

MINUTES

CITY COUNCIL
CITY OF COSTA MESA

JUNE 20, 2006
REGULAR MEETING

Mayor Mansoor called the Regular Meeting of the City of Costa Mesa, California to order at 5:00p.m. A Joint Session was held with the Costa Mesa Redevelopment Agency.

PRESENT: COUNCIL MEMBERS: ALLAN R. MANSOOR
ERIC R. BEVER
LINDA W. DIXON
KATRINA A. FOLEY
GARY C. MONAHAN

ABSENT: COUNCIL MEMBERS: NONE

ALSO PRESENT: ALLAN L. ROEDER, CITY MANAGER
KIMBERLY HALL BARLOW, CITY ATTORNEY
JULIE FOLCIK, CITY CLERK
DONALD LAMM, DEVELOPMENT SERVICES DIRECTOR
WILLIAM MORRIS PUBLIC SERVICES DIRECTOR

PUBLIC COMMENTS: There were no public comments.

CLOSED SESSION: None

RECESS—AGENDA REVIEW STUDY SESSION: The Mayor declared the City Council recessed into the Agenda Review Study Session in Conference Room 1A, at 5:30 p.m.

AFTER RECESS AND AGENDA REVIEW STUDY SESSION: The Mayor reconvened the meeting at 5:34 p.m., with all Council Members being present, for the purpose of conducting an agenda review study session. No action was taken on any matter. The Mayor declared the meeting recessed at 5:55 p.m.

AFTER RECESS: The Mayor reconvened the Regular Meeting of the City Council at 6:00 p.m.

PLEDGE OF ALLEGIANCE: Council Member Monahan led the assembly in the Pledge of Allegiance to the Flag.

MOMENT OF SOLEMN EXPRESSION: Council Member Monahan asked for a moment of silence to remember our troops overseas who have given their lives in defense of our Country, especially the two soldiers recently captured, tortured and left for dead.

ROLL CALL: The Mayor requested the City Clerk to call the roll:

PRESENT: COUNCIL MEMBERS: ALLAN R. MANSOOR,
ERIC R. BEVER
LINDA W. DIXON
KATRINA A. FOLEY
GARY C. MONAHAN

ABSENT: COUNCIL MEMBERS: NONE

ALSO PRESENT: ALLAN L. ROEDER, CITY MANAGER
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DONALD LAMM, DEVELOPMENT SERVICES DIRECTOR

CLOSED SESSION REPORT: City Attorney Barlow stated no Closed Session was held, and therefore, there was no report.

PUBLIC COMMENTS

1. Donald Nicholson, Costa Mesa, spoke about the difference of opinions on fireworks and stated he reported illegal fireworks to the Mayor and Police Department.
2. Mildred Nicholson, Costa Mesa, spoke on recognizing mental illness and brain disorders. She referred to the stigma and cruel treatment from doctors, churches, home and Police. She advised of a support group for mental illness at the St. Andrews Presbyterian Church on Sundays at 6:30 p.m.
3. Ann Hogan Shereshevsky, Costa Mesa, mentioned the Senior Center celebrated its 14th birthday and recognized Frank Barazza, City Maintenance, at the Center. She expressed her concern about no bike lanes on Orange and Pomona and her interest in affordable senior housing.
4. John Earl, Huntington Beach, referred to the Mayor's recent comments in the Daily Pilot and made a comparison to another's writings.
5. Scott Sink, Anaheim, related an interview he conducted with the leader of the Minuteman Project; spoke to the closure of the Job Center and Federal immigration duties imposed on local police. He commented on a book by Jane Pinchot which he referred to at a previous City Council meeting.

6. Alan Remington, Costa Mesa, spoke about the proposed conversion of the Mesa Linda Golf Course to athletic fields, noting the pros and cons.
7. John Earl, Huntington Beach, referred to the Mayors comments in the Daily Pilot recently and compared them to the writings of a certain individual.
8. Alan Remington, Costa Mesa, spoke about the proposed conversion of the Mesa Linda Golf Course to athletic fields; stated the pros and cons; and commented on the negative impacts of building and maintenance costs.
9. Harris Gutmacker, Costa Mesa resident and Treasurer of the Senior Golf Association, spoke on the Mesa Linda Golf Course improvements and opined that it is a mistake to change the use of the golf course both financially and recreationally.
10. Sandra Genis, Costa Mesa, requested the City Council reconsider putting the TOT increase on the ballot in November, noting there is not enough money to buy recreational land.
11. Beth Refakes, Costa Mesa, inquired about the amount of electronic hazardous waste collected at the Sanitary District event held at the Corporation Yard; commented on the need for more advertising of the event to reach the community; and she addressed the official notice card for public hearings, noting that the City should include a phone number and the City website on the notice.
12. Jim Fitzpatrick, Costa Mesa, thanked the City Council for approving sidewalks on Broadway, and he expressed his support and interest, along with the residents of Broadway, in working with Council to implement a traffic calming measure.

COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Dixon

1. Expressed appreciation and thanked Chief John Hensley for his years of service, highlighted his accomplishments, and noted he was a strong proponent of community policing.
2. Requested a follow-up report on the Police and Fire Task Force to be out on July 4th. City Manager advised that some information will be available at the next meeting and a full report would be provided later.
3. Requested that Council Members notify all of their colleagues if they have to leave early or are unable to attend a meeting.
4. Requested information on publicizing the LAFCO meeting to be held July 12th. The City Manager advised that publicity would be on the City's website and on the cable channel.
5. Mentioned that the Golf Course and City contract was valid until 2019.

Council Member Bever

1. Echoed the comments made by Council Member Dixon about Chief Hensley.
2. Referring to Council Member Dixon's comment, advised that he was requested to conduct the Study Session.

3. Commented on the public comments by John Earl and Scott Sink.

Council Member Monahan

1. Commented on the golf course issue.
2. Mentioned the planned increases of over 20 percent from the Sanitary District and requested staff to contact the District for an explanation.
3. Referred to Sandra Genis' comment on the TOT issue and stated he preferred to focus on the business license fee.
4. Clarified what was approved under the ICE proposal.
5. Read a Los Angeles Times article relating to an immigration sweep that resulted in arrest of 36 molesters.
6. Encouraged the public to vote in the upcoming election.

Mayor Mansoor

1. Referred to an Orange County Register article relating to arrests by Immigration Custom Enforcement (ICE).
2. Expressed appreciation and support for Chief Hensley and echoed Council Member Dixon's comments.
3. Apologized for having to leave the Study Session early.
4. Referred to comments by Sandra Genis on properties located at Harbor/Fair and Coastline.
5. Commented on the public comments by John Earl and Scott Sink.
6. Addressed the Golf Course issue and advised it was his intention to open discussions with Mesa Verde Partners.
7. Advised he was open to options relating to field demand issues.

Council Member Foley

1. Requested information on restrictions against campaigning from the dais.
2. Referred to the Newport Beach General Plan Update which includes a 19th Street bridge and encouraged the public in opposition to the bridge to send communications to Newport Beach .

CONSENT CALENDAR

Council Member Foley removed a portion of Item No. 2 and Council Member Monahan removed Item No. 8 from the Consent Calendar.

MOTION: On motion by Council Member Mansoor, seconded by Council Member Dixon, the City Council approved the following remaining items on the Consent Calendar:

Written Communications

1. Received and processed Reading Folder.

Minutes

2. Approved the Minutes of the Regular Meeting held April 4, 2006 .

Warrants

3. Adopted Resolution 2114, funding City operating expenses in the amount of \$590,876.22.
- .4. Adopted Resolution 2113, funding Payroll No. 611 in the amount of \$2,202,223.33 and City operating expenses in the amount of \$513,618.06, including payroll deductions.

Administrative Actions

5. Accepted the completion of Parkway Concrete Repair, Project No. 05-12 by S. Parker Engineering, Inc., 10059 Whippoorwill Avenue, Fountain Valley and authorized the City Clerk to file a Notice of Completion; authorized the release of retention monies 35 days thereafter; authorized exoneration of the Labor and Material Bond seven (7) months thereafter and exoneration of the Faithful Performance bond six (6)months thereafter.
6. Measure M Eligibility: a) Approved the Maintenance of Effort. b) Approved the Seven-Year Capital Improvement Program. c) Approved the Pavement Management Program. d) Adopted Resolution No. 06-50 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, CONCERNING THE STATUS OF THE CIRCULATION ELEMENT FOR THE CITY OF COSTA MESA.

7. Adopted the following entitled Resolution relating to the requirements of Assembly Bill 1234:

RESOLUTION NO. 06-51. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING THE CITY COUNCIL POLICY 100-9 ENTITLED "EXPENSE REIMBURSEMENT AND/OR OVERNIGHT TRAVEL.

MOTION UNANIMOUSLY CARRIED. The Mayor declared Warrant Resolution Nos. 2113, 2114 and Resolution Nos. 06-50 and -51 duly passed and adopted.

ITEMS REMOVED FROM THE CONSENT CALENDAR

2. MINUTES: On motion by Council Member Mansoor, seconded by Council Member Foley, the City Council continued approval of the Adjourned Regular Meeting Minutes of June 6, 2006, to the July 5, 2006 meeting. MOTION UNANIMOUSLY CARRIED.

8. LEASE AGREEMENT WITH STATE OF CALIFORNIA, OPEN SPACE AT FAIRVIEW DEVELOPMENTAL CENTER: Council Member Monahan removed the Lease Agreement with the State of California for use of open space by City user groups at Fairview Developmental Center, 2500 Merrimac Way, from the Consent Calendar.

Robert Graham, Costa Mesa, expressed appreciation for City Council and staff support for the proposal.

MOTION: On motion by Council Member Monahan, seconded by Council Member Dixon, the City Council authorized the City Manager and City Clerk to execute on behalf of the City and subject to review and approval by the City Attorney, the Lease Agreement with the State of California for use of open space by City user groups at Fairview Developmental Center, pursuant to the City Council previously approved Memorandum of Understanding (MOU) ; approved the Right of Entry Permit or Agreement to allow commencement of work prior to execution; directed the City Manager or his designee to contact the Orange County delegation, the Governor's Office, and other State officials to effectuate the terms of the MOU and the direction of the City Council. MOTION UNANIMOUSLY CARRIED.

PUBLIC HEARINGS

PUBLIC HEARING: PLANNING APPLICATION PA-05-56, for The Irvine Company Apartment Communities, Inc., authorized agent for MARJACK, LLC, for a master plan to construct an 890-unit, three-story, multiple family rental apartment complex (The Enclave), with a variance from perimeter open space requirements and a request for a park fee credit, for property located at 450 Anton Boulevard (south side of Sunflower Avenue between Sakioka Drive and Anton Boulevard) in a Planned Development Residential – North Costa Mesa Specific Plan (PDR-NCM) zone. Environmental determination: Mitigated Negative Declaration

The City Clerk announced that this was the time and place set for a public hearing on PA-05-56 and that the Affidavit of Publication was on file in the City Clerk's Office.

Senior Planner Mel Lee summarized the agenda report dated June 8, 2006, requesting that the public hearing be continued to allow for proper mailing.

MOTION: On motion by Council Member Monahan, seconded by Council Member Dixon, the City Council continued the public hearing on Planning Application PA-005-56 to July 5, 2006, 7:00 p.m. MOTION UNANIMOUSLY CARRIED.

PUBLIC HEARING: PROPOSED ORDINANCE—ZONING CODE AMENDMENT CO-06-04 RELATING TO ASSEMBLY USE: A proposed ordinance adopting Zoning Code Amendment CO-06-04 which amends Title 13 of the Costa Mesa Municipal Code regarding the definition, review procedure, and regulation of Assembly Use.

The City Clerk announced that this was the time and place set for a public hearing on proposed ordinance and that the Affidavit of Publication was on file in the City Clerk's Office.

MOTION: On motion by Council Member Monahan, seconded by Council Member Dixon, the City Council continued the public hearing on the proposed ordinance adopting Zoning Code Amendment CO-06-04 relating to Assembly Use, to July 18, 2006, 7:00 p.m. MOTION UNANIMOUSLY CARRIED.

PUBLIC HEARING: LEVY OF 2006-2007 ASSESSMENT FOR THE BUSINESS IMPROVEMENT AREA (BIA): To consider a two percent assessment on certain City hotels and motels for Fiscal Year 2006-2007 based on the sale of hotel overnight guest room stays, for the continued operation of the Costa Mesa Conference and Visitor Bureau, in accordance with Streets and Highways Code Section 36500 et seq.

MOTION: On motion by Council Member Mansoor, seconded by Council Member Monahan, the City Council determined to take the public hearing on the levy of the 2006-2007 assessment for the BIA out of order. MOTION UNANIMOUSLY CARRIED.

The City Clerk announced that this was the time and place set for a public hearing on the levy of the 2006-2007 assessment for the BIA, and that the Affidavit of Publication and Mailing were on file in the City Clerk's Office.

Legislative and Public Affairs Manager Ann Shultz briefed the agenda report dated June 1, 2006, and noted that the existing eight hotels were requesting to again be included in the BIA and that the Ramada Inn was requesting to be included as of July 1, 2006.

The Mayor opened the public hearing and hearing no response from anyone to be heard, he closed the public hearing.

MOTION: On motion by Council Member Monahan, seconded by Council Member Bever, the City Council expressed their appreciation to the members of the BIA for their efforts and adopted the following resolution, which includes the Ramada Inn, entitled:

RESOLUTION NO. 06-56. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, LEVYING YEAR 2006-2007 FOR A BUSINESS IMPROVEMENT AREA COVERING CERTAIN COSTA MESA HOTELS AND MOTELS.

Roll Call Vote:

AYES: COUNCIL MEMBERS: MANSOOR, BEVER, DIXON, FOLEY, AND
MONAHAN

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: NONE

The Mayor declared Resolution No. 06-56 duly passed and adopted.

PUBLIC HEARING: CITY BUDGET AND APPROPRIATIONS LIMIT FOR FISCAL YEAR 2006-2007, STATEMENT OF INVESTMENT POLICY AND AUTHORIZATION TO CITY TREASURER TO INVEST CITY MONIES: To consider the City Budget, Appropriations Limit, Statement of Investment Policy, and authorization to the City Treasurer to invest and reinvest idle City monies in accordance with the Investment Policy, for Fiscal Year 2006-2007.

The City Clerk announced that this was the time and place set for a public hearing on proposed City Budget and Appropriations Limit for Fiscal Year 2006-2007, and that the Affidavit of Publication was on file in the City Clerk's Office.

Director of Finance Marc Puckett briefed his agenda report dated May 30, 2006, relating to the establishment of the 2006-2007 Appropriations Limit, in accordance with Article XIII of the California State Constitution. He stated the recommended Appropriations Limit was \$147,401,694, and was based upon the County of Orange population growth for the population adjustment factor and the California per capital income growth for the inflationary adjustment factor.

Mr. Puckett briefed his agenda report dated June 14, 2006, relating to the proposed Fiscal Year 2006-2007 Budget in the amount of \$126,863,406, noting that it was a balanced Budget and reflected the City's spending plan and priorities for the ensuing fiscal year. Mr. Puckett stated that the proposed Budget was reviewed at the June 13, 2006 Budget Study Session and that Budget documents were available to the public via the City's website and at various City locations.

Mr. Puckett briefed his agenda report dated May 30, 2006, relating to the establishment of the General Fund Operating Reserve, in accordance with Ordinance No. 91-20. He noted the recommended reserve was in the amount of \$14,125 million.

Mr. Puckett briefed his agenda report dated May 14, 2006, relating to the City Council's annual review and adoption of the Statement of Investment Policy, as required by Government Code Section 53456. He noted the changes in the Policy and advised that

the proposed revisions were reviewed by the Investment Oversight Committee and they concurred with the recommendations.

The Mayor opened the public hearing on the Appropriations Limit and asked if anyone wished to address the City Council; hearing no response, he closed the public hearing.

MOTION: On motion by Council Member Mansoor, seconded by Council Member Bever, the City Council adopted the following entitled resolution:

RESOLUTION NO. 06-52. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA DETERMINING AND ADOPTING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2006-2007, IN ACCORDANCE WITH ARTICLE XIII-B OF THE CONSTITUTION OF THE STATE OF CALIFORNIA, AS AMENDED BY PROPOSITION 111 AND SENATE BILL 88, OF \$147,401,694.

Roll Call Vote:

AYES: COUNCIL MEMBERS: MANSOOR, BEVER, DIXON, FOLEY, AND MONAHAN

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS NONE

The Mayor declared Resolution No. 06-52 duly passed and adopted.

The Mayor requested Council Members to state which items in the Budget they wished to pull for discussion or removal or wished to have included in the Budget.

Council Member Monahan requested that the Orange County Regional Airport Authority, Paularino Park Tot Lot, location and size included in the design of a second skateboard park, and discussion and inclusion of additional temporary lights for ballfields/soccer fields, be addressed.

Council Member Foley requested that the Gang Prevention Program and funding for the Sister City Program be addressed.

Council Member Dixon requested that Bark Park lighting be added and removal of the Adams Avenue sound wall be discussed.

Council Member Bever requested that the Annual Residential Street Maintenance Program be addressed.

Mayor Mansoor requested that the ICE proposal and the Broadway sidewalk issues, including alternatives and traffic calming strategies and technology, be discussed.

City Attorney Kimberly Barlow stated that there is a line item in the Budget, The Farm Sports Complex Lighting, on which Council Member Foley has a conflict and which will require her to leave the Chambers during discussion and decision on the item.

Council Member Foley stated her home is within 500 feet of The Farm Sports Complex and, therefore, she has a direct conflict. She, thereupon, left the Council Chambers at 7:33 p.m.

The Mayor opened the public hearing on the Budget.

Field Lighting at the Farm Sports Complex: The following persons spoke in favor of lighting the fields at The Farm Sports Complex, encouraged the City to continue to seek long-term solutions to the need for more ballfields and lighting (including permanent lighting).

1. Bryon deArakal, member of the Parks and Recreation Commission.
2. Ed Baume, Costa Mesa resident.
3. Karl Seckel, Costa Mesa resident.
4. Bob Knapp, Costa Mesa resident, coach for traveling soccer team, member of Costa Mesa Little League Board of Directors.
5. John Rubright, Costa Mesa resident and Regional Commissioner for AYSO 120.
6. Ross Pfautz, Costa Mesa resident.
7. Barry Zimmerman, Costa Mesa resident and AYSO 97 Commissioner.
8. Ron Nugent, Costa Mesa resident and President of Costa Mesa Pop Warner Football.
9. Robert Graham, Costa Mesa resident.
10. James Shoaff, Costa Mesa resident and President of the Costa Mesa National Little League.
11. Alicia Munoz, Secretary for AYSO Region 120.
12. Chris Ferris, Newport Beach, former Costa Mesa resident, member of AYSO Region 120, and member of the Parks and Recreation Commission, and currently an active member of the Newport-Mesa Soccer Club.
13. John Conners, Area Director for AYSO 11Q, comprised of seven regions throughout Orange County.
14. David Stiller, Costa Mesa resident and member of the Parks and Recreation Commission and AYSO Region 120.
15. Mike Barr, member of AYSO Region 120.
16. David O'Shea, Costa Mesa resident and AYSO Region 97 member.
17. Robert Mertha, Costa Mesa resident and coach.

The following person spoke in opposition to the lighting of fields at The Farm due to lighting intrusion and nuisance activities caused by some attendees/users.

18. Terry Neal, Costa Mesa resident.

The Mayor stated that no action was needed at this time, unless it was the desire of the City Council to remove the line item in the Budget. He stated that he was looking for a permanent solution that would not negatively impact residents in the area. The Mayor also encouraged the audience to lobby the City of Newport Beach to establish the number of fields and lighting that the City of Costa Mesa was going to do, thereby doubling the availability/capacity for the sports community.

Mayor Pro Tem Bever stated he understood the passion involved, noting that he and his parents were very active in soccer and ancillary field amenities. He stated that in addition to providing a temporary solution to meet the immediate need, he was interested in finding a permanent, long-term solution that would work for the entire community, both the residents and sports enthusiasts.

Council Member Dixon expressed the opinion that the City Council has a responsibility to provide the lights on the two additional fields, citing an example of a multiple-family development, rather than single-family, proposed in the northern part of the City where parkland would not be available.

City Manager Allan Roeder noted, for the audience's edification, that the seated City Council does not have the authority to bind future City Councils. They have the legal ability to control only those matters which are before them while they are seated.

RECESS: The Mayor declared the meeting recessed at 8:42 p.m.

AFTER RECESS: The Mayor reconvened the meeting at 8:56 p.m., with all Council Members being present.

Temporary/Portable Lighting: Council Member Monahan expressed the desire to include in the Budget the purchase of sufficient temporary lighting to light four fields in the Fall, with selection of locations to be determined by the Parks and Recreation Commission.

City Manager Allan Roeder advised if the City Council was interested in providing temporary lighting on the fields, he would recommend the purchase of 16 temporary lights and the inclusion of \$100,000 in the Budget for the purchase. He explained that with the new technology, smaller, lighter, more portable lights are available. Mr. Roeder advised that the lights would be stored when not in use.

Second Skateboard Park: Council Member Monahan noted that design monies for a second skateboard park were included in the Budget, and staff was looking for input on the size and location of the park. He suggested Lions Park and referring to a posted drawing from several years prior, he described a potential design. He noted that 20,000 to 25,000 square feet of skateable area, plus amenities like at TeWinkle Park, could be provided.

Council discussion ensued and while there was consensus to include monies in the budget for design of a skate park at Lions Park, the City Manager pointed out that there was a process that needed to be followed. Mr. Roeder advised that an amendment to the Lions Park Master Plan would be necessary, which would include public hearings and notification to all interested parties, and subsequently, there would be a public review process on the design of the facility.

Orange County Regional Airport Authority (OCRAA) and Historical Preservation Committee Bronze Marker Program: Council Member Bever suggested that the budgeted \$12,000 for OCRAA be allotted to the Historical Preservation Committee Bronze Marker Program as seed money. The Program includes a round bronze marker that would be inlaid in the sidewalk in front of historical location, existing or demolished, denoting their historical significance, and it would create a historical tour of the City.

Council discussion ensued and while there was support for such a program, the City Council wanted to see the criteria for establishing historical significance. It was suggested that funding be allotted to the Historical Preservation Committee's budget, have them develop the Program and submit a proposal to the City Council before implementing it.

Residential Street Maintenance Program: Council Member Bever suggested that rather than hiring another crew, that the City consider outsourcing the activity at a level of \$1 million a year until the City in-house staff can keep pace with residential street maintenance. He suggested that of the \$1 million, that \$750,000 go to residential street maintenance and \$250,000 go to alley improvements.

Bark Park Lighting: Council Member Dixon suggested that a Bark Park Lighting project be included in the Budget. She explained that it has become a social gathering place for people and their dogs and if the park was lighted, more people would be able to use the park and people would stay longer. She stressed the need to provide amenities for all interests and people of the community.

ICE Proposal: Mr. Mansoor noted that he would like to see included in the Budget the funding for the Council-approved ICE Program, so that the City is prepared to go forward should the Sheriff go forward with the Program.

Gang Elimination Proposal: Council Member Foley referred to a City Manager memorandum advising that the amount proposed in the Budget was being reduced to \$303,551 from the original proposal of \$367,102, and that the amount included the recruitment of the Gang Intervention Specialist. She complimented the City Manager and staff.

Sister City Program: Council Member Foley requested that \$10,000 be budgeted for the Student Exchange Program under the Sister City Program, noting that the City of Newport Beach and the Sister City, Wyndham, both fund the Student Exchange Program.

Paularino Park Tot Lot: Council Member Foley advised that she would like to see funding included in the Budget for the Paularino Park Tot Lot, as recommended by the Parks and Recreation Commission.

Adams Avenue Sound Wall: Council Member Dixon requested that the \$165,000 budgeted for the Adams Avenue Sound Wall be deleted. She noted that at a recent study session the City Council heard a presentation on the formation of assessment districts. Council Member Dixon believed that the Adams Avenue Sound Wall would be a good candidate project for inclusion in an assessment district. She stated that all of the walls along Adams Avenue could be built at once and the cost spread among the communities in the area, not just a portion of the wall which would be visually unacceptable.

Mayor Mansoor confirmed with the Director of Public Services that the wall could be extended in the future. Mr. Morris pointed out the benefits of having a large assessment district, noting that the cost per property owner would be smaller. Mayor Mansoor expressed his support to fund the Adams Avenue Sound Wall, but stated he certainly was interested in discussing assessment districts.

Council Member Bever stated he tended to agree with Council Member Dixon, since there were too many unanswered questions about the project and more information was needed before expending monies.

The Mayor asked if any member of the public wished to address the City Council on any Budget matter: The following persons spoke:

1. Robert Graham, asked if monies were budgeted for assessment district design work on undergrounding utilities in the event petitions were submitted and qualified. City Manager Allan Roeder responded that funds from the California Public Utilities Commission under Rule 20A have not been received and, therefore, have not been budgeted., nor has a lump sum amount been budged in anticipation of applications to form an assessment district. Mr. Roeder advised that after the beginning of the Fiscal Year, a study session on utility undergrounding and formation of assessment districts would be held.
2. Chris Blank, Costa Mesa, addressed the ICE proposal, noting that arrestees are not housed in the City jail, but transferred to the County jail after 24 to 72 hours; expressed support for the Sheriff's program which includes Federal funding; and expressed the opinion that it was not necessary to fund it locally.
3. Larry Hanes, Costa Mesa, requested that funding for the Adams Avenue Sound Wall be included in the budget; gave a history of the matter; and noted it was a safety issue.
4. Terry Tyson, Costa Mesa, expressed appreciation for the Bark Park facility, and the lighting of the parking lot, and requested the lighting be extended into the Park; and invited the City Council and the public to their fundraising event to be August 12th, and solicited volunteers to help bathe dogs at the event.

5. Russ Ramirez, Costa Mesa, noted the flooding problems on the West Side between Center and Anaheim and 18th and Kenwood; expressed the opinion that if the City wants to revitalize the West Side, the infrastructure must be addressed; and showed photographs of standing water at Center and Anaheim and on Kenwood.

At the request of Mayor Mansoor, William Morris, Director of Public Services, advised that a significant amount of money has been spent to upgrade the drainage facilities at 19th and Anaheim, 19th and Park, and more is expected to be improved throughout the City through the revised Master Plan of Drainage which will be presented to the City Council next month.

In response to Mayor Pro Tem Bever, Director of Public Services Morris advised the City holds itself to the same standard as imposed on private developers; that the City reviews drainage plans and retention facilities to insure containment of any run-off water so that it does not impact the storm drain system, noting the example of the skate park built in TeWinkle Park where it serves as a retention basin and after a rain, the City pumps out the water.

Council Member Foley suggested that Mr. Morris meet with Mr. Ramirez to review the Master Plan of Drainage and proposed improvements.

6. Dennis Grady, Costa Mesa, member of the Bark Park Foundation Board, requested the inclusion of funding in the Budget for lighting Bark Park.
7. Robert Summers, Costa Mesa, reinforced Mr. Hanes' remarks about the Adams Avenue Sound Wall, noting that it would currently protect, as well as reduce the sound levels on, three properties whose backyards are under the Adams Bridge; he encouraged the City Council to fund the project.
8. Bob Knapp, Costa Mesa, again encouraged the City Council to fund lighting of the ballfields.
9. Al Malone, Costa Mesa, a new voting member of the Bark Park Foundation, expressed appreciation for the lighting of Bark Park; pointed out there will be increased usage of the Park that translates into more maintenance; advised that donations are very limited; and encouraged the City Council to also provide funding for maintenance.
10. Byron deArakal, Costa Mesa, expressed support for lighting of Bark Park, funding for design of another skate park, and portable lights as an interim solution to lighting ballfields; and expressed the desire to have the Parks and Recreation Commission review the Parks Master Plan to develop a more specific plan to meet the future needs of the City.

Council Member Monahan requested that the City Council and the Parks and Recreation Commission meet in a Study Session to review the Master Plan, and further requested that the leadership of the athletic groups be informed of the meeting. City Manager Allan Roeder responded staff would prepare materials for a Study Session, but September may be the earliest time frame. Council Member Dixon requested that

when the Parks Master Plan is reviewed that the City Council consider having the City assume maintenance responsibility for Bark Park. Council Member Foley recalled that approximately a year ago, the concept of a second Bark Park was discussed, and requested the matter be included in the Study Session.

11. Beth Refakas, Costa Mesa, congratulated the City Manager, Finance Director, and the Budget and Research Officer for production of an easy to read and follow budget document and for the Budget Study Session presentation. Ms. Refakas encouraged the City Council to fund the Broadway sidewalks and Adams Avenue Sound Wall projects because both were safety issues; funding of a comprehensive traffic study on the East side; and at a minimum funding for the Target project under the Gang Detail Program.
12. Jim Peterson, Costa Mesa, expressed support for the review of the Parks Master Plan, since it is a blueprint for the City's future needs and contains many items being discussed tonight; expressed surprise that Costa Mesa and Estancia High Schools and Arlington next to the Fairgrounds have not yet been lighted for use by the athletic community. Mr. Peterson stated he understood it is School District property, but emphasized that the same citizens of Costa Mesa are citizens of the School District.

Mayor Mansoor responded that the reason Costa Mesa High School is not lighted is that no one appears at the School District meetings to encourage the Board to use their taxpayer dollars to light their fields.

Council Member Foley advised many people attend School Board meetings, that lighting of David School adjacent to Arlington is under discussion at School District meetings and that hopefully bonds will pay for a lighted stadium at Estancia High School.

13. Mr. Morris, Costa Mesa, encouraged the City to increase the funding for the Broadway sidewalks project, since adjacent streets such as 21st Street, Kaiser Street, and Woodland Street have missing sidewalks links too.

For the edification of the audience, City Manager Allan Roeder clarified that as items are added to the balanced budget, the monies for those items must be taken from the fund balance. Mr. Roeder stated that the City Council will be making a large percentage of the commitment for the entire year upfront which makes the fund balance unavailable to add, amend or adjust later in the year, if budgeted projects, capital acquisitions or equipment replacement exceed the projected amounts.

TEMPORARY LIGHTS: On motion by Council Member Monahan, seconded by Council Member Mansoor, the City Council approved the inclusion in the Budget the purchase of 16 temporary lights with a cap of \$100,000. MOTION UNANIMOUSLY CARRIED.

ICE PROPOSAL: On motion by Council Member Mansoor, seconded by Council Member Bever, the City Council appropriated funding in the Budget for the ICE

proposal, as previously approved by the City Council, and directed staff to apply for grants for Federal funding under any Sheriff proposal.

Council Members Dixon and Foley expressed the desire to appropriate the money when the Sheriff's proposal was submitted and approved, and to request Federal monies.

A vote was taken on the foregoing motion. Council Members Dixon and Foley voted "NO". MOTION CARRIED.

ORANGE COUNTY REGIONAL AIRPORT AUTHORITY: On motion by Council Member Mansoor, seconded by Council Member Dixon, the City Council removed the \$12,000 appropriation in the Budget for participation in the Orange County Regional Airport Authority (OCRAA). MOTION UNANIMOUSLY CARRIED.

BARK PARK LIGHTING: On motion by Council Member Dixon, seconded by Council Member Foley, the City Council approved an up to \$200,000 appropriation in the Budget for the lighting of Bark Park. MOTION UNANIMOUSLY CARRIED.

SISTER CITY PROGRAM: On motion by Council Member Foley, seconded by Council Member Dixon, the City Council appropriated \$10,000 in the Budget for the Sister City Program.

In response to Council Member Bever, Council Member Foley the appropriation was to help defray the cost of travel for the students, teachers, and community members who participate in the Student Exchange component of the Program.

Mayor Mansoor stated he supported the Sister City Program, but had a philosophical issue with funding airfare costs.

A vote was taken on the foregoing motion. Council Member Mansoor voted "NO". MOTION CARRIED.

MASTER PLAN OF PARKS: On motion by Council Member Monahan, seconded by Council Member Bever, the City Council directed staff to move forward on the design of a second skate park at Lions Park and to process an amendment to the Master Plan of Parks.

Council Member Foley expressed the opinion that a larger skateboard park was needed and suggested that alternate sites should be considered. Council Member Monahan believed those would be good sites to consider for a third skateboard park and advised that several years of discussion, meetings and even a design have resulted in the Lions Park site proposal. He stated that everyone will have an opportunity to express their views at the Parks and Recreation Commission and City Council meetings.

A vote was taken on the foregoing motion. Council Member Foley voted "NO". MOTION CARRIED.

TRAFFIC CALMING STRATEGIES AND TECHNOLOGIES: On motion by Council Member Dixon, seconded by Council Member Foley, the City Council directed staff to seek proposals for traffic calming strategies and new technologies, submit the information and analysis to the City Council, and if at that time the City Council determines to move forward, an appropriation in the Budget would be made.

Council Member Monahan requested that copies of the Eastside Traffic Study completed a few years ago be provided to the City Council. He pointed out that whatever is done on one street would impact the surrounding streets and emphasized that an entire area needed to be studied concurrently. Council Member Dixon pointed out that at a recent Study Session, the discussion centered on the fact that the entire East side would be studied, not just Broadway.

At the request of the Mayor, City Manager Allan Roeder clarified that there are two components to the item. The first is to update the traffic information for the East side by hiring a consultant at a cost of \$100,000, or by having in-house staff update the current model at a cost of \$10,000, with the process to be completed between 120 and 150 days. The second component relates to traffic calming methodologies and advancements in traffic enforcement. The process includes distribution of Request for Proposals (RFP) to private firms and institutions, evaluation upon submission, and then selection of a firm to do the work. At that time the City Council would consider a Budget Adjustment.

AMENDED MOTION: Council Member Dixon amended her motion to direct staff to prepare a Request for Proposals seeking proposals for traffic calming strategies and new technologies, including language that requires the creation of methodologies that can be used in other areas of the City, and to appropriate \$10,000 in the Budget for staff analysis, with the understanding that when the City Council selects a firm, a Budget Adjustment would be considered at that time. Council Member Foley concurred. Council Member Monahan voted "NO". MOTION CARRIED.

GANG ELIMINATION PROGRAM: On motion by Council Member Foley, seconded by Council Member Dixon, the City Council appropriated \$303,551 in the Budget for the Gang Elimination Proposal.

Mayor Mansoor stated he preferred to have an opportunity to speak with the new Chief before approving the Program and thereupon offered the following substitute motion.

SUBSTITUTE MOTION: On motion by Council Member Mansoor, seconded by Council Member Bever, the City Council appropriated monies in the Budget for the Target Program. Council Members Foley, Dixon, and Monahan voted "NO". MOTION FAILED.

Council Member Bever stated he supported the concept, but did not believe the addition of a gang intervention specialist, a job description of which was not available, was a

good approach in a gang-related area, noting some of his experiences. He reminded his colleagues that the area has countless opportunities for kids to be distracted or diverted from gangs, including another skateboard park to be added.

The Mayor stated he supports the Proposal, but agreed with Council Member Bever on the diversion aspects.

Council Member Bever requested the maker of the motion to eliminate the position, and she declined.

A vote was taken on the original motion. Council Members Mansoor and Bever voted "NO". MOTION CARRIED.

PAULARINO PARK TOT LOT: On motion by Council Member Monahan, seconded by Council Member Foley, the City Council appropriated monies in the Budget for the Paularino Park Tot Lot, as recommended by the Parks and Recreation Commission. MOTION UNANIMOUSLY CARRIED.

ADAMS AVENUE SOUND WALL: Council Member Dixon stated she would leave the Adams Avenue Sound/Safety Wall in the Budget. She stated she would await submission of information on the formation of assessment districts, so the City could embark on a program of installing walls along arterial streets.

HISTORICAL PRESERVATION COMMITTEE—MEDALLION PROGRAM: Council Member Foley advised that she asked Recreation staff to solicit advertising in the Community Recreation Review, noting she believe the Review should be self-supported. She asked Council Member Bever if he would be interested in using monies generated from the advertising for the Medallion Program. Council Member Bever responded that he believed the Community Recreation Review should be free from advertising and be a City informational piece.

MOTION: Council Member Bever moved that the City Council appropriate \$12,000 from the Orange County Regional Airport Authority dues account into the Historical Preservation Committee account as seed money for their Historical Medallion Program. Council Member Monahan seconded the motion for discussion purposes.

A brief discussion ensued about the expenditure being contingent upon submission of the Program to the City Council, to appropriate a lesser amount, and to appropriate any difference from the original figure to another program. Council Member Monahan withdrew his second. MOTION DIED FOR A LACK OF SECOND.

RESIDENTIAL STREET AND ALLEY REPAIR: Council Member Bever moved to allocate \$750,000 for street and alley repair, \$500,000 for residential streets, and \$250,000 for residential alleys. Council Member Mansoor seconded the motion for discussion purposes.

Mayor Mansoor asked the City Manager when a large area could be bid without hiring additional City personnel. City Manager Allan Roeder responded that the Public Services Director could best answer the question, but it would depend on how many projects are underway and time restrictions on them, and staff's capacity to get more projects done. He advised that Mr. Morris may need more time to respond the matter.

Mayor Pro Tem Bever stated he was interested in contracting out the work, including the street design work.

Public Services Director Bill Morris stated that with an outside design contractor, there is a demand on staff time. Staff has to prepare an RFP, evaluate them upon submission, hire the consultant, and oversee his design work. Mr. Morris advised that presently they have \$24 million in grant monies for 16 projects that must be completed this year or the grant funds will be lost. Mr. Morris suggested that they be allowed to review the workload for the year and then advise City Council.

Council Members Bever and Monahan withdrew their motion and second, respectively.

MOTION: On motion by Council Member Monahan, seconded by Council Member Foley, the City Council appropriated \$100,000 to the Missing Link Sidewalk Program, up to \$100,000 to the Alleyway Program, and directed staff to seek Safe Route to School funding in conjunction with the Sidewalk Program. MOTION UNANIMOUSLY CARRIED.

CLARIFICATION OF VOTE ON THE BUDGET—CITY ATTORNEY: City Attorney Kimberly Barlow stated that under the law, if a Council Member has a conflict of interest on a specific item in the Budget, once discussion and separate action on the matter has been taken, the Council Member is free to vote on the Budget as a whole.

MOTION: On motion by Council Member Mansoor, seconded by Council Member Foley, the City Council approved the 2006-2007 Budget, as revised, and adopted the following entitled resolution:

RESOLUTION NO. 06-53. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING A BUDGET FOR THE FISCAL YEAR 2006-2207.

Roll Call Vote:

AYES: COUNCIL MEMBERS: MANSOOR, BEVER, FOLEY, DIXON, AND MONAHAN

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: NONE

The Mayor declared Resolution No. 06-53 duly passed and adopted.

The Mayor asked if anyone wished to address the City Council on adopting the General Fund Operating Reserve; hearing no response, he closed the public hearing.

MOTION: On motion by Council Member Mansoor, seconded by Council Member Foley, the City Council adopted the following entitled resolution:

RESOLUTION NO. 06-54: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DETERMINING AND ADOPTING THE GENERAL FUND OPERATING RESERVE FOR FISCALY YEAR 2006-2007, IN ACCORDANCE WITH TITLE 2, CHAPTER V, ARTICLE 6, OF THE COSTA MESA MUNICIPAL CODE.

Roll Call Vote:

AYES: COUNCIL MEMBERS: MANSOOR, BEVER, FOLEY, DIXON, AND
MONAHAN

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: NONE

The Mayor declared Resolution No. 06-54 duly passed and adopted.

Mayor Mansoor asked if anyone wished to address the City Council on the Investment Policy; hearing no response, he closed the public hearing.

MOTION: On motion by Council Member Mansoor, seconded by Council Member Bever, the City Council adopted the following entitled resolution:

RESOLUTION NO. 06-55: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING 2006-2007 STATEMENT OF INVESTMENT POLICY, AND AUTHORIZING THE CITY TREASURER TO INVEST AND REINVEST IDLE MONIES OF THE CITY OF COSTA MESA, IN ACCORDANCE WITH THE 2006-2007 STATEMENT OF INVESTMENT POLICY.

Roll Call Vote:

AYES: COUNCIL MEMBERS: MANSOOR, BEVER, FOLEY, DIXON, AND
MONAHAN

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: NONE

The Mayor declared Resolution No. 06-55 duly passed and adopted.

OLD BUSINESS

ORDINANCE NO. 06-13: The City Clerk read the title of Ordinance No. 06-13 and noted it was introduced for first reading on June 6, 2006. The Mayor asked if anyone wished to address the matter; hearing no response, he offered the following motion:

MOTION: On motion by Council Member Mansoor, seconded by Council Member Dixon, the City Council waived further reading and adopted Ordinance No. 06-13 entitled:

ORDINANCE NO. 06-13: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING ARTICLE 2, CHAPTER V OF TITLE OF THE COSTA MESA MUNICIPAL CODE RELATING TO THE PURCHASING SYSTEM AND ADDING ARTICLE 3 RELATING TO PROCEDURES FOR PUBLIC PROJECTS.

Roll Call Vote:

AYES: COUNCIL MEMBERS: MANSOOR, BEVER, FOLEY, DIXON, AND
MONAHAN

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: NONE

The Mayor declared Ordinance No. 06-13 duly passed and adopted.

NEW BUSINESS

ORDINANCE NO. 06-14: The City Clerk read the title of Ordinance No. 06-14.

City Attorney Kimberly Barlow briefed her Council Agenda Report dated June 20, 2006 and advised that Section 2-82 needed to be amended to comply with State law. Mayor Pro Tem Bever requested that "city of residence" be included with "name" and that "if provided" be deleted from the ordinance. The City Attorney advised the ordinance could so reflect, but that if a member of the public did not wish to give either, he/she could not be denied the opportunity to speak.

The Mayor asked if anyone wished to address the matter; hearing no response, he offered the following motion:

MOTION: On motion by Council Member Mansoor, seconded by Council Member, the City Council waived further reading and introduced for first reading Ordinance No. 06-14, as revised above, entitled:

ORDINANCE NO. 06-14. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING CHAPTER III OF TITLE 2 OF THE COSTA MESA MUNICIPAL CODE RELATING TO THE OFFICIAL MINUTES OF THE CITY COUNCIL.

Roll Call Vote:

AYES: COUNCIL MEMBERS: MANSOOR, BEVER, FOLEY, DIXON, AND
MONAHAN

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: NONE

MOTION UNANIMOUSLY CARRIED.

REPORTS

The City Attorney and City Manager had no reports.

ADJOURNMENT: The Mayor declared the meeting adjourned at 11:04 p.m. and noted the next Regular Meeting would be held July 5, 2006.

Respectfully submitted,

JULIE FOLCIK, CITY CLERK

APPROVED:

ALLAN R. MANSOOR, MAYOR