

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

March 20, 2012

The City Council of the City of Costa Mesa, California met in a regular session on March 20, 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 Eric R. Bever
Mayor Pro Tem James Righeimer
Council Member Wendy Leece
Council Member Stephen Mensinger

Council Members Absent: Council Member Gary Monahan

Officials Present: Chief Executive Officer Thomas R. Hatch
City Attorney Thomas Duarte
Interim Development Services Director Khanh Nguyen
Public Services Director Peter Naghavi
City Clerk Julie Folcik

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 anticipated litigation, significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9 - (one case). Withdrawn

PLEDGE OF ALLEGIANCE - Tustin Young Marines (00:00:17)

MOMENT OF SOLEMN EXPRESSION - Dr. Pastor Melinda Blackman, Harbor

Christian Church (00:01:23)

ROLL CALL (00:02:34)

Council Members
Present:

Mayor Eric R. Bever
Mayor Pro Tem James Righeimer
Council Member Wendy Leece
Council Member Stephen Mensinger
Interim Fire Chief Tom Arnold

Council Members
Absent:
Officials Present:

Council Member Gary Monahan

Chief Executive Officer Thomas R. Hatch
City Attorney Thomas Duarte
Interim Development Services Director Khanh Nguyen
Deputy CEO/Economic Development Director Peter
Naghavi
Police Chief Tom Gazsi
City Clerk Julie Folcik

CLOSED SESSION REPORT (00:02:50)

No Closed Session report.

ANNOUNCEMENTS (00:02:58)

The Mayor played a video clip of the "Costa Mesa Minute," featuring the following upcoming events:

- Fair Housing Foundation free tenant and landlord counseling - Wednesday, March 21 from 2 to 5 p.m. - Neighborhood Community Center - For more information, call (800) 446-3247
- Estancia and TeWinkle Schools Foundation annual gala - Saturday, March 24 at 6 p.m. - Mesa Verde Country Club - For more information, visit www.etsfoundation.org
- Sugar Plum Arts, Crafts, Antiques & Collectibles event - Thursday, March 29 through Saturday March 31 - OC Fair & Event Center - For more information, visit www.sugarplumcrafts.com or call (562) 598-0857
- Costa Mesa Sanitary District free composting workshop - Sunday, April 1 at 11 a.m. - Fairview Park - For more information, call (949) 645-8400
- Egg-Citement 2012 hosted by Torelli Realty - Saturday, April 7 from 9:30 a.m. to 12 p.m. - Tanager Park - For more information, call (714) 540-7355
- 2012 Youth Expo - Friday, April 13 through Sunday, April 15 - OC Fair & Event Center - For more information, call (714) 708-1500 or e-mail: 2012yeinfo@ocfair.com

PRESENTATIONS (00:05:46)

The Mayor recognized the players and coach of the Estancia High School varsity

football team for their victories and accomplishments this past season.

PUBLIC COMMENTS (00:11:56)

Christopher Smith, Costa Mesa, spoke in support of banning styrofoam in restaurants. (00:13:07)

Sara Condon, Costa Mesa, encouraged the ban on styrofoam use in restaurants. (00:14:11)

Jay Humphrey, Costa Mesa, commented on Item No. CC-7 on the agenda, the court hearing date regarding the missed charter deadline, and shared parking. (00:15:17)

John Feeney, Costa Mesa, spoke about council meeting decorum and encouraged enforcement of the rules. (00:21:19)

Jay Litvak, Costa Mesa, complimented staff and others for the memorial in memory of Huy Pham. (00:23:41)

Tom Pollitt, Costa Mesa, thanked the council for its efforts in transparency and spoke about firefighters' overtime pay. (00:24:23)

George Greenwalt, Costa Mesa, requested that Consent Calendar Item No. CC-7 be pulled from the agenda. (00:27:35)

Daryl Ferguson, Santa Ana, expressed concern in the negative impacts of styrofoam use. (00:29:00)

Katrina Foley, Costa Mesa, requested that Consent Calendar Item No. CC-7 be pulled for public input, commented on her right to participate in the public process, and spoke about the charter. (00:31:00)

Stephanie Barger, Newport Beach, spoke about the movement to ban styrofoam. (00:33:47)

REPORT - CHIEF EXECUTIVE OFFICER (CEO) (00:57:42)

No report given.

CONSENT CALENDAR (00:58:11)

**MOTION: Approve the recommended actions for Consent Calendar Item Nos. 1 through 7 except for Item Nos. 2, 5, 6, and 7.
Moved by Mayor Eric R. Bever, seconded by Mayor Pro Tem James Righeimer.**

The motion carried by the following roll call vote:

Ayes: Mayor Eric R. Bever, Mayor Pro Tem James Righeimer, Council Member Wendy Leece, Council Member Stephen Mensinger

Noes: None.

Absent: Council Member Gary Monahan

1. Reading Folder.

(a) Claims received by the City Clerk: Deann Dill on behalf of Enterprise Rent-A-Car; Kerry Karr on behalf of State Farm Insurance; Purcell Law on behalf of Elizabeth Wilson; Purcell Law on behalf of George Wilson.

(b) Request for Alcohol Beverage Control license: Greenleaf, 234 East 17th Street, Suite 100; Ramen Jinya, 1450 Baker Street, Suite C.; Ramen Jinya, 1450 Baker Street, Suite C, Costa Mesa

(c) Letter of Notification: Southern California Edison Company's Application for Approval of Proposal to Enable Automated Access of Customer Usage Data to Authorized Third Parties and Approval of Costa Recovery Mechanism, A. 12-03-004

ACTION: Received and processed.

3. WARRANT RESOLUTION 2411: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 12-05 AND PAYROLL REGISTER NO. 12-04A AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 12-05 for \$2,047,592.89 and Payroll No. 12-04A for \$41.51, and City operating expenses for \$405,514.82, including payroll deductions.

ACTION: Adopted resolution.

4. WARRANT RESOLUTION 2412: 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 \$537,854.38.

ACTION: Adopted resolution.

ITEMS REMOVED FROM CONSENT CALENDAR (00:59:35)

2. Special Study Session of January 31, 2012; Regular meeting of February 21, 2012. (00:59:35)

MOTION: Continue the minutes of the January 31, 2012 Special Study Session, and approve the February 21, 2012 Regular meeting minutes.

Moved by Mayor Pro Tem James Righeimer, seconded by Mayor Eric R. Bever.

The motion carried by the following roll call vote:

Ayes: Mayor Eric R. Bever, Mayor Pro Tem James Rigeimer, Council Member Wendy Leece, Council Member Stephen Mensinger

Noes: None.

Absent: Council Member Gary Monahan

5. Renewal of the Memorandum of Understand and Ground Lease with State of California, 2476 Shelley Circle, Costa Mesa, for the use of open space at the Fairview Developmental Center (FDC), for a term of five (5) years. (01:00:56)

(a) Donation from the American Youth Soccer Organization (AYSO) Region 97, for the improvement of the parking lot at the FDC playing fields, in an amount not to exceed \$30,000.

(b) Budget city's share of parking lot improvements at FDC in Fiscal Year 2012-2013.

Council Member Leece asked staff if there are any other anticipated improvements that may need funding in the future, and if those improvements are included in future master plans. (01:00:58)

Transportation Services Manager Raja Sethuraman stated that there are other items that are part of the FDC Master Plan, but there is no funding identified and no commitment from the city for the implementation of these improvements currently. CEO Hatch reiterated that the improvements are not included in any master plans and stated that they were specifically addressed as part of the renegotiation of the contract. (01:02:05)

Council Member Mensinger asked how many teams play on the field and if the city is contributing to the \$30,000. Council Member Leece speculated that only AYSO Region 97 plays there. Mayor Bever responded that the league, state, and city--if approved by the Council--would contribute \$30,000 each. (01:04:25)

MOTION: Approve and authorize the Mayor and City Clerk to sign; accept the donation from AYSO Region 97; and approve the budgeting of the city's share of the parking lot improvements at FDC in Fiscal Year 2012-2013.

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

The motion carried by the following roll call vote:

Ayes: Mayor Eric R. Bever, Mayor Pro Tem James Rigeimer, Council Member Wendy Leece, Council Member Stephen Mensinger

Noes: None.

Absent: Council Member Gary Monahan

6. 2011 Annual Review of the Costa Mesa 2000 General Plan. (01:06:25)

Council Member Leece asked staff to clarify the expectations and schedule related to the upcoming Request for Proposal for a consultant to update the General Plan. Senior Planner Minoo Ashabi explained that the RFP for a consultant is to amend the Comprehensive General Plan, which is reviewed every 10 years, and the process related to the amendment would take approximately two years. She clarified that the approval of the 2011 annual review would fulfill a State of California requirement. (01:06:25)

Council Member Leece referred to a condominium project at 1901 Newport Boulevard, which is being developed to an apartment complex, and asked about the previous obligation for the developer to provide low or moderate income housing. Ms. Ashabi stated that the obligation still stands and that the apartment development is in progress. (01:08:43)

Mayor Bever clarified that the 1901 Newport Boulevard project has not been approved by the City Council yet. (01:10:46)

John Feeney, Costa Mesa, spoke about the 1901 Newport Boulevard project and supported the developer placing low income housing in his project. (01:11:13)

**MOTION: Receive and file
Moved by Council Member Wendy Leece, seconded by Council Member Stephen Mensinger.**

The motion carried by the following roll call vote:

Ayes: Mayor Eric R. Bever, Mayor Pro Tem James Righeimer, Council Member Wendy Leece, Council Member Stephen Mensinger

Noes: None.

Absent: Council Member Gary Monahan

7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, CHANGING THE ORDER OF BUSINESS OF THE CITY COUNCIL MEETINGS, to move the Council Member's Reports, Comments and Suggestions to occur after CEO Report. (01:12:45)

Council Member Leece spoke in support of keeping Public Comments at the beginning of the meeting and opposed the proposed resolution. (01:12:45)

Mayor Bever noted the importance of Public Comments, but indicated that residents who formerly attended the Council meetings were no longer attending due to the negative decorum. He commented on the lack of decorum, indicating that some members of the public have not shown respect or value for the opinions of others. Mayor Bever shared that he is pleased in the decorum during tonight's Public Comments, and stated that

the main reason in proposing the resolution is to resolve problems with civility and disruptions. He referred to an article that reported the average meeting is four hours long and the average Public Comments period is 90 minutes, and noted that Public Comments would not take place too late, and would allow residents to go home and have dinner or spend time with family before coming to the meeting. (01:17:12)

John Feeney, Costa Mesa, spoke in opposition of the resolution and noted that Public Comments is the most important part of the meeting. (01:20:36)

George Greenwalt, Costa Mesa, opined this is a form of censorship and referred to 1st Amendment rights. (01:23:15)

Mayor Pro Tem Righeimer, in response to the previous speaker, asked if moving the Public Comments would affect free speech. City Attorney Tom Duarte clarified that as long as Public Comments is somewhere on the agenda, it is not infringing on anyone's free speech rights. (01:25:21)

Ernie Feeney, Costa Mesa, suggested that Public Comments not be moved, but explicitly state the rules of decorum at the meeting and continue Public Comments to the end of the meeting if necessary. (01:26:06)

Terry Koken, Costa Mesa, spoke in opposition of the the resolution. (01:30:09)

Sue Lester, Costa Mesa, requested that the Public Comments section remain, but move Council Member Comments to follow Public Comments. (01:31:49)

Jay Humphrey, Costa Mesa, commented on transparency on the agenda regarding the title of the item, and asked that Public Comments remain where it is on the agenda. (01:34:17)

Mayor Bever responded to concerns regarding transparency on the agenda and clarified that there was no intent by the Council to hide the recommendation to move Public Comments, citing the incomplete title as a clerical error; CEO Hatch confirmed that it was a clerical error. (01:37:36)

Mary Ann O'Connell, Costa Mesa, opposed moving Public Comments on the agenda. (01:38:31)

Jay Litvak, Costa Mesa, supported keeping Public Comments at the beginning and moving Council Comments to follow Public Comments, and agreed there are decorum issues. (01:40:00)

Sandra Genis, Costa Mesa, urged that Public Comments not be moved to

the end, and expressed concern regarding comments made by Council during Public Comments and not during Council Comments. (01:41:34)

Beth Refakes, Costa Mesa, suggested that Public Comments remain at the beginning of the meeting, move Council Comments to follow Public Comments, and move CEO Report to the beginning; and suggested that speaker cards be filled voluntarily rather than being eliminated. (01:43:51)

Mayor Bever clarified that he is not eliminating speaker cards, but expediting the process by not calling each speaker individually, and indicated that his change to the process is reflective of how Public Comments was conducted in the past. (01:46:56)

Eleanor Egan, Costa Mesa, commented on decorum and opined that public comments are not to blame for lengthy meetings. (01:47:25)

Tamar Goldmann, Costa Mesa, (01:50:24)

MOTION: Adopt Resolution No. 12-21: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, CHANGING THE ORDER OF BUSINESS OF THE CITY COUNCIL MEETINGS.
Moved by Mayor Eric R. Bever, seconded by Council Member Wendy Leece.

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

No Public Hearings scheduled.

OLD BUSINESS

No Old Business scheduled.

NEW BUSINESS (02:22:51)

1. Urban Master Plan UMP-12-01 screening request for five (5) detached single-family residences at 1974 Meyer Place. (02:22:54)

Senior Planner Mino Ashabi presented the report and responded to questions regarding the location of parking, the ability to enforce parking without a homeowners' association, and the number of spaces allotted per unit. (02:23:11)

Applicant Brian Coggins provided an overview of the homes and the intended audience, and addressed concerns regarding parking and the lack of a homeowners' association.

Martin H. Millard, Costa Mesa, suggested additional parking and a more modern exterior design.

Robin Leffler, Costa Mesa, noted parking issues in the Westside and that

families grow.

Eleanor Egan, Costa Mesa, expressed concern in the lack of a homeowners' association and accountability without an HOA.

Tamar Goldmann, Costa Mesa, agreed with previous comments made indicating parking is an issue.

Council Member Mensinger expressed concerns in parking.

Council Member Leece would like to see an HOA arrangement rather than a maintenance agreement and urged the developer to work toward accomodating 20 parking spaces. (02:51:44)

2. Design and location of 19 West Urban Plan Area monument sign.
(02:53:02)

(a) Budget Adjustment No. 12-013 for \$15,000.

Transportation Services Manager Raja Sethuraman presented designs and locations for the monument sign, which will serve as a gateway to the 19 West Urban Plan area. (02:53:21)

Mayor Bever asked what the sign would be constructed out of, if there are any code requirements that the sign be crash resistant, and what the maintenance requirements are. Mr. Sethuraman indicated that the body would be concrete and the 19 West part would be metallic, the sign would be a breakaway structure, and the metallic finish should allow the sign to last awhile. (02:55:27)

Council Member Mensinger stated he would like to give preference to Costa Mesa-based firms. CEO Hatch explained that there is not a process in which these types of projects are automatically granted to Costa Mesa-based businesses, but staff does try to solicit bids from businesses within the city. (02:58:00)

Mayor Pro Tem Righeimer commented on the proposed design, and shared his desire to place a sign, but was not sure if the proposed design was necessarily the right sign to place. He recommended a design contest and receive input from the residents. Mayor Pro Tem Righeimer also shared that he has never called the Westside "19 West." (02:59:17)

Mayor Bever addressed the Mayor Pro Tem's concern and explained that "19 West" was the name adopted when the plans were adopted, agreed that the design is "fairly sterile," was supportive of the idea of opening the design process to resident designers and holding a contest. (03:00:50)

Council Member Leece asked if Measure M funds or other funding source that is not from the contingency funds would be used for this project. Mr.

Sethuraman responded that the project does not qualify for Measure M funding.

Harold Weitzberg, Costa Mesa, volunteered his services in making this a branding project. (03:03:28)

Mayor Bever clarified that the area was already branded as the 19 West Arts and Entertainment District. (03:04:15)

Martin H. Millard, Costa Mesa, opposed the proposed designs and suggested a natural rust to the sign, beach or desert landscape plants, and an overall more artsy look. (03:05:20)

Eleanor Egan, Costa Mesa, supported the sign with a logo. (03:08:26)

Beth Refakes, Costa Mesa, opined the proposed sign is boring, needs the city's logo, and a directional element; and supported a contest (03:09:06)

Tamar Goldmann, Costa Mesa, thanked the Mayor Pro Tem for opening up the project for wider interpretation. (03:10:52)

Jim Fitzpatrick, Costa Mesa, recognized and celebrated the process, and thanked officials and staff for bringing this forward. (03:11:13)

Council Member Mensinger suggested a wayfinding program. (03:13:25)

Mayor Pro Tem Righeimer directed staff to work with Mr. Weitzberg regarding branding. (03:15:11)

Council Member Leece supported the sign, but not the use of contingency funds. (03:16:17)

MOTION: Direct staff to move forward the process of branding, receive community input, and incorporate a wayfinding program. Moved by Mayor Pro Tem James Righeimer, seconded by Mayor Eric R. Bever.

The motion carried by the following roll call vote:

Ayes: Mayor Eric R. Bever, Mayor Pro Tem James Righeimer, Council Member Wendy Leece, Council Member Stephen Mensinger

Noes: None.

Absent: Council Member Gary Monahan

3. Homeless Task Force recommendations. (03:17:55)

(a) 2008-2010 Resources Impact in the Lions Park Vicinity Report.

Neighborhood Improvement Manager Muriel Ullman and Homeless Task Force Chair Jeff Mathews provided a brief presentation of the

recommendations made by the Homeless Task Force. (03:18:21)

Council Member Leece expressed concern in the use of Donald Dungan branch library facilities and amenities by those other than library patrons, and asked what plans were being made for the ramp and bar at the library. Ms. Ullman indicated that there are plans to remove fixtures and implement a bike rack ordinance. She also further addressed issues about homeless and storage of items, and noted the intent to revamp the storage ordinance for better signage in the park and the ability for officers to cite for storage in the parks. (03:26:23)

Mayor Pro Tem Righeimer expressed concern regarding the definition of a Costa Mesa resident and creating a magnet for the homeless, as well as displaced homeless with family members outside of the city. (03:28:52)

Larry Haynes, Mercy Housing, clarified that any service offered is strictly for Costa Mesa residents, and Ms. Ullman noted that there are programs that reunite the homeless with their families.

Council Member Mensinger would like to see a failsafe incorporated and full compliance from the local churches, and suggested bus ticket books be purchased as an immediate solution to the homeless population.

Mayor Bever stated he did not see a structure or contractual suggestions on how the providers would be contained within the program or any provisions to control the screening process. He expressed concern in the majority of the focus on Lions Park, noted other parks with homeless, and expressed concern regarding the migration of the homeless from one park to another. Mayor Bever indicated that he would like to see the practical framework of how the proposed plan will work, and stated the document does not define responsibilities, protocols, and "what ifs." He noted that faith-based programs are protected under federal law, and suggested that staff create some form of agreement that outline responsibilities and requirements and gives the city the ability to withdraw. (03:35:19)

Mayor Pro Tem Righeimer supported moving forward with implementing the policies and recommendations, and requested that an update be presented in six months. (03:39:15)

Ms. Ullman addressed concerns made by the Council and clarified that funding is through the Block Grant process, which is already being done. Anyone with homeless funding can only help Costa Mesa residents, and strengthened language can be added. The city does not have any authority over the storage facilities because the city does not provide any funding. She also indicated that there are no formalized church feedings in the park. (03:40:10)

In response to a question from Council Member Bever, City Attorney Duarte explained that the city is not required to money to an organization in order to have a contractual agreement to abide by guidelines. (03:41:48)

Mr. Haynes opined that the request to serve strictly Costa Mesa residents is reasonable and uncontroversial and that the process is an integrated approach that allows the task force to address the homeless population and potentially end chronic homelessness. (03:44:05)

Mayor Bever referred to Goal No. 8, and suggested that the metric system be implemented before the start of the program. (03:45:01)

Becks Heyhoe, Costa Mesa, reiterated that there are no organized church group feedings, and shared the criteria for screening. (03:47:38)

Susan Shaw, Costa Mesa, opined that the recommendations provide a good starting point and should be implemented. (03:50:45)

Art Goddard, Costa Mesa, suggested that conflicts of interest be observed in the task force and that the goals need an implementation and checkpoints.

Flo Martin, Costa Mesa, spoke in support of the recommendations and shared her homeless experience.

Jeff Kurst, Costa Mesa, commended the Council and urged them to approve the recommendations.

Tim McCalmont, Costa Mesa, thanked the task force and Council for their efforts, and spoke in support of the recommendations. (04:02:45)

Ian Stevenson, Costa Mesa, spoke in support of the recommendations. (04:06:39)

David White, Costa Mesa, spoke in support of the recommendations. (04:10:20)

Jean Wagner, Executive Director of Serving People in Need, urged the approval of the recommendations. (04:11:41)

MOTION: Approve the recommendations as amended to reflect a revision to Item No. 1, direct staff to bring back anything with a cost for Council approval, and direct staff to provide an update in six months.

Moved by Mayor Pro Tem James Righeimer, seconded by Council Member Wendy Leece.

The motion carried by the following roll call vote:

Ayes: Mayor Pro Tem James Righeimer, Council Member Wendy

Leece, Council Member Stephen Mensinger
Noes: Mayor Eric R. Bever
Absent: Council Member Gary Monahan

4. Military Affairs Team. (04:27:09)

Management Analyst Dan Baker and Jim Fitzpatrick made the presentation. (04:27:21)

Council Member Leece spoke in support of a military affairs team and announced the upcoming first meeting. (04:31:18)

Mayor Bever supported the cause and effort, but asked why the military affairs team needed to be a city organization. He expressed concerns regarding the use of staff time and budget and would support this as a private venture with volunteers. (04:35:24)

Council Member Leece stated that there are a lot of assessments and needs and did not think the team would function without staff, and Mr. Baker is already participating. (04:35:50)

Mayor Pro Tem Righeimer asked if the military affairs team could be operated without staff time. Mr. Baker responded that his participation would be virtually non-existent in regards to the military affairs team. (04:42:12)

**MOTION: Receive and file
Moved by Council Member Wendy Leece, seconded by Mayor Pro
Tem James Righeimer.**

The motion carried by the following roll call vote:

Ayes: Mayor Eric R. Bever, Mayor Pro Tem James Righeimer, Council
Member Wendy Leece, Council Member Stephen Mensinger

Noes: None.

Absent: Council Member Gary Monahan

5. Proposal by the American Civil War Society to use a portion of Fairview Park for a Civil War reenactment and request to waive the special event permit and park use fees. (04:44:15)

Public Affairs Manager Dan Joyce presented the report, and responded to questions from the Council regarding parking and the proximity of the event to the vernal pools.

Scott Peca, Costa Mesa, spoke in support of the event.

Council Member Mensinger noted that the reenactment is a great event and spoke in support of the recommendation.

MOTION: Approve

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

The motion carried by the following roll call vote:

Ayes: Mayor Eric R. Bever, Mayor Pro Tem James Righeimer, Council Member Wendy Leece, Council Member Stephen Mensinger

Noes: None.

Absent: Council Member Gary Monahan

6. Fiscal Year 2011-2012 mid-year budget report. (04:51:22)

(a) Budget Adjustment No. 12-014 for \$1,241,225.

Finance and IT Bobby Young presented the report and highlighted the changes made based on recommendations from the Council. (04:51:32)

Robin Leffler, Costa Mesa, expressed concern in the number and costs of expenditures and the amount allocated for unfunded liabilities, and suggested ideas for raising revenues. (05:17:12)

Mayor Bever supported the motion and indicated there are numbers identified regarding deferred capital that need to be done, and that this would not attribute to the loss of existing staff. (05:22:14)

Council Member Leece spoke in opposition of approving the budget adjustment, indicating the amount allotted for legal fees. (05:21:16)

MOTION: Approve Budget Adjustment No. 12-014 for \$1,241,225 and direct staff to present \$5 million in reductions in vacant positions.

Moved by Council Member Stephen Mensinger, seconded by 0.

The motion failed by the following roll call vote:

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

Noes: Mayor Pro Tem James Righeimer, Council Member Wendy Leece

Absent: Council Member Gary Monahan

MOTION: Receive and file.

Moved by Mayor Eric R. Bever, seconded by Council Member Stephen Mensinger.

The motion carried by the following roll call vote:

Ayes: Mayor Eric R. Bever, Mayor Pro Tem James Righeimer, Council Member Stephen Mensinger

Noes: Council Member Wendy Leece

Absent: Council Member Gary Monahan

COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS (05:29:13)

Mayor Eric R. Bever wished everyone a Happy Spring. (05:29:21)

Council Member Wendy Leece commended the officers who were recognized by Mothers Against Drunk Driving (MADD) for their DUI arrests in 2011; announced an upcoming Vanguard University veterans chapel service; and announced the upcoming "Relaunch Your Business in 2012" workshop. (05:29:34)

Council Member Stephen Mensinger commented on fiscal spending, complimented the police department staff for the DUI arrests, spoke about the recent changes to police scheduling and staffing, suggested that arterials with senior use be maintained, and commented on crosswalk issues and establishing a senior volunteer program. (05:31:27)

REPORT - City Attorney

ADJOURNMENT - The Mayor adjourned the meeting to Closed Session at 12:10 p.m. Next Regular City Council Meeting: April 3, 2012.

Mayor of the City of Costa Mesa

ATTEST:

Acting Deputy City Clerk of the City of Costa Mesa