

**MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL, HOUSING
AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY**

October 17, 2016

CALL TO ORDER (00:00:09)

The meeting was called to order by the Mayor at 5:48 p.m. in the Council Chambers at Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, California.

PLEDGE OF ALLEGIANCE (00:00:27) - Mayor Pro Tem Righeimer

MOMENT OF SOLEMN EXPRESSION (00:01:02)

Sayed Mostafa Qazwini, Imam of the Islamic Educational Center of Orange County, Costa Mesa

ROLL CALL (00:04:47)

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

Officials Present: Chief Executive Officer Tom Hatch, Deputy City Attorney Tarquin Preziosi, Assistant Chief Executive Officer Richard Francis, Assistant Chief Executive Officer Tamara Letourneau, Interim Deputy City Manager/Economic and Development Services Director Jay Trevino, Interim Public Services Director Raja Sethuraman, and City Clerk Brenda Green.

CITY ATTORNEY CLOSED SESSION REPORT (00:05:02)

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

ANNOUNCEMENTS (00:05:14)

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

PRESENTATIONS (00:07:24)

1. Mayor's Award – John Hawley, Railmakers, Inc.

John Hawley, founder and owner of Railmakers Inc., received the Mayor's award.

PUBLIC COMMENTS (00:015:29)

Beth Refakes, Costa Mesa, spoke on the Military Affairs Team Candy Drive. (00:16:24)

Alex Reich, Costa Mesa, spoke on the Costa Mesa Water District. (00:17:55)

Flo Martin, Costa Mesa, spoke on the Tanager Bike Trail. (00:20:23)

Barrie Fisher, Costa Mesa, spoke on new housing developments. (00:22:33)

Steve Chan, Costa Mesa, spoke on the Holiday business. (00:24:09)

Denise Davis, Costa Mesa, spoke on a proposed development at 440 Fair Drive. (00:26:44)

Greg Tunnell, Costa Mesa, spoke on the City Council election and the Trump rally. (00:29:57)

Chris McEvoy, Costa Mesa, spoke on transparency and campaigns. (00:34:32)

Ralph Taboada, Costa Mesa, spoke on a campaign mailer. (00:37:35)

T. Koken, Costa Mesa, sang a song; and spoke on a campaign flyer. (00:40:36)

Kim Hendricks, Costa Mesa, spoke on Measure AA. (00:42:56)

Cindy Brenneman, Costa Mesa, spoke on the election and campaign mailers. (00:46:06)

Robin Leffler, Costa Mesa, spoke on representation; the election; and campaigns. (00:49:04)

Paula Rivera, Costa Mesa, spoke on campaigns. (00:52:08)

COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS (00:55:38)

Council Member Genis spoke on the award to John Hawley; the Tanager Bike Trail; and firefighters overtime. (00:55:43)

Mayor Pro Tem Righeimer spoke on the community and election issues. (00:59:45)

Mayor Mensinger spoke on election issues and campaigns. (01:10:14)

REPORT – CHIEF EXECUTIVE OFFICER (CEO) – (01:15:30) - NONE

CONSENT CALENDAR: (01:15:37)

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 7 except for 2, 3 and 5. (01:15:50)

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

The motion carried by the following roll call vote:

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

Nays: None

Absent: Council Member Foley and Council Member Monahan

Motion carried: 3-0-2

1. READING FOLDER

Claims received by the City Clerk: Marian Boquette

ACTION:

City Council received and filed.

4. CLEARBROOK LANE ALLEY (ALLEY NO. 46), FLOWER STREET ALLEY (ALLEY NO. 81), BROADWAY ALLEY (ALLEY NO. 89), MAGNOLIA STREET ALLEYS (ALLEY NO. 91, ALLEY NO. 93 AND ALLEY NO. 94), AND 18TH STREET ALLEY (ALLEY NO. 96) IMPROVEMENT PROJECT - CITY PROJECT NO. 15-13

ACTION:

1. City Council accepted the work performed by Blackrock Construction Company and authorized the City Clerk to file the Notice of Completion; and
2. Authorized the release of the Labor and Material Bond seven (7) months after the filing date; release of the Faithful Performance Bond one (1) year after the filing date; and release of the retention monies 35 days after the Notice of Completion filing date.

6. RELEASE OF BONDS IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS15-00147 FOR STREET IMPROVEMENTS LOCATED AT 2562 SANTA ANA AVENUE, COSTA MESA, CALIFORNIA

ACTION:

City Council authorized the release of the Performance and Labor and Material Bonds (Certificate No. 802544S) in the amounts of \$19,583.00 each for street improvements to NTH 5, LLC (Developer), 418 Via Lido Nord, Newport Beach, CA 92663.

7. FUNDING FOR PURCHASE OF THE ORANGE COUNTY 800 MHZ COUNTYWIDE COORDINATED COMMUNICATIONS SYSTEM UPGRADE PROJECT DISPATCH CONSOLES AND PARTNERSHIP COSTS

ACTION:

1. City Council approved and authorized the Chief Executive Officer (CEO) to sign the sole source purchase request and authorized the purchase of eight (8) Dispatch Consoles and accessories designed to interface with the existing Orange County ASTRO 25 System offered by Motorola in the amount of \$1,103,107.00; and
2. Approved payment of \$371,267.00 to the County of Orange for 800 MHz Next Generation Project partnership costs; and
3. Authorized the CEO to use up to \$1,326,000.00 from the City's Equipment Replacement Fund 601 (with no interest) and be repaid in FY 17-18 for this and related equipment.

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

PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55): (01:16:22)

1. **GENERAL PLAN AMENDMENT GP-16-05 CHANGING THE LAND USE DESIGNATION OF A 2.07 ACRE SITE FROM GENERAL COMMERCIAL (GC) TO LOW DENSITY RESIDENTIAL (LDR); AND FIRST READING OF ORDINANCE 16-XX OF THE CITY COUNCIL OF THE CITY OF COSTA MESA FOR REZONE R-16-05 TO REZONE (OR CHANGE) A 2.07 ACRE SITE FROM C1 (LOCAL BUSINESS DISTRICT) TO R1 (SINGLE FAMILY RESIDENTIAL DISTRICT) FOR THE PROPERTY LOCATED AT 2850 MESA VERDE DRIVE EAST (01:16:30)**

Ex-Parte Communications Report: (01:17:00)

Mayor Pro Tem Righeimer spoke to the developer on the project. (01:17:25)

Council Member Genis spoke on the Planning Commission minutes and comments by Chair Dickson. (01:18:00)

Mel Lee, Senior Planner, presented the Staff Report. (01:22:45)

Discussion ensued on the wall opening from Mesa Verde to Andros Street; and on cumulative data on the loss of commercial space in the City. (01:27:17)

Discussion ensued on the site history, lot size, and building height requirements (01:30:00)

Peter Zehnder, representing applicant Pinnacle Residential, spoke on the project; reduced traffic counts; and on the wall opening on Andros Street. (01:38:12)

Public Hearing Opened: (01:44:15)

Greg Tunnell, Costa Mesa, spoke in opposition to the project. (01:44:26)

Susan Shaw, Costa Mesa, spoke on traffic concerns and guest parking. (01:47:40)

Robin Leffler, Costa Mesa, spoke on Planning Commissioner comments; and in opposition to the project. (01:50:12)

Amorra Raa, Costa Mesa, spoke in opposition to the project. (01:53:33)

Tiffany Van Drimlen, spoke in opposition to the project. (01:56:31)

Reverend Jim Turrell, Costa Mesa, spoke in opposition to the project. (01:59:38)

Public Hearing Closed.

Mr. Zehnder, spoke on the owner's communication with the tenants; history of the property; and working with the tenants. (02:03:50)

Discussion ensued on the history of the property. (02:07:25)

Mayor Pro Tem Righeimer spoke on the economic life of the property; and reduction of daily trips. (02:09:10)

Council Member Genis spoke on documenting the building history; and working with the tenants. (02:16:20)

Mr. Zehnder, spoke on the relocation of the tenants. (02:17:20)

Discussion ensued on the tenant's leases. (02:19:00)

MOVED/SECOND: Mayor Pro Tem Righeimer/Council Member Genis (02:25:25)
The motion carried by the following roll call vote:
Ayes: Council Member Genis, Mayor Pro Tem Righeimer and Mayor Mensinger
Nays: None
Absent: Council Member Foley and Council Member Monahan
Motion carried: 3-0-2

ACTION:

1. City Council approved the Initial Study/Negative Declaration.

MOVED/SECOND: Mayor Pro Tem Righeimer/Council Member Genis (02:29:32)
The motion carried by the following roll call vote:
Ayes: Council Member Genis, Mayor Pro Tem Righeimer and Mayor Mensinger
Nays: None
Absent: Council Member Foley and Council Member Monahan
Motion carried: 3-0-2

ACTION:

2. City Council adopted Resolution No. 16-78 approving the General Plan Amendment GP-16-05 to change the land use designation of a 2.07-acre site from GC (General Commercial) to LDR (Low Density Residential) and to include the following conditions of approval: 1. Neither the applicant nor property owner shall turn off utilities and/or commence removal of the existing tenants or demolition of the existing structures or otherwise make the property un-inhabitable until expiration of the final lease at the property. No lease shall be terminated, other than for a violation of any provision thereof as permitted by law, prior to 9 months from the effective date of this resolution. Nothing herein shall require the property owner to extend any lease beyond 12 months from the effective date of this resolution; and 2. The applicant and/or property owner shall provide appropriate documentation as to the history of the buildings (photographs, building plans, etc.) to the Development Services Department prior to demolition of the existing development.

Council Member Genis spoke in support of the motion. (02:26:50)

MOVED/SECOND: Mayor Pro Tem Righeimer/Council Member Genis (02:30:20)
The motion carried by the following roll call vote:
Ayes: Council Member Genis, Mayor Pro Tem Righeimer and Mayor Mensinger
Nays: None
Absent: Council Member Foley and Council Member Monahan
Motion carried: 3-0-2

ACTION:

3. City Council gave first reading to Ordinance No. 16-11 for R-16-05 to rezone (or change) a 2.07-acre site from C1 (Local Business District) to R-1 (Single Family Residential District - eight (8) dwelling units per acre maximum density allowed).

2. SECOND AMENDMENT TO THE SOBECA URBAN PLAN (SP-05-06 A2) TO ALLOW INDIVIDUAL RESIDENTIAL DEVELOPMENT AT MAXIMUM DENSITY OF 40 DU/ACRE AND AN OVERALL DEVELOPMENT CAPACITY OF 450 UNITS (02:31:19)

Minoo Ashabi, Principal Planner, presented the Staff Report. (02:32:00)

Public Hearing Opened: (02:35:00)

Jay Humphrey, Costa Mesa, spoke on converting commercial buildings to residential space; and on building heights and inclusionary housing. (02:35:21)

Robin Leffler, Costa Mesa, spoke in opposition to the item. (02:38:05)

Public Hearing Closed.

Mayor Mensinger spoke on the IKEA and AAA Automobile Club developments. (02:41:01)

Mayor Pro Tem Rigeimer spoke on the issue; a maximum of 450 units and zero traffic impacts; and including a parking condition that does not require a variance. (02:44:30)

MOVED/SECOND: Mayor Mensinger/Mayor Pro Tem Rigeimer

MOTION: City Council approve SoBECA Urban Plan Amendment (SP-05-06 A2) to allow residential development at maximum density of 40 du/acre and an overall development capacity of 450 units within the urban plan area by adoption of Resolution 16-79.

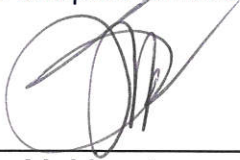
Council Member Genis left the dais prior to the vote (8:37 p.m.).
No action due to lack of quorum.

The City Clerk adjourned the meeting due to a lack of quorum at 8:38 p.m.

THE FOLLOWING ITEMS PULLED FROM THE CONSENT CALENDAR WERE NOT HEARD.

2. WARRANT RESOLUTION NO. 2565 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 16-21 FOR \$2,153,330.61 AND CITY OPERATING EXPENSES FOR \$1,983,488.41; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID
3. MINUTES OF THE REGULAR CITY COUNCIL, HOUSING AUTHORITY, AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF OCTOBER 4, 2016
5. EAST 17TH STREET LANDSCAPE ENHANCEMENT PROJECT, FEDERAL PROJECT NO. RPSTPLE – 5312(091), CITY PROJECT NO. 13-12

Minutes adopted on this 15th day of November, 2016.



Stephen M. Mensinger, Mayor

ATTEST:



Brenda Green, City Clerk