

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

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

TUESDAY, JULY 5, 2016
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE
CLOSED SESSION – 5:00 P.M.
REGULAR MEETING – 5:45 P.M.

STEPHEN M. MENSINGER
Mayor

JAMES M. RIGHEIMER
Mayor Pro Tem

GARY MONAHAN
Council Member

SANDRA GENIS
Council Member

KATRINA FOLEY
Council Member

City Attorney
Thomas Duarte

Chief Executive Officer
Thomas R. Hatch

CLOSED SESSION – 5:00 P.M.

ROLL CALL

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

Absent: None

FOR INFORMATIONAL PURPOSES ONLY

1. Conference with legal counsel regarding existing litigation: The Kennedy Commission, et al vs. City of Costa Mesa, Superior Court of California, County of Orange, Case No. 30-2016-00832585-CU-WM-CJC, pursuant to California Government Code Section 54956.9(d)(1).
2. Conference with legal counsel regarding existing litigation: Solid Landings Behavioral Health, Inc., a California corporation; Sure Haven, a California corporation; and Rock Solid Recovery, a California corporation v. City of Costa Mesa; Orange County Superior Court Case No. 30-2015-00815218-CU-WM-CJC, pursuant to California Government Code Section 54956.9(d)(1).
3. Conference with legal counsel regarding anticipated litigation, significant exposure to litigation pursuant to California Government Code Section 54956.9(d)(2) for 1 potential case.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE Council Member Foley

MOMENT OF SOLEMN EXPRESSION

[Per Council Policy 000-12, these presentations are made by community volunteers stating their own views. The City Council disclaims any intent to endorse or sponsor the views of any speaker.]

Pastor Phil Eyskens, The Lighthouse Church, Costa Mesa

ROLL CALL

Present: Council Member Foley, Council Member Genis, Council Member Monahan, Mayor Pro Tem Righheimer, and Mayor Mensinger

Absent: None

CITY ATTORNEY CLOSED SESSION REPORT -

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

Deputy City Attorney Tarquin Preziosi reported on Closed Session item number 2, on which the City Council on a vote of 5-0, approved a settlement agreement on the city's remaining cross-complaint against John Morehart and Lisa Cervantes.

FOR INFORMATIONAL PURPOSES ONLY

CONSENT CALENDAR:

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 11.

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

CONSENT CALENDAR:

1. READING FOLDER

- a. Claims received by the City Clerk: Keith Raffel and Avery Troutman

ACTION:

City Council received and filed.

2. WARRANT RESOLUTION NO. 2560 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 16-12 "A" FOR \$-655.96 and 16-13 for \$2,142,892.41; AND CITY OPERATING EXPENSES FOR \$2,645,351.37; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

ACTION:

City Council approved Warrant Resolution No. 2560.

3. MINUTES OF THE REGULAR CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF JUNE 21, 2016 AND SPECIAL CLOSED SESSION AND SPECIAL MEETING OF JUNE 14, 2016

ACTION:

City Council approved the minutes of June 21, 2016 and June 14, 2016.

4. IMPROVEMENT AT THREE BUS STOPS, PROJECT NO. 15-11

ACTION:

1. City Council accepted work performed by Unique Performance Construction, Inc. and authorized the City Clerk to file the Notice of Completion; and
2. Authorized release of the Labor and Materials Bond seven (7) months after the filing date; release of the Faithful Performance Bond six (6) months after the filing date and release of the retention monies 35 days after the Notice of Completion filing date.

FOR INFORMATIONAL PURPOSES ONLY

5. NOTICE OF INTENT FOR THE VACATION OF EXCESS RIGHT-OF-WAY AT 671-673 W. 17TH STREET AT TWO LOCATIONS: W. 17TH STREET AND SUPERIOR AVENUE

ACTION:

1. City Council set a public hearing on August 2, 2016 for the vacation of a portion of West 17th Street and Superior Avenue Right-Of-Way (ROW); and
2. Adopted Resolution No. 16-58 of Intent to vacate a portion of West 17th Street and Superior Avenue Right-Of-Way (ROW).

6. HARBOR BOULEVARD IMPROVEMENTS FROM SOUTH COAST DRIVE TO SUNFLOWER AVENUE, CITY PROJECT NO. 14-07

ACTION:

1. City Council approved Contract Change Order No. 4 in the amount of \$19,898.00; and
2. Approved Budget Adjustment Authorization NO.17-002 in the amount of \$19,898.00; and
3. Accepted the work performed by All American Asphalt and authorized the City Clerk to file the Notice of Completion; and
4. Authorized release of the Faithful Performance Bond (1) year after the filing date; and release of the retention monies 35 days after the Notice of Completion filing date.

7. CONTRACT AMENDMENT – WEST COAST ARBORISTS, INC.

ACTION:

1. City Council approved and authorized the Chief Executive Officer to execute Amendment #2 to the professional services agreement with West Coast Arborists, Inc. to increase by 1.5%, based on the Consumer Price Index, the annual amount of the contract by \$7,050 and the unit pricing schedule for urban forest maintenance tasks; and
2. Authorized the Chief Executive Officer to approve the one (1) year time extensions per the terms and conditions of the existing agreement, upon mutual agreement of both parties.

8. VEHICLE LIGHTING AND EQUIPMENT INSTALLATION SERVICES

ACTION:

1. City Council approved and authorized the Chief Executive Officer and the City Clerk to execute a three (3) year service agreement for the vehicle lighting and equipment installation services with Stommel Inc. dba. LEHR, 1370 North McCain Street, Anaheim, CA 92806, effective July 6, 2016 through July 5, 2019, in an amount not to exceed \$150,000 annually; and
2. Authorized the Chief Executive Officer to renew the agreement for two (2) additional one year terms, upon mutual agreement of both parties.

9. TRAFFIC MANAGEMENT SERVICES AGREEMENT WITH THE 32ND DISTRICT AGRICULTURAL ASSOCIATION

ACTION:

City Council approved the 2016 contract for traffic management services between the Costa Mesa Police Department and the 32nd District Agricultural Association for the Orange County Fair and authorized the Chief Executive Officer, or his designee, to sign the contract. The term of the agreement is July 15, 2016, through August 14, 2016, and the maximum amount not to exceed \$365,000.

10. PARTICIPATION IN THE COUNTY OF ORANGE, COUNTYWIDE PUBLIC MASS NOTIFICATION SYSTEM – ALERT OC

ACTION:

1. City Council approved the City's continued participation in the County of Orange, Countywide Public Mass Notification System – AlertOC; and
2. Authorized the Chief Executive Officer (CEO) or his designee to sign the Memorandum of Understanding (MOU) between the County of Orange and Participants for use of the countywide mass notification system.

11. PROFESSIONAL SERVICES CONTRACT FOR PLANNING CONSULTANTS

ACTION:

1. City Council approved the Professional Services Agreement with Kimley-Horn, not to exceed \$199,000; and
2. Authorized the City Chief Executive Officer to sign Amendment One with Kimley-Horn and Associates.

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

FOR INFORMATIONAL PURPOSES ONLY

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

1. **CODE AMENDMENT CO-16-01 – AMENDMENT TO TITLE 13, CHAPTER VIII, ARTICLES 2, 6 & 6.5, POLITICAL CAMPAIGN SIGNS AND PORTABLE SIGNS WITHIN PUBLIC RIGHT-OF-WAY AND TABLE 13-115 OF THE COSTA MESA MUNICIPAL CODE**

MOTION: To approve the recommended action with an amendment to the ordinance to increase the maximum height of non-commercial portable signs on private property from 3 foot height above grade to 6 foot height above grade and to allow banners in the residential zones.

MOVED: 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 conducted the Public Hearing and gave first reading to Ordinance 16-04 to adopt Code Amendment CO-16-01 amending Costa Mesa Municipal Code Title 13 Chapter VIII, Signs; with an amendment to the ordinance to increase the maximum height of non-commercial portable signs on private property from 3 foot height above grade to 6 foot height above grade and to allow banners in the residential zones.

2. **DISTRICT ELECTIONS MAPPING PROCESS – VOTING DISTRICTS FORMATION**

MOTION: To proceed with proposal number three containing six districts with a Mayor elected at-large, to serve a two year term, with a maximum of two consecutive terms.

MOVED/SECOND: Mayor Pro Tem Righeimer/Mayor Mensinger

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:

1. City Council directed staff to proceed with map proposal number three containing six districts with a Mayor elected at-large, to serve a two year term, with a maximum of two consecutive terms.

FOR INFORMATIONAL PURPOSES ONLY

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

The motion carried by the following roll call vote:

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

Nays: Council Member Foley

Absent: None

Motion carried: 4-1

ACTION:

2. City Council scheduled the third and final public hearing at a Special City Council meeting on July 12, 2016 for City Council to select a map to include on the November 8, 2016 ballot, asking voters to decide whether to approve voting district elections as defined by the selected map.

OLD BUSINESS:

1. CONSIDERATION OF A CITY INITIATIVE ORDINANCE REGARDING MEDICAL MARIJUANA BUSINESSES

MOTION: To approve the proposed initiative ordinance entitled, "The City of Costa Mesa Medical Marijuana Measure" relating to medical marijuana manufacturing, testing and related uses within certain areas of the City including amendments to the ordinance as follows: to make the revisions suggested by staff, including to remove the word dispensing from Section 2 of the Initiative, section 13-200.91(a) and to include a sentence to read, "Except that any future change or amendment to this ordinance related to dispensaries and/or cultivation or specific areas in the city where medical marijuana businesses may be located shall require a vote of the people." in Section 8 of the Initiative, Future Changes; and to amend the definitions "distributor", "distribution", "manufacturer", "manufacturing site", "research and development laboratory" and "testing laboratory" in Section 2 of the Initiative, section 9-485, as set forth in the staff report; increase the age of 18 to 21 in section 9-495(g)(9); and to revise section 13-200.91 of the Zoning Code to prohibit the medical marijuana uses set forth in the ordinance from being located within 500 feet from Moon Park.

MOVED/SECOND: Mayor Mensinger/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

FOR INFORMATIONAL PURPOSES ONLY

ACTION:

1. City Council approved the proposed initiative ordinance entitled, "The City of Costa Mesa Medical Marijuana Measure" relating to medical marijuana manufacturing, testing and related uses within certain areas of the City including amendments to the ordinance as follows: to make the revisions suggested by staff, including to remove the word dispensing from Section 2 of the Initiative, section 13-200.91(a) and to include a sentence to read, "Except that any future change or amendment to this ordinance related to dispensaries and/or cultivation or specific areas in the city where medical marijuana businesses may be located shall require a vote of the people." in Section 8 of the Initiative, Future Changes; and to amend the definitions "distributor", "distribution", "manufacturer", "manufacturing site", "research and development laboratory" and "testing laboratory" in Section 2 of the Initiative, section 9-485, as set forth in the staff report; increase the age of 18 to 21 in section 9-495(g)(9); and to revise section 13-200.91 of the Zoning Code to prohibit the medical marijuana uses set forth in the ordinance from being located within 500 feet from Moon Park.

MOTION: To approve recommended item numbers 2a and 2b adopting the resolutions to place the measure on the November 8, 2016 ballot.

MOVED/SECOND: Mayor Pro Tem Righeimer/Mayor Mensinger

The motion carried by the following roll call vote:

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

Nays: Council Member Foley

Absent: None

Motion carried: 4-1

ACTION:

2. City Council adopted the following resolutions:
 - a. Resolution 2016-51: Calling and giving notice for the holding of a General Municipal election to be held on November 8, 2016 for the submission to the voters of a proposed ordinance entitled, "The City of Costa Mesa Medical Marijuana Measure"; and
 - b. Resolution 2016-52: Requesting the Orange County Board of Supervisors to Consolidate a General Municipal election to be held on November 8, 2016, for the purpose of submitting to the voters of the City of Costa Mesa a question relating to the adoption of a proposed ordinance entitled, "The City of Costa Mesa Medical Marijuana Measure".

FOR INFORMATIONAL PURPOSES ONLY

MOTION: To approve recommended item number 2c and authorize Mayor Pro Tem Righeimer to write the argument in favor of the proposed measure.

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:

2. City Council adopted the following resolution:

- c. Resolution 2016-53: Authorizing written arguments for or against the proposed ordinance “The City of Costa Mesa Medical Marijuana Measure”, setting priorities for filing written arguments, authorizing Mayor Pro Tem Righeimer to write the argument in favor of the proposed measure, and directing the City Attorney to prepare an impartial analysis.

MOTION: To approve recommended action number 2d authorizing the filing of a Notice of Exemption pursuant to the provisions California Environmental Quality Act.

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:

2. City Council adopted the following resolution:

- d. Resolution 2016-54: Authorizing the filing of a Notice of Exemption pursuant to the provisions California Environmental Quality Act.

MOTION: Direct staff to prepare three informational mailers.

MOVED/SECOND: Mayor Pro Tem Righeimer/Mayor Mensinger

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

FOR INFORMATIONAL PURPOSES ONLY

ACTION:

3. City Council approved three informational mailers.
2. **ELECTION CODE SECTION 9212 REPORT ON “AN INITIATIVE REQUIRING CHANGES IN USE AT FAIRVIEW PARK BE SUBJECT TO VOTER APPROVAL”, CONSIDER PLACING THE INITIATIVE ON THE NOVEMBER 8, 2016 BALLOT; AND PROVIDE DIRECTION ON AN ALTERNATIVE MEASURE**

MOTION: To receive the Elections Code Section 9212 report regarding the initiative.

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

The motion carried by the following roll call vote:

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

Nays: Council Member Genis

Absent: None

Motion carried: 4-1

ACTION:

1. City Council received the Elections Code Section 9212 report regarding the initiative.

MOTION: To approve recommended item numbers 2a and 2b adopting the resolutions to place the measure on the November 8, 2016 ballot.

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:

2. City Council adopted the following resolutions:
 - a. Resolution 2016-41: Calling and giving notice for the holding of a General Municipal election to be held on November 8, 2016 for the submission to the voters of a proposed ordinance entitled, “An Initiative Requiring Changes in use at Fairview Park Be Subject to Voter Approval”; and
 - b. Resolution 2016-42: Requesting the Orange County Board of Supervisors to Consolidate a General Municipal election to be held on November 8, 2016, for the purpose of submitting to the voters of the City of Costa Mesa a question relating to the adoption of a proposed ordinance entitled, An Initiative Requiring Changes in use at Fairview Park Be Subject to Voter Approval”.

FOR INFORMATIONAL PURPOSES ONLY

MOTION: To approve recommended action number 2c and authorize Mayor Pro Tem Righeimer in conjunction with Mayor Mensinger to write an argument against the proposed measure.

MOVED/SECOND: Mayor Pro Tem Righeimer/Mayor Mensinger

The motion carried by the following roll call vote:

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

Nays: Council Member Foley

Absent: None

Motion carried: 4-1

ACTION:

2. City Council adopted the following resolution:

- c. Resolution 2016-43: Authorizing written arguments for or against the proposed ordinance “An Initiative Requiring Changes in use at Fairview Park Be Subject to Voter Approval”, setting priorities for filing written arguments, authorizing Mayor Pro Tem Righeimer in conjunction with Mayor Mensinger to write an argument against the proposed measure, and directing the City Attorney to prepare an impartial analysis.

MOTION: For special counsel to prepare an alternative measure to be placed on the November 8, 2016 ballot prohibiting athletic fields at Fairview Park without the vote of the people.

MOVED/SECOND: Mayor Pro Tem Righeimer/Mayor Mensinger

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:

3. City Council provided special counsel with direction to prepare an alternative measure to be placed on the November 8, 2016 ballot prohibiting athletic fields at Fairview Park without the vote of the people.

3. **PROPOSED CITY COUNCIL SPONSORED MEASURE ADDRESSING FUTURE DEVELOPMENT AND DEVELOPMENT-FUNDED OPEN SPACE AND RECREATION**

MOTION: To approve the proposed Council initiated ballot measure (the “Measure”) that would directly compete with the Initiative for Voter Approval on Certain Development Projects (the “Initiative”) with amendments to the ordinance as follows: For Section 3 and 4 to reflect Exhibit “A” and “B” instead of “B” and “C”; for the second sentence in Section 5 to read, “The Fee shall be applicable to all new development located both north of the 405 freeway and west of Fairview Drive.”; to include at the end of Section 3, a sentence to read, “The City’s General Plan approved by the City Council on June 21, 2016 specifically designates not less than 25 percent or approximately 25.6 of the 102.6 total acres of the Fairview Developmental Center site as either passive or recreational open space; any change to this designation shall require a vote of the people.”; and to include at the beginning of Section 7, a sentence to read, “Except as otherwise provided herein, any future changes or amendments to this ordinance, if approved, including any future changes or amendments to the General Plan, Specific Plan(s), Overlay Plan(s), or Municipal Code provisions affected by the Measure, may occur in the manner set forth in State law and the City’s Municipal Code, and shall not require a vote of the people”.

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

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 approved the proposed Council initiated ballot measure (the “Measure”) that would directly compete with the Initiative for Voter Approval on Certain Development Projects (the “Initiative”) with amendments to the ordinance as follows: For Section 3 and 4 to reflect Exhibit “A” and “B” instead of “B” and “C”; for the second sentence in Section 5 to read, “The Fee shall be applicable to all new development located both north of the 405 freeway and west of Fairview Drive.”; to include at the end of Section 3, a sentence to read, “The City’s General Plan approved by the City Council on June 21, 2016 specifically designates not less than 25 percent or approximately 25.6 of the 102.6 total acres of the Fairview Developmental Center site as either passive or recreational open space; any change to this designation shall require a vote of the people.”; and to include at the beginning of Section 7, a sentence to read, “Except as otherwise provided herein, any future changes or amendments to this ordinance, if approved, including any future changes or amendments to the General Plan, Specific Plan(s), Overlay Plan(s), or Municipal Code provisions affected by the Measure, may occur in the manner set forth in State law and the City’s Municipal Code, and shall not require a vote of the people”.

FOR INFORMATIONAL PURPOSES ONLY

MOTION: To approve recommended item numbers 2a and 2b adopting the resolutions to place the measure on the November 8, 2016 ballot.

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

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:

2. City Council adopted the following resolutions:

- a. Resolution 2016-55: Calling and giving notice for the holding of a General Municipal election to be held on November 8, 2016 for the submission to the voters of a City Council sponsored proposition for the enactment of an ordinance, which will be referred to as the "Measure for Sensible Community Development and Development-Funded Open Space and Recreation," entitled:

A resolution of the City Council of the City of Costa Mesa, California, ordering, and giving notice of the submission to the voters of a proposition for the enactment of an ordinance relating to future Development and Development-Funded Open Space and Recreation at the November 8, 2016 consolidated regular election; and

- b. Resolution 2016-56: Requesting the Orange County Board of Supervisors to Consolidate a General Municipal election to be held on November 8, 2016, for the purpose of submitting to the voters of the City of Costa Mesa a question relating to the adoption of a proposed ordinance referred to as the "Measure for Sensible Community Development and Development-Funded Open Space and Recreation."

MOTION: To approve recommended item number 2c and authorize Mayor Pro Tem Righeimer in conjunction with any other interested Council Member to write an argument in favor of the proposed measure and authorize Council Member Genis and Council Member Foley to write an argument against the proposed measure.

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

FOR INFORMATIONAL PURPOSES ONLY

ACTION:

2. City Council adopted the following resolution:
 - c. Resolution 2016-57: Authorizing written arguments for or against the proposed ordinance referred to as the “Measure for Sensible Community Development and Development-Funded Open Space and Recreation, setting priorities for filing written arguments, authorizing Mayor Pro Tem Righeimer in conjunction with any other interested Council Member to write an argument in favor of the proposed measure and authorize Council Member Genis and Council Member Foley to write an argument against the proposed measure, and directing the City Attorney to prepare an impartial analysis.”

MOTION: Direct staff to prepare three informational mailers.

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

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:

3. City Council approved three informational mailers.

NEW BUSINESS:

1. **GENERAL PLAN SCREENING GPS-16-03 FOR THE EMULEX PROPERTY AT 3333 SUSAN STREET**

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, Mayor Pro Tem Righeimer and Mayor Mensinger

Nays: None

Absent: Council Member Monahan

Motion carried: 4-0-1

ACTION:

City Council accepted the General Plan amendment screening request for processing to amend the land use designation from Industrial Park (IP) to Commercial Center (CC) related to development of the 14.25 acre Emulex property at 3333 Susan Street.

ITEMS REMOVED FROM THE CONSENT CALENDAR - NONE

REPORT – CITY ATTORNEY - NONE

ADJOURNMENT – The Mayor and City Council adjourned the meeting at 12:01 a.m.