

**REGULAR MEETING OF THE CITY COUNCIL, HOUSING AUTHORITY, AND
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY – 5:45 P.M.**

January 19, 2016

CALL TO ORDER (00:00:33)

The meeting was called to order by the Mayor at 5:50 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

PLEDGE OF ALLEGIANCE (00:00:47) – Mayor Pro Tem Righeimer

MOMENT OF SOLEMN EXPRESSION (00:01:14)

Rev. Sian Wiltshire, Orange Coast Unitarian Universalist Church

ROLL CALL (00:03:33)

Present: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer, and Mayor Mensinger
Absent: None

Officials Present: Chief Executive Officer Tom Hatch, City Attorney Thomas Duarte, Assistant Chief Executive Officer Rick Francis, Assistant Chief Executive Tamara Letourneau, Economic and Development Services Director Gary Armstrong, Public Services Director Ernesto Muñoz, and City Clerk Brenda Green.

CITY ATTORNEY CLOSED SESSION REPORT (00:03:46)

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

ANNOUNCEMENTS (00:04:06)

"Costa Mesa Minute" was played featuring upcoming events and activities in the community.

PRESENTATIONS: (00:05:51)

1. Mayor's Award – OCC Soccer: All Orange Empire Conference Team Players (00:06:04)

Ryan Brown, Ty O'Connor, Peter Marquez, Marco Pineda and Taylor Kane of All Orange Empire Conference Team Players, accepted the Mayor's Award.

2. Delegates from Wyndham Australia (00:13:47)

2016 Sister City Youth Ambassadors from Wyndham Australia, which includes Teacher and Student Ambassadors from Hoppers Crossing Secondary College and Werribee Secondary College. Estancia High School Principal, Michael Ault and Sean Bolton, Principal Newport Harbor High School, spoke on the program and experience.

3. Cal Trans – I-405 Red Hill Ave. Overcrossing (00:23:26)

Yvonne Washington, Public Information Officer for Caltrans – District 12, presented an update on the reconstruction of the I-405/Red Hill Avenue Overcrossing.

PUBLIC COMMENTS (00:28:37)

Tamar Goldmann, Costa Mesa, spoke on the videotaping of candidate forums. (00:29:14)

Robin Leffler, Costa Mesa, spoke on the Brown Act; and the Fairview Park Survey. (00:32:08)

Al Melone, Costa Mesa, spoke on the Dog Park survey. (00:35:54)

Tom Politt, Costa Mesa, spoke on pensions and the economy. (00:39:39)

Speaker, spoke on public comments and hand gestures. (00:42:14)

Kim Hendricks, Costa Mesa, spoke on the Fairview Park Initiative. (00:44:06)

Speaker, spoke on crime, group homes; and Ordinances. (00:47:28)

Wendy Leece, Costa Mesa, spoke on Study Sessions; and open government. (00:51:18)

Tim Lewis, Costa Mesa, spoke on Resolution No. 15-16 pertaining to Red Mountain and a contract with the City. (00:53:38)

COUNCIL MEMBER' REPORTS, COMMENTS, AND SUGGESTIONS (00:55:45)

Mayor Pro Tem Righheimer spoke on Fairview Park; Group Home Ordinances; Fire Station No. 6; and Costa Mesa United Golf Tournament. (00:55:48)

Mayor Mensinger spoke on the Costa Mesa United Golf Tournament. (00:59:58)

Council Member Foley spoke on the Fairview Park survey; Group Home Ordinance; and quality schools. (01:00:36)

Council Member Genis spoke on the Southern California Economic Summit; potential Group Home legislation; thanked Staff for storm prevention measures; and Fairview Park survey. (01:06:14)

Council Member Monahan spoke on Fairview Park and handicapped access; letters to the editor; and requested a police reserves update. (01:09:03)

REPORT – CHIEF EXECUTIVE OFFICER (CEO) (01:10:35)

CEO Hatch spoke on Police academy graduation and recruiting three new graduates; employee recruitments; and Fairview Park survey.

CONSENT CALENDAR (01:23:05)

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 9 except for 2.

MOVED/SECOND Council Member Monahan/Council Member Foley

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer, and Mayor Mensinger

Nays: None

Absent: None

Motions carried: 5-0

1. READING FOLDER

- a. Claims received by the City Clerk: Daniel Aguilar, and Robert Harrington

ACTION:

City Council received and filed.

3. MINUTES OF THE REGULAR CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY

ACTION:

City Council approved the minutes of January 5, 2016.

4. **FISCAL YEAR 2014 – 2015 INDEPENDENT FINANCIAL AUDIT OF THE COSTA MESA HOUSING AUTHORITY, AS HOUSING SUCCESSOR; AND, HOUSING SUCCESSOR ANNUAL REPORT OF THE LOW AND MODERATE INCOME HOUSING ASSET FUND PURSUANT TO SECTION 34176.1 OF THE DISSOLUTION LAW AND SECTION 34328 OF THE CALIFORNIA HOUSING AUTHORITIES LAW**

ACTION:

City Council and Housing Authority received and filed the Fiscal Year 2014-2015 Independent Financial Audit of the Low and Moderate Income Housing Asset Fund and the Fiscal Year 2014-2015 Housing Successor Annual Report prepared pursuant to the California Health and Safety Code (HSC), Section 34176.1 as the housing successor, and Section 34328 as a housing authority.

5. **FINAL MAP FOR TRACT NO. 17779 LOCATED AT 1239 VICTORIA STREET, COSTA MESA, CA**

ACTION:

City Council approved the Final Map for Tract No. 17779 and authorized signing of the Map and Covenant and Agreement to Hold Property as One Parcel.

6. **WEST COAST ARBORISTS, INC. CONTRACT AMENDMENT**

ACTION:

City Council approved an amendment, in the amount of \$85,000, to the agreement for tree maintenance services with West Coast Arborists, Inc., 2200 E. Via Burton Street, Anaheim, California 92806.

7. **2017 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM**

ACTION:

City Council adopted Resolution 16-03 approving projects for inclusion in the Orange County Transportation Authority's (OCTA) Federal Transportation Improvement Program (FTIP) for Fiscal Years 2016/17 through 2021/22.

8. **RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE 16-17 A-B FISCAL PERIOD OF JULY 1, 2016 TO JUNE 30, 2017**

ACTION:

Successor Agency Adopted Successor Agency Resolution No. 16-04 approving the Recognized Obligation Payment Schedule for the 16-17 A-B annual fiscal period of July 1, 2016 to June 30, 2017 ("ROPS 16-17 A-B"), subject to submittal to and review by the Oversight Board and then by the State Department of Finance ("DOF"), and authorizing posting and transmittal thereof. Further, the Assistant Finance Director, in consultation with legal counsel, shall be authorized to request and complete meet and confer session(s) with the DOF and

authorized to make augmentations, modifications, additions or revisions as may be necessary or directed by DOF.

9. SELECTION OF FINANCIAL INSTITUTION TO PROVIDE BANKING AND MERCHANT SERVICES FOR THE CITY OF COSTA MESA

ACTION:

1. City Council awarded RFP No. 16-09 for a five (5) year contract with two (2), one-year renewal options with J.P. Morgan as the financial institution to provide banking and merchant services for the City; and
2. City Council authorized the City Chief Executive Officer to execute an agreement with J.P. Morgan Chase in a form approved by the City Attorney's office; and
3. City Council authorized the Chief Executive Officer to execute the renewals of the approved agreements.

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

PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55): NONE

OLD BUSINESS: (01:24:01)

1. **SECOND READING OF ORDINANCE 16-01: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING CODE AMENDMENT CO-15-06, AMENDING TITLE 13, CHAPTER I (DEFINITIONS AND ENFORCEMENT) AND CHAPTER IV (CITYWIDE LAND USE MATRIX), AND ADDING ARTICLE 20 TO CHAPTER IX ADOPTING NEW REGULATIONS RELATED TO PROHIBITING MARIJUANA CULTIVATION (01:24:06)**

MOVED/SECOND: Council Member Monahan/Council Member Genis
The motion carried by the following roll call vote:
Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer, and Mayor Mensinger
Nays: None
Absent: None
Motion carried: 5-0

ACTION:

City Council gave second reading and adopted Ordinance No. 16-01, to be read by title only, and further reading waived, adopting Code Amendment CO-15-06 amending Costa Mesa Municipal Code Title 13, Chapter I definitions and enforcement, Chapter IV City Wide Land Use, and adding new Article 20 to Chapter IX, Special Land Use Regulations.

2. SECOND READING OF ORDINANCE 16-02: AN ORDINANCE OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING CODE AMENDMENT CO-15-07, AMENDING TITLE 10, CHAPTER XI (STOPPING, STANDING, OR PARKING RESTRICTED OR PROHIBITED ON CERTAIN STREETS), ARTICLE 3 (PARKING BY PERMIT ONLY) RELATED TO RESIDENTIAL PARKING RESTRICTIONS (01:32:55)

Public Comments:

Barrie Fisher, Costa Mesa, spoke on problems occurring at night. (01:26:35)

Speaker, spoke on parking enforcement; and opposed parking placards. (01:27:46)

Discussion ensued on the ticketing process and street sweeping. (01:29:35)

MOVED/SECOND: Council Member Monahan/Mayor Pro Tem Righeimer

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer, and Mayor Mensinger

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

1. City Council gave second reading and adopted Ordinance No. 16-02, to be read by title only, and further reading waived, adopting Code Amendment CO-15-07, amending Title 10, Chapter XI (Stopping, Standing or Parking Restricted or Prohibited on Certain Streets), Article 3 (Parking by Permit Only) related to residential parking restrictions; and
2. City Council approved the revised "Guidelines for Consideration of Installation or Removal of Resident Only Permit Parking."

NEW BUSINESS: (01:32:55)

1. I-405 IMPROVEMENT PROJECT – AESTHETICS PLAN (01:32:57)

Staff report, including a PowerPoint presentation presented by Ernesto Munoz, Director of Public Services, and Jeff Mills from Orange County Transportation Authority. (01:33:18)

Public Comments:

Jay Humphrey, Costa Mesa, requested the wall by Moon Park be included. (01:47:03)

Speaker, spoke on the Fountain Valley LED sign. (01:49:17)

Robin Leffler, Costa Mesa, spoke in opposition to toll roads on I-405 freeway. (01:50:25)

Beth Rafakes, Costa Mesa, spoke on the \$15 million dollar cost; and the aesthetics at the end of the 55 Freeway. (01:51:42)

Discussion ensued on cleaning graffiti; concern on the project and impacts to the City; trash clean-up on freeways; and funding for sound walls. (01:52:49)

MOVED/SECOND: Mayor Pro Tem Righeimer/Mayor Mensinger

MOTION: Decorative retaining wall option with Least Terns and grasses.

SUBSTITUTE MOTION/SECOND: Council Member Genis/Mayor Mensinger

SUBSTITUTE MOTION: Decorative retaining wall option with Hunting White-tailed Kite

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Mayor Pro Tem Righeimer, and Mayor Mensinger

Nays: Council Member Monahan

Absent: None

Motion carried: 4-1

ACTION:

City Council approved the decorative retaining wall option with Hunting White-tailed Kite for the I-405 Improvement Project Aesthetics Plan.

2. REVISIONS TO COMMUNITY DEVELOPMENT BLOCK GRANT PUBLIC SERVICE GRANTS RATING CRITERIA AND RELATED POLICIES AND PROCEDURES (02:00:15)

Staff report, including a PowerPoint presentation presented by Mike Linares, CDBG/Home Coordinator. (02:00:48)

Discussion ensued on the grant application rating criteria. (02:02:18)

Public Comments:

Wendy Leece, Costa Mesa, spoke on the Ad-Hoc Committee and transparency. (02:06:30)

Speaker, spoke on the grant funds. (02:08:08)

MOVED/SECOND: Mayor Pro Tem Righeimer/Council Member Foley
The motion carried by the following roll call vote:
Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer, and Mayor Mensinger
Nays: None
Absent: None
Motion carried: 5-0

ACTION:

City Council approved the revised rating criteria and related Policies and Procedures for Community Development Block Grant public service grant applications as recommended by the Housing and Public Service Grant Ad-hoc Committee.

3. REQUEST FOR SPEED HUMPS ON SAINT CLAIR STREET (02:10:55)

Staff report, including a PowerPoint presentation presented by Ernesto Munoz, Director of Public Services. (02:10:28)

Discussion ensued regarding the timeframe of the speed survey; and issues associated with speed humps. (02:14:15)

Public Comments:

Jay Litvak, Costa Mesa, spoke in support of adding the speed humps and provided pictures. (02:20:42)

Raymi Wun, Costa Mesa, spoke in support of adding the speed humps. (02:23:47)

Andrew Wolf, Costa Mesa, spoke in support of adding the speed humps. (02:25:49)

Jason Webster, Costa Mesa, spoke in support of adding the speed humps and in opposition to raised markers. (02:28:20)

Discussion ensued on the location of potential speed humps; speeding; standards; humps on both sides of the street; and the distance of the street. (02:30:39)

MOVED/SECOND: Council Member Foley/Mayor Mensinger
The motion carried by the following roll call vote:
Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, and Mayor Mensinger
Nays: Mayor Pro Tem Righeimer
Absent: None

Motion carried: 4-1

ACTION:

City Council approved the plan for installation for speed humps on Saint Clair Street between Drake Avenue and Velasco Lane and requested Staff to return with potential modifications to the requirements and standards.

4. BICYCLE AND PEDESTRIAN MASTER PLAN – GOALS, OBJECTIVES AND POLICIES (02:39:51)

Staff report, including a PowerPoint presentation presented by Ernesto Munoz, Director of Public Services, Bikeway and Walkability Committee Members, Ralph Taboada, Chair and Cynthia McDonald, Vice Chair. (02:40:11)

Discussion ensued on the number of proposed policies. (02:58:09)

Mayor Pro Tem Righeimer spoke on the use of the word “recommendation” instead of “policies.” (03:01:05)

Council Member Foley spoke on the General Plan outline; and policies providing eligibility for grant funding. (03:02:18)

Council Member Genis spoke on re-working the language; and measures focusing on connectivity. (03:05:30)

Discussion ensued on clarification on “Heal City”; silver level designation; and a “Walk Friendly Community” status. (03:13:08)

Public Comments:

Flo Martin, Costa Mesa, spoke on the safety of pedestrians and cyclists; and making Costa Mesa more walkable and bikeable. (03:17:41)

Jay Humphrey, Costa Mesa, spoke on increasing walkability and bikeability. (03:20:12)

Mrs. Drain, Costa Mesa, spoke positively on the Committee Members working together; the wording of the documents; and supports the Master Plan. (03:23:08)

Robin Leffler, Costa Mesa, spoke on the policies; and wording. (03:25:19)

Council Member Foley spoke on the City Staff preparing a draft document that is consistent with formatting of the General Plan. (03:28:54)

Mr. Munoz spoke on the use of "policy" versus "recommendation" in the General Plan. (03:30:45)

Council Member Genis requested Staff work on refining the wording. (03:34:14)

Mayor Mensinger requested the inclusion of funding for maintenance and operation. (03:37:03)

MOVED/SECOND: Mayor Pro Tem Righeimer/Mayor Mensinger

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer, and Mayor Mensinger

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council received and approved the Goals, Objectives and Recommendations for the Bicycle and Pedestrian Master Plan as recommended by the Bikeway and Walkability Committee. These documents will be incorporated in the City's General Plan Update, documents which will be circulated for public review; and approved changing the word "policies" to "recommendation."

City Council recessed at 9:28 p.m.

City Council reconvened at 9:36 p.m.

5. AMBULANCE TRANSPORTATION FOR THE CITY OF COSTA MESA (03:39:13)

Staff report including key elements presented by Tom Hatch, CEO. (03:39:30)

Staff report, including a PowerPoint presentation presented by Dan Stefano, Fire Chief. (03:40:27)

Presentation by Kurt Henke, Managing Partner and Principal, and Scott Clough, Partner and Principal, with AP Triton LLC. (04:53:45)

Discussion ensued on Federal reimbursement; Care Ambulance; and revenue calculations. (05:12:56)

Council Member Foley spoke on Model #2 – Costa Mesa Assumes All Ambulance Transportation: Private Ambulance Company Utilized as Back-Up Only; a feasibility study; pros and cons; and increased workload. (05:14:18)

Discussion ensued on deployment model for Model #3; and differences between each model. (05:21:03)

CONTINUE THE MEETING PAST MIDNIGHT

MOVED/SECOND: Mayor Pro Tem Righeimer/Council Member Genis

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer and Mayor Mensinger

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council approved to continue the meeting passed midnight.

Public Comments:

Pamela Wilson, Costa Mesa, spoke on revenue projections; supports private enterprise; and the need for total privatization. (05:47:54)

Speaker, spoke on Care Ambulance; and the needs of the residents. (05:51:18)

Tom Pollitt, Costa Mesa, spoke on safety and the care of the residents; recommended taking no action, more information needed; and ensure there are enough ambulances. (05:53:47)

Ron Wortman, Costa Mesa, spoke on choosing a plan and the purchase and use of the ambulances. (05:55:48)

Steven Wontrobski, Mission Viejo, spoke on a private paramedic model. (05:57:22)

Wendy Leece, Costa Mesa, spoke on the best deal for the public; institutional knowledge and longevity; and pro-activeness. (06:00:26)

John Stephens, Costa Mesa, spoke on recovering funds for services; concern with Model #3 not tested but sounds feasible; and supports Model #2. (06:03:09)

Flo Martin, Costa Mesa, spoke in support of more personnel in the Fire Department; and providing a high level of dedication and training. (06:05:58)

Cindy B, Costa Mesa, spoke in support of Model #3. (06:08:50)

Jeff Arthur, Costa Mesa, spoke on the need for a five year proforma; revenue and expenditures; parameters for level of service; and the need for a vision. (06:10:34)

Jay Humphrey, Costa Mesa, spoke on the concern of paying to a private company. (06:13:30)

Tamar Goldman, Costa Mesa agreed with Wendy Leece's comments; and spoke on the independent analysis. (06:15:07)

Joanne Perler, Costa Mesa, spoke in support of Model #2; better training and service with own provider; revenue loss; inefficiencies; and costs to residents. (06:17:01)

Bill Borthwick, Costa Mesa, spoke on being retired from the Fire Department; urged Council to take time to consider all the options; and relying on accuracy of 911 calls received. (06:20:08)

Beth Rafakes, Costa Mesa, spoke on concern of reimbursements; training requirements; costs to residents; Model #3 transition and exploring costs. (06:23:13)

Robin Leffler, Costa Mesa, spoke on the new ambulances not being utilized; and response times. (06:25:59)

Troy Hagen, CEO of Care Ambulance Service, spoke on their company and services; revenue projections and billing services; and Model #3 not financially feasible; and submitted a letter. (06:29:04)

MOVED/SECOND: Council Member Genis/Council Member Foley

MOTION: Model #3 – Public/Private Partnership

Fire Department engages in a partnership with a private contractor and provides ALS ambulance transportation while the private contractor provides BLS transportation and back up support service for ALS transportation.

SUBSTITUTE MOTION/SECOND – Mayor Pro Tem Righeimer/Council Member Monahan

SUBSTITUTE MOTION: Model #1 – Current Model.

Continuation of the existing deployment strategy of sending a fire department apparatus (e.g., an engine or truck) and a rescue ambulance along with a private ambulance to be the transportation component of all Emergency Medical Services calls for service (e.g. ALS & BLS).

The motion carried by the following roll call vote:

Ayes: Council Member Monahan, Mayor Pro Tem Righeimer, and Mayor Mensinger

Nays: Council Member Foley, and Council Member Genis

Absent: None

Motion carried: 3-2

ACTION:

City Council reviewed and approved Model #1 – Current Model. Continuation of the existing deployment strategy of sending a fire department apparatus (e.g., an engine or truck) and a rescue ambulance along with a private ambulance to be the transportation component of all Emergency Medical Services calls for service (e.g. ALS & BLS).

ITEMS REMOVED FROM THE CONSENT CALENDAR (07:11:28)

2. **WARRANT RESOLUTION NO. 2549 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 15-26 “A” FOR \$6,250.90; AND 16-01 FOR \$2,182,182.51; AND CITY OPERATING EXPENSES FOR \$1,787,957.22; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID (07:11:33)**

Public Comments:

Tamar Goldmann, Costa Mesa, requested information on a \$3,000 order for a chair. (07:11:54)

MOVED/SECOND: Mayor Pro Tem Righeimer/Council Member Monahan

The motion carried by the following roll call vote:

Ayes: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righeimer, and Mayor Mensinger

Nays: None

Absent: None

Motion carried: 5-0

ACTION:

City Council approved Warrant Resolution No. 2549.

REPORT – CITY ATTORNEY – NONE (07:14:24)

ADJOURNMENT (07:14:56)

The Mayor and City Council adjourned at 1:12 a.m.

Minutes adopted on this 2nd day of February, 2016.



Stephen M. Mensinger, Mayor

ATTEST:



Brenda Green, City Clerk