

**REGULAR MEETING OF THE CITY COUNCIL
CITY OF COSTA MESA**

January 03, 2012

The City Council of the City of Costa Mesa, California met in a regular session on January 03, 2012 at 5 p.m. in the Council Chambers of City Hall, 77 Fair Drive, Costa Mesa. The meeting was called to order by the Mayor.

ROLL CALL

Council Members Present: Mayor Gary Monahan
Council Member Eric R. Bever
Council Member Wendy Leece
Council Member Stephen Mensinger

Council Members Absent: Mayor Pro Tem James Righeimer

Officials Present: Chief Executive Officer Thomas R. Hatch
City Attorney Thomas Duarte
City Clerk Julie Folcik

PUBLIC COMMENTS:

There was no public comment.

CLOSED SESSION:

1. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Firefighters Association (CMFA), Costa Mesa Police Officers Association (CMPOA) and Costa Mesa Police Management Association (CMPMA), Costa Mesa Fire Fighters Management Association, and Costa Mesa Division Managers Association pursuant to Government Code Section 54957.6
2. Conference with legal counsel regarding existing litigation: Costa Mesa Employees Association v. City of Costa Mesa, a municipal corporation, et al., Orange County Superior Court Case No. 30-2011 00475281, pursuant to Government Code Section 54956.9(a).
3. Conference with legal counsel regarding existing litigation: Timothy M. Slappy, an individual v. Robert Harris in his official and individual capacities; City of Costa Mesa, a government entity, Case No. SACV11-00425 DOC (MLGx), pursuant to Government Code Section 54956.9(a).

The Mayor recessed the meeting at 5:03 p.m to Conference Room 1B for

the Closed Sessions.
The Mayor reconvened the meeting at 6:00 p.m.

PLEDGE OF ALLEGIANCE - Mayor Gary Monahan. (00:00:24)

MOMENT OF SOLEMN EXPRESSION - Pastor Will Lynn, Calvary Chapel of Costa Mesa. (00:00:53)

ROLL CALL (00:01:29)

Council Members Present: Mayor Gary Monahan
Council Member Eric R. Bever
Council Member Wendy Leece
Council Member Stephen Mensinger

Council Members Absent: Mayor Pro Tem James Righeimer

Officials Present: Chief Executive Officer Thomas R. Hatch
City Attorney Thomas Duarte
Interim Development Services Director Khanh Nguyen
Interim Public Services Director Ernesto Munoz
Interim Assistant CEO Peter Naghavi
Police Chief Tom Gazsi
Director of Communications Bill Lobdell
Maintenance Services Manager Bruce Hartley
Recreation Supervisor Lisa McPherson
City Clerk Julie Folcik

CLOSED SESSION REPORT (00:01:44)

No Action was taken on the Closed Sessions. (00:01:47)

ANNOUNCEMENTS

The Mayor announced various upcoming events taking place in the city:

- The City is soliciting input from the public regarding the proposed charter. Please visit the City's website to access an online form to fill out and submit. The website also contains information regarding the charter and the timeline.
- Informational meeting about the proposed charter - January 4, 2012 at 7 p.m. - Neighborhood Community Center
- Special City Council Meeting regarding the proposed charter - January 10, 2012 at 7 p.m. - City Council Chambers, City Hall
- 19th Street Bridge Town Hall Meeting - January 5, 2012 at 7 p.m. - Hosted by Orange County Supervisor John Moorlach - Eader Elementary School, 9291 Banning Avenue, Huntington Beach
- Steve Tyrell concert - January 5-8, 2012 - Segerstrom Center of the Arts - Call

(714) 556-2787 for tickets and information

- BrideWorld Expo - January 7, 2012 from 10 a.m. to 4 p.m. - OC Fair and Event Center - Call (800) 600-7080 for more information

- "Topdog/Underdog" play - January 8-29, 2012 - South Coast Repertory Theater - Call (714) 708-555 for more information

- Shen Yun 2012 World Tour - January 11-12, 2012 - Segerstrom Center for the Arts - Call (714) 556-2787 for more information

- eWaste Recycling Drive - January 14-15, 2012 - Hosted by Orange Coast Computer & Recycling - City Hall parking lot - Call (714) 962-4884 for more information

- Costa Mesa Historical Society annual installation dinner - January 20, 2012 at 6 p.m. - Featuring Orange County archivist Chris Jespen - Orange Coast College's Captain's Table restaurant - Call (949) 631-5918 for more information

- Deadline for inaugural Costa Mesa photo contest is January 9, 2012 at 5 p.m.

- City calendars featuring community events and meeting dates will be available at the January 17, 2012 Council meeting for \$10 each

PUBLIC COMMENT (00:06:55)

Jay Humphrey, Costa Mesa, expressed safety concerns for the intersection of Gisler and Gibraltar Avenues due to visibility of the stop sign, and encouraged the Council to create a policy dissuading "attacks" on public's comments. (00:07:32)

Sue Lester, Costa Mesa, reflected on the events in 2011 and spoke about her lawsuit with the City. (00:10:43)

Jim and Linda Jordan, Costa Mesa, expressed appreciation to the City for hosting the Snoopy House, and thanked everyone involved for its success. (00:15:32)

Susan Shaw, Costa Mesa, expressed concern in the speed in which the City is moving forward with the charter proposal. (00:17:01)

Beth Refakes, Costa Mesa, asked about recent court ruling regarding the Redevelopment Agency, the city's "hiring freeze", and made recommendations for the proposed city charter.

Perry Valantine, Costa Mesa, commented on respecting public speakers comments, and inquired of the status of a business license tax initiative and a Request for Proposal for a consultant. (00:23:31)

James Proctor, Costa Mesa, stated he was a free man. (00:26:36)

Jim Fitzpatrick, Costa Mesa, recognized resident Jim White, who recently passed away, for his contributions to the community, and asked for volunteers to assist in the dismantling of the Snoopy House display. (00:27:24)

Ron Frankiewicz, Costa Mesa, spoke in opposition of the proposed 19th Street

bridge, and expressed concern in the speed in which the City is moving forward with the charter proposal. (00:28:25)

Carlos Salazar, West Covina, on behalf of the International Soccer League, requested that the organization be granted 501(c)(3) and Group 1 status for field use. (00:30:55)

Robin Leffler, Costa Mesa, inquiring of the use of "we" in drafting the proposed charter, expressed the need for an ex-parte communication requirement. (00:32:58)

Sandra Genis, Costa Mesa, commented the apparent "denegation" of previous council actions, and expressed concern regarding the speed in which the city was moving forward with the drafting of the proposed charter. (00:36:14)

Tamar Goldmann, Costa Mesa, encouraged the Council to work for the good of their residents. (00:39:04)

Flo Martin, Costa Mesa, expressed opposition in moving forward quickly with the city charter. (00:41:51)

Sandi Benson, Costa Mesa, spoke in dissent of the events that took place in the city regarding outsourcing, and expressed support of the city employees. (00:43:01)

Martin H. Millard, Costa Mesa, suggested an ombudsman for the Westside development plans and signs to identify areas of the Westside, and commented on the "right-sizing" of city employees and a hiring freeze. (00:45:21)

CEO REPORT (00:48:05)

CEO Hatch responded to comments from public speakers and provided the following updates:

1. Referred to a public speaker's comments regarding the business license tax and noted the city was in the process of hiring a firm to evaluate the business license tax structure with a goal of having the analysis by April, and allowing time for the Council to consider whether to place the tax on the November ballot;
2. Responded to comments regarding the hiring of employees and indicated that each vacant position would be scrutinized before filling;
3. Announced that a Special Redevelopment Agency meeting would be held on Tuesday, January 10 at 6 p.m. to provide an update on the Supreme Court's ruling regarding the Redevelopment Agency;
4. Announced the scheduled public hearings and townhall meetings regarding a proposed city charter;
5. Announced a meeting to be hosted by the County of Orange regarding the "19th Street Bridge";
6. Announced a meeting by the Orange County Fair Board Directors regarding the proposed changes to the Pacific Amphitheater was to be held on January 26;

7. Announced the plan for Executive Management to pay their employees portion of PERS contributions; and

It was unanimously agreed to take New Business Item #3 out of order.

NEW BUSINESS (01:09:35)

3. Financial and Budget Policies (01:09:53)

Tamar Goldmann, Costa Mesa, supported a continuance and suggested that a study session be held to discuss the policy. (01:10:30)

Perry Valentine, Costa Mesa, posed questions for Council to consider regarding fund balance. (01:12:05)

Jay Humphrey, Costa Mesa, expressed concern regarding the lack of language in the policy for the use of fund balance reserves. (01:13:25)

Council Member Leece suggested that a approval of the policies be held after review of the CAFR and supported a continuance. (01:14:25)

Council Member Bever spoke in support of the policies, and in support of the continuance to allow additional time for Council review and discussion. (01:16:40)

MOTION: Continue the item.

Moved by Mayor Gary Monahan, seconded by Council Member Wendy Leece.

The motion carried by the following roll call vote:

Ayes: Mayor Gary Monahan, Council Member Eric R. Bever, Council Member Wendy Leece, Council Member Stephen Mensinger

Noes: None.

Absent: Mayor Pro Tem James Righeimer

CONSENT CALENDAR (01:21:47)

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 11, except for Consent Calendar Item Nos. 1, 3, 4, 5, 6, and 11.

Moved by Mayor Gary Monahan, seconded by Council Member Stephen Mensinger.

The motion carried by the following roll call vote:

Ayes: Mayor Gary Monahan, Council Member Eric R. Bever, Council Member Wendy Leece, Council Member Stephen Mensinger

Noes: None.

Absent: Mayor Pro Tem James Righeimer

2. Regular meeting of November 1, 2011.

ACTION: Approved.

7. Completion of Joann Street Bike Trail Improvements - Federal Project No. RPSTPLE 5312 (075), City Project No. 09-17, by MG Construction & Development, Inc., 8900 Eton Avenue #C, Canoga Park, 91304.

ACTION: Work was accepted; City Clerk was authorized to file a Notice of Completion; authorization was given to release of retention monies 35 days thereafter; the Labor and Material Bond was ordered exonerated seven (7) months thereafter; and the Faithful Performance Bond was ordered exonerated seven (7) months thereafter.

8. Authorize refund of cash deposit in the amount of \$10,000 to FJS Cable Engineering Inc., 14340 Bolsa Chica Road, Suite G, Westminster, in connection with Encroachment Permit No. PS10-00548 for street improvements along Bristol Street and Anton Boulevard.

ACTION: Approved.

9. Authorize refund of cash deposit in the amount of \$10,105 to Eleven Western Builders Inc, 2862 Executive Place, Escondido, in connection with Encroachment Permit No. PS11-00297 for street improvements at 3095 Harbor Boulevard.

ACTION: Approved.

10. Grant Deeds to transfer parcels acquired for the Newport Boulevard Improvement Project to the State of California Department of Transportation (Caltrans).

ACTION: Approved; authorized the Mayor and City Clerk to sign and authorized City Clerk to record Grant Deed.

ITEMS REMOVED FROM CONSENT CALENDAR (01:23:22)

1. Reading Folder. (01:23:22)

(a) Claim received by the City Clerk: Bois and Macdonald on behalf of Newport Banning Ranch Limited Liability Company, Aera Energy LLC, and Cherokee Newport Beach LLC.

(b) Requests for Alcohol Beverage Control licenses: Arco, 300 Bristol Street; Saddle Ranch Chop House, 1875 Newport Boulevard, Suite 209; Adult Beverage Company, LLC, 3151 Airway Avenue, Suite 12; and Sake Bomb Masa Sushi, 1907 Harbor Boulevard.

Council Member Leece noted her Conflict of Interested noting her membership of the California Seabreeze Association and recused herself from the discussion and exited the Chamber at 7:30 p.m.

(01:24:12)

Tamar Goldmann, Costa Mesa, inquired as to the nature of the claim.
(01:23:34)

Interim Public Services Director Ernesto Munoz provided a summary and current status of the claim. (01:24:50)

MOTION: Receive and process.

Moved by Mayor Gary Monahan, seconded by Council Member Eric R. Bever.

The motion carried by the following roll call vote:

Ayes: Mayor Gary Monahan, Council Member Eric R. Bever, Council Member Stephen Mensinger

Noes: None.

Abstain: Council Member Wendy Leece

Absent: Mayor Pro Tem James Righeimer

3. WARRANT RESOLUTION 2399: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding City operating expenses for \$401,191.27. (01:26:20)

Council Member Leece referred to the monthly hangar rental for the ABLE helicopter, and asked when the lease on the hangar would terminate.
(01:26:35)

CEO Hatch responded that the lease for the hangar would conclude in April 2012. (01:27:05)

MOTION: Adopt resolution.

Moved by Mayor Gary Monahan, seconded by Council Member Eric R. Bever.

The motion carried by the following roll call vote:

Ayes: Mayor Gary Monahan, Council Member Eric R. Bever, Council Member Wendy Leece, Council Member Stephen Mensinger

Noes: None.

Absent: Mayor Pro Tem James Righeimer

4. WARRANT RESOLUTION 2400: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 11-25 AND PAYROLL REGISTER NO. 11-24A AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 11-25 for \$2,060,056.10 and Payroll No. 11-24A for \$2,908.61, and City operating expenses for \$569,048.30, including payroll

deductions. (01:28:27)

In response to a question from Council Member Leece, CEO Thomas Hatch explained that a cell phone had fallen through the cracks of the elevator, and per State safety laws, the retrieval of the cell phone may only be performed by a certified elevator operator. (01:28:45)

MOTION: Adopt resolution.

Moved by Mayor Gary Monahan, seconded by Council Member Eric R. Bever.

The motion carried by the following roll call vote:

Ayes: Mayor Gary Monahan, Council Member Eric R. Bever, Council Member Wendy Leece, Council Member Stephen Mensinger

Noes: None.

Absent: Mayor Pro Tem James Righeimer

5. WARRANT RESOLUTION 2401: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding City operating expenses for \$890,385.42. (01:30:39)

Council Member Leece asked for a differentiation between the legal services provided by Jones Day and Hanson Bridgett LLP, and inquired about the payment and funding of these services. (01:30:40)

The City Attorney explained that Jones Day represented the City in the lawsuit with Costa Mesa City Employees Association (CMCEA) and the Law Firm of Hanson Bridgett provided assistance with transactional items and the RFPs, and confirmed that there were no limits to funding. (01:31:28)

MOTION: Adopt resolution.

Moved by Mayor Gary Monahan, seconded by Council Member Eric R. Bever.

The motion carried by the following roll call vote:

Ayes: Mayor Gary Monahan, Council Member Eric R. Bever, Council Member Wendy Leece, Council Member Stephen Mensinger

Noes: None.

Absent: Mayor Pro Tem James Righeimer

6. Award Request for Proposal Item No. 1144 for heating ventilation and air conditioning maintenance services to Siemens Industry, Inc., 10775 Business Center Drive, Cypress, for a five-year term, in the amount of \$249,770 for the first year. (01:32:11)

Council Member Mensinger requested that the item be continued to the

next meeting. (01:32:12)

**MOTION: Continue to the meeting of January 17, 2012.
Moved by Council Member Stephen Mensinger, seconded by Mayor Gary Monahan.**

The motion carried by the following roll call vote:

Ayes: Mayor Gary Monahan, Council Member Eric R. Bever, Council Member Wendy Leece, Council Member Stephen Mensinger

Noes: None.

Absent: Mayor Pro Tem James Righeimer

11. Request for Proposal (RFP) for Facility Maintenance. (01:32:44)

Council Member Leece inquired as to the cost associated with the possible alternative to contracted custodial services. (01:33:08)

Susan Myer, Costa Mesa, suggested that the costs associated with the preparation of the RFPs be published. (01:36:18)

Robin Leffler, Costa Mesa, concurred in wanting to know the cost associated with the RFP preparation process. (01:38:13)

Sandy Johnson, Costa Mesa, spoke in opposition of reducing the full-time employees to part-time. (01:39:42)

Council Member Leece stated she would not support the motion as she felt the process was moving too quickly. (01:41:03)

Maintenance Services Manager Bruce Hartley and Facilities and Fleet Supervisor John Aguilar responded to questions from the Council regarding the definition of service levels, window cleaning services, roof maintenance, square footage of city facilities, termination clauses in contracts, the HVAC system, and building maintenance ratings and logs; and asked for the number of full-time employees and an organizational chart with job descriptions. (01:43:15)

**MOTION: Authorize staff to release the RFP.
Moved by Mayor Gary Monahan, seconded by Council Member Eric R. Bever.**

The motion carried by the following roll call vote:

Ayes: Mayor Gary Monahan, Council Member Eric R. Bever, Council Member Stephen Mensinger

Noes: Council Member Wendy Leece

Absent: Mayor Pro Tem James Righeimer

The Mayor recessed the meeting at 8:15 p.m. (02:07:19)

The Mayor reconvened the meeting at 8:25 p.m. (02:07:40)

PUBLIC HEARINGS (02:07:48)

1. PUBLIC HEARING: Continued from the meeting of December 6, 2011, A RESOLUTION OF THE CITY OF COSTA MESA, CALIFORNIA, INCREASING THE OFFICIAL TOW RATE SCHEDULE IN ACCORDANCE WITH SECTION 9-284.9 OF THE CITY OF COSTA MESA MUNICIPAL CODE. (02:07:49)

Mayor Monahan noted a Conflict of Interest due to a business association and recused himself from the discussion and left dais at 8:30 p.m. Council Member Bever was requested to facilitate the meeting. (02:08:15)

Police Chief Tom Gaszi presented the report, and explained that the tow rate increase was requested by the tow operators due to the increase in their operational costs. (02:08:47)

Wayne Miller, GW Towing, responding to Council Member Mensinger's question noted the cost of maintenance of equipment and facilities increased while the volume of towing had decreased. (02:14:16)

Tamar Goldmann, Costa Mesa, with the suggested cost increase recommended that the tow services be sent through the RFP process. (02:16:57)

Sue Lester, Costa Mesa, opined that the proposed fee increases were large enough to consider an RFP for tow services but supported the recommendation of the Chief of Police. (02:19:08)

Jody Campbell, MetroPro Road Services, encouraged the Council to support the fee increase noting the increase was due to the increase in overhead costs but not revenue.(02:20:39)

Council Member Leece spoke in support of the Police Chief's recommendation to increase the fees. (02:25:19)

Council Member Mensinger commented that while he did not support duopolies or limiting the numbers of vendors in a marketplace, he would support the recommendation. (02:26:53)

MOTION: Adopt Resolution No. 12-1: A RESOLUTION OF THE CITY OF COSTA MESA, CALIFORNIA, INCREASING THE OFFICIAL TOW RATE SCHEDULE IN ACCORDANCE WITH SECTION 9-284.9 OF THE CITY OF COSTA MESA MUNICIPAL CODE.

Moved by Council Member Wendy Leece, seconded by Council Member Stephen Mensinger.

The motion carried by the following roll call vote:

Ayes: Council Member Eric R. Bever, Council Member Wendy Leece,
Council Member Stephen Mensinger

Noes: None.

Abstain: Mayor Gary Monahan

Absent: Mayor Pro Tem James Righeimer

2. PUBLIC HEARING: A RESOLUTION OF CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING INCREASED FEES FOR THE RENTAL OF PARCELS AT THE DEL MAR AND HAMILTON COMMUNITY GARDENS. (02:28:10)

Management Analyst Donna Theriault presented the staff report and responded to concerns from the Council regarding the waiting list for gardeners and non-residents who rent parcels, staff management of the gardens, abandonment of parcels, and the effective date of the new fee.

Council Member Leece suggested the creation of a garden committee to resolve issues at the Community Gardens. (02:34:03)

Council Member Bever recommended that a comparison be made between the value of the land used for the gardens and the value of the land used as leased raw land, and suggested a reduction in the key fee for renters who have rented a garden for over five years and are in good standing.

Council Member Mensinger supported a reduced key fee for established renters and that non-residents gardeners be phased out through attrition as renters . (02:46:35)

Jean Gaski, Costa Mesa, spoke in support of the fee increase, and recommended that those who have already paid the current renewal fee should not be required to pay the fee increase. (02:47:12)

Scott Yard, Costa Mesa, suggested that low-cost studies be conducted of other community gardens in other cities, and spoke in opposition of the fee increase. (02:49:41)

Sandy Johnson, Costa Mesa, spoke in opposition of the fee increase for the gardens, and suggested an increase of other fees such as the Transient Occupancy Tax and business licenses. (02:53:21)

Kristi Brooks, Costa Mesa, supported a slight increase in parcel fees and an increase in key fee, but expressed concern regarding the increase of administrative duties resulting from the increase of fees. (02:55:54)

Kris Gold, Costa Mesa, expressed support of the fee increases, and made recommendations to the agreement and bylaws regarding the abandonment of parcels. (02:58:52)

Ron W. Gold, Costa Mesa, and spoke in support of the fee increases. (03:01:40)

Robin Leffler, Costa Mesa, opposed the removal of the portable toilets, supported the "grandfathering" of fees for current renters, and suggested a hardship program. (03:04:38)

Council Member Bever expressed concerns regarding the current abandonment policy, and suggested a new policy considering the parcel abandon after a non-activity of 30 days. (03:06:52)

MOTION: Direct staff to work with the gardeners and to come back with revisions to the bylaws to include language for a 30-day non-tending limit on parcels. Moved by Council Member Eric R. Bever, seconded by Council Member Wendy Leece.

Council Member Mensinger supported the motion, and requested the maker of the motion to include direction for staff to phase out non-resident gardeners to allow parcels for residents on the waitlist. (03:14:34)

Council Member Leece spoke in support of the motion, the "grandfathering" of current plot renters, and a reduced fee for hardship; and suggested a training video or annual meeting of gardeners. (03:15:00)

Council Member Bever was supportive of the revisions to the motion and restated the motion. Council Member Leece agreed with the changes. (03:18:10)

The motion restated:

MOTION: Direct staff to initiate revisions to the bylaws, and bring back for Council consideration, to include language for a 30-day non-tending limit on parcels, non-residents will not be put on the waiting list or given the opportunity to rent parcels, non-residents will be deleted through attrition, and that the key fee be implemented for new gardeners with the fee used to offset the cost of clearing abandoned garden plots.

Moved by Council Member Eric R. Bever, seconded by Council Member Wendy Leece.

The motion carried by the following roll call vote:

Ayes: Mayor Gary Monahan, Council Member Eric R. Bever, Council Member Wendy Leece, Council Member Stephen Mensinger

Noes: None.

Absent: Mayor Pro Tem James Righeimer

OLD BUSINESS

No Old Business scheduled.

NEW BUSINESS (03:23:02)

1. Athletic Field Use and Allocation policy information and recommendations. (03:23:19)

Recreation Supervisor Lisa McPherson presented the staff report. (03:23:31)

Council Member Bever expressed that field use should not be a matter of revenue as much as it is a matter of providing fields for the youth.

MOTION: Approve recommended revisions.

Moved by Mayor Gary Monahan, seconded by Council Member Stephen Mensinger.

The motion carried by the following roll call vote:

Ayes: Mayor Gary Monahan, Council Member Eric R. Bever, Council Member Wendy Leece, Council Member Stephen Mensinger

Noes: None.

Absent: Mayor Pro Tem James Righeimer

2. Creation of Economic Development Director/Deputy City Manager (or Deputy Chief Executive Officer) position (03:34:50)

(a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING RESOLUTION 08-59 AND ESTABLISHING A NEW JOB CLASSIFICATION IN THE EXECUTIVE SALARY SCHEDULE.

CEO Thomas Hatch presented the staff report. (03:35:20)

Council Member Bever suggested that the title be changed to "City Improvement Director" to broaden the job description. (03:38:51)

Council Member Leece supported the recommended title. (03:40:53)

Council Member Mensinger recommended that the title be changed to "Economic Development and Community Improvement Director," requested a detailed plan of what the director would focus on in the economic development area, and asked that a status report be provided to the Council and community quarterly. (03:41:41)

Susan Shaw, Costa Mesa, expressed concern regarding the salary level and the continual hiring of top management. (03:43:10)

Tamar Goldmann, Costa Mesa, shared concerns regarding the expense

of the position and the vacant City Engineer position.

Jim Fitzpatrick, Costa Mesa, spoke in support of the new position and the appointment of Peter Naghavi. (03:52:22)

Robin Leffler, Costa Mesa, expressed concern in the vacant Senior Engineer position. (03:55:09)

Council Member Mensinger expressed his support of the position and the appointing Peter Naghavi. (03:56:11)

Council Member Leece also noted her support of the new position and the appointment of Peter Naghavi. (03:58:50)

Council Member Bever supported the position and the appointment of Peter Naghavi. (04:05:01)

MOTION: Adopt Resolution No. 12-2: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING RESOLUTION 08-59 AND ESTABLISHING A NEW JOB CLASSIFICATION IN THE EXECUTIVE SALARY SCHEDULE. Moved by Council Member Eric R. Bever, seconded by Council Member Wendy Leece.

The motion carried by the following roll call vote:

Ayes: Mayor Gary Monahan, Council Member Eric R. Bever, Council Member Wendy Leece, Council Member Stephen Mensinger

Noes: None.

Absent: Mayor Pro Tem James Righeimer

COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS (04:06:22)

Council Member Eric Bever commented on cost-cutting measures, reiterated the Council's opposition of the 19th Street Bridge, and requested that staff find funding to change the West 19th Street area to 19 West and suggested finding other opportunities to designate such areas. (04:06:24)

Council Member Wendy Leece expressed her condolences to the families of Gary Peacock, Judy and Scott Lindsey, and Jim White who recently passed away, directed that such comments from members of the public be included for consideration with regards to the drafting of the charter, requested an update on the medical marijuana dispensaries lawsuits, asked for an update regarding the next steps of the RFP process, and expressed concern in the speed in which the city was moving forward with the proposed charter. (04:09:47)

Council Member Stephen Mensinger congratulated the Costa Mesa City Employees' Association for being a tee box sponsor for the Costa Mesa United golf tournament and provided an overview of the event, praised the executive management employee's initiative to pay their share of the

PERS pension, and commented on the educational benefits of the RFP process. (04:21:11)

REPORT - City Attorney

ADJOURNMENT - The Mayor adjourned the meeting at 10:47 p.m. to January 10, 2012 at 7:00 p.m. for a Special Meeting. Next Regular City Council Meeting: January 17, 2012.

Mayor of the City of Costa Mesa

ATTEST:

Acting Deputy City Clerk of the City of Costa Mesa