

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF COSTA MESA

APRIL 19, 2005

The City Council of the City of Costa Mesa, California, met in regular session Tuesday, April 19, 2005, at 6:30 p.m., in the Council Chambers of City Hall, 77 Fair Drive, Costa Mesa. The meeting was called to order by the Mayor, followed by the Pledge of Allegiance to the Flag led by Council Member Foley, and a moment of solemn expression led by Anne Hogan-Shereshevsky.

ROLL CALL

Council Members Present: Mayor Allan Mansoor  
Mayor Pro Tem Gary Monahan  
Council Member Eric Bever  
Council Member Linda Dixon  
Council Member Katrina Foley

Council Members Absent: None

Officials Present: City Manager Allan Roeder  
City Attorney Kimberly Hall  
Barlow  
Development Services Director  
Donald Lamm  
Public Services Director William  
Morris  
Transportation Services Manager  
Peter Naghavi  
Senior Planner Mel Lee  
Senior Planner Claire Flynn  
Recreation Manager Jana  
Ransom  
Management Analyst Mark Taylor  
Fire Chief Jim Ellis  
Deputy Chief Gregg Steward  
Neighborhood Improvement  
Manager Muriel Ullman  
CDBG/HOME Coordinator Mike  
Linares  
Deputy City Clerk Julie Folcik

PRESENTATION  
Mayor's Award

Mayor Mansoor announced that Michael Gilmore and Hunter Golden were the recipients of the Costa Mesa Mayor's Award for April, 2005, in recognition of their upstanding character and integrity as young members of the community. He commended these young men for their honesty and decision-making by contacting the proper authorities to ensure that a lost day planner was returned to its owner.

MOTION/Agenda  
Modifications

On motion by Mayor Pro Tem Monahan, seconded by Council Member Dixon, and carried 5-0, the following modifications to the agenda were approved:

Approved Consolida-  
ting Public Hearing 2,  
Old Business 4, and  
New Business 11

Public Hearing No. 2, Resolution establishing the Emergency Medical Services Subscription Fees, shall be combined with Old Business No. 4, Ordinance adopting an Emergency Medical Services Subscription Program and restructuring Emergency Medical Services response fees, and New Business No. 11, Resolution implementing the EMS Subscription Program and approving the implementation and administration plan.

Continued Public Hearing 3 to May 17, 2005; Continued New Business 1 and 2 to May 3, 2005; and Continued New Business 3, 6, and 7	Public Hearing No. 3, Appeal of the Parks and Recreation Commission's approval to prohibit the use of temporary lights on school fields (Athletic Field Temporary Light Policy), was continued to the meeting of May 17, 2005; New Business No. 1, Allocation of IKEA Public Project Contribution, and New Business No. 2, Recommendations for use of \$200,000.00 in funds from the Segerstrom Home Ranch Development Agreement originally designated for the relocation and renovation of the Huscroft House, were continued to the meeting of May 3, 2005; and New Business No. 3, New Year's Eve, December 31, 2005, Fireworks Education and Enforcement Options, New Business No. 6, Request for President Bush that the Federal Government strictly enforce laws on illegal immigration, and New Business No. 7, Appointments to Council-appointed standing committees, were continued.
Approved Considering Public Hearing 6 Prior to Public Hearings 4 and 5	Approved consideration of Public Hearing No. 6, 2005-2010 Consolidated Plan, prior to Public Hearing No. 4, 2005-2006 Community Development Block Grant Public Service Grant Allocations, and Public Hearing No. 5, Fiscal Year 2005-2006 funding priorities and reprogramming of funds for Community Development Block Grant (CDBG) and Home Investment Partnership Program (HOME).
PUBLIC COMMENT Costa Mesa Statistics	Martin Millard, Costa Mesa, commented that he has gathered statistics on Costa Mesa, and reported that Costa Mesa has 68 State-licensed group homes; the owner-occupant rate in the 92627 zip code is 34 percent; 48 percent of the students at Rae Elementary School have below basic knowledge of math; and the median price of homes is comparative to that of the City of Santa Ana. He appealed to City Council as "stewards of the City" to improve the conditions, and cited a 32 percent decline in the middle-class population between 1990 and 2000.
Undocumented Persons	Tim Lewis, Costa Mesa, objected to undocumented persons from other countries being referred to as "illegals", and asked how the City could justify not accepting a good person who desires to live in peace. He proposed allowing the Federal government solve this problems.
Sale of Animals in Pet Stores	Chris DeRose, president and founder of an international animal protection organization, encouraged Council to support amending Title 13 of the Costa Mesa Municipal Code to prohibit the sale of live animals, primarily dogs and cats, in pet shops. He commented on the serious overpopulation of animals in Costa Mesa, and noted that many will be destined for animal shelters.  Judy Stricker, Costa Mesa, founder of Activists for Protective Animal Legislation, presented information she had compiled regarding animal control and shelter budgets for all of Orange County, stating that they reflect the severity of the problem of pet overpopulation. She asked that new licenses for pet shops that sell live animals be denied.
Affordable Housing	Matthew Jones, a Vanguard University student, representing Habitat for Humanity of Orange County, addressed the need for affordable housing. He reported that according to a 2003 report prepared for Congress, 5.1 million households are living in substandard housing, and only 11 percent of Orange County residents can afford a median priced home. He asked City Council to partner with Habitat for Humanity in their important mission.

School Health Records	Mike Berry, Costa Mesa, reported that students attending schools in the Newport-Mesa Unified School District are required to present transcripts and health records prior to attending class, and commented that many Costa Mesa students are often unable to provide the required information. He asked Council to intercede on behalf of Costa Mesa residents to enforce the policy. Council Member Foley suggested that Mr. Berry bring this issue before the School Board.
Illegal Immigration	<p>Dave Salcido, Costa Mesa, addressed the issue of illegal immigration, stating that he believes the situation adversely affects the City's infrastructure. He encouraged Council to write letters to the United States Congress, the Senate, and the League of California Cities.</p> <p>Fred Davis, Costa Mesa, commented on the illegal immigration situation.</p>
Costa Mesa Central Library	Charlene Ashendorf, Costa Mesa, supported the proposed plan for the new Costa Mesa Central Library as presented at the City Council Study Session on April 12, 2005, and asked that the property adjacent to City Hall be set aside for that use. She added that the site offers a central location, accessibility, exposure, and provided a website for further information, <a href="http://www.friendscmlibrary.org">www.friendscmlibrary.org</a> . She extended an invitation to the annual library membership meeting Monday, April 25, 2005, 7:30 p.m., at the Neighborhood Community Center.
Conference on Aging	Anne Hogan-Shereshevsky, Costa Mesa, reiterated her request for sponsorship to the White House Conference on Aging, October 23 to 26, 2005, in Washington D.C.
Costa Mesa Historical Society	Terry Shaw, Costa Mesa, extended an invitation to the Costa Mesa Historical Society meeting at Orange Coast College, April 30, 2005, 8:30 a.m. to 4:00 p.m., which will feature an all-day reunion of Santa Ana Army Air Base personnel. He added that the \$25.00 admittance fee covers the lectures and lunch.
CONSENT CALENDAR	The following items were removed from the Consent Calendar: Item No. 6, Extension of an agreement with Hank Lloyd Orange County Tennis for operation of the Costa Mesa Tennis Center; Item No. 7, Agreement with the Costa Mesa Senior Corporation for their lease of the Costa Mesa Senior Center; Item No. 8, Agreement with Child's Pace, Inc. for use of a portion of the Downtown Recreation Center; Item No. 9, Resolution supporting inclusion of the extension of State Route 57, Orange Freeway, as an alternative for the Central County Corridor Major Investment Study; Item No 14, Job Center follow-up activities, and a Request for Rehearing; and Item No. 16, Agreement with Siemens Building Technology, Inc. for Phase II of the Camera and Recording System for the Costa Mesa Jail.
MOTION/Approved Except Item Nos. 6, 7, 8, 9, 14, and 16	On motion by Mayor Pro Tem Monahan, seconded by Council Member Foley, and carried 5-0, the remaining Consent Calendar items were approved as recommended.
READING FOLDER	The following Reading Folder items were received and processed:
Claims	Claims received by the Deputy City Clerk: Kathryn Williams; G. W. Towing; Christina Boiko-Sokolsky; Thai Tang; and Jesus Burciaga.

Alcoholic Beverage Control License

Requests for an Alcoholic Beverage Control Licenses:

Tin Lizzie Saloon, 752 Saint Clair Street, for a person-to-person transfer of a Type 48 ABC license (on-sale general – public premises).

Champagne Bakery, 3333 Bristol Street, Suite 2505, for a person-to-person transfer of a Type 41 ABC license (on-sale beer and wine for a bona fide eating place).

WARRANTS

The following warrants were approved:

Approved Warrant 2052

Warrant Resolution 2052, funding City operating expenses for \$1,549,597.22.

Approved Warrant 2053/Payroll 507 and 506A

Warrant Resolution 2053, funding Payroll No. 507 for \$2,048,800.19, Payroll No. 506A for \$1,281.43, and City operating expenses for \$1,765,178.09, including payroll deductions.

ADMINISTRATIVE ACTIONS/Approved Agreement with Michael Balliet to Verify Franchise Fees; Approved Adjustment No. 05-082

An agreement was approved with Michael Balliet Consulting, 26351 Tarrasa Lane, Mission Viejo, in an amount not to exceed \$48,000.00, to conduct an audit of the City's waste haulers to verify the accuracy of franchise fees remitted to the City and to establish a franchise fee reporting and monitoring system that will enable the City to readily identify an unreported revenue by the waste haulers, the Mayor and Deputy City Clerk were authorized to sign on behalf of the City, and Budget Adjustment No. 05-082 was approved for \$48,000.00.

Adopted Resolution 05-21. Declaring the Intention to Vacate a Portion of Right-of-Way at 279 East 17<sup>th</sup> Street

Resolution 05-21 was adopted: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE VACATION OF A PORTION OF RIGHT-OF-WAY AT 279 EAST 17<sup>th</sup> STREET BETWEEN ORANGE AVENUE AND SANTA ANA AVENUE, setting a public hearing for May 17, 2005, read by title only and further reading was waived.

Adopted Resolution 05-22, Approving Application for Land and Water Funds for Fairview Park Restoration

Resolution 05-22 was adopted: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING THE APPLICATION FOR LAND AND WATER CONSERVATION FUNDS FOR THE FAIRVIEW PARK RESTORATION PROJECT, approving the filing of a grant application with the California Department of Parks and Recreation's Land and Water Conservation Fund Program for improvements at Fairview Park, read by title only and further reading was waived.

Approved Purchase of 2005 Police Vehicles from Clippinger Ford; Approved Adjustment 05-087

Purchase of six (6) 2005 Police Interceptor Black and White Ford Crown Victoria vehicles was approved from Clippinger Ford, 2000 East Garvey South, West Covina, for \$136,127.82, in accordance with a Police package price agreement with the County of Los Angeles, and Budget Adjustment No. 05-087 was approved for \$45,376.00.

Rejected Bids for Roof Coating, Project 05-03, Authorized Re-advertisement

Rejected all bids and authorized staff to re-advertise Energy Efficient Roof Coating at the Neighborhood Community Center (1845 Park Avenue); Police Substation (567 West 18<sup>th</sup> Street); Lions Park Restroom (570 West 18<sup>th</sup> Street); and Heller Park Restroom (257 East 16<sup>th</sup> Street), Project No. 05-03.

Adopted Resolution 05-23, Authorizing Acceptance of 2005-2006 Justice Assistance Grant Allocation

Resolution 05-23 was adopted: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING APPLICATION FOR, AND ACCEPTANCE OF, FISCAL YEAR 2005-2006 JUSTICE ASSISTANCE GRANT ALLOCATION, authorizing the City Manager or his designee to accept the grant award for the 2005 Justice Assistance Grant (JAG) in the amount of \$34,608.00, and approved allocating the proceeds for the following items: Orange County ProActive Methamphetamine Laboratory Task Force (\$14,000.00); Computer Monitors (\$5,180.00); Tactical Hearing/Communication Headsets (\$10,765.00); and Police Patrol Vehicle Light Bars (\$4,663.00), read by title only and further reading was waived.

Agreement with Hank Lloyd for Operation of the Costa Mesa Tennis Center

Item No. 6 on the Consent Calendar was presented: Extension of an agreement with Hank Lloyd Orange County Tennis for operation of the Costa Mesa Tennis Center. Sandra Genis asked if the City was embarking on a policy of keeping contracts "evergreen" or if this is a unique situation. The City Attorney explained that the extension is pursuant to an option in the original contract, however, the Tennis Center has requested that the extension date be changed from 2003 to 2005. The Management Analyst explained that the period in which the contract would normally have been renewed was during design of the skate park, and there had been concern regarding the potential impact.

MOTION/Approved Extension to Agreement

On motion by Mayor Pro Tem Monahan, seconded by Council Member Foley, and carried 5-0, extension of the agreement was approved with Hank Lloyd Orange County Tennis (HLOCT), 880 Junipero Drive, for the first of two 5-year option terms, the effective date of the extension was changed from February 9, 2003 to May 1, 2005, and the Mayor and Deputy City Clerk were authorized to sign on behalf of the City, directing staff to conduct a Customer Satisfaction Survey and transmit the results to the Parks and Recreation Commission.

Mayor Pro Tem Monahan advised that HLOCT had transformed the tennis facility into a professional operation, and was confident that any survey would thus indicate.

Agreement with Costa Mesa Senior Corporation

Item No. 7 on the Consent Calendar was presented: Agreement with the Costa Mesa Senior Corporation for their lease of the Costa Mesa Senior Center building, and placement of a full-time City Maintenance Services employee at the Costa Mesa Senior Center for facility maintenance. The City Manager asked that the request for a full-time City Maintenance Services employee be removed from the agenda, stating that the request is not part of the agreement and will be incorporated in the upcoming budget deliberations. Mayor Pro Tem Monahan asked Aviva Goelman, Director of the Senior Center, if she was comfortable with several of the items contained in the agreement, and she replied in the affirmative. Council Member Bever asked that the City ensure that their costs are covered by the lease fees charged. Ms. Goelman replied that the Senior Center usage is reviewed every six months and costs are in-line with the lease fees. Mayor Pro Tem Monahan asked staff to provide a copy of the Center's insurance policy.

Ms. Goelman cited their goal to serve the entire senior citizen population of Costa Mesa, and the City's continued support is vital to this effort, and asked that the agreement be approved as is.

Beth Refakes, Costa Mesa, applauded the City taking over maintenance of the Senior Citizen building, stating that it has

deteriorated considerably. She suggested reviewing increased funding to the Center on an annual basis.

Bruce Garlich, Costa Mesa, Planning Commissioner and Costa Mesa Senior Center Board Member, encouraged Council to take action this evening regarding the full-time City Maintenance Services employee. He observed that money would be saved in the long term.

Joan Weeks, Vice President, Senior Center Board, thought that senior citizens deserve a great center, and encouraged approval of a full-time maintenance person.

Charlene Ashendorf, Costa Mesa Senior Center Board Member, submitted a letter from Mike Scheafer, Board President, encouraging approval of this item in its entirety.

The City Manager clarified that the agreement stipulates that the City provide level-of-maintenance service to the Senior Center but does not specifically address a full-time maintenance person. The Recreation Manager concurred quoting from the agreement, "City, at its option, may place a City employee at the Senior Center for the purpose of repairing and Maintaining the Premises." (Page 2, Item No. 7, Maintenance and Repairs, [c]). Council Member Foley thought that the matter of a maintenance person had been addressed as part of the agreement when discussed at the Study Session. Mayor Mansoor objected to approving a maintenance person prior to budget consideration.

MOTION/To Approve Agreement; Defer Maintenance Employee

A motion was made by Mayor Mansoor, seconded by Council Member Bever, to approve the agreement with the Costa Mesa Senior Center, and to continue consideration of a maintenance person until the upcoming budget hearings, addressing at that time utilization of a part-time City Maintenance Services employee.

SUBSTITUTE MOTION/Approved Agreement; Approved Maintenance Worker

A substitute motion was made by Mayor Pro Tem Monahan, seconded by Council Member Dixon, and carried 3-2, Mayor Mansoor and Council Member Bever voting no, to approve the agreement with the Costa Mesa Senior Center, 695 West 19<sup>th</sup> Street, effective July 1, 2005, for an initial term of five years, with three extension options of five years each, adding on Page 4, Item No. 9, Funding, an annual increase adjustment amount of \$5,000.00, authorize the Mayor and Deputy City Clerk to sign, and to approve placement of a full-time City Maintenance Services employee at the Costa Mesa Senior Center for facility maintenance.

Mayor Mansoor thought it appropriate to consider as well a part-time maintenance person, and believed that it is a matter of policy to follow the budget process. Council Member Dixon thanked Senior Center representatives for attending the meeting, and commented on the fund-raising conducted by the Center. Council Member Foley supported the motion indicating that the funds for the maintenance person were incorporated into the proposed budget for the next fiscal year, and she did not believe that approving the position now would be detrimental.

Agreement with Childs Pace, Inc.

Item No. 8 on the Consent Calendar was presented: Agreement with Child's Pace, Inc., for use of a portion of the Downtown Recreation Center, for non-profit, State-subsidized child care. Council Member Bever suggested that the agreement be approved for a one-year period and reviewed again after that time. John

LeVere, associated with Childs Pace, commented that they have always received approval on a year-to-year basis, and thanked Council for their consideration.

MOTION/Approved Agreement

On motion by Mayor Pro Tem Monahan, seconded by Council Member Dixon, and carried 4-1, Council Member Bever voting no, the agreement was approved with Child's Pace, Inc., 1860 Anaheim Avenue, for one year effective May 1, 2005, with automatic one year renewals, for an annual fee of \$6,000.00, to provide non-profit, State subsidized care for up to 35 children, and the Mayor and Deputy City Clerk were authorized to sign on behalf of the City.

Proposed 57 Freeway Extension

Item No. 9 on the Consent Calendar was presented: Resolution supporting the inclusion of the extension of State Route 57, Orange Freeway, from its current terminus southerly to I-405 Freeway.

Judi Berry, Costa Mesa, opposed extension of SR-57 to the I-405, stating that it would then be difficult to stop its progression down the Santa Ana River to Pacific Coast Highway.

Sandra Genis, Costa Mesa, opposed the resolution and extension of SR-57, and suggested that a discussion of the proposed bridges over the Santa Ana River be placed on an agenda.

David Wilson, representing C. J. Segerstrom and Sons, read a letter from Paul Freeman, Director of Community and Government Relations, which supported the long-standing position of the City to study the southward extension of SR-57 to I-405 but not south thereof.

Beth Refakes, Costa Mesa, opposed extension of the freeway, as well as any consideration of bridges across the Santa Ana River.

Mayor Pro Tem Monahan clarified that the proposal is to continue study of the Central County Corridor, and commented on the two major alternatives which include the potential extension of the 55-Freeway. He disagreed that expansion of SR-57 would create pressure to construct the Gisler Avenue/Garfield Avenue bridge, and maintained that it would have the opposite effect. Council Member Foley was concerned about the second paragraph of the resolution which she believed indicated the City's support of the extension. She supported conducting a study. The Transportation Services Manager agreed that extension of SR-57 would not create a need for bridges south of the I-405 at Gisler Avenue and 19<sup>th</sup> Street. Council Member Dixon asked that the resolution stipulate that the City of Costa Mesa does not support a bridge at Gisler Avenue. Council Member Foley requested that part of any action this evening include a request for this subject to be brought to a Study Session.

MOTION/Adopted Resolution 05-20

A motion was made by Council Member Bever, seconded by Council Member Foley, and carried 5-0, to adopt Resolution 05-20 as amended: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, SUPPORTING THE INCLUSION OF THE EXTENSION OF STATE ROUTE 57, ORANGE FREEWAY, FROM ITS CURRENT TERMINUS SOUTHERLY TO I-405 FREEWAY AS AN ALTERNATIVE FOR THE CENTRAL COUNTY CORRIDOR MAJOR INVESTMENT STUDY, deleting the second paragraph "Whereas, if extended through its current terminus to intersect Interstate 405, the Orange Freeway would relieve pressure from the already congested State

Route 55 and several local arterials and highways”, amending the last paragraph to read, “Be it further resolved that the City of Costa Mesa opposes any impacts from the connectors between the SR-57 and I-405 Freeways to any areas south of I-405 Freeway”, read by title only and further reading was waived.

Costa Mesa Job Center

Item No 14 on the Consent Calendar was presented: Job Center follow-up activities, and a Request for Rehearing of the City Council action taken on April 5, 2005. Mayor Pro Tem Monahan suggested a special City Council meeting be held on Tuesday, April 26, 2005.

Mike Berry, Costa Mesa, the appellant, agreed with the continuance to the 26<sup>th</sup> of April, and asked if there would be public noticing. He was informed by Mayor Pro Tem Monahan that the public would receive notification. The City Attorney indicated that a public hearing notice, which would take ten days, is not required by the Costa Mesa Municipal Code, and suggested placing notices on the website and utilizing other publications.

MOTION/Continued to Special Meeting of April 26, 2005

On motion by Mayor Pro Tem Monahan, seconded by Council Member Foley, the Costa Mesa Job Center was continued to a Special Meeting of the City Council to be held on Tuesday, April 26, 2005, at 6:00 p.m.

Agreement with Siemens for Phase II Camera/Recording System for Costa Mesa Jail

Item No. 16 on the Consent Calendar was presented: Agreement with Siemens Building Technology, Inc., for Phase II of the Camera and Recording System for Costa Mesa Jail. Mayor Mansoor reported that all but \$6,000.00 of the funding will be derived from the Inmate Welfare Fund, and the balance will be taken from the General Fund. He asked that the \$6,000.00 eventually be recouped from the Inmate Welfare Fund.

MOTION/Approved Agreement; Approved Adjustment 05-060

On motion by Mayor Mansoor, seconded by Mayor Pro Tem Monahan, and carried 5-0, the agreement was approved with Siemens Building Technology, Security Systems Division, 10775 Business Center Drive, Cypress, for \$27,542.00, total amount for Phase II of the Camera and Recording System for Costa Mesa Jail, contingent upon City Attorney approval and at such time funds are available to reimburse the General Fund, the Mayor and Deputy City Clerk were authorized to sign on behalf of the City, and Budget Adjustment No. 05-060 was approved for \$21,000.00.

RECESS

The Mayor declared a recess at 8:25 p.m., and reconvened the meeting at 8:40 p.m.

PUBLIC HEARING PA-03-31, Cameo Homes

The Deputy City Clerk announced the public hearing, continued from the meeting of February 22, 2005, to consider a request from Kim Berry, authorized agent for Cameo Homes, for a one-year extension of time for Planning Application PA-03-31 for a master plan amendment and variance from perimeter open space requirements (20 feet required; 6 feet proposed) for the construction of garages along a side property line, located at 550 Paularino Avenue in a Planned Development Residential - High Density (PDR-HD) zone. Environmental determination: Exempt. The Senior Planner reviewed the Agenda Report dated April 11, 2005, and responded to questions from Council.

Kim Berry, Cameo Homes, responded to Council Member Bever by stating that there are currently no garages on the site, and reviewed the plan to assign garage space. Mayor Pro Tem Monahan asked if a copy of the rental agreement could be



provided.

Mayor Mansoor was concerned about neighborhood parking, and the Transportation Services Manager indicated that residents have requested permit parking, the City will conduct a study to determine if there is a parking problem, and a report will be compiled for the meeting of May 17, 2005.

The following neighbors addressed concerns regarding the project: Mark Tyssee cited changing demographics as the cause of increased parking issues over the last three to five years; Daryl Green asked that approval of the extension not be granted contingent upon approval of permit parking; Charles Ives asked for a moratorium on the building permit extension until Council considers the petition from the residents; Mike Rich stated that the parking overflow caused by the apartment building residents is due to the project having less parking than required by the Building Code; and Craig Holiday; Nadine Morris; Mrs. Scheafer; and Veronica Rice, asked Council to postpone approval of the extension until completion of the Transportation survey.

There being no other speakers, the Mayor closed the public hearing.

Victor Maloney, Cameo Homes, responded to questions from Council by stating that a public meeting had been held to address the recommended solutions provided by the residents on Manistee Drive, and commented that they are attempting to redistribute parking to the underutilized areas identified by Council. He offered to provide an additional ten parking spaces in the complex although it would require the removal of some landscaping, and reported that when the project was originally built in 1977, the parking requirement at that time was exceeded by 16 spaces.

Mayor Pro Tem Monahan commented that the project had previously been approved, there is now a dispute regarding permits, and he objected to denying it at this point. Mayor Mansoor agreed that there are problems created by apartment parking, as well as noise and trash issues, and asked for guarantees that these problems will be addressed.

MOTION/Approved  
Extension

A motion was made by Council Member Foley, seconded by Mayor Pro Tem Monahan, and carried 3-2, Mayor Mansoor and Council Member Dixon voting no, approving the one-year extension, and placing the Transportation Services Division parking study for Manistee Drive on the agenda for May 17, 2005.

MOTION/To Deny  
Extension Died

A substitute motion was made by Mayor Mansoor, seconded by Council Member Dixon, to deny the one-year extension. Mayor Mansoor added to the motion that the request be continued to the meeting of June 7, 2005. With that Council Member Dixon withdrew her second to the motion and the motion died.

Mayor Pro Tem Monahan supported the original motion, and commented that the parking issue which needs to be addressed will be discussed at the meeting of May 17, 2005. Council Member Bever thought that building the garages should encourage more persons to park on the grounds of the complex, not on the street, and asked staff to address parking in front of the park.

The Deputy City Clerk announced that this is the time and place set

PUBLIC HEARING  
EMS Subscription  
Program

for the public hearing to consider the following:

Resolution establishing the Emergency Medical Services Subscription Fees (the Affidavits of Publishing and Mailing are on file in the City Clerk's office);

From the meeting of April 5, 2005, second reading and adoption of Ordinance 05-3, adopting an Emergency Medical Services Subscription Program and restructuring Emergency Medical Services response fees; and

Resolution implementing the EMS Subscription Program and approving the Implementation and Administration Plan.

The Deputy Chief summarized the Agenda Report dated March 25, 2005.

Judi Berry, Costa Mesa, asked the City Attorney to ensure that this program is legal under Medicare and Medical. She clarified that the program does not cover ambulance costs.

Beth Refakes, Costa Mesa, asked about membership fees, specifically why an individual is charged the same amount as an entire household. She also asked why a business is charged the same fee as a household.

Sandra Genis, Costa Mesa, was concerned about the fee structure, stating that smaller households would be subsidizing the larger ones. She supported monitoring the amount of individual calls perhaps using a "scale" system.

Mike Berry, Costa Mesa, asked if this service was provided to Santa Ana Heights. The Deputy Chief understood that service is provided to the Heights, as well as other unincorporated areas. Mr. Berry suggested selling the plan through insurance agencies in the City.

There being no other speakers, the Mayor closed the public hearing.

MOTION/To Approve  
EMS Program Failed  
to Carry

A motion was made by Mayor Pro Tem Monahan, seconded by Council Member Dixon, to adopt a resolution establishing the EMS fees, to be read by title only and waive further reading, to give second reading to and adopt Ordinance 05-3, adopting the EMS Subscription Program, and to adopt a resolution implementing the EMS Subscription Program, to be read by title only and waive further reading.

Mayor Mansoor opposed the motion, believing that the insurance companies should be billed as opposed to utilizing a fee-based program. Council Member Foley opposed the motion because the program imposes another tax on the residents. Council Member Bever agreed with Council Member Foley and regretted that staff has invested so much time on the program. Mayor Pro Tem Monahan pointed out that Costa Mesa will be the only City in the County which does not have this type of program, and thought that it would have been a good insurance policy for his family and the employees at his business. Council Member Bever was concerned about the proportionality of the cost of the membership. Mayor Mansoor thought the issue confusing with all the legal and financial ramifications, and reiterated his to opposition to the program. The motion failed to carry 3-2, Mayor Mansoor, Council Member

Bever, and Council Member Foley voting no. No further action was taken.

PUBLIC HEARING  
2005-2010 Consoli-  
dated Plan

The Deputy City Clerk announced that this is the time and place set for the public hearing to consider the 2005-2010 Consolidated Plan:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING FISCAL YEAR 2005-2006 COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP ACT ENTITLEMENT FUNDS APPLICATION AND THE 2005-2010 CONSOLIDATED PLAN SUBMISSION TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, authorizing the City Manager to act as the official representative of the City in order to submit the 2005-2010 Consolidated Plan, and all certificates and assurances contained therein, and directing and authorizing the City Manager to act in connection with the submission of the Consolidated Plan, and to provide such additional information as may be required.

The Affidavit of Publication is on file in the City Clerk's office. The Neighborhood Improvement Manager summarized the Agenda Report dated April 5, 2005.

Veronica Tam, P & D Consultants, provided an overview of the citizen participation plan, the Housing and Community Development Needs Assessment, and the resultant Strategic Plan.

Phil Morello, Costa Mesa, member of the Redevelopment and Residential Rehabilitation (3R) Committee, indicated that the priorities of the Committee were substantially different from those of the surveys taken by the consultant. He suggested that one of the slides in the presentation be renamed to add "Consultant's Opinion" for clarity.

Mike Berry, Costa Mesa, thought that there should be a long-term budget included which is a planning tool and can be modified. He indicated that in the last 5-year plan, homes were substantially overprovided.

Martin Millard, Costa Mesa, asked that the City review the CDBG funding to ensure that it conforms with Title 6 of the Civil Rights Act of 1964. He opposed funding of some of the non-profit organizations which have "turned into ethnic clubs".

There being no other speakers, the Mayor closed the public hearing. The Neighborhood Improvement Manager and the consultant responded to questions from Council.

MOTION/Adopted  
Resolution 05-24

On motion by Mayor Pro Tem Monahan, seconded by Council Member Foley, and carried 5-0, Resolution 05-24 was adopted: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING FISCAL YEAR 2005-2006 COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP ACT ENTITLEMENT FUNDS APPLICATION AND THE 2005-2010 CONSOLIDATED PLAN SUBMISSION TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, read by title only, and further reading was waived.

PUBLIC HEARING  
2005-2006 CDBG  
Public Service Grant  
Allocations

The Deputy City Clerk announced that this is the time and place set for the public hearing to consider the 2005-2006 Community Development Block Grant Public Service Grant Allocations. The Affidavit of Publication is on file in the City Clerk's office. Communications were received from Human Options Board of Director members Gary L. Van Arnam, Celina Doka, and Armando de la Libertad, asking for support of their Second Step Program. The CDBG/HOME Coordinator reviewed the Agenda Report dated April 5, 2005.

Mayor Pro Tem Monahan noted his expectation that funding would be allocated to the disabled community, and, in accordance with his memorandum dated April 19, 2005, asked that monies be readjusted in order to fund Project Independence and Elwyn. Mayor Mansoor expressed concern about funding the Orange Coast Interfaith Shelter and Human Options due to some of the problems at those locations, and proposed reallocating a portion of the funding to Project Independence and Elwyn.

Carol Carlson, Director of the Community Service Programs (CSP) Youth Shelter, Laguna Beach, reported that among CDBG applicants, the services that CSP provides is not duplicated, and Costa Mesa refers more teens to the program than any other city in Orange County. She asked Council to approve the funding recommended by the 3R Committee, and responded to questions from Council.

Mike Clark, Executive Director of Orange Coast Interfaith Shelter, Costa Mesa, indicated that their program provides transitional housing and other services for homeless families. He commented that the Costa Mesa Police Department has called them a necessary resource.

Vivian Clecak, Executive Director of Human Options, explained that they are hyper-vigilant and protect their residents who are often battered women. She invited to Council to visit their facility.

Kathryn O'Brien, Director of Development, Women Helping Women, Costa Mesa, stated that they provide clothing to other organizations thereby, among other uses, enabling battered women to seek employment.

Martin Millard, Costa Mesa, objected to using tax dollars to fund non-profit organizations which discriminate racially and ethnically against certain groups.

Sandra Genis, Costa Mesa, encouraged citizens to volunteer and donate funds. She supported funding for Human Options.

Phil Morello, Costa Mesa, opposed funding to the Orange Coast Interfaith Shelter, who along with the Someone Cares Soup Kitchen, contributes to the number of transients on the west side of Costa Mesa. He addressed criminal activity at the Shelter.

Aviva Goelman, Executive Director of the Costa Mesa Senior Center, commented on the proposed cut in their funding, stating that the additional monies were to be directed to a counselor and nurses.

There being no other speakers, the Mayor closed the public hearing.

MOTION/Approved Funding  
A motion was made by Mayor Pro Tem Monahan, seconded by Council Member Bever, to approve the following funding: Project Independence \$15,000.00; Elwyn \$15,000.00; Dayle McIntosh, \$7,500.00; Mercy House \$5,000.00; Orange Coast Interfaith Shelter \$10,000.00; Human Options \$15,000.00; CSP Youth Shelter \$10,000.00; Colette's Emergency \$11,500.00; Women Helping Women \$15,000.00; Adult Day Services \$10,000.00; Senior Meals \$20,000.00; Fish \$15,000.00; the two Costa Mesa Senior Center Projects at \$22,738.20 each; ATSC \$10,000.00; Boys & Girls Club \$10,000.00; Think Together \$10,000.00; SOY \$5,000.00; and YES \$15,000.00.

SUBSTITUTE MOTION/To Approve Funding Died  
A substitute motion was made by Mayor Mansoor to approve the 3R Committee recommendations with the following changes: reduce the funding for Human Options to \$10,000.00; eliminate funding for Orange Coast Interfaith Shelter; fund Project Independence for \$15,000.00; \$15,000.00 for Elwyn; and directing the balance to Dayle McIntosh. The motion died for lack of a second.

Council Member Dixon, supported the motion, and complimented Human Options which she maintained is a first class facility. She reported that Project Independence provides services, activities, and recreation to young handicapped people. Council Member Foley concurred with Council Member Dixon.

The original motion carried 4-1, Mayor Mansoor voting no.

PUBLIC HEARING CDBG and HOME  
The Deputy City Clerk announced that this is the time and place set for the public hearing to consider Fiscal Year 2005-2006 funding priorities and reprogramming of funds for Community Development Block Grant (CDBG) and Home Investment Partnership Program (HOME).

Recommended allocation for the Fiscal Year 2005-2006 Community Development Block Grant (CDBG) Application and reallocation of prior years' funds and program income.

Recommended allocation for the Fiscal Year 2005-2006 HOME Investment Partnership Grant.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING FISCAL YEAR 2005-2006 COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP ACT ENTITLEMENT FUNDS APPLICATION SUBMISSION TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

The Affidavit of Publication is on file in the City Clerk's office. The Neighborhood Improvement Manager reviewed the Agenda Report dated April 4, 2005.

There being no speakers, the Mayor closed the public hearing.

MOTION/ Approved 2005-2006 CDBG Application  
On motion by Mayor Pro Tem Monahan, seconded by Council Member Foley, and carried 5-0, the following action was taken:

Approved recommended allocation for the Fiscal Year 2005-2006 Community Development Block Grant (CDBG) Application and reallocation of prior years' funds and program

<p>Approved 2005-2006 HOME Grant</p>	<p>income. Approved recommended allocation for the Fiscal Year 2005-2006 HOME Investment Partnership Grant.</p>
<p>Adopted Resolution 05-25</p>	<p>Adopted Resolution 05-25: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING FISCAL YEAR 2005-2006 COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP ACT ENTITLEMENT FUNDS APPLICATION SUBMISSION TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, read by title only and further reading was waived, authorizing the City Manager to act as the official representative of the City in order to submit the Annual Action Plan, and all certificates and assurances contained therein, and directing and authorizing the City Manager to act in connection with the submission of the Annual Action Plan, and to provide such additional information as may be required.</p>
<p>OLD BUSINESS Rezone Petition R-04-03</p>	<p>The Deputy City Clerk presented from the meeting of April 5, 2005, second reading and adoption of Ordinance 05-9, adopting Rezone Petition R-04-03. The Development Services Director summarized the Agenda Report dated April 6, 2005.</p>
<p>MOTION/Adopted Ordinance 05-9</p>	<p>On motion by Mayor Mansoor, seconded by Council Member Foley, and carried 4-1, Council Member Dixon voting no, Ordinance 05-9 was given second reading and adopted: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING REZONE PETITION R-04-03 CHANGING THE ZONING OF 3333 HYLAND AVENUE FROM MP (INDUSTRIAL PARK) to PDI (PLANNED DEVELOPMENT INDUSTRIAL).</p>
<p>MOTION/Read by Title Only/Waived Further Reading</p>	<p>On motion by Mayor Mansoor, seconded by Council Member Foley, and carried 5-0, Ordinance 05-9 was read by title only, and further reading was waived.</p>
<p>OLD BUSINESS Skate Parks</p>	<p>The Deputy City Clerk presented from the meeting of April 5, 2005, second reading and adoption of Ordinance 05-5, setting regulations for the use of public skate parks.</p>
<p>MOTION/Adopted Ordinance 05-5</p>	<p>On motion by Mayor Mansoor, seconded by Council Member Dixon, and carried 5-0, Ordinance 05-5 was given second reading and adopted: AN ORDINANCE OF CITY COUNCIL OF THE CITY OF COSTA MESA CALIFORNIA, ADDING ARTICLE 1 OF CHAPTER II OF TITLE 12 TO THE COSTA MESA MUNICIPAL CODE SETTING REGULATIONS FOR THE USE OF PUBLIC SKATE PARKS, read by title only, and further reading was waived.</p>
<p>OLD BUSINESS Updating Various Sections of Title 2</p>	<p>The Deputy City Clerk presented from the meeting of April 5, 2005, second reading and adoption of Ordinance 05-6, updating various sections of Title 2.</p>
<p>Adopted Ordinance 05-6</p>	<p>On motion by Mayor Mansoor, seconded by Council Member Dixon, and carried 5-0, Ordinance 05-6 was given second reading and adopted: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING CHAPTER III OF TITLE 2, DELETING SECTION 2-75, CHAPTER VII OF TITLE 2, AMENDING SECTIONS 2-224 AND 2-224.5 AND CHAPTER IX OF TITLE 2, AMENDING SECTION 2-305 AND 2-309 OF THE COSTA MESA MUNICIPAL CODE, updating various sections of Title 2, read by title only, and further reading was waived.</p>

OLD BUSINESS  
GPS-05-01

The Deputy City Clerk presented from the meeting of April 5, 2005, General Plan Amendment Screening Request GPS-05-01, South Coast Metro Center, located at 475 – 595 (odd numbers only) Anton Boulevard. The Senior Planner summarized the Agenda Report dated April 6, 2005.

Sandra Genis, Costa Mesa, suggested a study to determine if a negative declaration should be prepared.

MOTION/Accepted for Processing

A motion was made by Council Member Foley, seconded by Mayor Mansoor, and carried 5-0, to accept the General Plan Amendment Screening Request for processing.

Mayor Mansoor was concerned about traffic issues but supported acceptance of the screening request. Council Member Dixon thought that the project was one of the most exciting to come before Council in a long time.

MOTION/Continued

A motion was made by Mayor Pro Tem Monahan, seconded by Mayor Mansoor, and carried 5-0, to continue the following items:

New Business Item No. 5, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING THE STREETScape AND MEDIAN DEVELOPMENT STANDARDS, amending Section 6.03 of the Streetscape and Median Development Standards to designate two accent street trees for the section of Fairview Road, from the San Diego Freeway to Newport Boulevard.

New Business Item No. 8: Review of Two City Recreation Division Programs: "Mobile Recreation" and "Mobile Skate Park".

RECESS

The Mayor declared a recess at 11:35 p.m., and reconvened the meeting at 11:45 p.m.

MOTION/Continued to April 26, 2005

A motion was made by Mayor Mansoor, seconded by Council Member Dixon, and carried 5-0, the following items were continued to the Special City Council Meeting of April 26, 2005:

New Business Item No. 12: AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 10, CHAPTER XIX OF THE COSTA MESA MUNICIPAL CODE REGARDING SOLICITATION OF EMPLOYMENT, BUSINESS OR CONTRIBUTIONS FROM STREETS AND CERTAIN COMMERCIAL PARKING LOTS.

New Business Item No. 13: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 10, CHAPTER XIX OF THE COSTA MESA MUNICIPAL CODE REGARDING SOLICITATION OF EMPLOYMENT, BUSINESS OR CONTRIBUTIONS FROM STREETS AND CERTAIN COMMERCIAL PARKING LOTS.

NEW BUSINESS  
Circle of Service  
Nomination, Robert  
M. Wilson

The Deputy City Clerk presented the Circle of Service nomination for former Mayor Robert M. Wilson. The Recreation Manager summarized the Agenda Report dated March 23, 2005.

Speaking in support of Robert Wilson's nomination were Costa Mesa residents Sandra Genis and Beth Refakes.

MOTION/Approved On motion by Mayor Mansoor, seconded by Council Member Dixon, and carried 5-0, the nomination was approved.

MOTION/Approved Continuing with Remaining Agenda Items Due to the lateness of the hour, a motion was made by Mayor Mansoor, seconded by Council Member Foley, and carried 5-0, to complete the remaining items on the agenda.

NEW BUSINESS Athletic Fields for Community Use The Deputy City Clerk presented a resolution supporting participation with Fairview Developmental Center in the establishment of athletic fields for patient and community use. Mayor Pro Tem Monahan reviewed the Agenda Report dated April 11, 2005. A representative of Fairview Developmental Center was in attendance to respond to questions.

MOTION/Adopted Resolution 05-26 On motion by Council Member Dixon, seconded by Mayor Pro Tem Monahan, and carried 5-0, Resolution 05-26 was adopted: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, SUPPORTING PARTICIPATION BETWEEN THE CITY OF COSTA MESA, STATE OF CALIFORNIA, AND FAIRVIEW DEVELOPMENTAL CENTER (FDC) IN THE ESTABLISHMENT OF ATHLETIC FIELDS FOR COMMUNITY AND FDC CLIENT USE, read by title only, and further reading was waived.

Council Member Dixon challenged community members to assist the City to develop the fields by providing lighting, field remediation, etc. Mayor Mansoor supported the motion, intending that current use levels will be spread out and there will not be an increase in usage. He asked that the Parks and Recreation Commission review Group Five users in order to determine if use should continue considering impact on the fields and recovery time. Council Member Foley supported the motion and stressed the need for additional fields.

NEW BUSINESS Aquatics Complex and Stadium The Deputy City Clerk presented a request by Costa Mesa United for adoption of a resolution supporting the construction of an Aquatics Complex at Costa Mesa High School and a Stadium at Estancia High School and a commitment of funding by the City of Costa Mesa towards the construction of these facilities, subject to budgetary review and approval.

Council Member Foley introduced Dave Brooks, Newport Mesa Unified School District Trustee, and member of Costa Mesa United, who reported that Jim Scott and his family were the originators of the concept for a Stadium at Estancia High School, the Costa Mesa Community Athletic Foundation was incorporated in 2003, and fundraising began in 2004. He explained that Costa Mesa United represents businesses, schools, the City, citizens, and service clubs, and stressed that the Aquatics Complex will be for the community as well as the school.

Speaking on behalf of the projects were Marian Bergeson, representing community leaders; David Wilson, representing C. J. Segerstrom and Sons; Fred Navarro, Principal, Costa Mesa High School; Diane Bjelland, parent/coach; Rich Amaral, Huntington Beach resident and former professional ball player; a former aquatic athlete; Cathy Hartwell, Costa Mesa, PTSA President-elect for Estancia High School and a member of the Costa Mesa Community Athletic Foundation; John Gray, President of Orange Coast Jeep Chrysler Dodge, and a member of Harbor Boulevard of Cars; a local real estate developer; John Ursini, whose family owns



Newport Rib Company; Bob Love, Mesa Verde resident; Larry Weichman, local real estate agent; and Gordon Bowley, Costa Mesa resident.

Sandra Genis, Costa Mesa, urged Council to consider allocating funds for this project from two previous agenda items, the IKEA Public Project Contribution, and the monies from the Segerstrom Home Ranch Development Agreement.

MOTION/Adopted  
Resolution 05-27

A motion was made by Council Member Foley, seconded by Council Member Dixon, to adopt Resolution 05-27: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, SUPPORTING THE COSTA MESA COMMUNITY ATHLETIC FOUNDATION AND ITS EFFORTS TO CONSTRUCT A STADIUM AT ESTANCIA HIGH SCHOOL AND AN AQUATICS COMPLEX AT COSTA MESA HIGH SCHOOL INCLUDING A FINANCIAL COMMITMENT OF ONE MILLION DOLLARS BY THE CITY OF COSTA MESA TO THESE FACILITIES AND ADOPTING TERMS AND CONDITIONS UNDER WHICH THE CITY OF COSTA MESA WILL MEET THIS COMMITMENT, read by title only, and further reading was waived.

Council Member Dixon asked the maker of the motion to ensure that the legal use of this contribution is considered and commitments by the Newport-Mesa Unified School District regarding maintenance of the facilities is discussed and a guarantee of community access for both facilities during non-school hours is also discussed, and that the terms and conditions for the money put forward are reviewed and approved by the City Council prior to disbursement of City funds. Council Member Foley concurred and also recommended that the resolution be revised to correct the fund raising goal to reflect the current cost which is projected at \$9.4 million.

Mayor Mansoor liked supporting the City's infrastructure, and emphasized that the contribution is subject to budgetary considerations. Council Member Bever challenged the City of Newport Beach to match the generosity shown by Costa Mesa.

The motion, as amended, carried 5-0.

COUNCIL  
COMMENTS

Council Member Bever addressed a comment made by Mike Berry during Public Comment regarding students allowed in school without the proper vaccinations, and suggested that Council forward a letter to the Newport-Mesa Unified School District urging them to cease this practice.

ADJOURNMENT

The Mayor declared the meeting adjourned at 12:55 a.m.



