

**REGULAR MEETING OF THE CITY OF
COSTA MESA PLANNING COMMISSION
February 9, 2009**

The Planning Commission of the City of Costa Mesa, California, met in regular session at 6:30 p.m., February 9, 2009, at City Hall, 77 Fair Drive, Costa Mesa, California. The meeting was called to order by Vice Chair Fisler.

I. PLEDGE OF ALLEGIANCE TO THE FLAG.

Commissioner Clark led the Pledge of Allegiance.

II. ROLL CALL: Vice Chair: James Fisler
Commissioners: Sam Clark, Colin McCarthy,
Stephen Mensinger, and James Righeimer

Present: Vice Chair James Fisler
Commissioner Sam Clark
Commissioner James Righeimer
Commissioner Colin McCarthy

Absent: Commissioner Stephen Mensinger

Also Present: Deputy City Mgr. - Dev. Svs. Director Don Lamm
Planning Commission Secy. Kimberly Brandt
Deputy City Attorney Tom Duarte
City Engineer Ernesto Munoz
Senior Planner Minoo Ashabi

The Vice Chair stated there were two new names called in Roll Call reflecting the first meeting of the newly seated Planning Commission.

III. PRESENTATIONS TO DONN HALL AND ELEANOR EGAN

The Vice Chair said two names were not called during Roll Call tonight that have served on the Commission for the past four years, Commissioner Eleanor Egan and Chair Donn Hall, as they finished their terms of service at the last meeting. He congratulated them on their accomplishments and presented them framed proclamations in honor of their many years of service to the City.

Eleanor Egan stated it has been a pleasure and honor to serve her City for 13-1/2 years.

Commissioner Righeimer thanked Donn Hall for bringing a wealth of experience and institutional memory to the City and for his fight for private property rights of citizens. He also said he learned a lot from him.

Donn Hall stated he appreciated Commissioner Righeimer's kind words and the kind words from the other Commissioners. He said this whole experience has been wonderful.

Commissioner Righeimer thanked Eleanor Egan for her legal expertise and attention to detail on various documents. He said her experience as a lawyer and as a City Attorney was invaluable and congratulated her on her accomplishments as a female in law school and being a Fulbright Scholar. He thanked her for being a leader and setting a good example for his three daughters so they can be whatever they want to be because of what she has done.

Eleanor Egan thanked Commissioner Righeimer for his kind words and said it was fun working with him and all the Commissioners.

Donn Hall thanked City staff and Planning staff, and his wife.

IV. ELECTION OF OFFICERS

(a) Election of Chair

The Vice Chair opened the nominations for Chair. Commissioner McCarthy nominated Commissioner Righeimer and Commissioner Clark nominated Vice Chair Fislser.

MOTION: Close the nominations for Chair.
Moved by Commissioner Colin McCarthy, seconded by Commissioner James Righeimer.

The election of Commissioner Righeimer for Chair failed on a 2-2 vote (Fislser and Clark voting no, Mensinger absent), and the election of Vice Chair Fislser for Chair failed on a 2-2 vote (Righeimer and McCarthy voting no, Mensinger absent).

Vice Chair Fisler reopened nominations for Chair and nominated Commissioner Clark.

A discussion ensued and there were no other nominations for Chair.

MOTION: Close the nominations for Chair.

Moved by Vice Chair James Fisler, seconded by Commissioner Sam Clark.

The election of Commissioner Clark for Chair failed on a 2-2 vote (Righeimer and McCarthy voting no, Mensinger absent). Commissioner Righeimer asked that the election be postponed to the next meeting.

Deputy City Attorney Tom Duarte suggested to Vice Chair Fisler that the elections be postponed to the next Planning Commission meeting (February 23, 2009) when the full Commission will be present, and to postpone the committee appointments as well.

The Vice Chair agreed.

(b) Election of Vice Chair

This election was postponed to the meeting of February 23, 2009.

(c) Appointment to Traffic Impact Fee Committee

This appointment was postponed to the meeting of February 23, 2009.

(d) Appointment to Redevelopment and Residential Rehabilitation (3R) Committee

This appointment was postponed to the meeting of February 23, 2009.

V. MINUTES: Minutes for the meeting of January 26, 2009

The Vice Chair approved the minutes as distributed.

VI. PUBLIC COMMENTS:

There were no public comments.

VII. PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Clark thanked former Chair Donn Hall and former Commissioner Eleanor Egan for their service and asked that they not be strangers in the future.

Commissioner McCarthy said he looks forward to working with this Commission. He issued a challenge to the Planning Commission and himself to be proactive and to go out into the community to find out what the residents want the City of Costa Mesa to look like in the future.

The Vice Chair stated he is also looking forward to working with this new Commission. He confirmed with Deputy City Attorney Duarte that he could in fact reopen the Public Comments section of the meeting if someone in the audience wanted to speak. The Vice Chair proceeded to reopen Public Comments.

Martin Millard, Costa Mesa, said he was not pleased that Planning Commissioner Mensinger was absent for his first meeting. He expressed concern regarding a robbery with a gun on Mission Drive; murders and gang activity in the City; and slum conditions in areas of the City. He encouraged new housing in some of the industrial areas.

The Vice Chair closed Public Comments and reopened Planning Commissioner Comments and Suggestions.

Commissioner McCarthy pointed out that Commissioner Mensinger had a planned vacation out of the country prior to submitting his application for this Planning Commission position.

Commissioner Righeimer stated that policies come from the City Council.

Commissioner Clark encouraged the public to notify him and the

other Commissioners with their Planning Commission-related concerns. He pointed out that the City provides the telephone numbers and e-mail addresses of each Planning Commissioner for use by the public.

VIII. PUBLIC HEARING:

1. **Development Agreement Annual Review DA-08-04, for George Sakioka, authorized agent for Roy K. Sakioka, for the annual review of the Sakioka Farms Development Agreement (DA-99-02) regarding demonstration of good faith compliance with the terms and conditions of the development agreement for Sakioka Lot 2, bounded by Anton Boulevard, Sunflower Avenue, Costa Mesa Freeway, and Experian campus. Environmental determination: exempt.**

Senior Planner Mino Ashabi reviewed the information in the staff report, and there were no questions of staff.

George Sakioka of Roy K. Sakioka & Sons said staff presented the information accurately and he was here to answer any questions.

No one else wished to speak and the Vice Chair closed the public hearing.

MOTION: Based on the evidence in the record, determine and find Roy K. Sakioka & Sons has demonstrated good faith compliance with the terms and conditions of the Sakioka Farms Development Agreement DA-99-02. Moved by Commissioner Sam Clark, seconded by Commissioner James Righeimer.

The motion carried by the following roll call vote:

Ayes: Vice Chair James Fisler, Commissioner Sam Clark, Commissioner James Righeimer, and Commissioner Colin McCarthy

Noes: None.

Absent: Commissioner Stephen Mensinger

IX. REPORT OF THE DEVELOPMENT SERVICES DEPARTMENT.

None.

X. REPORT OF THE CITY ATTORNEY'S OFFICE.

None.

XI. ADJOURNMENT TO THE MEETING OF MONDAY, FEBRUARY 23, 2009.

There being no further business, Vice Chair Fislser adjourned the meeting at 7:05 p.m. to the Planning Commission meeting of Monday, February 23, 2009.

Submitted by: _____
KIMBERLY BRANDT, SECRETARY
COSTA MESA PLANNING COMMISSION