

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL AND
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY**

MAY 7, 2019

CALL TO ORDER

The Closed Session was called to order by Mayor Foley at 4:00 p.m. in Grand Hall 1 of the Costa Mesa Senior Center, 695 W. 19th Street, Costa Mesa, California.

ROLL CALL

Present: Council Member Chavez, Council Member Genis, Council Member Mansoor (arrived at 5:07 p.m.), Council Member Marr, Council Member Reynolds, Mayor Pro Tem Stephens, and Mayor Foley.

Absent: None

PUBLIC COMMENTS ON CLOSED SESSION ITEMS:

Speaker, spoke on Tim Carr; sober living homes; and to not settle cases.

The City Council recessed to Room 102 at 4:05 p.m. for Closed Session to consider the following items:

1. PUBLIC EMPLOYEE APPOINTMENT

Pursuant to Subdivision (b)(1) of Section 54957 California Government Code:
1 matter

Title: City Manager

2. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Subdivision (a) of Section 54957.6, California Government Code
Agency Designated Representatives: Lance Nakamoto, Human Resources Manager, Lamont Ewell, Senior Consultant for Ralph Andersen and Associates and Kimberly Hall Barlow, City Attorney.

Unrepresented Employee: City Manager

3. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Section 54956.9 California Government Code
Name of Case: Todd Palombo v. City of Costa Mesa, et al., Superior Court of the State of California, County of Orange, Case No. 30-2018-01016671-CU-OE-CJC.

4. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Section 54956.9 California Government Code
Name of Case: Eric McVey v. City of Costa Mesa, et al., Superior Court of the State of California, County of Orange, Case No. 30-2019-01064038-CU-OE-CJC.

5. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code
Name of Case: County of Orange, Orange County Flood Control District, City of Costa Mesa, City of Orange, and City of Anaheim v. California Department of Public Health; Karen L. Smith, in her official capacity as Director and State Public Health Officer, Orange County Needle Exchange Program, Superior Court of the State of California, County of San Diego, Hall of Justice Center Courthouse, Case No. 37-2018-00039176-CU-MC-CTL.

**6. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
SIGNIFICANT EXPOSURE TO LITIGATION – TWO POTENTIAL CASES**

Pursuant to Subdivision (d)(2) of Section 54956.9, California Government Code

**7. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
INITIATION OF LITIGATION – NINE POTENTIAL CASES**

Pursuant to Subdivision (d)(4) of Section 54956.9, California Government Code

8. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code
Name of Case: City of Costa Mesa v. Casa Capri, LLC, a California limited liability corporation; Casa Capri Recovery Center, LLC, a California limited liability corporation; Irani Zackary, an individual; Timothy Carr, an individual; Melissa Holmes Goodmon, an individual; Jeremy Broderick, an individual, Superior Court of the State of California, County of Orange, Central Justice Center, Case No. 30-2018-01006156-CU-OR-CJC.

9. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code
Name of Case: City of Costa Mesa v. Clean Path Recovery, LLC, a California limited liability company; Lee Heligman, an individual; Lucy Lee Holdings, LLC, a California limited liability company; Pomona Associates CM, LLC, a California limited liability company, Superior Court of the State of California, County of Orange, Central Justice Center, Case No. 30-2018-01015745-CU-OR-CJC.

10. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code
Name of Case: City of Costa Mesa v. Ohio House, LLC, a California limited liability corporation; Richard Perlin, Nancy Perlin, Dolores Perlin, and Brandon Stump as individuals, Superior Court of the State of California, County of Orange, North Justice Center, Case No. 30-2018-01006173-CU-OR-NJC.

11. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code
Name of Case: City of Costa Mesa v. SoCal Recovery, Inc., a California corporation; Darryl Shinder, an individual; Kenneth Norwood, an individual; Ian Grimley, an individual, Superior Court of the State of California, County of Orange, North Justice Center, Case No. 30-2018-01022764-CU-OR-NJC.

12. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code
Name of Case: Casa Capri Recovery, Inc. v. City of Costa Mesa, United States District Court, Central District of California – Southern Division, Case No. 8:18-cv-00329-JVS-PJW.

13. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code
Name of Case: National Therapeutic Services, Inc. dba Northbound Treatment Services, a Nevada corporation; RAW Recovery LLC, a California limited liability company v. City of Costa Mesa, United States District Court, Central District of California, Case No. 8:18-cv-01080-JVS-AGR.

14. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code
Name of Case: Pacific Shores, LLC, a California corporation v. City of Costa Mesa, United States District Court, Central District of California, Case No. 8:18-cv-01170 JVS-PJW.

15. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code
Name of Case: SoCal Recovery, LLC, a California limited liability company v. City of Costa Mesa, United States District Court, Central District of California, Case No. 8:18-cv-01304-JVS-PJW.

16. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Section 54956.9, California Government Code
Name of Case: Summit Coastal Living, Inc., a California corporation v. City of Costa Mesa, United States District Court, Central District of California, Case No. 8:18-cv-01369-JVS-PJW.

CALL TO ORDER (00:00:22)

The meeting was called to order by Mayor Foley at 6:10 p.m. in Grand Hall 1 of the Costa Mesa Senior Center, 695 W. 19th Street, Costa Mesa, California.

NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE (00:00:52)

St. Joachim Junior High School Choir Members

MOMENT OF SOLEMN EXPRESSION (00:02:51)

Pastor Jordan Hansen, Newport Mesa Church, Costa Mesa

ROLL CALL (00:04:32)

Present: Council Member Chavez, Council Member Genis, Council Member Mansoor, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Stephens, and Mayor Foley.

Absent: None

Officials Present: Acting City Manager Tamara Letourneau, City Attorney Kimberly Hall Barlow, Economic and Development Services Director Barry Curtis, Public Services Director Raja Sethuraman, Finance Director Kelly Telford and City Clerk Brenda Green.

CITY ATTORNEY CLOSED SESSION REPORT (00:04:38) – Ms. Barlow stated there were no reportable actions taken in Closed Session but direction was given to staff.

PRESENTATIONS (00:04:53)

1. National Travel and Tourism Week Proclamation – Mayor Foley presented a proclamation to Travel Costa Mesa in celebration of National Travel and Tourism week, which takes place on May 5-11.
2. Cultural Arts Committee Annual Report - Chair Charlene Ashendorf and Recreation Supervisor Ashley Thomas presented the report.

PUBLIC COMMENTS – MATTER NOT LISTED ON THE AGENDA (00:16:20)

Flo Martin, Costa Mesa, requested banning of polystyrene in Costa Mesa restaurants and retail food vendors.(00:16:41)

Speaker, thanked Council for the new microwave at the Senior Center and requested a toaster oven. (00:19:05)

Claudia Perez, representing Assemblywoman Cottie-Petrie Norris, provided an update on AB 920 and AB 65. (00:21:01)

Cindy Black, Costa Mesa, spoke against twenty-five trees being removed from Lions Park. (00:22:41)

Speaker, Costa Mesa, spoke on the parking permit process and in opposition to 3 cars per residence limitation. (00:25:54)

Al Melone, Costa Mesa, spoke on problems with urban coyotes. (00:29:24)

John Merrill, Costa Mesa, spoke on problems with urban coyotes. (00:32:17)

Rebecca Trahan, Costa Mesa, requested to reconsider the removal of the twenty-five trees in Lions Park; and spoke on fiscal responsibility and accountability pertaining to litigation. (00:35:27)

Tim Lewis, spoke on environmental issues and the Red Mountain project. (00:37:20)

Speaker, spoke on the Orange County Board of Supervisors meeting; AB 920; American Relapse movie; and Mental Health Month. (00:40:18)

Speaker, requested grass at the dog park. (00:43:22)

Beth Refakes, Costa Mesa, spoke on parking concerns at the Historical Society and requested more traffic enforcement; spoke against the expansion of John Wayne airport; and requested clarification on the July 3rd Community event at the OC Fairgrounds. (00:45:31)

Robin Leffler, Costa Mesa, spoke on environmental concerns pertaining to building homes at Red Mountain site. (00:48:29)

Speaker, spoke on traffic concerns. (00:51:23)

COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS (00:53:08)

Council Member Mansoor requested Mr. Curtis to speak on the environmental standards for the Red Mountain site. (00:53:17)

Council Member Genis reported on her attendance at the Southern California Association of Governments (SCAG) conference; spoke on SB-2 grant funding; and the Regional Housing Needs Assessment (RHNA) numbers. (00:54:15)

Council Member Reynolds spoke on enhancing mobility; OCC Recycling Center; Kick-off Shelter Advisory Committee; praised students who organized Be Kind Day; invited all to the Bike to School Day on May 8th; Tenants Rights workshop on May 13th; Budget Study Session on May 14th; and the Newport Harbor High School Evening of the Arts on May 15th. (00:57:32)

Council Member Chavez spoke on Interpretation Week; groundbreaking of the Boys and Girls Club; visiting Estancia High School; and concerns regarding the airport expansion. (01:01:30)

Council Member Marr reported on her attendance at the NMUSD Visual and Performing Arts Commission meeting; SCAG conference; spoke on the OC Visitors Association Tourism Conference with Travel Costa Mesa; encouraged attendance at the Boards and Commission workshop; provided the Suicide Hotline number for Mental Health Awareness month; requested exploring a vacant lot policy; and invited all to the Ask the Planner workshop on June 5th.(01:04:34)

Mayor Pro Tem Stephens spoke on Good Day LA at the Social restaurant in Costa Mesa; spoke on the July 3rd Community event at the OC Fairgrounds; resurfacing courts at the tennis center; conditions at the dog park; the OC Marathon; urban coyotes and the Coyote Management Plan; and Mental Health Awareness month. (01:08:07)

Mayor Foley spoke on Teachers' Day and Nurses' week; reported on her attendance at the OC Kids run event; Newport Beach Film Festival; meeting with Southern California Edison on electric charging stations; meeting with Fillmore Street residents regarding parking concerns; spoke on the Triangle Square survey; Boards of Supervisors meeting on the airport expansion; and encouraged citizens to be involved. (01:12:27)

REPORT – CITY MANAGER (01:17:39) – Ms. Letourneau spoke on the Library opening on May 24th at 10 a.m.; Council Chambers remodel project; and the removal of the 25 trees at Lions Park.

REPORT – CITY ATTORNEY (01:19:10) – Ms. Barlow reported on the OC Needle Exchange case.

CONSENT CALENDAR (01:19:52)

MOVED/SECOND: Mayor Pro Tem Stephens/Council Member Chavez

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 8 except for 3 and 8.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Genis, Council Member Mansoor, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Stephens, and Mayor Foley.

Nays: None

Absent: None

Motion carried: 7-0

1. **PROCEDURAL WAIVER: MOTION TO APPROVE THE READING BY TITLE ONLY OF ALL ORDINANCES AND RESOLUTIONS. SAID ORDINANCES AND RESOLUTIONS THAT APPEAR ON THE PUBLIC AGENDA SHALL BE READ BY TITLE ONLY AND FURTHER READING WAIVED**

ACTION:

City Council and Agency Board waived reading of Ordinances and Resolutions.

2. **READING FOLDER**

Claims received by the City Clerk: Sean Clark and Heidi Kleff.

ACTION:

City Council received and filed.

4. MINUTES OF THE REGULAR CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY MEETINGS OF FEBRUARY 19, 2019 AND MARCH 5, 2019

ACTION:

City Council approved the minutes of February 19, 2019 and March 5, 2019.

5. SITE ACCESS AND LICENSE AGREEMENT WITH THE ORANGE COUNTY SANITATION DISTRICT AND THE COSTA MESA SANITARY DISTRICT FOR THE INSTALLATION OF AN ODOR CONTROL TREATMENT SYSTEM ON CITY-OWNED PARCEL 141-221-26

ACTION:

1. City Council approved the Site Access and License Agreement with the Orange County Sanitation District and the Costa Mesa Sanitary District for an odor control treatment system on City-owned property; and
2. Authorized the Mayor and the City Clerk to execute the Agreement; and
3. Authorized the City Manager to execute future amendments to the Agreement.

6. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT/HOME CONTRACT STAFF

ACTION:

1. City Council approved the Professional Services Agreement with Mike Linares, Inc., for Community Development Block Grant/Home contract staff in an annual amount not-to-exceed \$90,000, with the option to renew for up to four one-year periods; and
2. Authorized the City Manager and the City Clerk to execute the proposed Professional Services Agreement and future amendments to the agreement and allow up to an additional 10% contingency amounting to \$9,000.00, as needed for unforeseen costs.

7. INSTALLATION OF EMERGENCY GENERATORS AT THE POLICE FACILITY, FIRE STATION. NO. 4, AND THE CORPORATION YARD PROJECT – CITY PROJECT NO. 17-11

ACTION:

1. City Council accepted the work performed by Global Power Group Inc., for the subject project and authorize the City Clerk to file the Notice of Completion; and
2. City Council authorized the City Manager to release the Labor and Material Bond one year after the filing date; release the Faithful Performance Bond if appropriate, at the conclusion of the one-year warranty period; and release the retention monies immediately after the Notice of Completion filing date.

ITEMS PULLED FROM THE CONSENT CALENDAR

3. **WARRANT RESOLUTION NO. 2618 OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NOS. 19-07 "A" FOR \$-414.00 AND 19-08 FOR \$2,608,252.12; CITY OPERATING EXPENSES FOR \$2,482,404.30; AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID**

Public Comments:

Speaker, spoke on the Jones and Mayer invoices; and narcotics in the City. (01:20:51)

MOVED/SECOND: Council Member Marr/Council Member Chavez

MOTION: Approve Warrant Resolution No. 2618.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Genis, Council Member Mansoor, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Stephens, and Mayor Foley.

Nays: None

Absent: None

Motion carried: 7-0

ACTION:

City Council approved Warrant Resolution No. 2618.

8. **BUSINESS IMPROVEMENT AREA (BIA) REAUTHORIZATION, RESOLUTION OF INTENTION, AND REVIEW OF ANNUAL REPORT (01:24:38)**

Alma Reyes, Senior Management Analyst, presented the staff report and showed a video made by the Travel Costa Mesa. (01:24:42)

Council Member Genis requested clarification on the small decline in revenue to Travel Costa Mesa. (01:36:55)

Paulette Lombardi-Fries, Travel Costa Mesa President, addressed the small decline in revenue. (01:37:45)

Council Member Reynolds spoke on workforce housing. (01:40:00)

Council Member Marr spoke on expanding the BIA to include restaurants and other attractions in the City. (01:40:45)

Mayor Pro Tem Stephens thanked the Travel Costa Mesa for supporting the July 3 Community event. (01:41:30)

Public Comments:

Speaker, spoke on the public attending the board meetings. (01:42:22)

Speaker, spoke on the video and the convention center. (01:42:54)

Speaker, spoke on needing RV friendly facilities. (01:44:01)

Speaker, spoke on Travel Costa Mesa doing more advertising. (01:45:18)

Ms. Lombardi-Fries spoke on the National Association of Music Merchants (NAMM).

Public Comments closed.

Discussion ensued on the posting of the agendas on the City website. (01:48:30)

MOVED/SECOND: Council Member Marr/Council Member Reynolds

MOTION: Approve recommended actions.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Genis, Council Member Mansoor, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Stephens, and Mayor Foley.

Nays: None

Absent: None

Motion carried: 7-0

ACTION:

1. City Council approved the 2018/19 Annual Report for the Business Improvement Area (BIA); and
2. Received and filed audited financial report for Fiscal Years 2017 and 2018; and
3. Adopted Resolution No. 19-20, declaring the City's intention to levy an annual assessment for Fiscal Year 2019-20 for business improvement area covering certain Costa Mesa hotels and motels and setting the time and place for a public hearing on the proposal for June 4, 2019 at 7:00 p.m., Costa Mesa Senior Center, 695 W. 19th Street, Costa Mesa.

Council Member Marr complimented Travel Costa Mesa and thanked Josh Madrid for the Mural by the skate park. (01:49:20)

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

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

OLD BUSINESS: NONE

City Council recessed into a break at 8:01 p.m.

City Council reconvened from a break at 8:13 p.m.

NEW BUSINESS (01:50:21)

1. CITY MANAGER EMPLOYMENT AGREEMENT (01:50:25)

Ms. Barlow presented the staff report. (01:50:34)

Public Comments:

Lori Ann Farrell Harrison, spoke on the opportunity. (01:51:54)

Speaker, welcomed Ms. Farrell Harrison; spoke on transparency; and Costa Mesa as a General Law City. (01:53:50)

Speaker, welcomed Ms. Farrell Harrison. (01:55:25)

Public Comments closed.

MOVED/SECOND: Mayor Pro Tem Stephens/Mayor Foley

MOTION: Approve recommended actions. (01:56:11)

Mayor Pro Tem Stephens spoke on the recruitment process and the qualifications of Ms. Farrell Harrison. (01:56:35)

Council Member Mansoor spoke on good communications; salary concerns; and expressed support for Ms. Letourneau. (01:59:01)

Council Member Genis thanked Ms. Letourneau as Acting City Manager; and spoke on Ms. Farrell Harrison joining the Costa Mesa team. (02:01:40)

Council Member Reynolds thanked Ms. Letourneau; and praised Ms. Farrell Harrison on her experience and intellect. (02:04:26)

Council Member Chavez praised Ms. Farrell Harrison's experience in larger cities. (02:06:31)

Council Member Marr spoke on Ms. Farrell Harrison joining the Costa Mesa team; and thanked Ms. Letourneau and the City staff. (02:08:25)

Mayor Foley spoke on the qualifications of Ms. Farrell Harrison. (02:09:17)

MOVED/SECOND: Mayor Pro Tem Stephens/Mayor Foley

VOTE ON MOTION: Approve recommended actions.

Ayes: Council Member Chavez, Council Member Genis, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Stephens, and Mayor Foley.

Nays: Council Member Mansoor

Absent: None

Motion carried: 6-1

ACTION:

1. City Council considered and approved the agreement with Lori Ann Farrell Harrison to serve as City Manager commencing July 1, 2019, or earlier if Ms. Harrison is available; and
 2. Approved Salary Resolution No. 19-19.
2. **CITY POSITIONS ON STATE LEGISLATION: SCR 21 (CAPTAIN KREZA MEMORIAL HIGHWAY), SB 450 (MOTEL CONVERSIONS), AND AB 1273 (TOLL ROADS) (02:13:21)**

SCR 21 (CAPTAIN KREZA MEMORIAL HIGHWAY)

Dan Stefano, Fire Chief, presented the staff report on SCR 21. (02:14:20)

Public Comments:

Scott Purcell, President of the Costa Mesa Firefighters Association, spoke in support of SCR 21. (02:16:05)

Public Comments closed.

MOVED/SECOND: Council Member Marr/Council Member Chavez

MOTION: Adopt a support position for SCR 21 (Captain Kreza Memorial Highway)

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Genis, Council Member Mansoor, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Stephens, and Mayor Foley.

Nays: None

Absent: None

Motion carried: 7-0

ACTION:

City Council adopted a support position for SCR 21 (Captain Kreza Memorial Highway)

SB 450 (MOTEL CONVERSIONS)

Alberto Ruiz, Management Aide, presented the staff report on SB 450. (02:19:00)

Public Comments:

Speaker, clarified that the motels can be utilized. (02:20:05)

Nick Anas, representing California State Senator Tom Umberg, spoke on the bill. (02:20:19)

Public Comments closed.

MOVED/SECOND: Council Member Marr/Council Member Chavez

MOTION: Adopt a support position for SB 450 (Motel Conversions). (02:23:11)

Council Member Mansoor spoke on concerns relating to CEQA exemptions and unequal applications of the law. (02:23:40)

Council Member Genis spoke on concerns relating to CEQA exemptions; the Environmental Impact Report (EIR); and public disclosure. (02:24:26)

MOVED/SECOND: Council Member Genis/Council Member Mansoor

SUBSTITUTE MOTION: Adopt a watch position for SB 450 (Motel Conversions). (02:29:27)

Council Member Reynolds spoke to supporting the original motion. (02:30:00)

Council Member Chavez spoke to supporting the original motion. (02:30:50)

Mayor Pro Tem Stephens spoke to supporting the original motion. (02:31:01)

Mayor Foley spoke to supporting the original motion. (02:32:19)

MOVED/SECOND: Council Member Genis/Council Member Mansoor

VOTE ON SUBSTITUTE MOTION: Adopt a watch position for SB 450 (Motel Conversions).

The motion failed by the following roll call vote:

Ayes: Council Member Genis and Council Member Mansoor.

Nays: Council Member Chavez, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Stephens, and Mayor Foley.

Absent: None

Motion failed: 2-5

MOVED/SECOND: Council Member Marr/Council Member Chavez
VOTE ON ORIGINAL MOTION: Adopt a support position for SB 450 (Motel Conversions).

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Stephens, and Mayor Foley.

Nays: Council Member Genis, Council Member Mansoor.

Absent: None

Motion carried: 5-2

ACTION:

City Council adopted a support position for SB 450 (Motel Conversions).

Council Member Genis spoke on CEQA and a 30-day process. (02:33:30)

AB 1273 (TOLL ROADS) (02:36:36)

Mr. Ruiz presented the staff report. (02:36:36)

No public comments on this item.

MOVED/SECOND: Council Member Marr/Council Member Reynolds

MOTION: Receive and File.

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Genis, Council Member Mansoor, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Stephens, and Mayor Foley.

Nays: None

Absent: None

Motion carried: 7-0

ACTION:

City Council received and filed.

3. ADOPTION OF A CITY COUNCIL FLAG DISPLAY POLICY AND A RESOLUTION AUTHORIZING THE ANNUAL DISPLAY OF THE PRIDE FLAG AT CITY HALL (02:37:40)

Ms. Reyes presented the staff report. (02:38:01)

Council Member Genis requested a legal opinion; and spoke on concerns with the policy.(02:39:44)

Ms. Barlow spoke on developing the policy. (02:42:00)

Discussion ensued on court decisions; and clarification of the Rainbow flag. (02:43:34)

Council Member Genis spoke on the need for an inclusionary statement on the City website. (02:46:11)

Public Comments:

Beverly Welch, Costa Mesa, spoke against the item. (02:48:00)

Reverend Sarah Halverson, Costa Mesa, spoke in support of the item. (02:50:46)

Speaker, spoke on the issue. (02:52:47)

Selena Mendoza, spoke in support of the item. (02:54:28)

David Hendrics, spoke in support of the item. (02:57:35)

James Pruitt, spoke in support of the item. (03:00:10)

Mark Cleveland spoke in support of the item. (03:02:10)

Bill McCarty, Costa Mesa, spoke in support of the item. (03:04:26)

John Merrill, Costa Mesa, spoke on the issue. (03:06:40)

Mary Kyle, Huntington Beach, spoke in support of the item. (03:09:41)

Speaker, spoke in support of the item. (03:11:20)

Kelsey Brewer, spoke in support of the item. (03:13:55)

Aaron McCall, Costa Mesa, spoke in support of the item. (03:16:22)

Speaker, spoke in support of the item. (03:19:27)

Ben Chapman, Costa Mesa, spoke against the item. (03:20:40)

Mr. Chapman, spoke on the issue. (03:23:27)

Lisa Marell, spoke in support of the item. (03:26:36)

Audrey Prosser, spoke in support of the item. (03:28:59)

Speaker, spoke on concerns regarding litigation and costs. (03:30:32)

Hayley Morton, Costa Mesa, spoke in support of the item. (03:32:58)

Bryant Mulch, Costa Mesa, spoke on the issue. (03:34:42)

Public Comments closed.

CITY COUNCIL POLICY 000-15

MOVED/SECOND: Council Member Chavez/Council Member Marr
MOTION #1: Adopt Resolution No. 19-21, which implements City Council Policy 000-15 relating to the display of flags at City facilities. (03:36:21)

Council Member Mansoor spoke in opposition to the item. (03:37:40)

Council Member Genis spoke in opposition to the policy. (03:44:34)

MOVED/SECOND: Council Member Chavez/Council Member Marr
VOTE ON MOTION #1: Adopt Resolution No. 19-21, which implements City Council Policy 000-15 relating to the display of flags at City facilities. (03:36:21)

The motion carried by the following roll call vote:

Ayes: Council Member Chavez, Council Member Marr, Council Member Reynolds, Mayor Pro Tem Stephens, and Mayor Foley.

Nays: Council Member Genis and Council Member Mansoor.

Absent: None

Motion carried: 5-2

ACTION:

City Council adopted Resolution No. 19-21, which implements City Council Policy 000-15 relating to the display of flags at City facilities.

ANNUAL DISPLAY OF THE PRIDE FLAG

MOVED/SECOND: Council Member Chavez/Council Member Marr
MOTION #2: Adopt Resolution No. 19-22, which authorizes the annual display of the Pride Flag at City Hall from May 22 to June 30.

Council Member Chavez spoke to supporting the motion. (03:49:05)

Council Member Marr spoke to supporting the motion. (03:53:10)

Council Member Genis spoke to supporting the motion. (03:55:50)

Council Member Reynolds spoke to supporting the motion. (03:58:45)

Mayor Pro Tem Stephens spoke to supporting the motion. (04:02:33)

Mayor Foley spoke to supporting the motion. (04:06:33)

MOVED/SECOND: Council Member Chavez/Council Member Marr
VOTE ON MOTION #2: Adopt Resolution No. 19-22, which authorizes the annual display of the Pride Flag at City Hall from May 22 to June 30.
The motion carried by the following roll call vote:
Ayes: Council Member Chavez, Council Member Marr, Council Member Reynolds, Council Member Genis, Mayor Pro Tem Stephens, and Mayor Foley.
Nays: Council Member Mansoor.
Absent: None
Motion carried: 6-1

ACTION:

City Council adopted Resolution No. 19-22, which authorizes the annual display of the Pride Flag at City Hall from May 22 to June 30.


ADDITIONAL COUNCIL MEMBER COMMITTEE REPORTS, COMMENTS, AND SUGGESTIONS (04:08:43)

Mayor Foley spoke on the Costa Mesa partnership with OC Waste Not Program; and reminded everyone of the Asian American Heritage Month and a round table discussion on May 29th at Old Vine café.

Council Member Mansoor requested to bring back a Resolution to fly Blue Lives Matter Flag and in God we Trust Flag.

ADJOURNMENT – Mayor Foley adjourned the meeting at 10:33 p.m.

Minutes adopted on this 6th day of August, 2019.



Katrina Foley, Mayor

ATTEST:



Brenda Green, City Clerk