

**REGULAR MEETING OF THE CITY COUNCIL
CITY OF COSTA MESA**

July 18, 2006

The City Council meeting of the City of Costa Mesa, California met in regular session July 18, 2006, at 6:20 p.m., in the Council Chambers of City Hall, 77, Fair Drive, Costa Mesa. The meeting was called to order by the Mayor.

I. CLOSED SESSION

II. ROLL CALL

Council Members
Present:

Mayor Allan Mansoor
Mayor Pro Tem Eric Bever
Council Member Linda Dixon
Council Member Katrina Foley

Council Members
Absent:

Council Member Gary Monahan

Officials Present:

City Manager Allan Roeder
City Attorney Kimberly Hall
Barlow
Assistant City Manager Thomas
Hatch
Interim City Clerk Linda Ruth

PUBLIC COMMENT

III. CLOSED SESSION

1. Request for closed session pursuant to California Government Code Section 54957, Public Employment: Police Chief and

Fire Chief.

ACTION: No action taken.

2. Conference with Legal Counsel—Anticipated Litigation: Significant Exposure to litigation, one case, pursuant to Government Code Section 54956.9(b). RECESS TO STUDY SESSION: The Council will recess to and convene an Agenda Review Study Session beginning at 5:30 p.m. in Conference Room 1-A of City Hall. The public is welcome to attend and offer comment.

ACTION: No action taken.

PLEDGE OF ALLEGIANCE - Council Member Linda Dixon

MOMENT OF SOLEMN EXPRESSION - Father Hildebrand Garceau, St. John the Baptist Catholic Church

ROLL CALL

Council Members
Present:

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

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
Interim City Clerk Linda Ruth
Principal Planner Kimberly Brandt
Senior Planner Mel Lee

CLOSED SESSION REPORT

PRESENTATIONS

IV. PUBLIC COMMENT

1. Mark Harris commented on the RV Storage Proposal located behind the Home Depot and Albertsons; and referred to their website <http://www.beachcitiesrvstorage.com/>.
2. Judi Berry thanked Jim Golfos and staff; commented on the graffiti problem on the Westside; and inquired on an ordinance relating to graffiti on a parked vehicle.
3. Scott Sink referenced an article stating the Mayor as a Minuteman; and referred to Council Member Bever's comments from previous Council meeting.
4. Mike Berry referred to the Planning Application for The Irvine Company Apartment Communities and spoke on affordable housing.
5. Anne Hogan-Shereshevsky commented on irregular parking on street corner of Eldon and Merrill; named cities that tolerate fireworks; and mentioned the need of affordable housing.
6. Hema Solas referred to Council Member Bever comments on the pledge of allegiance and mentioned freedom of expression.
7. John Earl presented a corrected photo of the members of the National Alliance at a job center in Laguna Beach; and commented on the appointment of a former member of a City committee.

8. R.J. Schwatenburg thanked Police for public safety.

V COUNCIL MEMBERS REPORTS, COMMENTS, AND SUGGESTIONS

Mayor Allan Mansoor

1. Clarified that the City Council encourages all citizens to serve on committees and investigations are not made on applicants; that he does not support the views of a former committee member referred to by one of the public speakers.
2. Also clarified that he does support legal immigration and believes that everyone should be treated fairly and equally; that the ICE proposal will not focus on sweeps or victims; gave an example of a recent incident in Los Angeles where a criminal was an illegal alien, a gang member, did time in prison, was deported, returned and committed another felony against two young children; those are the people upon whom he would like to focus; and believed people would support upholding the laws of the United States.

Council Member Linda Dixon

1. Expressed the opinion that the Police Department focuses on all criminals whether they are legal or illegal immigrants, as does Los Angeles, and believed that the ICE proposal would do nothing more than what is being done now.
2. Requested staff to check the chain link fence in disrepair at the corner of Placenta and Center Streets.
3. Requested staff to check the dying landscaping on Victoria Avenue between Harbor Boulevard and Placentia Street; if replacement of vegetation is necessary, requested that draught tolerant plants be used.

Mayor Pro Tem Eric Bever

1. Advised he spoke with the Maintenance Services Manager and was informed that the landscaping on Victoria was purposely sprayed because it did not do well and it would be replaced with a different ground cover.
2. Advised that the Los Angeles Police Department operates differently than Costa Mesa; the law allows the police to pick up on a felony re-entry and Los Angeles has Special Order 40 that prohibits arrest on a felony re-entry even though they know the person had been deported on a felony conviction.
3. Expressed appreciation to Mike Berry for suggesting that the City combine all hotlines into one hotline; the new hotline number is 714/654-5100 and is menu driven.
4. Relating to Mr. Earl's comments, he reviewed the December 13, 2004 Minutes, and there were no committee appointments made that date, and stated he does not share, nor does he defend, the views of the former committee member to whom he referred, as well as Mr. Earl's. Mayor Pro Tem Bever clarified that by "fairy tales" he used recently, he meant the whole construct that Mr. Earl and others have created, which has no truth or connection to the issue.
5. Noted that he and Council Member Foley would be reporting on the recent Local Agency Formation Commission (LAFCO) meeting they attended relating to border issues between Newport Beach and Costa Mesa. He noted that Costa Mesa had an application relating to the Banning Ranch area and Newport Beach had an application relating to west Santa Ana Heights area. Mayor Pro Tem Bever stated he believed the City's presentation at the meeting was very well done. With overhead maps, he pointed out the areas and noted the extensive preparation efforts by staff and Subcommittee members, noting they met with representatives of the property owner, individual LAFCO members, members of other agencies, and community leaders to educate and advocate the City's position. Mayor Pro Tem Bever stated the City wanted a comprehensive solution to the annexation issues that would be fair and equitable to all parties.

LAFCO staff recommended that the Commission approve Newport Beach's annexation and sphere of influence for the West Santa Ana Heights area, subject to two conditions: 1) Newport Beach's Detachment of a portion of the one-foot wide strip in Banning Ranch and 2) Costa Mesa and Newport Beach participate in a series of facilitated discussion with LAFCO regarding long-term

service provisions for Banning Ranch. Mayor Pro Tem Bever advised that discussion meetings are starting and that the Water and Sanitation Districts are looking at the services they can provide, and the City is looking at Police and Fire services.

Council Member Katrina Foley

1. Expressed appreciation to City Manager Allan Roeder, community members, Trudy Ohlig-Hall and Fred Bockmiller, Vice Presidents of the Costa Mesa Consolidated Water District Board and Jim Ferryman, President of the Orange County Sanitation. She complimented City Manager Allan Roeder for his presentation to LAFCO.

Council Member Foley advised that at the LAFCO meeting the City of Newport Beach's expressed the opinion that the west Santa Ana Heights annexation was independent of the Banning Ranch annexation and that the annexations should be considered separately. Several west Santa Ana Heights residents agreed and requested the immediate approval of west Santa Ana Heights annexation to the City of Newport Beach.

Council Member Foley reported that in support of their position, the City of Newport Beach sent letters to Newport Terrace residents implying that at the meeting, LAFCO was going to approve the annexation of their area to the City of Costa Mesa. LAFCO allayed their fears at the meeting by pointing out their area was not under consideration for annexation to Costa Mesa.

After hours of testimony and significant discussion, LAFCO continued the matter to November, 2006, directed staff to establish a subcommittee of Commissioners to help facilitate meetings between the Cities of Costa Mesa and Newport Beach and to return to the Commission with a schedule of those meetings. LAFCO is in the process of determining how the process will be structured, but the first meeting has been scheduled for August 2nd. Orange County Board of Supervisors Members Wilson and Silva, Commissioner Arlene Schafer, Council Members Bever and Foley, City Manager Roeder, and the Newport Beach team will attend the meeting.

In conclusion, Council Member Foley stated she believed the results of the hearing were positive for the City of Costa Mesa and advised letters of appreciation have been sent to LAFCO Commissioners and staff and to participating community leaders.

VI CONSENT CALENDAR:

CONSENT CALENDAR ITEM NOS. 1 THROUGH 10.

Consent Calendar Item Nos. 2 and 10 were removed.

MOTION: Approve the balance of the Consent Calendar items, as recommended.

Moved by Mayor Allan Mansoor, seconded by Council Member Linda Dixon.

Roll call vote:

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

NOES: NONE.

ABSENT: NONE.

1. Reading Folder.

ACTION: The following claims were received and processed: John Charles McCartt; Robert J. McCormish; Orange County Transportation Authority (OCTA); Nabaht Shafiei; and Joseph D. Washington.

2. Regular Meeting of June 20 and July 5, 2006.

ACTION: Continued to August 1, 2006 meeting.

3. Warrant Resolution 2117, funding City operating expenses for \$843,408.74.

ACTION: Resolution adopted.

4. Warrant Resolution 2118, funding Payroll No. 613 for \$2,204,728.86 and Payroll No. 612A for \$5,031.06, and City operating expenses for \$509,178.16 including payroll deductions.

ACTION: Resolution adopted.

5. Award of \$500 to a private citizen who reported graffiti-related activity.

ACTION: Approved.

6. Award Construction Contract for Bristol Street/I-405 Landscaping Project, Project No. 06-14, to Diversified Landscape Management, Inc., 12112 Severn Way, Riverside, 92503, in the amount of \$422,200.

ACTION: Approved; authorized the Mayor and City Clerk to sign.

7. Award Construction Contract for Installation of Monument Signs at Estancia Park (1900 Adams Avenue) and on Adams Avenue Near the West City Limit, Project No. 06-07, to Hondo Company, Inc., 212 South Lyon Street, Santa Ana, 92705, in the amount of \$29,400.

ACTION: Approved; authorized the Mayor and City Clerk to sign.

8. Replacement and Modification of the HVAC System at Fire Station No. 4 (2300 Placentia Avenue), Project No. 06-06.

(a) Reject all bids.

ACTION: Approved.

(b) Authorize staff to re-advertise the project.

ACTION: Approved.

9. Final Map for Tract No. 16937 located at 2501 Harbor Boulevard, Costa Mesa, for the subdivision of ten (10) lots for thirty-seven (37) detached common interest units (airspace condominiums) and five (5) lots for common use.

ACTION: Approved; authorized the City Engineer and City Clerk to sign.

10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REVISING THE SALARY RANGES FOR JOB CLASSIFICATIONS REPRESENTED BY THE COSTA MESA FIREFIGHTERS ASSOCIATION TO REFLECT THE ESTABLISHED LABOR MARKETPLACE PURSUANT TO THE 2004-2007 MOU.

(a) Budget Adjustment No. 07-003, for \$497,462, to transfer funds from the Non-Departmental cost center to the Fire Department's operating budget.

The Mayor advised if anyone wished to address the City Council on the matter.

1. Judy Berry referred to the 2007 Proposed Budget and commented on the firefighter's increase and affordability index; and requested to reconsider not offering the higher affordability index to firefighters next year.

MOTION: Continue to August 1, 2006 meeting.

Moved by Council Member Gary Monahan, seconded by Council Member Linda Dixon.

Roll call vote:

AYES: Mayor Allan Mansoor, Mayor Pro Tem Eric Bever, Council Member Linda Dixon, Council Member Gary Monahan

NOES: Council Member Katrina Foley

ABSENT: NONE.

VII PUBLIC HEARINGS

1. PUBLIC HEARING: From the meeting of June 20, 2006, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, 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 the public hearing was continued from the June 20, 2006 meeting and that the Affidavit of Publication and Notice of Continuance were on file in the City Clerk's Office.

Kimberly Brandt, Principal Planner, briefed the Council Agenda Report dated July 5, 2006, and reported that the Planning Commission recommended adoption of an alternative ordinance. Ms. Brandt advised that staff believes that either the Council-directed or the alternative ordinance would result in equal treatment of assembly uses in the City's Zoning Code.

The Mayor declared the public hearing open and asked if anyone wished to address the City Council on the matter.

The following persons addressed the City Council:

1. Mike Berry, Costa Mesa, expressed the opinion that a church in a commercial area would first have to be a commercial enterprise with assembly use; he did not believe anything had been done about the definition of commerce.
2. Beth Refakes, East side resident, asked questions for clarification and expressed concern about overnight housing and living quarters on church and religious assembly property.

Council discussion ensued relating to a permitted living unit on church property in any zone in which they are located. Ms. Brandt and City Attorney Barlow clarified the permitted use and procedure.

3. Judy Berry, Costa Mesa, expressed concern about the definition of a single-family dwelling to be permitted on church property and questioned the proposed wording which would allow certain business activities in the commercial zone as long as they were conducted inside.

The Mayor asked if anyone else wished to address the City Council; hearing no response, he closed the public hearing.

Discussion and clarification among the City Council, City Attorney and Senior Planner ensued relating to ancillary uses, required conditional use permit for certain assembly uses, single-family accommodations in a commercial and industrial area, leasing tenant of a church, the impact on business community, and Religious Land Use and Institutionalized Persons Act (RLUIPA) issues.

MOTION: On motion by Council Member Monahan, seconded by the Council Member Dixon, the City Council read the title, waived further reading, and introduced for first reading the following entitled Ordinance, as recommended by the Planning Commission (alternate ordinance), with the deletion of Section 13.51.52(b):

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING ZONING CODE AMENDMENT CO-06-04 WHICH AMENDS TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING THE DEFINITION, REVIEW PROCEDURES, AND REGULATION OF "ASSEMBLY USE."

Council Member Foley stated she would not support the motion at this time; she requested the City Attorney to provide information on how other cities define churches in their ordinances.

SUBSTITUTE MOTION: On motion by Council Member Bever, seconded by Council Member Mansoor, the City Council read the title, waived further reading, and introduced for first reading the above-entitled Ordinance (Council-directed ordinance).

Mayor Mansoor stated he did not particularly like the approach in the ordinance, but it would protect the City legally and it only covered commercial and industrial zones. Council Member Monahan stated he could not support the substitute motion, because in his opinion it was not business-friendly approach.

A vote was taken on the substitute motion. Council Members Dixon, Foley and Monahan voted "NO". MOTION FAILED.

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

MOTION: On motion by Council Member Monahan, seconded by Council Member Dixon, the City Council continued consideration of adoption of an ordinance relating to assembly use, to August 15, 2006, 7:00 p.m. MOTION UNANIMOUSLY CARRIED.

RECESS: The Mayor declared the meeting recessed at 8:00 p.m.

AFTER RECESS: The Mayor reconvened the meeting at 8:10 p.m., with all Council Members being present. He welcomed Deputy City Attorney Yolanda Summerhill, who was replacing City Attorney Barlow for the remainder of the evening.

2. PUBLIC HEARING: Appeal of the Planning Commission's denial of Planning Application PA-06-27 for Farhad Edward Khosravi, for a variance to legalize a 29.5 ft. building height for two single-family houses (27 ft. permitted), located at 258 and 260 Santa Isabel Avenue, in an R1 zone. Environmental Determination: Categorically Exempt.

The Interim City Clerk stated this was the date and time advertised for a public hearing on the matter, and that the Affidavits of Publication and Mailing were on file in her office.

Senior Planner Mel Lee briefed his Council Agenda Report dated July 6, 2006, and presented photographs of the property and surrounding properties.

Peter Buffa, representing the applicant and his business partner Saeid Asgari, noted that their legal counsel, Jeff Goldfarb of Rutan and Tucker, was also present. Mr. Buffa made a slide presentation depicting the homes under construction and gave a timeline overview of the City inspection service and stated that on April 18, 2006, the Building Inspector measured the height of the homes and determined that the back two homes exceeded the allowable building height limit. Mr. Buffa stated the excess height measured two feet, three inches, and was caused by changes suggested by the roofing contractor who did not advise his clients that the height would increase. Mr. Buffa advised that his clients solicited recommendations from their prime contractor and others and

were told that basically the second story of the homes would have to be disassembled in order to reduce the height. He showed what the difference would be if the height was reduced, noting that the visual impact was very little and it was a cost- benefit ratio both to the City and the neighbors. The applicants' general contractor, Tiger Toddle, explained the process to reduce the height and affirmed that the cost would be extensive and expensive. Mr. Buffa emphasized that the attic was not intended as living space as was suggested at the Planning Commission meeting, and that there were no stairs leading to the attic. In conclusion, Mr. Buffa read two letters of support from neighbors, Janet Hubert and Wilbur Lankford.

In response to Council Member Monahan, Mr. Buffa stated that the two-story home on the property to the east was graded considerably lower than the lot in question. As a condition of approval, his client had to grade the back of his property to approximately thirty inches for drainage purposes.

In response to whether the applicant has met with the adjacent owners to the rear and side to mitigate concerns, Mr. Saeid Asgari stated they have been in discussions with Mike Schmidt, a neighbor to the rear, and agreed to incorporate his suggestions into their professional landscaping plans, provide up to four trees on his side of the property, and would put stucco, his choice of color, on his side of the wall. Mr. Asgari stated they would be willing to do that for other neighbors as well. Mr. Asgari stated they would be willing to irrigate whatever the final number of trees on the other side of their wall was determined to be.

The Mayor declared the public hearing open and asked if anyone wished to address the City Council on the matter.

The following persons addressed the City Council in support of the project, noting that they believed the applicants would be good neighbors, the value of surrounding homes would increase, the property would be improved after years of neglect, the quality of development, the applicants/appellants reliance on inspections by City (invoking the concept of Equitable Estoppel), and that the public benefit would be small in comparison to requiring the applicants/appellants to go to the expense of meeting the Code height requirement.

1. Erika Fink, Long Beach, former Costa Mesa resident.
2. Dan Debasio, Costa Mesa (East side).
3. Wilbur Lankford, Costa Mesa.

4. Derich Sukow, Costa Mesa (East side).
5. Pirooz Behpoor, Costa Mesa.
6. Jeff Goldfarb of Rutan and Tucker, representing the applicants/appellants.

The following persons spoke in opposition to the project, noting that property owners to the rear look into a large edifice that looks like an office building, lack of privacy, excess building height, visual impact due to close proximity to their homes, grade differential, lack of communication by applicants with impacted neighbors, lack of justification for a variance, and building massing.

7. Frank Hernandez, Costa Mesa.
8. Janet Fiquette, Costa Mesa.
9. Lee Knudson, Costa Mesa.
10. Eli Wendell, Costa Mesa.
11. Mike Schmidt, Costa Mesa.
12. Larry Focht, Costa Mesa.
13. Albro Lundy of Baker Burton & Lundy, Attorney representing Mike Schmidt.

In response to Council Member Monahan, Development Services Director Don Lamm stated that the second story height would remain the same and that the roof line and attic would be flatter if the height was reduced to 27 feet, noting that the visual impact on the surrounding properties would be the same.

The Mayor asked if anyone else wished to address the City Council; hearing no response, he closed the public hearing.

MOTION: On motion by Council Member Foley, seconded by Council Member Mansoor, the City Council adopted Resolution No. 06-59, reversing the decision of the Planning Commission and granting Planning Application PA-06-27, based upon the following findings and conditions:

FINDINGS

- A. The project complies with Costa Mesa Municipal Code Section 13-29(e) because:
- The development, with the recommended conditions of approval, is compatible and harmonious with uses on surrounding properties.
 - Safety and compatibility of the design of the buildings and other site features have been considered.
 - The development, with the recommended conditions of approval, is consistent with the General Plan.
 - The cumulative effect of all planning applications have been considered.
- B. The information presented complies with Section 13-29(g)(1) of the Costa Mesa Municipal Code in that special circumstances applicable to the property exist to justify granting of the variance from building height. Specifically, as part of the project approval, additional fill dirt was brought to elevate the rear of the site to provide drainage to the street as required by Code, making the building height seem taller from the abutting properties. Additionally, prior to the discovery of the excess roof height, staff inspected and granted approval of the roof sheathing material for the affected units. Furthermore, based upon the evidence and public testimony presented at the hearing, the public benefit will be significantly less than the cost to correct the excess building height, as the reduction in building height will not reduce the overall impact of the mass of the buildings on the surrounding properties, and would grant no special privileges to the applicant. The two affected units are located at the rear of the subject property, behind two 2-story units, which will minimize the visual impacts of the increased roof height of the rear units from the street. With regard to the impacts on the properties at the rear of the site, the highest point of the roof peak, at 29 feet, 6 inches, is setback approximately 15 feet further than the required 20-foot rear yard setback for second story structures as required by code, minimizing any impacts.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines; and the CEQA environmental procedures, and has been found to be exempt from CEQA under Section 15301 for Existing Facilities.
- D. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

CONDITIONS OF APPROVAL

All applicable conditions of approval, code requirements, and special district requirements for PA-02-10 shall be complied with.

The applicant shall plant screen trees along the west, east, and north sides of the property, and shall provide stucco walls for the adjacent property owners. Applicant shall work with the abutting neighbors and the Planning Division to satisfy this condition.

Two (2) sets of detailed landscape and irrigation plans, which meet the above condition, shall be submitted. Plans shall be approved by the Planning Division, and landscaping and irrigation installed in accordance with the approved plans, prior to final inspection or occupancy clearance.

The attic shall not be used as livable space.

RESOLUTION NO. 06-59. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, REVERSING THE PLANNING COMMISSION ACTION AND APPROVING PLANNING APPLICATION PA-06-27.

Mr. Buffa stated his clients agreed to the conditions of approval.

Roll call vote:

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

NOES: NONE.

ABSENT: NONE.

The Mayor declared Resolution No. 06-59 duly passed and adopted.

3. PUBLIC HEARING: Rezone Petition R-06-01 and Specific Plan SP-06-03 Amendment to the 19 West Urban Plan for

properties located at 2115, 2121, 2131, 2139, and 2145 Placentia Avenue, and 811 and 817 Victoria Street. Environmental determination: Addendum to adopted Initial Study/Mitigated Negative Declaration (SCH #2006021045).

(a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING REZONE PETITION R-06-01 AND ADOPTING SPECIFIC PLAN AMENDMENT SP-06-03 TO ADD SEVEN PARCELS LOCATED AT 2115, 2121, 2131, 2139, AND 2145 PLACENTIA AVENUE, AND 811 AND 817 VICTORIA STREET TO THE 19 WEST MIXED-USE OVERLAY DISTRICT.

(b) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING REZONE PETITION R-06-01 TO ADD SEVEN PARCELS LOCATED AT 2115, 2121, 2131, 2139, AND 2145 PLACENTIA AVENUE, AND 811 AND 817 VICTORIA STREET TO THE 19 WEST MIXED-USE OVERLAY DISTRICT.

The Interim City Clerk stated this was the date and time advertised for a public hearing on the matter, and that the Affidavits of Publication and Mailing were on file in her office. She read the title of the resolution and ordinance.

Assistant Planner Rebecca Robbins briefed her Council Agenda Report dated July 3, 2006.

The Mayor declared the public hearing open and asked if anyone wished to address the City Council on the matter; hearing no response, he closed the public hearing.

MOTION: On motion by Council Member Bever, seconded by Council Member Foley, the City Council adopted Resolution No. 06-60, approving the Addendum to the Initial Statement/Mitigated Negative Declaration for the Westside Urban Plans and 19 West Urban Plan Amendment SP-06-03, waived further reading of the ordinance, and introduced Ordinance No. 06-15 for first reading.

RESOLUTION NO. 06-60. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING REZONE PETITION R-06-01 AND ADOPTING SPECIFIC PLAN AMENDMENT SP-06-03 TO ADD SEVEN PARCELS LOCATED AT 2115, 2121, 2131, 2139, AND 2145 PLACENTIA AVENUE, AND 811 AND 817 VICTORIA STREET TO THE 19 WEST MIXED-USE OVERLAY DISTRICT.

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. 06-60 duly passed and adopted.

ORDINANCE NO. 06-15. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING REZONE PETITION R-06-01 TO ADD SEVEN PARCELS LOCATED AT 2115, 2121, 2131, 2139, AND 2145 PLACENTIA AVENUE, AND 811 AND 817 VICTORIA STREET TO THE 19 WEST MIXED-USE OVERLAY DISTRICT.

NEW BUSINESS

1. DESIGNATION OF A DELEGATE AND ALTERNATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE: Legislative and Public Affairs Manager Ann Shultz summarized the Council Agenda Report dated July 5, 2006.

MOTION: On motion by Council Member Bever, seconded by Council Member Foley, the City Council designated Council Member Monahan as the delegate to the Annual Conference of the League of California Cities. MOTION CARRIED.

The City Council declined to designate an alternate.

REPORTS

City Manager

1. Echoed the comments made earlier in the meeting by Council Members Bever and Foley relating to last week's Local Agency Formation Commission (LAFCO) hearing and expressed that the City Council Subcommittee did an excellent job; and advised he would be back to the City Council at a later date seeking direction on priorities and strategies relating to future negotiations with LAFCO.

2. In response to Council Member Monahan, City Manager Roeder advised that additional demonstrations of portable lighting will be held and press releases will be issued so advising. He advised that last evening's demonstration was well attended by Commission Members, School District representatives, and staff; and that noise and light readings were taken for analysis. Council Member Bever suggested that staff look into whether or not solar panels could be placed on top of a shade structure constructed over the parking lot at the Farm Sports Complex and then at night charge the batteries of portable light equipment stored in a building, noting the elimination of fumes from the use of electric generators.

ADJOURNMENT: The Mayor declared the meeting adjourned at 10:15 p.m. The next Regular Meeting will be held August 1, 2006.

Respectfully submitted,

JULIE FOLCIK, CITY CLERK
MAYOR

ALLAN R. MANSOOR,

BY: LINDA D. RUTH, CMC

INTERIM CITY CLERK

APPROVED BY CITY COUNCIL: AUGUST 15, 2006