962-CU-CR-CJC.

### **3. 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.

### **4. 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.

**5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code  
Name of Case: Casa Capri Recovery, Inc. v. City of Costa Mesa, United States District Court, Central District of California – Southern Division, Case No. 8:18-cv-00329-JVS-PJW.

**6. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION INITIATION OF LITIGATION – TWO POTENTIAL CASES**

Pursuant to Subdivision (d)(4) of Section 54956.9, California Government Code

**7. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

Property: New Harbor Inn, 2205 Harbor Boulevard, Costa Mesa, CA 92627

APN: 422-193-24

Pursuant to Section 54956.8, California Government Code

Negotiating Parties: Thomas R. Hatch, City Manager and 2205 Harbor LLC, Ming Chen and Hsiang Chen

Under Negotiation: Price and Terms

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

**CALL TO ORDER (00:00:01)**

The meeting was called to order by Mayor Genis at 6:00 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

**PLEDGE OF ALLEGIANCE (00:00:14) - Council Member Righeimer**

**MOMENT OF SOLEMN EXPRESSION (00:00:36)**

Pastor Jordan Hansen, Newport Mesa Church, Costa Mesa

**ROLL CALL (00:01:16)**

Present: Council Member Foley, Council Member Righeimer (left at 10:55 p.m.), 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 (00:01:32)** - City Attorney Duarte reported on Closed Session #6, in which the City Council, on a vote of 5-0, directed staff to initiate litigation in two separate cases and the defendants will be identified when the complaints are filed.

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

**ANNOUNCEMENTS (00:02:00)** - "Costa Mesa Minute" was played featuring upcoming events and activities in the community.

**PRESENTATION (00:04:08)**

Mayor's Award – Mr. Scott Williams, a retired first lieutenant in the US Army, Vietnam veteran, an active volunteer in Costa Mesa and Orange County, and for serving on the Freedom Committee of Orange County, received the Mayor's Award for his years of service to the community.

**PUBLIC COMMENTS (00:15:53)**

Rebecca Trahan, Costa Mesa, spoke on ethics; integrity; Council Members and Commissioners; and requested an ethics policy. (00:16:15)

Tim Lewis, spoke against the Red Mountain project at Harbor and Hamilton. (00:18:28)

John Merrill, Costa Mesa, spoke on the Active Transportation Plan and against the Paularino Channel trail. (00:21:32)

Richard Cohen, Costa Mesa, spoke on the Senior Commission. (00:24:37)

Wendy Leece, Costa Mesa, spoke on collaboration. (00:25:47)

Robin Leffler, Costa Mesa, spoke against the Red Mountain project at Harbor and Hamilton; and spoke on contaminated soil. (00:28:54)

Beth Refakes, Costa Mesa, spoke on honoring Scott Williams; attendance at the open house by OCTA; and the newly paved streets. (00:29:49)

Speaker, spoke on Keith Randle. (00:32:19)

Rocky Evans, Costa Mesa, requested expanding the skate park hours. (00:35:06)

Speaker, spoke on a South Pointe construction project on 18<sup>th</sup> Street; and Melia Homes construction on Irvine Boulevard. (00:36:22)

**COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS (00:39:20)**

Council Member Righeimer spoke on working together; and his years of service. (00:39:30)

Mayor Pro Tem Mansoor requested an update on the skate park hours. (00:40:55)

Council Member Foley congratulated the graduates; spoke on her years of service; Costa Mesa Home Tour on December 6, 2018; requested a copy of the petition from the Mesa Del Mar residents, which supported the Paularino Channel; thanked the Cultural Arts committee for the Art on the 5<sup>th</sup>; spoke in support of expanding the skate park hours; requested a liaison meeting on the OC Fair Master Site Plan; and congratulated Harley Rouda. (00:41:15)

Mayor Genis spoke on providing public comments to the California Department of Public Health regarding the Orange County Needle Exchange Program; homeless issues in Talbert park; and the removal of pampas grass. (00:44:21)

Council Member Stephens congratulated the graduates; spoke on education; and the library. (00:46:31)

**CONSENT CALENDAR (00:48:15)**

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

**MOTION:** Approve recommended actions for Consent Calendar Item Nos. 1 through 9 except for 1, 8 and 9.

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

**2. MINUTES OF THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY MEETINGS OF MAY 1, 2018 AND MAY 15, 2018 AND SPECIAL CITY COUNCIL MEETING OF MAY 29, 2018**

**ACTION:**

City Council approved the minutes of May 1, 2018, May 15, 2018 and May 29, 2018.

**3. SUB-RECIPIENT AGREEMENT WITH THE CITY OF SANTA ANA TO RECEIVE A GRANT UNDER THE FY 2017 URBAN AREAS SECURITY INITIATIVE (UASI)**

**ACTION:**

1. City Council adopted Resolution No. 18-41, read by title only, which authorizes the City Manager or his designee to execute the attached Sub-Recipient Agreement with the City of Santa Ana to receive a grant under the FY 2017 Urban Areas Security Initiative (UASI) Grant Program; and

2. Authorized the Police Department to accept FY 2017 UASI reimbursement funds allocated to the City of Costa Mesa in an amount not to exceed \$2,125. This amount will reimburse the Fire Department and approve City personnel who assist with the instruction and delivery of approved UASI courses; and

3. Approved Budget Adjustment No. 18-017 in the amount of \$2,125 to increase revenue and appropriate the grant funds to the Police Department's operating budget.

**4. TRAFFIC MANAGEMENT SERVICES AGREEMENT WITH THE 32ND DISTRICT AGRICULTURAL ASSOCIATION FOR THE 2018 ORANGE COUNTY FAIR**

**ACTION:**

1. City Council approved the 2018 contract for traffic management services between the Costa Mesa Police Department and the 32nd District Agricultural Association for the Orange County Fair; and

2. Authorized the City Manager, or his designee, to execute the contract.

**5. TRAFFIC MANAGEMENT SERVICES AGREEMENT WITH THE 32ND DISTRICT AGRICULTURAL ASSOCIATION FOR DESIGNATED YEAR-ROUND EVENTS AT THE ORANGE COUNTY FAIR AND EVENT CENTER**

**ACTION:**

1. City Council approved the 2018 contract for traffic management services between the Costa Mesa Police Department and the 32nd District Agricultural Association for all designated year-round events at the Orange County Fair and Event Center. The term of the agreement is June 1, 2018, through May 31, 2019. The maximum amount that the City will be paid under the contract is \$75,250.00; and

2. Authorized the City Manager, or his designee, to execute the contract.

**6. HOUSING AUTHORITY ANNUAL BUDGET FOR FY 18-19**

**ACTION:**

City Council adopted Joint Resolution No. 18-40, read by title only, approving the Housing Authority Budget for Housing and Community Development (HCD) expenses for FY 18-19.

**7. RENEWED MEASURE M (M2) ELIGIBILITY**

**ACTION:**

1. City Council approved the City's Maintenance of Effort (MOE) for Fiscal Year 2018-2019; and

2. Approved the City's Seven-Year Capital Improvement Program (CIP) for Fiscal Year 2018-2019 through Fiscal Year 2024-2025; and

3. Adopted Resolution No. 18-42, read by title only, for the Pavement Management Plan; and

4. Authorized the City Engineer to submit the Pavement Management Plan.

**ITEMS PULLED FROM THE CONSENT CALENDAR:**

1. **WARRANT RESOLUTION NO. 2600 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 18-10 "A" FOR \$937.90 AND 18-11 FOR \$2,400,182.28; AND CITY OPERATING EXPENSES FOR \$4,371,297.55; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID (00:48:54)**

Public Comments:

Speaker, spoke on Sober Living Homes and legal bills; and upholding codes. (00:49:04)

**MOVED/SECOND:** Mayor Pro Tem Mansoor/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 approved Warrant Resolution No. 2600.

8. **RESOLUTIONS RELATING TO THE CALLING OF THE GENERAL MUNICIPAL ELECTION ON NOVEMBER 6, 2018 (00:51:34)**

Public Comments:

Speaker, requested clarification on the item. (00:51:52)

**MOVED/SECOND:** Council Member Stephens/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 adopted Resolution No. 18-37, read by title only and waived further reading, calling and giving notice to conduct a General Municipal Election on November 6, 2018 for the purpose of electing a Mayor for the full term of two years; and election of three members of the City Council from the third, fourth, and fifth districts, for the full term of four years; and

2. Adopted Resolution No. 18-38, read by title only and waived further reading, requesting the Orange County Board of Supervisors to consolidate the General Municipal Election with the Statewide General Election and to issue instruction to the Orange County Registrar of Voters Elections Department to provide specific services in the conduct of the consolidated election; and
3. Adopt Resolution No. 18-39, read by title only and waived further reading, adopting regulations pertaining to Candidates Statements submitted to the voters at a General Municipal Election to be held on November 6, 2018.

**9. EXTENSION OF HELICOPTER SUPPORT SERVICES AGREEMENT WITH HUNTINGTON BEACH (00:52:23)**

Public Comments:

Wendy Leece, Costa Mesa, spoke in support of AirBorne Law Enforcement Services (ABLE).

Speaker, spoke in support of ABLE. (00:54:00)

Discussion ensued on the County Sheriff Department's Helicopter program; the current contract; helicopter hours; and ABLE program and costs. (00:54:29)

**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 the amendment to the agreement with Huntington Beach for public safety helicopter support services; and
2. Authorized the City Manager to execute the amendment.

**PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55): (01:01:57)**

**1. ADOPTION OF FISCAL YEAR 2018-2019 APPROPRIATIONS LIMIT (01:02:00)**

Tamara Letourneau, Assistant City Manager, presented the staff report. (01:02:14)

Public Hearing opened:

Speaker, requested clarification on the per capita income factor. (01:03:45)

Public Hearing closed.

Ms. Letourneau clarified the per capita income factor. (01:04:07)

**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 adopted Resolution No. 18-43, read by title only, establishing the Fiscal Year 2018-2019 Appropriations Limit for the City of Costa Mesa at \$233,404,433 by using the County of Orange's population growth for population adjustment, and the California per capita income growth for inflationary adjustment.

**2. FISCAL YEAR 2018-19 BUDGET (01:04:41)**

Tom Hatch, City Manager, provided an introduction of the FY 18-19 Budget. (01:04:57)

Tamara Letourneau, Assistant City Manager, presented the staff report. (01:07:26)

Council Member Righeimer spoke on the Special Event rates. (01:14:23)

Discussion ensued on overhead rates; overtime rates; rates for the Orange County Fair agreements; and new salary negotiations. (01:17:41)

Public Hearing opened:

Ralph Taboada, Costa Mesa, spoke in support of the updated Special Event rates; and spoke on the Finance and Pension Advisory Committee's (FIPAC) recommendations. (01:29:25)

Speaker, Costa Mesa, spoke in support of the updated Special Event rates; and spoke on the FIPAC's recommendations. (01:43:38)

Wendy Leece, Costa Mesa, spoke on the FIPAC's recommendations and reducing spending; reduced sales tax receipts; and spoke in support of public safety and specific strategies. (01:45:13)

Beth Refakes, Costa Mesa, spoke on reducing spending; appeal fees; CIP projects; and spoke in support of the Contingency Fund. (01:48:24)

Lance Urata, Volunteer Regional Commissioner for American Youth Soccer organization, spoke on putting the field use fees in an escrow account. (01:51:04)



Mark Arblaster, spoke on field use fees for Group 1. (01:53:14)

Speaker, spoke against the \$10 per player fee; and spoke on using the parks. (01:56:18)

Brett Eckles, Costa Mesa, spoke on the Kaiser and Davis projects; and the \$10 per player fee. (01:57:38)

Robin Leffler, Costa Mesa, spoke on reducing spending; and adding money to the reserves. (02:00:44)

Jose Duarte, Commissioner of Costa Mesa Youth Soccer League, spoke on the \$10 per player fee and putting the field use fees in an escrow account. (02:02:46)

Public Hearing closed.

Council Member Foley spoke on her 10 Point Plan to cut expenses and increase revenue without increasing fees and taxes to residents. (02:04:11)

Mayor Pro Tem Mansoor spoke on balancing the budget. (02:15:32)

Discussion ensued on the funding for the Costa Mesa High School (CMHS) bleachers account; and Business License Fee for the Orange County Fairgrounds. (02:16:55)

Mayor Genis spoke on Orange County Fair vendor fees; sponsorships; brochure ads; Fairview Park bike trails; utilities; international tourists; and new programs. (02:21:50)

Council Member Righeimer spoke on employee overtime; consulting fees; CIP budget approval; legal costs; and the Contingency Fund. (02:38:48)

Council Member Foley spoke on her 10 Point Plan. (02:45:55)

Council Member Stephens spoke on grants for the school district; funds to address homelessness; Budget Analyst and Tax Auditing Specialist positions; Lions Park playground; \$10 per player fee; Business License fee; and consulting fees. (02:50:16)

Mayor Pro Tem Mansoor spoke on the implications of budget cuts. (03:01:10)

Mayor Genis spoke on hiring a consultant to pursue revenue. (03:02:50)

**MOVED/SECOND:** Council Member Foley/None (03:10:28)

**MOTION:** Approve Resolution No. 18-48, adopting the City of Costa Mesa FY 18-19 Operating and Capital Improvement Budget including all items listed on the Budget Addendum including the proposed amendments with the following changes:

- a. Eliminate the Budget Analyst and Tax Auditing Specialist positions.
- b. Not include the \$10 per player fee program.
- c. Only include the fees for the ROCKs Summer Program and Senior Center Administrative to non-residents.
- d. Reduce overtime in all departments by 5%, which would be a savings of about \$200,000.
- e. Reduce consulting line item by \$300,000 across the board.
- f. Eliminate CIP Budget approval from the following: FY2015-16 CMHS Stadium Bleachers for \$50,000 and \$625,000 for FY16-17; 19<sup>th</sup> Street to Greenville Banning Channel for \$250,000; FY 2015-16 for \$690,000; FY 2014-15 for \$60,000; and Placentia Connector Trails for \$885,000.
- g. Reduce the Landscaping and Sprinklers Budget by \$65,000.
- h. Reduce the budget for Utilities (electricity/water) cut by \$217,000; Communications cut by \$58,000; and Legal costs (not fees) cut by \$100,000.

**Motion died due to lack of a second.**

CITY COUNCIL VOTED ON THE ITEMS SEPARATELY AND IN THE FOLLOWING ORDER:

**DEVELOPMENT SERVICES COST RECOVERY FEES**

**MOVED/SECOND:** Mayor Genis/Council Member Righeimer (03:13:42)

The motion carried by the following roll call vote:

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

Nays: Mayor Pro Tem Mansoor

Absent: None

Motion carried: 4-1

**ACTION:**

City Council adopted the Development Services cost recovery fees Resolution No. 18-44, read by title only.

**PARKS AND COMMUNITY SERVICES FEES**

**MOVED/SECOND:** Mayor Genis/Council Member Righeimer (03:16:35)

**MOTION:** To adopt the Parks and Community Services Fees with the provision that the field use fees collected be designated for field improvements.

**SUBSTITUTE MOTION/SECOND:** Council Member Foley/Council Member Stephens (03:17:18)

**SUBSTITUTE MOTION:** To adopt the Parks and Community Services fees Resolution No. 18-45, read by title only, with the following provisions: The fee increases, or the creation of new fees, are to be applied to non-resident participants only pertaining to: 1) Senior Center Travel Program, 2) ROCKs Summer Program, and 3) Aquatics Programs.

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 the Parks and Community Services fees Resolution No. 18-45, read by title only, with the following provisions: The fee increases, or the creation of new fees, are to be applied to non-resident participants only pertaining to: 1) Senior Center Travel Program, 2) ROCKs Summer Program, and 3) Aquatics Programs.

**SPECIAL EVENT RATES FEE**

**MOVED/SECOND:** Council Member Righeimer/None (03:29:32)

**MOTION:** To not adopt the Special Event rates fee.

**Motion died due to lack of a second.**

**MOVED/SECOND:** Mayor Genis /Council Member Stephens (03:30:34)

**MOTION:** To adopt the Special Event rates fee Resolution No. 18-46, read by title only.

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 the Special Event rates fee Resolution No. 18-46, read by title only.

**ECONOMIC DEVELOPMENT ADMINISTRATOR SALARY/JOB DESCRIPTION**

**MOVED/SECOND:** Council Member Foley/Mayor Genis (03:30:57)

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:**

Approved the job description and salary Resolution No. 18-47, read by title only, for the Economic Development Administrator.

FY 18-19 OPERATING AND CAPITAL IMPROVEMENT BUDGET

**MOVED/SECOND:** Council Member Righeimer/Mayor Pro Tem Mansoor (03:32:00)

**MOTION:** To adopt the budget with the following provisions: Keep 1 million in the Contingency Fund and transfer \$625,000 from the (CMHS) bleachers account.

**SUBSTITUTE MOTION #1/SECOND:** Council Member Stephens/Council Member Foley (03:37:38)

**SUBSTITUTE MOTION #1:** To adopt the budget with the following provisions: Eliminate the Budget Analyst and Tax Auditing Specialist positions and do not transfer the \$625,000.

Mayor Genis spoke in support of the two positions in the Finance Department. (03:38:05)

Council Member Righeimer spoke in support of the two positions in the Finance Department. (03:39:20)

**SUBSTITUTE MOTION #2/SECOND:** Mayor Pro Tem Mansoor/Mayor Genis (03:41:23)

**SUBSTITUTE MOTION #2:** To adopt the budget with the following provisions: Transfer \$40,000 from the Capital Improvement Project Fund to the General Fund with a \$500,000 Contingency Fund.

Mayor Pro Tem Mansoor withdrew his second to Council Member Righeimer's original motion. (03:43:26)

**SUBSTITUTE MOTION #3/SECOND:** Council Member Stephens/Council Member Righeimer (03:44:40)

**SUBSTITUTE MOTION #3:** Eliminate the two positions in the Finance Department and keep the Contingency Fund at \$500,000.

Council Member Foley spoke in support of Council Member Stephens' motion and spoke on a \$300,000 reduction on the consulting line. (03:46:00)

Discussion ensued on Kimley-Horn's contract; and consulting costs. (03:48:00)

Council Member Stephens spoke to amend his motion and keep the Contingency Fund at \$700,000. (03:54:00)

Mayor Genis spoke against Council Member Stephens' motion. (03:55:08)

Discussion ensued on the reduction in the legal costs. (03:56:35)

Council Member Stephens spoke to amend his motion and transfer \$40,000 from the CMHS bleachers account. (04:07:20)

Council Member Righeimer withdrew his second to Council Member Stephens' substitute motion #3. (04:10:04)

**SUBSTITUTE MOTION #4/SECOND:** Mayor Genis/Council Member Righeimer (04:10:05)

**SUBSTITUTE MOTION #4:** To approve Resolution No. 18-48, ready by title only, adopting the City of Costa Mesa FY 18-19 Operating and Capital Improvement Budget as proposed with a \$500,000 Contingency Fund, direct staff to transfer \$40,000 from the CMHS bleachers account and bring back for Council consideration the CIP program.

Mayor Pro Tem Mansoor spoke to supporting the motion. (04:11:16)

Council Member Foley spoke to supporting the motion. (04:13:14)

**SUBSTITUTE MOTION #4/SECOND:** Mayor Genis/Council Member Righeimer  
**SUBSTITUTE MOTION #4:** To approve Resolution No. 18-48, read by title only, adopting the City of Costa Mesa FY 18-19 Operating and Capital Improvement Budget as proposed with a \$500,000 Contingency Fund, direct staff to transfer \$40,000 from the CMHS bleachers account and bring back for Council consideration the CIP program.

The motion carried by the following roll call vote:

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

Nays: Council Member Stephens

Absent: None

Motion carried: 4-1

**ACTION:**

City Council approved Resolution No. 18-48, read by title only, adopting the City of Costa Mesa FY 18-19 Operating and Capital Improvement Budget as proposed with a \$500,000 Contingency Fund, directed staff to transfer \$40,000 from the CMHS bleachers account and bring back for Council consideration the CIP program.

City Council recessed into a break at 10:16 p.m.

City Council reconvened at 10:34 p.m.

**OLD BUSINESS:**

**1. JAIL SERVICES CONTRACT BETWEEN G4S SECURE SOLUTIONS (USA) INC. AND THE CITY OF COSTA MESA (04:33:22)**

Bryan Glass, Police Captain, presented the staff report. (04:33:37)

No public comments on this item.

**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:**

1. City Council approved the Professional Services Agreement for jail services between G4S Secure Solutions (USA) Inc. and the City of Costa Mesa; and
2. Authorized the City Manager to execute the agreement and future amendments to the agreement.

**NEW BUSINESS:**

**1. APPOINTMENTS TO THE PARKS AND RECREATION, SENIOR, AND PLANNING COMMISSIONS (04:37:05)**

Brenda Green, City Clerk, presented the staff report. (04:37:20)

No public comments on this item.

**SENIOR COMMISSION**

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

**MOTION:** Appoint Richard Cohen to fill the regular member vacancy with a term expiration of February 2021 on the Senior Commission.

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 appointed Richard Cohen to fill the regular member vacancy with a term expiration of February 2021 on the Senior Commission.

**PLANNING AND PARKS AND RECREATION COMMISSIONS**

**MOVED/SECOND:** Mayor Genis/None (04:40:50)

**MOTION:** Appoint Teresa Drain to the Planning Commission.

**Motion died due to lack of a second.**

**MOVED/SECOND:** Council Member Righeimer/Mayor Genis (04:42:18)

**MOTION:** Appoint Dave Ball to the Planning Commission and Teresa Drain to the Parks and Recreation Commission.

**SUBSTITUTE MOTION/SECOND:** Mayor Pro Tem Mansoor/None (04:43:38)  
**MOTION:** Appoint Brett Eckles to the Parks and Recreation Commission.  
**Motion died due to lack of a second.**

**SUBSTITUTE MOTION/SECOND:** Council Member Stephens/Council Member Foley (04:44:45)

**MOTION:** Appoint Jim Erickson to the Parks and Recreation Commission.  
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 (04:50:37)  
**ORIGINAL MOTION:** Appoint Dave Ball to the Planning Commission and Teresa Drain to the Parks and Recreation Commission.

The motion failed by the following roll call vote:  
Ayes: Council Member Righeimer and Mayor Genis.  
Nays: Council Member Foley, Council Member Stephens and Mayor Pro Tem Mansoor.  
Absent: None  
Motion failed: 2-3

**MOTION/SECOND:** Mayor Pro Tem Mansoor/None (04:52:58)

**MOTION:** Appoint Brett Eckles to the Parks and Recreation Commission.  
**Motion died due to lack of a second.**

**MOVED/SECOND:** Mayor Genis/None (04:53:13)

**MOTION:** Appoint Teresa Drain to the Planning Commission.  
**Motion died due to lack of a second.**

**MOVED/SECOND:** Council Member Foley/Council Stephens (04:53:37)

**MOTION:** Appoint Jonathan Zich to fill the regular member vacancy with a term expiration of February 2019 on the Planning Commission.  
The motion carried by the following roll call vote:  
Ayes: Council Member Foley, Council Member Stephens and Mayor Pro Tem Mansoor.  
Nays: Council Member Righeimer and Mayor Genis.  
Absent: None  
Motion carried: 3-2

**ACTION:**

City Council appointed Jonathan Zich to fill the regular member vacancy with a term expiration of February 2019 on the Planning Commission.

**MOVED/SECOND:** Council Member Foley/Council Member Stephens (04:54:45)  
**MOTION:** Appoint Manuel Chavez to the Parks and Recreation Commission.  
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 Genis/Council Member Foley (04:55:14)  
**MOTION:** Appoint Jim Erickson to fill the regular member vacancy with a term expiration of February 2021 on the Parks and Recreation Commission.  
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 appointed Jim Erickson to fill the regular member vacancy with a term expiration of February 2021 on the Parks and Recreation Commission.

**2. REQUEST FOR REVIEW OF PROCEDURES TO CHANGE VOTING OPTIONS FOR THE NOVEMBER 2018 ELECTION (04:56:24)**

Dan Baker, Assistant to the City Manager, presented the staff report. (04:56:27)

Mayor Genis spoke on bringing forth the item. (04:57:17)

**Public Comments:**

Steven Chan, Costa Mesa, spoke in support of a review of procedures. (05:04:51)

Speaker, spoke in support of a review of procedures. (05:07:47)

Speaker, spoke against a review of procedures. (05:10:41)

Speaker, spoke in support of a review of procedures. (05:13:20)

Robin Leffler, Costa Mesa, spoke in support of a review of procedures. (05:16:18)

Speaker, spoke in support of a review of procedures. (05:19:16)

Beth Refakes, Costa Mesa, spoke in support of a review of procedures. (05:22:17)

Rick Huffman, Costa Mesa, spoke against a review of procedures. (05:23:43)



Public Comments closed.

**MOVED/SECOND:** Council Member Stephens/Council Member Foley  
**MOTION:** To receive and file the report. (05:26:30)

Council Member Stephen spoke on the motion. (05:26:32)

Mayor Genis spoke on the issue. (05:30:26)

**SUBSTITUTE MOTION/SECOND:** Mayor Genis/None  
**SUBSTITUTE MOTION:** Direct staff to prepare the necessary materials to place Proposal 1 on the ballot for November 2018. (05:33:36)  
**Motion died due to lack of a second.**

Council Member Foley spoke on the issue. (05:34:01)

**MOVED/SECOND:** Council Member Stephens/Council Member Foley  
**MOTION:** To receive and file the report.  
The motion carried by the following roll call vote:  
Ayes: Council Member Foley, Council Member Stephens and Mayor Pro Tem Mansoor.  
Nays: Mayor Genis  
Abstain: None  
Absent: Council Member Righeimer  
Motion carried: 3-1-0-1

**ACTION:**  
City Council received and filed the report.

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

**REPORT – CITY MANAGER - NONE**

**REPORT – CITY ATTORNEY - NONE**

**ADJOURNMENT** – The Mayor adjourned the meeting at 11:40 p.m. in memory of Dave Walker.

Minutes adopted on this 17<sup>th</sup> day of July, 2018.



A handwritten signature in blue ink, appearing to read 'Sandra L. Genis', is written above a horizontal line.

Sandra L. Genis, Mayor

ATTEST:



A handwritten signature in blue ink, appearing to read 'Brenda Green', is written above a horizontal line.

Brenda Green, City Clerk