

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

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

**TUESDAY, OCTOBER 16, 2018
CITY COUNCIL CHAMBERS
77 FAIR DRIVE, COSTA MESA, CALIFORNIA
CLOSED SESSION – 4:00 P.M.
REGULAR MEETING – 6:00 P.M.**

SANDRA L. GENIS
Mayor

ALLAN R. MANSOOR
Mayor Pro Tem

KATRINA FOLEY
Council Member

JOHN B. STEPHENS
Council Member

JAMES M. RIGHEIMER
Council Member

City Attorney
Thomas Duarte

City Manager
Thomas R. Hatch

CALL TO ORDER

The Closed Session was called to order by Mayor Genis at 4:05 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

FOR INFORMATIONAL PURPOSES ONLY

The City Council recessed to Conference Room 5A at 4:08 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: 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.

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code
Name of Case: County of Orange, Orange County Flood Control District, City of Costa Mesa, City of Orange, and City of Anaheim v. California Department of Public Health; Karen L. Smith, in her official capacity as Director and State Public Health Officer, Orange County Needle Exchange Program, Superior Court of the State of California, County of San Diego, Hall of Justice Center Courthouse, Case No. 37-2018-00039176-CU-MC-CTL.

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, United States District Court, Central District of California, Case No. SACV14-01852 JVS.

4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 3505 Cadillac Ave Building O, 103-203, 104-204
APN: 139-662-21

Pursuant to Section 54956.8, California Government Code
Negotiating Parties: Thomas R. Hatch, City Manager and Project Independence
Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 3505 Cadillac Ave, Building N, Suite 4
APN: 139-662-01

Pursuant to Section 54956.8, California Government Code
Negotiating Parties: Thomas R. Hatch, City Manager and Ping Jia
Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 1040 West 17th Street
APN: 424-351-07

Pursuant to Section 54956.8, California Government Code
Negotiating Parties: Thomas R. Hatch, City Manager and Ssms Investments LLC
Under Negotiation: Price and Terms

FOR INFORMATIONAL PURPOSES ONLY

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 270 E. Baker Street, Ste. 200

APN: 936-790-37

Pursuant to Section 54956.8, California Government Code

Negotiating Parties: Thomas R. Hatch, City Manager and Baker Redhill G P

Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 1967 Newport Boulevard

APN: 419-212-03

Pursuant to Section 54956.8, California Government Code

Negotiating Parties: Thomas R. Hatch, City Manager and Leader Venture Inc

Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 2656 Newport Boulevard

APN: 439-081-06

Pursuant to Section 54956.8, California Government Code

Negotiating Parties: Thomas R. Hatch, City Manager and Reigerslaan 40 Corp

Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 2750 Bristol Street

APN: 418-182-06

Pursuant to Section 54956.8, California Government Code

Negotiating Parties: Thomas R. Hatch, City Manager and Choong Soon Kang

Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: Vacant Site next to 2750 Bristol Street

APN: 418-182-05

Pursuant to Section 54956.8, California Government Code

Negotiating Parties: Thomas R. Hatch, City Manager and Theofanis Teazis

Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: Vacant site at 2029 Charle Street

APN: 422-092-11

Pursuant to Section 54956.8, California Government Code

Negotiating Parties: Thomas R. Hatch, City Manager and Dorothy Bayliss

Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 1626 Ohms Way

APN: 424-121-27

Pursuant to Section 54956.8, California Government Code

Negotiating Parties: Thomas R. Hatch, City Manager and Kim D Harding

Under Negotiation: Price and Terms

FOR INFORMATIONAL PURPOSES ONLY

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 1634 Ohms Way

APN: 424-121-26

Pursuant to Section 54956.8, California Government Code

Negotiating Parties: Thomas R. Hatch, City Manager and Allen C K

Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 3115 Redhill Avenue

APN: 427-023-05

Pursuant to Section 54956.8, California Government Code

Negotiating Parties: Thomas R. Hatch, City Manager and Blackmon Invest LLC

Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 3597 Harbor Boulevard

APN: 415-041-06

Pursuant to Section 54956.8, California Government Code

Negotiating Parties: Thomas R. Hatch, City Manager and CAL-WESTERN HARBOR, MACARTHUR DEV PARTNERS

Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 1775 & 1781 Monrovia Avenue

APN: 424-361-20 & 424-361-21

Pursuant to Section 54956.8, California Government Code

Negotiating Parties: Thomas R. Hatch, City Manager and Jean E Hidden

Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 1540 Superior Avenue

APN: 425-351-06

Pursuant to Section 54956.8, California Government Code

Negotiating Parties: Thomas R. Hatch, City Manager and Benedict Shelley R Living Trust

Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 642 Baker Street

APN: 418-222-07

Pursuant to Section 54956.8, California Government Code

Negotiating Parties: Thomas R. Hatch, City Manager and JSN Investment LLC

Under Negotiation: Price and Terms

The City Council reconvened at 6:02 p.m.

FOR INFORMATIONAL PURPOSES ONLY

CALL TO ORDER

The meeting was called to order by Mayor Genis at 6:02 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 Righeimer, Council Member Stephens, Mayor Pro Tem Mansoor (left at 10:35 p.m.) and Mayor Genis.

Absent: None

CITY ATTORNEY CLOSED SESSION REPORT – NONE

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

CONSENT CALENDAR:

MOVED/SECOND: Council Member Righeimer/Mayor Genis

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 14 except for 3, 5, 9 and 12.

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. PROCEDURAL WAIVER: MOTION TO APPROVE THE READING BY TITLE ONLY OF ALL ORDINANCES AND RESOLUTIONS. SAID ORDINANCES AND RESOLUTIONS THAT APPEAR ON THE PUBLIC AGENDA SHALL BE READ BY TITLE ONLY AND FURTHER READING WAIVED**

ACTION:

City Council and Agency Board waived reading of Ordinances and Resolutions.

- 2. READING FOLDER - Claims received by the City Clerk: Hermelinda Perez**

ACTION:

City Council received and filed.

- 4. MINUTES OF THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY MEETING OF SEPTEMBER 18, 2018**

ACTION:

City Council approved the minutes of September 18, 2018.

FOR INFORMATIONAL PURPOSES ONLY

6. **AGREEMENT WITH MCNABB CONSTRUCTION INC. FOR FAIRVIEW PARK WETLANDS HABITAT CATTAIL AND VEGETATION REMOVAL**

ACTION:

1. City Council approved the Maintenance Services Agreement with McNabb Construction Inc. dba DK Environmental in the amount of \$238,497.00; and
2. Authorized the City Manager to execute the Agreement and future amendments to the Agreement.

7. **ADOPTION OF THE FY 2018-2019 STATEMENT OF INVESTMENT POLICY**

ACTION:

City Council adopted Resolution No. 18-70, approving the Statement of Investment Policy for Fiscal Year 2018-2019 and delegating the investment activities to the City Treasurer.

8. **ACCEPTANCE OF THE COSTA MESA CONNECTOR PIPE SCREEN INSTALLATION PROJECT**

ACTION:

City Council accepted the work performed by United Storm Water Inc. and authorized the City Clerk to file the notice of completion.

10. **FUNDING FOR LEGAL SERVICES AGREEMENT WITH BEST BEST & KRIEGER**

ACTION:

City Council authorized additional funding in the amount \$75,000 to allow Best Best & Krieger (BB&K) to continue to provide specialized legal assistance as needed.

11. **AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT WITH KITCHELL CEM INC. FOR CONSTRUCTION MANAGEMENT SERVICES**

ACTION:

1. City Council approved proposed Amendment No. 1 to the Professional Services Agreement with Kitchell CEM Inc. increasing the compensation by \$285,248.00; and
2. Authorized the City Manager and City Clerk to execute the proposed Amendment and future amendments.

FOR INFORMATIONAL PURPOSES ONLY

13. RENEW FIVE YEAR CONTRACT FOR MANAGED INVESTMENT SERVICES

ACTION:

1. City Council approved a five (5) year contract with Chandler Asset Management, Inc. for investment management services in an amount up to \$70,000 per year; and
2. Authorized the City Manager and City Clerk to execute the Investment Management Agreement with Chandler Asset Management, Inc.

14. AUTHORIZE USE OF SOURCEWELL'S NATIONAL COOPERATIVE AGREEMENT WITH NATIONAL AUTO FLEET GROUP FOR THE PURCHASE OF CITY FLEET VEHICLES AND EQUIPMENT

ACTION:

1. City Council authorized use of Sourcewell's (formerly National Joint Powers Alliance) national cooperative agreement no. 120716-NAF with National Auto Fleet Group for the purchase of new City fleet replacement vehicles – cars, vans, SUV's, trucks, and related equipment – as approved during the annual budget process; and
2. Authorized the City Manager to execute a Manual Purchase Order for one-year with two one-year renewal periods in an amount not-to-exceed \$1,023,220 and subsequent individual vehicle replacement purchases exceeding the \$50,000.00 City Manager expense authorization limit, as needed; and
3. Authorized the City Manager to utilize Sourcewell by way of annual one-year renewals for future vehicle purchases authorized in respective annual budgets through FY 2020-21 for an annual not-to-exceed amount of \$1,500,000.

ITEMS PULLED FROM THE CONSENT CALENDAR

3. WARRANT RESOLUTION NO. 2607 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL NOS. 18-20 FOR \$2,440,743.03; AND CITY OPERATING EXPENSES FOR \$3,999,033.88; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

MOVED/SECOND: Mayor Pro Tem Mansoor/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 approved Warrant Resolution No. 2607.

FOR INFORMATIONAL PURPOSES ONLY

5. SENIOR CENTER RESTROOM ADA IMPROVEMENTS, CITY PROJECT NO. 17-18

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:

1. City Council accepted the work performed by R Dependable Construction Inc. and authorized the City Clerk to file the Notice of Completion; and
2. Authorized release of the Labor and Material Bond seven (7) months after the filing date; release of the Faithful Performance Bond one (1) year after the filing date; and release of the retention monies 35 days after the Notice of Completion filing date.

9. HARBOR BOULEVARD MEDIAN IMPROVEMENTS FROM 19TH STREET TO WILSON STREET, FEDERAL PROJECT NO. HSIPL-5312 (099) - CITY PROJECT NO. 18-10

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 adopted plans, specifications, and working details for the Harbor Boulevard Median Improvements from 19th Street to Wilson Street, Federal Project No. HSIPL-5312 (099), City Project No. 18-10; and
2. Rejected bid submitted by United Irrigation Inc. dba United GLI as non-responsive; and
3. Awarded a construction contract to Yakar, 689 East San Bernardino Road, Covina, CA 91723, in the amount of \$993,731.00; and
4. Authorized the City Manager and the City Clerk to execute the Public Works Agreement, and authorized the City Manager to execute future contract amendments within Council-authorized limits and allow up to an additional ten percent (10%) contingency totaling \$99,373.00 as needed for unforeseen costs; and

FOR INFORMATIONAL PURPOSES ONLY

5. Approved a budget adjustment recognizing the Highway Safety Improvement Program (HSIP) grant revenues of \$433,600.00, and increasing expenditure appropriations in the Capital Improvement Program by \$433,600.00; and
6. Approved a budget adjustment appropriating \$659,504.00 into the City's Adopted FY 2018-2019 Capital Improvement Program budget for the Harbor Boulevard Median Improvements Project using \$375,258.00 in Measure M Funds and transferring \$284,246.00 from previous Citywide Street Improvement Gas Tax appropriations.

12. CONTRACT WITH HINDERLITER, DE LAMAS & ASSOCIATES (HDL) FOR SALES TAX MANAGEMENT AND SALES TAX AUDIT SERVICES

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:

1. City Council approved the Professional Services Agreement with Hinderliter, De Lamas & Associates in an amount not to exceed \$10,200.00 annually; and
2. Authorized the City Manager and City Clerk to execute the Agreement and future amendments to the Agreement; and
3. Adopted Resolution No. 18-71 to authorize the examination of confidential sales, use and transactions tax records of the Department of Tax and Fee Administration.

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

FOR INFORMATIONAL PURPOSES ONLY

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

- 1. REVIEW OF PLANNING APPLICATION 18-30 FOR A MARIJUANA MANUFACTURING AND DISTRIBUTION FACILITY (PIVOT NATURALS, LLC) AT 3595 CADILLAC AVENUE, SUITE 101**

MOVED/SECOND: Council Member Righeimer/Council Member Stephens

MOTION: To modify the Planning Commission's decision and approve Planning Application 18-30 to allow a Marijuana Manufacturing and Distribution Facility at 3595 Cadillac Avenue, Suite 101 with business hours from 7 AM to 7 PM, 7 days a week, eventually expanding to 24 hours a day if demand warrants.

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 modified the Planning Commission's decision and approved Planning Application 18-30 to allow a Marijuana Manufacturing and Distribution Facility at 3595 Cadillac Avenue, Suite 101 with business hours from 7 AM to 7 PM, 7 days a week, eventually expanding to 24 hours a day if demand warrants.

City Council recessed into a break at 8:14 p.m.

City Council reconvened at 8:34 p.m.

- 2. GENERAL PLAN AMENDMENT 18-03 TO AMEND THE CITY'S GENERAL PLAN LAND USE ELEMENT TO REMOVE THE RESIDENTIAL OVERLAY LAND USE AREAS AND CODE AMENDMENT 18-04 AMENDING THE ZONING CODE TO REMOVE ALL REFERENCES TO THE RESIDENTIAL INCENTIVE OVERLAYS INCLUDED IN TITLE 13, CHAPTER V, ARTICLE 12, OF THE COSTA MESA MUNICIPAL CODE**

RESIDENTIAL INCENTIVE OVERLAY NODES 11, 12, 13 AND 14

MOVED/SECOND: Council Member Righeimer/Council Member Foley

MOTION: To consider the overlay zones separately and remove Residential Incentive Overlay Nodes 11, 12, 13 and 14.

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

FOR INFORMATIONAL PURPOSES ONLY

ACTION:

City Council voted to remove Residential Incentive Overlay Nodes 11, 12, 13 and 14.

RESIDENTIAL INCENTIVE OVERLAY NODES 1 AND 2

MOVED/SECOND: Council Member Righeimer/Council Member Stephens

MOTION: To keep the overlay, and lower the allowable density to 30 units per acre and limit building height to three stories for Residential Incentive Overlay Nodes 1 and 2.

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

ACTION:

City Council voted to keep the overlay, and lowered the allowable density to 30 units per acre and limited building height to three stories for Residential Incentive Overlay Nodes 1 and 2.

RESIDENTIAL INCENTIVE OVERLAY NODE 3

No action taken as this site was approved under a separate entitlement which is still valid and plan check is pending.

RESIDENTIAL INCENTIVE OVERLAY NODE 4

MOVED/SECOND: Council Member Foley/Council Member Stephens

MOTION: To remove Residential Incentive Overlay Node 4.

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 voted to remove Residential Incentive Overlay Node 4.

RESIDENTIAL INCENTIVE OVERLAY NODE 5

SUBSTITUTE MOTION/SECOND: Council Member Stephens/Council Member Foley (04:10:38)

SUBSTITUTE MOTION: To remove Residential Incentive Overlay Node 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

FOR INFORMATIONAL PURPOSES ONLY

ACTION:

City Council voted to remove Residential Incentive Overlay Node 5.

RESIDENTIAL INCENTIVE OVERLAY NODE 6

MOVED/SECOND: Council Member Foley/Council Member Stephens

MOTION: To remove Residential Incentive Overlay Node 6.

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 voted to remove Residential Incentive Overlay Node 6.

RESIDENTIAL INCENTIVE OVERLAY NODE 7

MOVED/SECOND: Mayor Genis/Council Member Righeimer

MOTION: To keep the overlay, lower the allowable density to 30 units per acre, limit building height to three stories, reduce the height down to two stories to the east and have an air quality study done for proximity to the freeway.

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

ACTION:

City Council voted to keep the overlay, lower the allowable density to 30 units per acre, limit building height to three stories, reduce the height down to two stories to the east and have an air quality study done for proximity to the freeway.

RESIDENTIAL INCENTIVE OVERLAY NODE 8

MOVED/SECOND: Council Member Stephens/Council Member Foley

MOTION: To remove Residential Incentive Overlay Node 8.

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 voted to remove Residential Incentive Overlay Node 8.

FOR INFORMATIONAL PURPOSES ONLY

RESIDENTIAL INCENTIVE OVERLAY NODES 9 AND 10

MOVED/SECOND: Council Member Foley/Council Member Stephens

MOTION: To remove Residential Incentive Overlay Nodes 9 and 10.

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 voted to remove Residential Incentive Overlay Nodes 9 and 10.

MOVED/SECOND: Council Member Foley/Council Member Stephens

MOTION: Provide direction to staff to move forward with the Planning Commission's recommendation to initiate a process for updating the City's Newport Boulevard Specific Plan and creation of a South Harbor Boulevard Specific Plan. 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 directed staff to move forward with the Planning Commission's recommendation to initiate a process for updating the City's Newport Boulevard Specific Plan and creation of a South Harbor Boulevard Specific Plan.

City Council recessed into a break at 10:30 p.m.

City Council reconvened at 10:38 p.m.

OLD BUSINESS:

- 1. SECOND READING AND ADOPTION OF ORDINANCE 18-09: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA AMENDING COSTA MESA MUNICIPAL CODE TITLE 19, SECTION 19-15 TO REFERENCE THE PROPOSED DESIGN GUIDELINES**

MOVED/SECOND: Council Member Stephens/Council Member Foley

The motion carried by the following roll call vote:

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

Nays: None

Absent: Mayor Pro Tem Mansoor

Abstain: Council Member Righeimer

Motion carried: 3-0-1-1

FOR INFORMATIONAL PURPOSES ONLY

ACTION:

City Council gave second reading and adopted Ordinance No. 18-09 read by title only, adopting Code Amendment CO-18-03 amending the following:

- Title 19, Article 4, Section 19-15 of the Municipal Code with respect to wireless telecommunications services in the public right-of-way.

2. **SECOND READING AND ADOPTION OF ORDINANCE NO. 18-11: REZONE 18-01 TO CHANGE THE ZONING OF 1.86-ACRE SITE PROPOSED FOR A 38-UNIT RESIDENTIAL DEVELOPMENT AT 1957 NEWPORT BOULEVARD, 390 FORD ROAD AND A PORTION OF FORD ROAD RIGHT-OF-WAY FROM GENERAL BUSINESS DISTRICT (C-2) TO PLANNED DEVELOPMENT RESIDENTIAL - HIGH DENSITY (PDR-HD) WITH A SITE-SPECIFIC DENSITY OF 20.4 DU/ACRE**

MOVED/SECOND: Council Member Stephens/Council Member Foley

The motion carried by the following roll call vote:

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

Nays: None

Absent: Mayor Pro Tem Mansoor

Motion carried: 4-0-1

ACTION:

City Council gave second reading and adopted Ordinance No. 18-11 read by title only, adopting Zoning Map amendment for the following:

- Rezone 18-01 to change the zoning of a 1.86-acre site proposed for a 38-unit residential development at 1957 Newport Boulevard, 390 Ford Road and a portion of Ford Road right-of-way from General Business District (C-2) to Planned Development Residential - High Density (PDR-HD) with a site-specific density of 20.4 du/acre.

NEW BUSINESS:

1. **REQUEST TO ADOPT A RESOLUTION TO OPPOSE NEW LEASES FOR OIL AND GAS ACTIVITIES OFF THE COAST OF CALIFORNIA AND OPPOSE EXECUTIVE ORDER 13795**

MOVED/SECOND: Council Member Foley/Council Member Stephens

MOTION: To oppose Executive Order 13795 by adoption of Resolution No. 18-73 with direction to staff to add a recital related to the hotel tax revenue.

The motion carried by the following roll call vote:

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

Nays: Council Member Righeimer

Absent: Mayor Pro Tem Mansoor

Motion carried: 3-1-1

FOR INFORMATIONAL PURPOSES ONLY

ACTION:

City Council voted to oppose Executive Order 13795 by adoption of Resolution No. 18-73 with direction to staff to add a recital related to the hotel tax revenue.

REPORT – CITY MANAGER - NONE

REPORT – CITY ATTORNEY - NONE

ADJOURNMENT – Mayor Genis adjourned the meeting at 11:08 p.m.