

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

August 01, 2006

The City Council meeting of the City of Costa Mesa, California met in regular session August 01, 2006, in the Council Chambers of City Hall, 77 Fair Drive, Costa Mesa. The meeting was called to order by the Mayor.

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
Linda D. Ruth, Interim City Clerk

PUBLIC COMMENT

There were no public speakers.

CLOSED SESSION

1. Conference with Legal Counsel—Anticipated Litigation: Significant Exposure to litigation, two cases, pursuant to Government Code Section 54956.9(b).

Mayor Mansoor recessed the meeting at 5:04 p.m. to the closed session in Conference Room 1B.

The Mayor reconvened the meeting at 6:10 p.m.

PLEDGE OF ALLEGIANCE - Council Member Katrina Foley

MOMENT OF SOLEMN EXPRESSION - Reverend Tim McCalmont, Presbyterian Church of the Covenant

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
William Morris, Public Services Director
Donald Lamm, Development Services Director
Peter Naghavi, Transportation Services Manager
Jana Ransom, Recreation Manager
Mel Lee, Senior Planner
Hanh Tran, Assistant Planner
Carol Proctor, Management Analyst
Linda D. Ruth, Interim City Clerk

CLOSED SESSION REPORT: City Attorney reported that Council approved by a vote of 4-0, with Council Member Dixon absent, the entry into a tolling agreement with TCA and The Magellan Group, in accordance with terms discussed in Closed Session, in a form acceptable to the City Attorney relating to a pending dispute.

PUBLIC COMMENTS

1. Hildegard Gonzalez referred to the group, "Return to Reason"; expressed support of the ICE Proposal; mentioned effects of illegal immigration and graffiti problem.
2. Donald Nicholson commented on fireworks before and after July 4th; and referred to the Treaty of Guadalupe Hidalgo.
3. Mildred Nicholson spoke on the public comments made by speakers at previous Council meetings; expressed concern of the mentally ill; and commented on fireworks.
4. Anne Hogan Shereshevsky commented on fireworks fundraising; referred to an article in the July 28th Orange County Register regarding eminent domain; spoke to the Concerts in the Park Event and affordable housing for low- and fixed-income.
5. Mike Berry spoke on the boundary discussions between the City and Newport Beach.
6. Judi Berry commented on recent public speakers' comments.

7. Gema Salas expressed opposition to the ICE Proposal and closure of the Job Center; referenced a recent fundraiser for the Mayor at Fairview Park; and commented on undocumented immigrants.
8. Sam Clark advised that he attended the Fairview Park group gathering referenced by the previous public speaker, and did not witness any negative comments directed at anyone.

V. COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Gary Monahan

1. Advised that he would be traveling to Sacramento to participate on the Minimum Wage Board to make recommendations to the Welfare Commission, Governor, and Legislature regarding the Minimum Wage Proposal before Congress; commented that he will be representing the City and several California small businesses.
2. Announced Board openings in the Newport-Mesa Unified School District, Mesa Water Consolidated District, and Costa Mesa Sanitary District.

Mayor Allan Mansoor

1. Stated in the near future at a Study Session, there will be discussions on undergrounding utilities and referred to the Rule 20A Fund; requested that Adams Avenue be an option to consider and discuss.

Council Member Katrina Foley

No Comments

Council Member Linda Dixon

1. Referred to speaker's comments on graffiti on the Westside; and mentioned looking into placing cameras in graffiti areas. City Manager advised that City does have some equipment being used and will report back to Council.

Mayor Pro Tem Eric Bever

1. Referred to the Rule 20A Fund and requested that the Westerly section of Victoria Street be considered for completing undergrounding utilities; mentioned the widening of Victoria Street in the early 1990's.

- VI. CONSENT CALENDAR:
CONSENT CALENDAR ITEM NOS. 1 THROUGH 9.
Items Nos. 7 and 8 removed.

MOTION: Approve the recommended actions for the balance of Consent Calendar

items.

Moved by Council Member Gary Monahan, seconded by Mayor Allan Mansoor.

The motion carried by the following 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:

Karin Borecki; Enterprise Rent-a-Car; Linda Fischer; Larry R. Gielow; John Moritz; Jose and Rosario Rivas; James Patrick Smith; Joseph Washington; and Kelly Zinser.

The following notification letters were received and processed:

Southern California Gas Company – Notification Letter of Filing of Low-Income Program – Application No. A.06-06-033.

Royal Street Communications, LLC – Notification Letter of intent to construct a cellular facility – PCS Wireless Site No. LA0606A.

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

ACTION: Approved.

3. Warrant Resolution 2119, funding City operating expenses for \$1,631,445.85.

ACTION: Resolution adopted.

4. Warrant Resolution 2120, funding Payroll No. 614 for \$2,258,176.62 and Payroll No. 613A for -\$121.02, and City operating expenses for \$494,443.31 including payroll deductions.

ACTION: Resolution adopted.

5. Authorize refund of cash deposit in the amount of \$21,041 to Ara Tchaghllassian in connection with Encroachment Permit No. PS06-00093 for street improvements located at 2015 Harbor Boulevard.

ACTION: Approved work; exonerated bonds.

6. Completion of Construction Improvements at the TeWinkle Park Skate Park, Project No. 04-19, by California Landscape and Design, Inc., 273 North

Benson Avenue, Upland.

ACTION: Work was accepted; City Clerk was authorized to file a Notice of Completion; authorization was given to release of retention monies 35 days thereafter.

9. Amendment No. 12-457A1 District Agreement with the California Department of Transportation (Caltrans), for design and environmental oversight of improvements to Newport Boulevard between 17th Street and 19th Street.

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

7. Right-of-way Easement Agreements with Makar Baynorth Costa Mesa, LLC, and LA Lakes at South Coast L.P., for the Theater and Arts District (TAD) plan.

The City Attorney stated there was a slight language revision to the Makar Baynorth Agreement and requested approval subject to final negotiation of language.

MOTION: Approve the Makar Theater Baynorth Costa Mesa, LLC, Agreement subject to final negotiation of language; authorized the Mayor and City Clerk to execute.

Moved by Council Member Gary Monahan, seconded by Mayor Pro Tem Eric Bever.

The motion carried by the following 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.

MOTION: Approve the LA Lakes at South Coast L.P. Agreement; authorized the Mayor and City Clerk to execute.

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

The motion carried by the following 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.

8. Agreement with the American Society of Composers, Authors and Publishers (ASCAP), granting City license to perform, or have performed on

its behalf, live or mechanical music from the ASCAP repertory.

Jana Ransom, Recreation Manager, summarized the report and responded to questions from the City Council.

Chris Blank, Costa Mesa, stated that rebroadcasting of music without the artist's permission is a violation of the Federal Communications Act.

MOTION: Approved with the provision that City is exempt from any Special Events Fee; subject to review and final approval of language by the City Attorney; authorized the City Manager or his designee and City Clerk to sign.

Moved by Council Member Gary Monahan, seconded by Mayor Pro Tem Eric Bever.

The motion carried by the following roll call vote:

Ayes: Mayor Pro Tem Eric Bever, Council Member Linda Dixon, Council Member Katrina Foley, Council Member Gary Monahan

Noes: Mayor Allan Mansoor

Absent: None.

VII. PUBLIC HEARINGS

The City Clerk announced that this was the time and place set for a public hearing to consider:

1. PUBLIC HEARING: Appeal of Planning Application PA-06-25, to modify the hours of operation for the preschool at the Lighthouse Coastal Community Church located at 301 Magnolia Street in an I and R Zone, originally approved under Master Plan PA-00-56; Frank L. Custer, authorized agent for Leigh Harrison; Environmental determination: Categorically Exempt.

At the meeting of June 26, 2006, the Planning Commission approved PA-06-25.

The City Clerk advised this was the date and time scheduled for the public hearing and that the Affidavit of Publication was on file in her Office.

Senior Planner, Mel Lee, briefly summarized the agenda report dated August 1, 2006, and responded to questions from the City Council.

MOTION: Continue to September 5, 2006, at 7:00 p.m. Moved by Council Member Linda Dixon, seconded by Mayor Pro Tem Eric Bever for discussion only.

Discussion ensued among Council Members and appellants, Howard Denghausen and Beth Refakes, relating to continuing the public hearing to September 5, 2006, 7:00 p.m.

Council Member Monahan expressed concern of the preschool's start date of September 6th and the continuation of the public hearing to September 5, 2006; he stated he would support a continuance to August 15th only.

Mayor Pro Tem Bever withdrew his second. MOTION FAILED.

MOTION: Continue public hearing to August 15, 2006, at 7:00 p.m.

Moved by Council Member Katrina Foley, seconded by Mayor Pro Tem Eric Bever. The Mayor asked if anyone wished to address the motion to continue the public hearing to August 15, 2006.

The following persons spoke in favor of continuing the hearing to August 15, 2006: Dave Beaudin, Howard Denghausen, and Ruby Wilbur.

The following persons spoke in opposition of continuance and favored holding the public hearing this date: Leigh Harrison, Anthony Pecka, Glen Owen, Kevin Honda, John Dosey, Jennifer Crowell, Jennifer Kirk, Ray Markley, Julie Kramer, Karen Omara, Frank Custer, Dee Renfroe, Marge Menashe, Rick Bensinger, Tim Bundy, and Bob Nabum.

Council Member Foley expressed support for a continuance. Mayor and Council Member Monahan stated they would like to hear the matter this date. Council Member Bever withdrew his second and Council Member Foley withdrew her motion.

RECESS: The Mayor declared the meeting recessed at 8:35 p.m.

AFTER RECESS: The Mayor reconvened the meeting at 8:45 p.m., with all Council Members present.

The Mayor opened the public hearing.

Beth Refakes and Howard Denghausen, appellants, expressed concern about the operation of the preschool and referred to a list of issues presented in the staff report. Appellants requested the City Council to overturn the Planning Commission's approval of an afternoon session and an additional enrollment of 30 students, due to the negative impacts it would have on the neighborhood.

Leigh Harrison, applicant, stated appellants' presentation had inaccuracies; clarified some issues; and answered Council Members' questions. He advised no overnight parking is permitted; stated no homeless reside at the church; addressed parking lot issues and its restructure directed by the City; commented on responsiveness to noise and their efforts to reduce sound levels; announced they routinely advise the congregation to park in the church's parking lot and displayed a poster-size sign designed to encourage parking in lot and advised four (4) signs will be posted on church property; and advised of a parent advisory team for community meetings.

Ray Markley addressed issues of complaints on traffic, drop-off and pick-up times of children, noise, neighborhood meetings, and spoke of the church's desire to be a good neighbor.

Marge Menashe, Preschool Director, explained the staff's plan for children to cross the street to and from the preschool; stated staff ratio is one adult to five children; addressed the traffic and parking plan; and preschool afternoon session hours.

John Dosey, member of the Church Elder Board, spoke about stationed personnel in the parking lot for monitoring purposes.

Anthony Pecka addressed issues raised by the appellants and opined that the

use is compatible.

Karen Omura spoke on the difference between the Lighthouse Preschool and other daycare centers and commented on acceptance of children with learning disabilities by the Lighthouse Preschool.

Kevin Honda, Costa Mesa, commented on the increase of property value because of good schools and stated the Lighthouse Preschool offers quality education.

Ned Wood, Costa Mesa, stated that the issue is not about the church or school, but congestion in a residential neighborhood.

Bob Nabum, Newport Beach, spoke on focusing on the kids and invited neighborhood to be part of the church.

Julie Kramer, Costa Mesa, expressed concern about the safety of the children while crossing; and mentioned issues of speeding cars and jaywalking.

Frank Custer, Costa Mesa, commented on traffic, congestion, and church activities; and expressed concern about pictures being taken of church members by members of the surrounding neighborhood.

Jennifer Crowell spoke about the Preschool staff and program.

Ruby Wilbur, Costa Mesa, suggested that only a morning preschool session be permitted initially and if concerns were not realized, allow an afternoon session with 20 children; commented that the church should change its entrance on her side of the block.

Jennifer Kirk, Fountain Valley, commented on the high quality education of the Preschool and the concern for the safety of the children.

Dee Renfroe spoke about amplified sound and reiterated that there were only six weddings and three family gatherings in the past two years.

Dave Beaudin, Costa Mesa, requested community to work together, expressed concern about traffic issues, and encouraged the Council to require compliance with the church master plan.

Marge Menashe spoke about the reason for the afternoon program which is simple need; and stated the limited availability of afternoon preschools in the area.

Council Member Dixon expressed support for a continuance and emphasized the importance of a church and neighborhood meeting.

MOTION: Continue to September 5, 2006, at 7:00 p.m.

Moved by Council Member Linda Dixon, seconded by Council Member Katrina Foley.

SUBSTITUTE MOTION: Uphold the Planning Commission's decision approving PA-06-25, with additional conditions of approval relating to the parking plan, monitoring of blocked driveways and utilization of church parking lot, preschool morning session

dismissed by 11:30 p.m. and afternoon session dismissed by 3:30 p.m., and no school in the parking lot.

Moved by Mayor Allan Mansoor, seconded by Council Member Gary Monahan.

Council Member Foley commented on modifications to the Master Plan. Mayor Pro Tem Bever expressed reservations; referred to petition signed by the neighbors surrounding the church in opposition; suggested creating a positive working relationship with the immediate neighbors and to work out issues; and stated he would not support the substitute motion. Council Member Monahan stated he could not support an extension to the school year and pointed out the issue was really not the additional 60 students in the afternoon, but was part of the on-going non-working relationship between the church and the neighborhood.

Council Member Monahan withdraws his second on the substitute motion. MOTION FAILED.

MOTION: Adopt a resolution to approve Planning Application PA-06-25, subject to certain conditions of approval including those articulated earlier in the meeting by the Mayor, limit of 30 students for the afternoon session, review in six months, and initiation of a meeting by the applicant with area residents to identify conflicts and find solutions to impacts the church and preschool may have on the adjoining neighborhood.

Moved by Council Member Gary Monahan, seconded by Mayor Allan Mansoor.

The motion carried by the following roll call vote:

Ayes: Mayor Allan Mansoor, Mayor Pro Tem Eric Bever, Council Member Katrina Foley, Council Member Gary Monahan

Noes: Council Member Linda Dixon

Absent: None.

RECESS: The Mayor declared the meeting recessed at 11:55 p.m.

AFTER RECESS: The Mayor reconvened the meeting at 12:10 a.m., with all Council Members present.

City Attorney Barlow stated the appellants were not given the opportunity to respond to public comments and advised the City Council to reconsider the action taken.

MOTION: Reopen public hearing for the limited purpose of allowing the appellants to respond.

Moved by Council Member Gary Monahan, seconded by Mayor Allan Mansoor.

The motion carried by the following 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.

Beth Refakes responded to public comment issues, submitted and commented on conditions of approval (on file in City Clerk's office) to consider. Discussions between Council Members, appellant, and applicant ensued regarding conditions of approval.

Mayor Pro Tem Bever thanked both sides of this issue; expressed the list of conditions from Beth Refakes were very helpful; and noted progress has been made.

MOTION: Adopt Resolution No. 06-61, upholding the Planning Commission's action of approval, subject to certain conditions, including some submitted by appellants, afternoon preschool session from 1:30 p.m. to 3:30 p.m. with a 30-student attendance limit, review in six months, no summer school, and submittal of a parking and traffic plan.

Moved by Mayor Pro Tem Eric Bever, seconded by Mayor Allan Mansoor.

The motion carried by the following 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. 06-61 duly passed and adopted.

Council Member Dixon requested that consideration of a refund of the appeal fee to the appellants be agendaized for a future meeting.

COUNCIL MEETING TIME LIMIT: The Mayor noted the time limit for City Council meetings and advised except by majority vote of the Council to continue, meetings shall conclude at midnight.

MOTION: Continue the meeting after midnight.

Moved by Council Member Katrina Foley, seconded by Mayor Pro Tem Eric Bever.

The motion carried by the following 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.

2. PUBLIC HEARING: Review of Planning Commission's action on DR-06-01, to legalize the installation of a mobile home on a lot with an existing home, with a minor modification for an 10-foot wide driveway (16 feet required), property located at 2333 Elden Avenue, in an R2-MD zone. Environmental Determination: Categorically Exempt. On June 26, 2006, the Planning

Commission adopted Resolution No. PC-06-42, approving DR-06-01.

The City Clerk announced that this was the time and place set for a public hearing and advised that the Affidavit of Publication was on file in her office.

Assistant Planner, Hanh Tran, briefly summarized the agenda report dated August 1, 2006.

The Mayor requested the applicant to make his presentation.

James Bollinger, applicant, spoke about the extensive renovations and landscaping of their home; mentioned legalizing their older mobile home by remodeling it into a single-family unit; requested Council to uphold the Planning Commission's decision of approval; and responded to questions from Council Members.

Development Services Director, Don Lamm, advised that the traditional modular homes are designed to resemble a single-family home and differs from a traditional mobile home intended for a mobile home park; and suggested the architectural compatibility with the surrounding neighborhood be considered.

Mr. Bollinger presented renovation plans; introduced their architect, Norm Perez who answered Council Member's questions.

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

Ann Tine, Costa Mesa, commented on the property's elements of a mobile home and expressed concern of her property value.

Greg Porter, Costa Mesa, spoke about the appearance of the mobile home; suggested that other alternatives be explored; commented on the unusual move of the home into the City; and requested the Council to deny the project.

Brian Lemley, Costa Mesa, echoed the previous speaker's comments and stated he did not believe it was compatible with the surrounding area.

Robert Graham, Costa Mesa, commented on a Costa Mesa manufactured home which sold for \$500,000.

The Mayor closed the public hearing.

Susan Bollinger, applicant, addressed the issue of moving the mobile home into the City; and stated that they met the requirements of the City.

Council Member Monahan commented that it was not compatible with the surrounding area and stated he would not support the Planning Commission's decision.

MOTION: Adopted Resolution No. 06-62; reversing the Planning Commission's action and denying Development Review DR-06-01, subject to the mobile home being relocated within 120 days and waiving transportation fees.

Moved by Council Member Gary Monahan, seconded by Mayor Allan Mansoor.

Council Member Foley stated she would not support the motion and opined the appellants' property rights had been denied.

The motion carried by the following 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.

The Mayor declared Resolution No. 06-62 duly passed and adopted.

3. PUBLIC HEARING: Review of Rezone Petition R-06-02, rezone of four (4) acres from a combination of CL (Commercial Limited) and I & R (Institutional and Recreational) to P (Parking), on property located at 1450 Adams Avenue. Environmental determination: Categorically Exempt.

(a) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING PETITION R-06-02 CHANGING THE ZONING OF 1450 ADAMS AVENUE FROM CL (COMMERCIAL LIMITED) AND I&R (INSTITUTIONAL & RECREATIONAL) TO P (OFF-STREET PARKING).

The City Clerk announced that this was the time and place set for a public hearing on the matter and advised that the Affidavit of Publication was on file in her office.

Don Lamm summarized the agenda report dated July 18, 2006, and responded to questions from the City Council.

The Mayor opened the public hearing and asked if anyone wished to address the matter.

Tom Denman commented on the landscaping and architectural features of the property.

Hearing no other persons wishing to speak, the Mayor closed the public hearing.

MOTION: Introduce Ordinance No. 06-16 for first reading, read by title only, and waived further reading.

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

The motion carried by the following 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.

VIII. OLD BUSINESS

1. From the meeting of July 18, 2006, second reading and adoption of: ORDINANCE 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.

MOTION: 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.

Moved by Mayor Allan Mansoor, seconded by Mayor Pro Tem Eric Bever.

The motion carried by the following 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 Ordinance No. 06-15 duly passed and adopted.

2. 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.

MOTION: Adopt Resolution No. 06-63 and approve Budget Adjustment: 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.

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

The motion carried by the following 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. 06-63 duly passed and adopted.

IX. NEW BUSINESS

1. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING CHAPTER I OF TITLE 11 OF THE COSTA MESA MUNICIPAL CODE RELATING TO FALSE REPORTS.

City Attorney Kimberly Barlow briefly summarized the agenda report dated July 6, 2006.
MOTION: Introduced Ordinance No. 06-17 for first reading, read by title only, and waive further reading.

Moved by Council Member Gary Monahan, seconded by Council Member Katrina Foley.

The motion carried by the following 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.

2. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING PARTICIPATION IN AND ACCEPTING A GRANT FOR SANTA ANA RIVER HABITAT AND RECREATIONAL PLANNING.

Management Analyst, Carol Proctor, summarized the agenda report dated July 13, 2006, and answered questions from the City Council.

The Mayor asked if anyone wished to address the item.

Robert Graham, Costa Mesa, expressed concern and commented on the vision of ensuring access to the park.

Jerry King of The Wildland Conservancy spoke about the access points along the river and commented on available resources, specifically a \$5,000 grant to the City.

MOTION: to Adopt Resolution No. 06-64; appointed Fairview Park Friends Committee as the Blue Ribbon Committee (BRC); selected Alternative 2a, the BRC to work with staff from Development Services and Public Services, with assistance from The Wildlands Conservancy representative, as needed, to plan a draft vision statement; and appointed Robert Graham as a representative from the Parks and Recreation Commission, to the BRC.

Moved by Council Member Gary Monahan, seconded by Mayor Pro Tem Eric Bever.

The motion carried by the following 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. 06-64 duly passed and adopted.

X. REPORTS

There were no reports from the City Attorney or the City Manager.

XI. ADJOURNMENT: The Mayor declared the meeting adjourned at 2:00 a.m., to August 8, 2006, 4:30 p.m. for a Study Session and Assembly Bill 1234 Training.

ATTEST:

Mayor of the City of Costa Mesa

City Clerk of the City of Costa Mesa