

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

June 02, 2009

The City Council meeting of the City of Costa Mesa, California met in regular session June 02, 2009, at 5:10 p.m., in the Council Chambers of City Hall, 77 Fair Drive, Costa Mesa. The meeting was called to order by the Mayor.

I. ROLL CALL

Council Members Present: Mayor Allan R. Mansoor
Mayor Pro Tem Wendy Leece
Council Member Eric R. Bever
Council Member Katrina Foley
Council Member Gary Monahan

Council Members Absent: None

Officials Present: City Manager Allan Roeder
Assistant City Manager Thomas Hatch
City Attorney Kimberly Hall Barlow
Administrative Services Director Steve Mandoki
Human Resources Administrator Lance Nakamoto
City Clerk Julie Folcik

II. PUBLIC COMMENTS

There were no public comments.

Mayor Mansoor recessed the meeting at 5:12 p.m., to the closed session in Conference Room 1B.

III. CLOSED SESSION:

1. Pursuant to Government Code Section 54957.6., conference with Allan L. Roeder, City Manager and Labor Negotiator, Agency Negotiator: Steve Mandoki, Administrative Services Director, regarding Employee Organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Firefighters Association (CMFA), Costa Mesa Police Officers Association (CMPOA) and Costa Mesa Police Management Association (CMPMA).

The Mayor reconvened the regular meeting at 6:00 p.m.

PLEDGE OF ALLEGIANCE - Council Member Gary Monahan

MOMENT OF SOLEMN EXPRESSION

The Mayor requested the audience to remain silent for a moment of solemn expression and to remember those who are serving in the Armed Forces overseas.

ROLL CALL

Council Members Present: Mayor Allan R. Mansoor
Mayor Pro Tem Wendy Leece
Council Member Eric R. Bever
Council Member Katrina Foley
Council Member Gary Monahan

Council Members Absent: None

Officials Present: City Manager Allan Roeder
Assistant City Manager Thomas Hatch
City Attorney Kimberly Hall Barlow
Acting Development Services Director Kimberly Brandt
Public Services Director Peter Naghavi
Building Official Khanh Nguyen
Fire Chief Mike Morgan
Fire Protection Analyst Susan Guzzetta
Deputy Fire Chief Keith Jones
Neighborhood Improvement Manager Muriel Ullman
Emergency Services Coordinator Larry Grihalva
City Clerk Julie Folcik

CLOSED SESSION REPORT

City Attorney Kimberly Hall Barlow reported no action was taken on the closed session.

The Mayor announced that a request for a continuance was received for New Business Item No. 4.

It was unanimously agreed to address the following item out of order.

IX. NEW BUSINESS

4. Agreement with Mesa Verde Partners (MVP), 1701 Golf Course Drive, Costa Mesa, to extend the term to August 31, 2029, and additional amendments for the continued operation of the Costa Mesa Public Golf Course and Country Club.

MOTION: Continue to the meeting of June 16, 2009.

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

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

PRESENTATIONS

Mayor Mansoor congratulated Reserve Officer Dan Guth on being named Employee of the Month for June, 2009, in recognition of his commitment to the City by encouraging colleagues of the Arthur J. Gallagher Insurance Brokers of California to support the Costa Mesa Fire Department (CMFD). As a result of his efforts, CMFD was awarded \$12,919 allowing for the purchase of additional forcible entry tools, low angle rescue equipment and CERT power lighting that will equip the Fire Department in handling emergency service calls and potentially save lives. The Mayor presented a letter of award and gift to Officer Dan Guth.

IV. PUBLIC COMMENTS

1. Rachel Weber, Costa Mesa, reported the littering of cigarette butts at the library on 19th Street and proposed the enforcement of the City littering laws.
2. Erin Sloan, Costa Mesa, commented on the proposed closure of the Downtown Aquatic Center during the winter months stating that he uses it regularly due to his disability, and requested that the pool remain open.
3. Kristen Zechmeister, Costa Mesa, distributed a petition to keep the Downtown Aquatic Center open and forwarded her suggestions to the Council on increasing revenue at the Downtown Aquatic Center.
4. Mark West, Costa Mesa, stated he is a year-round swimmer at the community pool and requested the Council to keep the pool open.
5. Ernie Feeney, Costa Mesa, referred to an article of Orange County Register relating to municipal pensions; inquired if the City covers all employees' share of the pension cost, requested a detailed report of how many employees are covered, when was the plan implemented, and a breakdown of total annual costs.
6. Robin Leffler, Costa Mesa, suggested increasing the T.O.T. and business tax and urged the Council not to lower or waive trip fees or developer fees.

7. Barbara Beck, Costa Mesa, stated she is a swimmer since she was diagnosed with Scoliosis in 1965, and uses the pool regularly. She hoped that the Council could be creative to keep the Downtown Recreation Center (DRC) pool open.
8. Judi Berry, Costa Mesa, spoke about saving the biodegradeable mutt mitts and hoped that there are individuals or businesses that could donate funds to keep the mutt mitts at the park.
9. Beth Refakes, Costa Mesa, spoke about the need to cut spending and costs on salaries and benefits, noting that the Council should consider what is best for the residents of the community.
10. Martin Millard, Costa Mesa, referred to the proposed closure of the community pool and suggested volunteers for the operation of the community center.

V. COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Katrina Foley expressed her appreciation to all the volunteers who assisted in the Daily Pilot Cup, Relay for Life and the Day of Art; thanked a public speaker for her suggestions on cutting costs and of funding relative to the proposed community pool closure; was informed by the City Manager that the application for rental of the Downtown Recreation Center by Rigoberto Bautista of Aztec Basketball Leagues would be discussed at the Parks and Recreation Commission meeting in June; and noted for the public that relative to the budget additional cuts in expenses, since mid-year, were being made and that the City is doing all that can be done to cut back on expenses.

Council Member Gary Monahan inquired as to the distribution of the proposed budget and the City Manager responded that the proposed Fiscal Year 2009-2010 Budget document would be available on-line the next day, informed that there would be a budget study session and advised of the special adjourned meeting that would be held after the study session with a community budget meeting scheduled later that week.

Council Member Eric Bever recognized and congratulated Costa Mesa resident Bill Burke who recently completed a successful climb of Mount Everest; noted that revitalization of the Tiki Bar on Placentia Avenue was underway; expressed thanks to the public speaker for her suggestions to offset the community pool closure, noting a petition she provided indicated that users were willing to pay to use the pool; and was grateful to resident Judi Berry for her support and suggestions on keeping the mutt mitts in the city parks.

Mayor Pro Tem Wendy Leece commented on the success of the civil war enactment held at Fairview Park, and felt that it was a great educational experience; reported on the installation of the historical markers along the downtown area; reminded of the contribution of items that were being collected to donate to the 1st Battalion, 5th Marine Regiment (1/5) USMC, Camp Pendleton; announced the upcoming public meeting of the Orange County

Vector Control regarding the justification for the assessments which includes that of the fire ants; she commented on her attendance of the recent Orange County Library Board and of the productive meeting with the Executive Director of the Costa Mesa Senior Center; requested that the Planning Commission look at the implementation and its effect on local development of the recently approved legislative bills relative to green building (SB371 and AB32).

VI. CONSENT CALENDAR ITEM NOS. 1 THROUGH 10.

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 10, except for Consent Calendar Item No. 5.

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

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

1. Reading Folder.

ACTION: The following Claims were received and processed by the City Clerk: Baiba Reitere; Michelle Dhamrongsithi on behalf of Brian Tunstall.

The following requests for Alcoholic Beverage Control Licenses were received and processed:

For Notkon LLC, for Tiki Bar (formerly ROC) located at 1700 Placentia Avenue, for a person-to-person transfer of a type 48 (on-sale general, public premises).

For Jain Malti, for Bucks Bin located at 1089 Baker Street, Suite A, for a person-to-person transfer of a type 21 (off-sale general).

For Sherbanee Enterprises Inc., for Turnip Rose (Previously Vegas Nightclub) located at 1901 Newport Boulevard, Suite 100 and LL101, for a premise-to-premise and stock transfers of a type 47 (on-sale general for a bona fide eating place), type 58 (caterer permit), and type 68 (portable bar).

2. Adjourned Regular Meeting Minutes of April 14, 2009; Regular Meeting Minutes of April 21, 2009 and May 19, 2009.

ACTION: Approved Adjourned Regular Meeting minutes of April 14, 2009 and Regular Meeting minutes April 21, 2009; continued the Regular Meeting minutes for May 19, 2009.

3. Warrant Resolution 2267, funding Payroll No. 910 for \$2,613,964.98, and City operating expenses for \$939,400.02 including payroll deductions.

ACTION: Resolution adopted.

4. Warrant Resolution 2268, funding City operating expenses for \$547,958.39.

ACTION: Resolution adopted.

6. Professional Services Agreement with CNC Engineering, 1 Corporate Park, Suite 101, Irvine, for preliminary engineering services for Harbor Boulevard-Adams Avenue Improvements, in the amount of \$187,925.

(a). Budget Adjustment No. 09-029 for \$187,925

ACTION: Approved agreement and authorized the Mayor and City Clerk to sign; approved Budget Adjustment No. 09-029 and authorized the Mayor to sign.

7. Agreement with Mesa Verde Partners (MVP), 1701 Golf Course Drive, Costa Mesa, to extend the term to August 31, 2029, and additional amendments for the continued operation of the Costa Mesa Public Golf Course and Country Club.

ACTION: Moved to New Business (IX-4).

8. Substantial amendment to the 2008-2009 Annual Action Plan for the application and receipt of Community Development Block Grant (CDBG-R) funds.

ACTION: Approved; authorized the City Manager to act as the official representative of the City and to execute all certifications and forms related to the application and receipt of CDBG-R funds.

9. Authorize refund in the amount of \$22,297.03 to CFRI/Greenlaw Triangle Square, LLC, 4440 Von Karman Avenue, Suite 150, Newport Beach, for unexpended funds in Developers' Trust Account No. 215520-701 for the Triangle Square Mid-Rise Residential project located at 1870 Harbor Boulevard and 1875 Newport Boulevard.

ACTION: Approved.

10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING RECORDS DESTRUCTION FOR THE RECREATION DIVISION AND HUMAN RESOURCES DIVISION RISK MANAGEMENT SECTION OF THE ADMINISTRATIVE SERVICES DEPARTMENT OF THE CITY OF COSTA MESA, PURSUANT TO ORDINANCE NO. 75-60.

ACTION: Adopted Resolution No. 09-37.

ITEM REMOVED FROM CONSENT CALENDAR

5. **Solar Power Purchase Agreement with SolarCity Corporation, 393 Vintage Park Drive, Suite #140, Foster City, to install and operate photovoltaic electric generators on the roof of the Neighborhood Community Center (NCC) and the Downtown Recreation Center (DRC) for the production of electrical energy, for a term of 15 years with an option to renew for additional term of five years.**

Building Official Khanh Nguyen gave an overview of the staff report. He responded to questions from the City Council relating to the type of solar panels, energy production, credit for over-generation and maintenance costs. He noted that Costa Mesa would be the first city in Orange County to move forward with a project such as this.

Sandra Genis, Costa Mesa, informed the Council of pending legislation relating to over-generation of energy and reimbursement requirements; suggested that the City pursue the matter of carbon credits.

Linda Schwandt, Costa Mesa, stated it was a great idea and expressed concern on the installation and the age of the buildings.

**MOTION: Approve; authorize the Mayor and City Clerk to sign.
Moved by Mayor Allan R. Mansoor, seconded by Council Member Katrina Foley.**

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

VII. PUBLIC HEARINGS

1. **PUBLIC HEARING: From the meeting of May 5, 2009, Fiscal Year 2009-2010 Fire Prevention User Fees and Charges.**

(a). Fiscal Year 2009-2010 Fire Prevention Apartment Inspection Fee Schedule.

(b). Fiscal Year 2009-2010 Fire Prevention Hazardous Material Disclosure Late Filing Fee.

(c). Fiscal Year 2009-2010 Fire Department Business Inspection Fee.

Deputy Fire Chief Gregg Steward presented the staff report along with Fire Chief Mike Morgan, and Fire Protection Analyst Susan Guzzetta was

present to respond to questions from the Council relating to the development of the proposed fees, payment process, and clarification on the business and apartment inspection fees.

Council Member Monahan referred to the Fire Prevention User Fees and Charges, pointing out the increase in the Fire Sprinkler System and Compressed Gas System fees and suggested phasing of the fee increase over a period of two fiscal years.

Judith Legan, South Coast Apartment Association, requested a continuance, commenting that all their concerns were not resolved as they would like a better understanding of the inspection process and suggested a cap on the fees for large complexes.

Mike Berry, Costa Mesa, questioned if the apartment inspection fee would be applied to condominium conversions and suggested the City adopt a standard of comparisons to surrounding cities.

Dean Zarkos, Apartment Association of Orange County, expressed opposition to the proposed apartment inspection fees and opined that the business model implemented for the proposed fees were flawed.

Phil Morello, Costa Mesa, opposed the apartment inspections fees and noted that insurance companies inspect apartment buildings.

Emily Osterberg, Apartment Association of Orange County, commented that other cities inspect apartments at no charge and suggested that inspections could be done during down time or by volunteers.

Beth Refakes, Costa Mesa, expressed concern of the increase in the Fire Prevention fees and the apartment inspection fee pointing out the need to define "what is an apartment."

Linda Schwandt, Costa Mesa, was supportive of the proposed fees and commented that the focus should be that of safety.

Sandra Genis, Costa Mesa, pointed out the state's mandate to inspect apartments and the permissible fees allowed for cost recovery.

Chris McEvoy, Costa Mesa, expressed interest his concern that apartment inspection fees would be passed on to the renters.

Discussion ensued amongst the Council and staff relating to fee assessments for apartment inspections and the projected revenues, clarification of cost recovery and Fire Prevention User Fees and Charges, and details of the inspections.

MOTION: Receive and file report on Fire Prevention Apartment Inspection Fee Schedule.

Moved by Council Member Gary Monahan, seconded by Mayor Allan

R. Mansoor.

Council Member Monahan questioned the impact of the program on newer versus older developments, and suggested bringing back a fee schedule after the mandated program has been in effect and there is a better assessment of the what is required for the inspections.

SUBSTITUTE MOTION: Continue the item and directed staff to work with the Apartment Association of South Coast and the Apartment Association of Orange County to implement a reasonable program and to address their concerns.

Moved by Council Member Katrina Foley. Motion died for lack of second.

Council Member Foley believed that continuance of the matter would benefit the residents, allow for an opportunity to address the concerns of the apartment associations as well as be in accordance with the previously approved ten-point plan.

The Mayor commented that although he opposed the fee he was aware of the need to find other areas that could be cut in order to support the end result of a balanced budget.

Mayor Pro Tem Leece stated that she supported the motion noting that there are surrounding cities that do not charge the inspection fee and do the inspections as part of their scope of work when they have "down time."

The motion carried by the following roll call vote:

Ayes: Mayor Allan R. Mansoor, Mayor Pro Tem Wendy Leece, Council Member Eric R. Bever, Council Member Gary Monahan

Noes: Council Member Katrina Foley

Absent: None.

MOTION: Approve Fire Prevention Hazardous Material Disclosure Late Filing Fee; adopt Resolution No. 09-38.

Moved by Council Member Gary Monahan, seconded by Mayor Pro Tem Wendy Leece.

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

MOTION: Receive and file report on Fire Department Business Inspection Fee.

Moved by Council Member Gary Monahan, seconded by Council

Member Eric R. Bever.

Council Member Foley noted that the Business Inspection Fee would result in an additional revenue of \$358,000 and that if not approved, further budget cuts would be necessary.

The motion carried by the following roll call vote:

Ayes: Mayor Allan R. Mansoor, Council Member Eric R. Bever, Council Member Gary Monahan

Noes: Mayor Pro Tem Wendy Leece, Council Member Katrina Foley

Absent: None.

MOTION: Approve the Fire Prevention User Fees and Charges; adopt Resolution No. 09-39 amending the Fire Sprinkler System and Compressed Gas System fees to increase by half of the proposed fee amounts; direct staff to bring back the Fire Prevention User Fees and Charges under the fee study program that is done annually. Moved by Council Member Gary Monahan, seconded by Council Member Katrina Foley.

The motion carried by the following roll call vote:

Ayes: Mayor Pro Tem Wendy Leece, Council Member Eric R. Bever, Council Member Katrina Foley, Council Member Gary Monahan

Noes: Mayor Allan R. Mansoor

Absent: None.

RECESS: Mayor Mansoor declared the meeting recessed at 8:22 p.m.

AFTER RECESS: The Mayor reconvened the meeting at 8:33 p.m.

VIII. OLD BUSINESS

1. From the meeting of May 5, 2009, rehearing request by Council Member Eric Bever relating to the determination for modifying the Emergency Medical Services (EMS) to provide that all patients are billed equally without regard to residency, which initiated billing of Costa Mesa residents for paramedic services.

Council Member Bever in noting his reason for the request for rehearing felt that the notice of the proposed fee, that was initially listed on the agenda, was inadequate and he wanted to provide the public greater notice and opportunity to address the proposed fee.

In response to Council Member Monahan the City Attorney noted that because it was a legislative matter the council could rehear the item that evening. Council Member Monahan expressed his support for the rehearing.

In response to Council Member Foley, Council Member Bever stated that

he felt the listing of the item on the current agenda was sufficient for proper notice to the public.

Fire Chief Mike Morgan presented the report, noting that currently non-residents were charged for the Emergency Response Services (EMS) fee and that what was proposed was to charge residents for EMS services as well. He responded to questions from the Council regarding a subscription fee, insurance coverage or reimbursement, fee waivers, and billing for ambulance charges versus paramedics.

Perry Valentine, Costa Mesa, felt that fees for non-emergency services sounded reasonable, however that mandatory services, such as EMS, should be covered by property taxes. He noted that if the insurance companies pay for the services then expectedly rates of the insured would also go up. He suggested ways to raise revenue would be to increase the Transient Occupancy Tax (TOT) and the Business License Tax.

Ernie Feeney, Costa Mesa, noted that many seniors who primarily require the EMS services were on a marginal income and can not afford the fees; recognized a petition that was presented with over 100 signatures of seniors who were in opposition to the fees and pointed out that Medicare "A" only pays for hospitalization.

Corrine Stover, Costa Mesa, spoke in opposition to the fee and suggested other ideas to raise revenue such as increasing the TOT.

Colin McCarthy, Costa Mesa, spoke in opposition of the EMS fee expressing his concern that this would have a disproportionate impact on the senior community.

Judi Berry, Costa Mesa, expressed her opposition to the fees and questioned why the ambulance service was not an in-house service.

Terry Shaw, Costa Mesa, encouraged the Council to rescind their previous decision regarding the EMS fees.

Mike Berry, Costa Mesa, also encouraged reconsideration of the fee as it would not likely be paid by the insurance company.

Beth Refakes, Costa Mesa, speaking in opposition to the fees suggested that Council look at what the property taxes cover for essential services; noted that the seniors would be the population that would be impacted; and informed that a subscription fee would not be covered by insurance.

Chris Eric, Costa Mesa, felt that the EMS fees disproportionately burdens the seniors and felt that the taxes also partially pay for the fees.

Sandra Genis, Costa Mesa, speaking in opposition to the fee and felt that it would not address the abuses that are found when using the service

and suggested that as a compromise to give one paramedical call a free per year or two in a three year period.

Chris McEvoy, Costa Mesa, suggested considering to increase the TOT instead of charging the EMS fees.

John Feeney, Costa Mesa, felt that emergency services are a necessary service and that the city's budget problems are the salaries and benefits to staff.

Pam Valentine, Costa Mesa, encouraged rescinding the fees.

Gil (last name inaudible), Costa Mesa, spoke in opposition to the fees.

MOTION: Approve the rehearing request; reverse the decision of the City Council and to not modify the EMS billing process. Moved by Council Member Gary Monahan, seconded by Mayor Allan R. Mansoor.

Council Member Foley expressed her concern in fairness of charging fees to the residents but not asking the same of the businesses and the apartment associations and noted that Medicare does not cover or reimburse for all the fees. The Council Member noted that with the \$900,000 short fall in the budget due to not adopting the proposed fees presented by the Fire Department that additional cuts were necessary and that while quality of life is important a cooperative means of cutting costs and raising revenue was necessary. She reiterated the need to consider generating revenue through an increase in TOT and the Business License Tax.

Mayor Pro Tem Leece commented that she did not support approval of the EMS fees originally as she could see that it would burden the seniors of the community. She also supported placing the vote on the TOT before the voters to decide; and expressed her support for the motion to rescind the previous decision. Council Member Bever referring to the TOT noted that there is a 2 percent Business Improvement Assessment tax that is charged in addition to the TOT.

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

IX. NEW BUSINESS

1. Neighborhood Stabilization Program (NSP) 1

(a). A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING JOINT AGREEMENT FOR THE NEIGHBORHOOD STABILIZATION PROGRAM PARTICIPATION AMONG THE CITY OF FULLERTON, THE CITY OF COSTA MESA, AND THE CITY OF LA HABRA.

(b). Sub-Recipient Agreement with the City of Fullerton

(c). Request for Proposal for a foreclosure acquisition and/or down payment assistance and rehabilitation program

(d). Residential Anti-Displacement and Relocation Assistance Plan in connection with the Neighborhood Stabilization Program (NSP).

Neighborhood Improvement Manager Muriel Ullman presented the staff report, and along with Assistant City Manager Thomas Hatch responded to questions from the Council relating to foreclosure acquisition.

MOTION: Adopt Resolution No. 09-40; approve Sub-Recipient Agreement and authorize the City Manager and City Clerk to sign; approve Request for Proposal and authorize staff to release; approve Residential Anti-Displacement and Relocation Assistance Plan.

Moved by Mayor Allan R. Mansoor, seconded by Council Member Katrina Foley.

The motion carried by the following roll call vote:

Ayes: Mayor Allan R. Mansoor, Mayor Pro Tem Wendy Leece, Council Member Eric R. Bever, 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, OPPOSING THE PROPOSAL TO SELL DESIGNATED STATE PROPERTY - ORANGE COUNTY FAIR AND EVENT CENTER.

City Manager Allan Roeder summarized the staff report and recommended a minor modification to the resolution relating to the possibility of conveying to Orange County the retaining the property of the Orange County Fairgrounds to be under local control. He noted that in the fifth paragraph, for it to read, "Whereas, the City of Costa Mesa opposes the sale for redevelopment, closure or relocation of the Orange County Fair and Exposition Center. .."

Beth Refakes, Costa Mesa, expressed support of the resolution and questioned designating the property as part of a historical landmark.

Linda Schwandt, Costa Mesa, opposed the sale of the Fairground.

Mayor Mansoor commented that the sale of the Fairgrounds would be a disasterous to the community.

MOTION: Adopt Resolution No. 09-41.

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

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

3. Request by Council Member Katrina Foley for the placement of a measure before the electorate in November 2009 to increase the Transient Occupancy Tax (T.O.T.).

ACTION: Withdrawn

X. REPORTS

The City Manager announced that the City Budget was ready to be distributed to the Council that evening and would be posted on the City's website the next day. He also announced that the Budget Study Session was scheduled for June 9, 2009, at 4:30 p.m., with an Adjourned Special Meeting to follow thereafter; that a Community Budget workshop was scheduled for June 11, 2009, and that adoption of the budget was scheduled for the regular meeting of June 16, 2009.

He acknowledged the budget challenges faced by the City Council and the important decisions that would impact City services and residents but emphasized the need to find ways to pay for such services with a balanced budget.

- XI. ADJOURNMENT - The Mayor decarled the meeting adjourned at 10:03 p.m., to June 9, 2009, at 4:30 p.m., for a Study Session. The next Regular City Council Meeting will be held on June 16, 2009.**

Mayor of the City of Costa Mesa

ATTEST:

City Clerk of the City of Costa Mesa