

# **MINUTES OF THE SPECIAL CLOSED SESSION OF THE COSTA MESA CITY COUNCIL**

**TUESDAY, AUGUST 3, 2018**

## **CALL TO ORDER**

The Special Closed Session was called to order by Mayor Genis at 12:02 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

## **ROLL CALL**

City Clerk Green stated the Mayor Pro Tem Mansoor will participate remotely from 2205 Canyon Drive, Unit A in Costa Mesa, California.

Present: Council Member Foley, Council Member Stephens, Mayor Pro Tem Mansoor via teleconference, and Mayor Genis.

Absent: Council Member Righeimer

Mayor Pro Tem Mansoor made a statement as to compliance with the Brown Act and reported that no members of the public were in attendance.

Officials Present: City Attorney Thomas Duarte, Public Services Director Raja Sethuraman, and City Clerk Brenda Green.

## **PUBLIC COMMENTS:**

Steven Chan, Costa Mesa, spoke in opposition to the Needle Exchange Program; and spoke on difficulty with the state website and public comments via e-mail. (00:03:37)

Mary Barnes, Costa Mesa, spoke on concerns regarding the pedestrian traffic and the safety of school children. (00:06:22)

Calvin Alvarez, Costa Mesa, spoke on the dangers of needles around children. (00:08:36)

Speaker, spoke in opposition to the Needle Exchange Program; and spoke on health and safety issues. (00:09:23)

David O'Neil, Costa Mesa and Head of School of Pacifica Christian, spoke in opposition to the Needle Exchange Program; and spoke on concerns for safety of students. (00:12:08)

Arlis Reynolds, Costa Mesa, spoke in opposition to the Needle Exchange Program. (00:13:55)

Andrea Marr, Costa Mesa, spoke in opposition to the Needle Exchange Program. (00:15:12)

**SPECIAL CLOSED SESSION (00:16:10)**

**1. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION INITIATION OF LITIGATION – ONE POTENTIAL CASE**

**MOVED/SECOND:** Council Member Foley/Mayor Genis (00:16:35)

**MOTION:** City Council join the County of Orange in their lawsuit seeking an injunction to prevent the Needle Exchange Program from moving forward and direct staff to bring back an urgency ordinance for Council's consideration.

Discussion ensued on addressing the Urgency Ordinance. (00:17:32)

Council Member Stephens spoke in support of the motion. (00:19:10)

Council Member Foley spoke on the motion. (00:21:00)

Mayor Genis spoke in opposition to the Needle Exchange Program. (00:25:27)

Mayor Pro Tem Mansoor spoke in opposition to the Needle Exchange Program. (00:29:21)

**MOVED/SECOND:** Council Member Foley/Mayor Genis (00:30:04)

**MOTION:** City Council join the County of Orange in their lawsuit seeking an injunction to prevent the Needle Exchange Program from moving forward and direct staff to bring back an urgency ordinance for Council's consideration.

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Righeimer

Motion carried: 4-0-1

**ACTION:**

City Council agreed to join the County of Orange in their lawsuit seeking an injunction to prevent the Needle Exchange Program from moving forward and directed staff to bring back an urgency ordinance for Council's consideration.

**ADJOURNMENT** – Mayor Genis adjourned the meeting at 12:30 p.m. (00:30:19)

**Minutes adopted on this 4<sup>th</sup> day of September, 2018.**

A handwritten signature in blue ink, appearing to read "Sandra 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