

# MINUTES OF THE SPECIAL MEETING OF THE COSTA MESA CITY COUNCIL

July 12, 2016

## CALL TO ORDER (00:00:07)

The meeting was called to order by the Mayor at 7:35 p.m. at Costa Mesa City Hall, Council Chambers, 77 Fair Drive, Costa Mesa, California.

## ROLL CALL (00:00:10)

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

Absent: None

Officials Present: Chief Executive Officer Thomas R. Hatch, City Attorney Thomas Duarte, Assistant CEO Rick Francis, Assistant CEO/Administrative Services Director Tamara Letourneau; Economic and Development Services Director Gary Armstrong, Interim Public Services Director Jim Ross, Interim Finance Director Steve Dunivent and City Clerk Brenda Green.

## PUBLIC HEARING: (00:00:20)

### 1. VOTING DISTRICTS FORMATION (00:00:23)

Staff report by Kimberly Hall Barlow, Special Counsel. (00:00:46)

Public Comments: (00:04:44)

Robert Taft, Costa Mesa, spoke in support of six districts and a directly elected Mayor. (00:04:47)

Chuck Perry, Costa Mesa, spoke in support of six districts and a directly elected Mayor. (00:10:54)

Mike Vargas, Costa Mesa, spoke in support of six districts and a directly elected Mayor. (00:12:14)

Barrie Fisher, Costa Mesa, spoke in support of six districts and a directly elected Mayor. (00:13:50)

Joanne Perler, Costa Mesa, spoke in opposition to six districts and a directly elected Mayor. (00:16:28)

T. Koken, Costa Mesa, spoke in opposition to six districts and a directly elected Mayor. (00:19:24)

Jay Humphrey, Costa Mesa, spoke in support of five districts.

Speaker, spoke in support of six districts and a directly elected Mayor. (00:23:00)

Bill Harader, Costa Mesa, spoke in opposition to six districts and a directly elected Mayor. (00:24:31)

Krissie Bogner, Costa Mesa, spoke in opposition to districting and dividing the community. (00:26:49)

Allan Mansoor, Costa Mesa, spoke in support of six districts and a directly elected Mayor. (00:29:57)

John Stephens, Costa Mesa, spoke in support of five districts. (00:31:43)

Cynthia McDonald, Costa Mesa, spoke in support of five districts. (00:34:41)

Gay Royer, Costa Mesa, spoke in support of five districts. (00:36:21)

Karl Ahlf, Costa Mesa, spoke in support of five districts. (00:39:05)

Speaker, spoke in support of five districts. (00:40:08)

Keturah Kennedy, Costa Mesa, spoke in support of five districts. (00:43:13)

Speaker, spoke in opposition to six districts. (00:45:33)

Corinne Stover, Costa Mesa, spoke in support of five districts. (00:47:36)

Sarah Goodman, spoke in support of five districts. (00:50:38)

Speaker, spoke in support of five districts. (00:52:45)

Dave Goodman, Costa Mesa, spoke in support of five districts. (00:54:51)

Alex Reich, Costa Mesa, spoke in support of five districts. (00:57:41)

Joshua Martinez, Costa Mesa, spoke in support of six districts and a directly elected Mayor. (01:00:17)

Janet Lee Krochman, Costa Mesa, spoke in support of six districts and a directly elected Mayor. (01:03:24)

Linda DeChlarra, Costa Mesa, spoke on districting. (01:06:25)

Wendy Leece, Costa Mesa, spoke in support of five districts. (01:09:27)

Speaker, spoke in support of five districts. (01:12:31)

Cindy Brenneman, Costa Mesa, spoke in support of five districts. (01:14:57)

Effy Sanchez, Costa Mesa, spoke in support of five districts. (01:17:40)

Concepcion Gonzalez, Costa Mesa, spoke in support of five districts. (01:18:41)

Dianne Russell, Costa Mesa, spoke in support of five districts. (01:22:00)

Sue Lester, Costa Mesa, spoke in support of five districts. (01:23:56)

Rich Russell, Costa Mesa, spoke in support of six districts with a directly elected Mayor. (01:26:53)

Robin Leffler, Costa Mesa, spoke in support of five districts. (01:29:52)

Public Comments Closed

**MOVED/SECOND:** Mayor Pro Tem Righeimer/Council Member Monahan (01:33:02)

Mayor Pro Tem Righeimer spoke in support of the motion. (01:33:20)

Council Member Genis spoke in opposition to the motion. (01:45:00)

Council Member Foley spoke in opposition to the motion. (01:48:10)

**MOTION:** To approve Alternative 1: Proposal number three with six districts, a directly elected Mayor and the Mayor to serve two year terms and be subject to term limits of two terms. (01:33:02)

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

The motion carried by the following roll call vote: (01:53:50)

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

Nays: Council Member Genis and Council Member Foley

Absent: None

Motion carried: 3-2

**ACTION:**

City Council approved Alternative 1: Proposal number three with six districts, a directly elected Mayor and the Mayor to serve two year terms and be subject to term limits of two terms.

**MOVED/SECOND:** Mayor Pro Tem Righeimer/Mayor Mensinger

The motion carried by the following roll call vote: (01:53:50)

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

Nays: Council Member Genis and Council Member Foley

Absent: None  
Motion carried: 3-2

**ACTION:**

City Council adopted the following resolutions:

- a. Resolution 2016-59 (Alternative 1): 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 an ordinance electing city council members by district; and
- b. Resolution 2016-60 (Alternative 1): 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 electing city council members by district.

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

The motion carried by the following roll call vote: (01:57:09)

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

Nays: Council Member Genis and Council Member Foley

Absent: None

Motion carried: 3-2

**ACTION:**

City Council adopted the following resolution:

- c. Resolution 2016-61 (Alternative 1): Authorizing written arguments for or against the proposed ordinance, setting priorities for filing written arguments, authorizing Mayor Pro Tem Righeimer in conjunction with any other interested Council Member to write the argument in favor of the proposed measure, and directing the City Attorney to prepare an impartial analysis.

Council Member Genis requested City Council view copies of all ballot measure mailers before they are sent out to the public. (02:01:20)

**MOTION:** Direct staff to prepare three informational mailers. (02:00:40)

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

The motion carried by the following roll call vote: (02:01:40)

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 three informational mailers.

Council Member Foley requested an itemization of the costs for the measure including the settlement agreement and mailers. (02:01:50)

City Council recessed into a break at 9:35 p.m. (02:02:27)

City Council returned at 9:48 p.m. (02:12:50)

**2. PROPOSED CITY COUNCIL SPONSORED MEASURE ADDRESSING FUTURE DEVELOPMENT AT FAIRVIEW PARK (02:13:00)**

Staff report by Patrick Muñoz, Special Counsel. (02:13:10)

Discussion ensued on the definition of "athletic fields". (02:14:20)

Public Comments: (02:15:43)

Jay Humphrey, Costa Mesa, spoke on the Americans with Disabilities Act (ADA) wording. (02:16:17)

Sue Lester, Costa Mesa, spoke in opposition to the measure. (02:19:27)

Richard Mehren, Costa Mesa, spoke in opposition to the measure. (02:22:10)

Jack Ross, Costa Mesa, spoke in opposition to the measure. (02:23:59)

Karl Ahlf, Costa Mesa, spoke in opposition to the measure. (02:26:10)

Bill Harader, Costa Mesa, spoke in opposition to the measure. (02:28:05)

Alex Reich, spoke in opposition to the measure. (02:31:08)

Speaker, spoke in opposition to the measure. (02:34:19)

Speaker, spoke in opposition to the measure. (02:36:27)

Speaker, spoke in opposition to the measure. (02:38:45)

Wendy Leece, Costa Mesa, spoke in opposition to the measure. (02:39:32)

Linda DeChlarra, Costa Mesa, spoke on the homeless camping at Fairview Park. (02:42:10)

Cynthia McDonald, Costa Mesa, spoke in opposition to the measure. (02:44:38)

Terry Koken, Costa Mesa, spoke in opposition to the measure. (02:45:51)

John Stephens, Costa Mesa, spoke in opposition to the measure. (02:47:56)

Cindy Black, Costa Mesa, spoke in opposition to the measure. (02:51:02)

Cindy Brenneman, Costa Mesa, spoke in opposition to the measure. (02:54:05)

Robin Leffler, Costa Mesa, spoke in opposition to the measure. (02:56:21)

**MOTION:** To reset time clock for public comment speaker Robin Leffler.

**MOVED/SECOND:** Council Member Foley/Council Member Genis (02:57:39)

The motion carried by the following roll call vote: (02:57:45)

Ayes: Council Member Monahan, Council Member Foley and Council Member Genis

Nays: Mayor Pro Tem Righeimer and Mayor Mensinger

Absent: None

Motion carried: 3-2

Robin Leffler, Costa Mesa, spoke on the two measures. (02:57:55)

City Council recessed into a break at 10:39 p.m. (03:04:30)

City Council reconvened at 10:44 p.m. (03:09:40)

Discussion ensued on grant funds; definition of "athletic fields"; and American with Disabilities Act (ADA) law and compliance. (03:10:00)

**MOTION:** Adopt Resolution No. 16-62 and Resolution No. 16-63 with an amendment to the ordinance, Section 3, Definitions for Athletic Fields, to also include: basketball courts, courts for tennis and other racket sports, golf facilities and tracks for motorized vehicles such as go-carts. (03:31:45)

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

The motion carried by the following roll call vote: (03:32:30)

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:**

The City Council adopted the following resolutions with an amendment to the ordinance, Section 3, Definitions for Athletic Fields, to also include: basketball courts, courts for tennis and other racket sports, golf facilities and tracks for motorized vehicles such as go-carts.

1. Resolution 16-62: 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 "Costa Mesa Measure Prohibiting Athletic Fields at Fairview Park"; and

2. Resolution 16-63: 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 "Costa Mesa Measure Prohibiting Athletic Fields at Fairview Park".

**MOTION:** Adopt Resolution No. 16-64 and authorize Mayor Pro Tem Righeimer to write the argument in favor of the proposed measure.

**MOVED/SECOND:** Mayor Pro Tem Righeimer/Mayor Mensinger (03:33:58)

**SUBSTITUTE MOTION:** Adopt Resolution No. 16-64 and authorize Mayor Pro Tem Righeimer in conjunction with any other interested Council Member to write the argument in favor of the proposed measure and Council Member Genis and Council Member Foley to write the argument against the proposed measure.

**SUBSTITUTE MOTION/SECOND:** Council Member Genis/Council Member Foley (03:34:24)

Council Member Genis withdrew her substitute motion. (03:35:00)

**SUBSTITUTE MOTION:** Adopt Resolution No. 16-64 and authorize Mayor Pro Tem Righeimer to write the argument in favor of the proposed measure and Council Member Genis to write the argument against the proposed measure.

**SUBSTITUTE MOTION/SECOND:** Mayor Mensinger/Council Member Genis (03:34:38)

The motion carried by the following roll call vote: (03:35:39)

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 adopted Resolution 16-64: Authorizing written arguments for or against the proposed ordinance referred to as the "Costa Mesa Measure Prohibiting Athletic Fields at Fairview Park," setting forth priorities for filing written arguments, authorizing Mayor Pro Tem Righeimer to write the argument in favor of the proposed measure and Council Member Genis to write the argument against the proposed measure and directing the City Attorney to prepare an impartial analysis.

**MOTION:** Direct staff to prepare three informational mailers. (03:35:42)

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

The motion carried by the following roll call vote: (03:45:46)

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

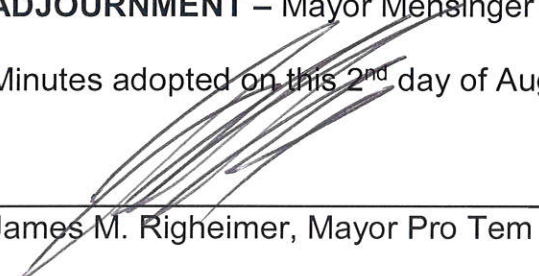
**ACTION:**

City Council approved three informational mailers.

**COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS - NONE**

**ADJOURNMENT** – Mayor Mensinger adjourned the meeting at 11:11 p.m.

Minutes adopted on this 2<sup>nd</sup> day of August, 2016.



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James M. Righeimer, Mayor Pro Tem

ATTEST:



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Brenda Green, City Clerk