

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

November 16, 2010

The City Council Meeting of the City of Costa Mesa, California met in regular session November 16, 2010, at 5:00 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
City Attorney Kimberly Hall Barlow
City Clerk Julie Folcik

II PUBLIC COMMENT

There was no public comment.

III CLOSED SESSION

1. Public Employment, Title: City Manager, pursuant to California Government Code section 54957.

The Mayor recessed the meeting at 5:03 p.m. to Conference Room 1B, for the Closed Session. The Mayor reconvened the regular meeting at 6:00 p.m.

PLEDGE OF ALLEGIANCE - Council Member Eric Bever (00:00:16)

MOMENT OF SOLEMN EXPRESSION - Pastor Dave Manne, Calvary Chapel (00:00:39)

ROLL CALL (00:01:35)

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
Development Services Director Kimberly Brandt
Public Services Director Peter Naghavi
Maintenance Services Manager Bruce Hartley
Recreation Supervisor Lisa McPherson
City Clerk Julie Folcik

CLOSED SESSION REPORT (00:01:42)

The City Attorney reported that no action was taken on the closed session.

PRESENTATIONS (00:01:48)

The Mayor presented a proclamation to the Costa Mesa Women's Club in commemoration of its 100th anniversary and recognizing the club's involvement in the community.

Mayor Mansoor announced a request to continue Old Business Item No. VIII-2(b) and VIII-2(c). (00:07:35)

MOTION: To continue Old Business Item No. VIII-2(b) and VIII-2(c) to the meeting of December 7, 2010. Motion by Mayor Allan Mansoor, 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.

New Business Item No. IX-3 was added at the request of Mayor Pro Tem Wendy Leece after the agenda was posted. The City Attorney advised that a vote by the Council would need to be taken and that a 4/5ths vote was required to approve placement of the item on the agenda for consideration.

Mayor Pro Tem Leece explained the urgency of item informing of the need that Arlene Schafer to serve on the Vector Control Board in order to continue serving on special districts organizations and statewide committees, as a result of not being reelected to the Costa Mesa Sanitary District Board. Ms. Schafer's term was otherwise due to expire before the next meeting. (00:07:58)

MOTION: Approve adding New Business IX-3 to the agenda to consider the appointment of Arlene Shafer to Vector Control.

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

Martin Millard, Costa Mesa. (00:12:40)

(Name inaudible), Costa Mesa. (00:13:35)

The motion carried by the following roll call vote:

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

Noes: Council Member Eric R. Bever

Absent: None.

IV PUBLIC COMMENT (00:15:08)

Zolta Teglas, Costa Mesa (00:15:38)

Jerry McClelland, Costa Mesa (00:17:25)

Dr. Harvey Lee, Irvine (00:21:03)

Denise Habjan, Costa Mesa (00:23:37)

Donna Becker, Costa Mesa (00:26:45)

Carole Yom and Christina Siew (00:30:29)

Stephanie Barger (00:34:05)

Jay Photoglou, Huntington Beach (00:35:42)

Maria Carillo (00:38:38)

Martin H. Millard, Costa Mesa (00:40:38)

V COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS (00:42:14)

Council Member Eric Bever congratulated the Estancia High School football team for winning the league championship, extended congratulations to newly elected officials; requested staff to address street sweeping signs on Joann Street, the vending trucks in the Mesa North neighborhood, and a public speaker's apparent unresolved issues with the Police Department. (00:42:19)

Mayor Pro Tem Wendy Leece announced her attendance at the Veteran's Day Memorial at Harbor Lawn-Mt. Olive Memorial Park, recommended the formation of a Costa Mesa American Legion Auxiliary, and announced the TPT Home Center and Paul Mitchell grand openings. (00:45:03)

Council Member Katrina Foley expressed congratulations to those successful in the General Municipal Election and to the Estancia High School football team for

the championship win, announced her attendance at the St. John the Baptist's Veteran's event, noted a winter coat drive and a canned food drive, and requested the ban of styrofoam be agendized for a future study session. (00:48:49)

Council Member Gary Monahan extended his congratulations to the Estancia High School football team for their winning of the league championship, and to those successful candidates of the the election race, commented on dental amalgam, requested that staff follow-up with a public speaker's concerns regarding a public records request, requested staff to provide an update regarding a recent crime incident, inquired about the recent homeless meeting, and announced November was Prostate Cancer Awareness Month. (00:54:35)

Mayor Allan Mansoor commented on the Council decision regarding adoption of the resolution on dental amalgam, announced this was his last Council meeting as he was succeeding to the State Assembly and expressed gratitude for the opportunity to serve as Council Member for the City. (00:58:05)

The Mayor recessed the meeting at 7:17 p.m.
The Mayor reconvened the meeting at 7:29 p.m.

VI CONSENT CALENDAR ITEM NOS. 1 THROUGH 19 (01:05:02)

**MOTION: Approved the recommended actions for Consent Calendar Item Nos. 1 through 19, except for Consent Calendar Item Nos. 17. (01:05:16)
Moved by Council Member Gary Monahan, 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.

1. Reading Folder.

ACTION: The following Claims were received by the City Clerk for processing: Lotfy Mrich on behalf of David Bows; Gant Corum; Brad Haney; Bruce V. Rorty; Ruby Young.

2. Regular meetings of August 3, 2010, August 17, 2010, and September 7, 2010.

ACTION: Approved the meeting minutes for August 3, 2010 and September 7, 2010 and continued the regular meeting minutes of August 17, 2010.

3.Wa rrant Resolution 2341, funding Payroll No. 10-21 for \$2,361,863.95 and

Payroll No. 10-20A for negative \$4,312.60, and City operating expenses for \$928,655.97, including payroll deductions.

ACTION: Adopt resolution.

4.Wa rrant Resolution 2342, funding City operating expenses for \$789,454.81.

ACTION: Adopt resolution.

5.Wa rrant Resolution 2343, funding Payroll No. 10-22 for \$2,181,094.95 and Payroll No. 10-21A for \$1,369.85, and City operating expenses for \$329,692.39, including payroll deductions.

ACTION: Adopt resolution.

6.Wa rrant Resolution 2344, funding City operating expenses for \$891,303.19.

ACTION: Adopt resolution.

7.Pr ofessional Services Agreement with CNC Engineering, Inc. 1 Corporate Park, Suite 101, Irvine, for engineering services for the design of Harbor Boulevard and Adams Avenue intersection improvements, in the amount of \$224,907.

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

8.So le source purchase agreement with Vulcan Materials Company, 1401 E. Warner Avenue, Santa Ana, for the purchase of plant mix asphalt for a term of one (1) year, in an amount not to exceed \$75,000.

ACTION: Approved.

9.Re ject all bids for Formal Bid No. 1140, for the purchase of a sign service truck, and authorize staff to modify an existing vehicle to perform the sign maintenance service function, in a cost not to exceed \$28,000.

ACTION: Approved.

10. Completion of Harbor Boulevard Widening from South Coast Drive to Law Court, City Project No. 09-12, by Elite Bobcat Services, Inc., 1320 East 6th Street, Suite 100, Corona.

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; the Labor and Material Bond was ordered exonerated seven (7) months thereafter; and the Faithful Performance Bond was ordered exonerated twelve (12) months thereafter.

11. Completion of American Recovery and Reinvestment Act (ARRA), Roadway Rehabilitation of Santa Ana Avenue from 17th Street to 22nd

Street, Federal Project No. ESPL-5312(074), City Project No. 09-14, by R.J. Noble Company, 15505 East Lincoln Avenue, Orange.

Work was accepted; City Clerk was authorized to file a Notice of Completion; authorization was given to release of retention monies 35 days thereafter; the Labor and Material Bond was ordered exonerated seven (7) months thereafter; and the Faithful Performance Bond was ordered exonerated seven (7) months thereafter.

12. Completion of Construction of Walnut Place Drainage Improvements, City Project No. 09-23, by TTS Engineering, 16835 Algonquin Street, #453, Huntington Beach.

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; the Labor and Material Bond was ordered exonerated seven (7) months thereafter; and the Faithful Performance Bond was ordered exonerated twelve (12) months thereafter.

13. Completion of Landscape and Irrigation Improvements at Brentwood Park, 261 Monte Vista Avenue, Costa Mesa, City Project No. 09-29, by America West Landscape, Inc., 15086 La Palma Drive, Chino.

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; the Labor and Material Bond was ordered exonerated seven (7) months thereafter; and the Faithful Performance Bond was ordered exonerated twelve (12) months thereafter.

14. Completion of 2009-2010 Community Development Block Grant (CDBG) Project "A": Center Street (from Pomona Avenue to Anaheim Avenue), Project "B": Alley No. 007 (West of Anaheim Avenue from Plumer Street to Center Street), City Project No. 10-03, by R.J. Noble Company, 15505 East Lincoln Avenue, Orange.

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; the Labor and Material Bond was ordered exonerated seven (7) months thereafter; and the Faithful Performance Bond was ordered exonerated twelve (12) months thereafter.

15. Completion of Safe Route 2 School Handicap Ramp Improvements Project, Phase I, by J. RDMMAC, Inc., Post Office Box 1481, Victorville.

ACTION: Accepted work; and authorized the City Clerk to file a Notice of Completion.

16. Completion of Safe Route 2 School Handicap Ramp Improvements Project, Phase II, by G2 Construction, Inc., 13331 Garden Grove

Boulevard, Suite H, Garden Grove.

ACTION: Accepted work; and authorized the City Clerk to file a Notice of Completion.

18. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, CONCERNING THE ADOPTION OF A LOCAL SIGNAL SYNCHRONIZATION PLAN FOR THE CITY OF COSTA MESA.

ACTION: Adopted Resolution No. 10-74.

19. A RESOLUTION OF THE CITY OF COSTA MESA, CALIFORNIA, TO OBTAIN COMMERCIAL CREDIT CARD ACCOUNTS, and authorizing accounts payable agreement with Commerce Bank, N.A.

ACTION: Adopted Resolution No. 10-75.

ITEM REMOVED FROM CONSENT CALENDAR (01:05:24)

17. Acceptance and allocation of the 2010 Community Oriented Policing Services (COPS) Hiring Program (CHP) Grant. (01:05:25)

MOTION: Continue .

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.

VII PUBLIC HEARINGS (01:06:20)

1. PUBLIC HEARING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, ADOPTING ZONING CODE AMENDMENT CO-10-03, AMENDING TITLE 20 OF THE COSTA MESA MUNICIPAL CODE REGARDING THE PARKING AND STORAGE OF INOPERABLE VEHICLES ON RESIDENTIAL PROPERTIES. (01:06:30)

Senior Planner Mino Ashabi presented the report and responded to questions from the Council. (01:06:59)

The following public speakers spoke in opposition of the proposal: Bruce Krochman, Costa Mesa; Chris McEvoy, Costa Mesa. (01:08:43)

Council Member Bever expressed support of the ordinance. (01:13:13)

Mayor Pro Tem Leece spoke in opposition of the ordinance, and

expressing concerns regarding hardships for the residents. (01:27:18)

Council Member Foley expressed her opposition of the ordinance, and emphasized the uniqueness of several neighborhoods in Costa Mesa. (01:27:58)

Mayor Mansoor supporting the ordinance expressed concern regarding vehicles parked in residential driveways for excessive amounts of time. (01:30:59)

**MOTION: Introduce Ordinance No. 10-15 for first reading, to be read by title only, and waive further reading.
Moved by Council Member Gary Monahan, seconded by Council Member Eric R. Bever.**

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.

2. PUBLIC HEARING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, EXTENDING THE TIME LIMIT OF THE EFFECTIVENESS OF AND THE REDEVELOPMENT PLAN FOR THE DOWNTOWN REDEVELOPMENT PROJECT AREA; EXTENDING THE TIME LIMIT FOR PAYMENT OF INDEBTNESS AND RECEIPT OF PROPERTY TAXES UNDER THE REDEVELOPMENT PLAN FOR THE DOWNTOWN REDEVELOPMENT PROJECT AREA; AND MAKING OTHER FINDINGS IN CONNECTION THEREWITH. (01:32:30)

Development Services Director Kimberly Brandt made the presentation. (01:33:17)

MOTION: Introduce Ordinance No. 10-16: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, EXTENDING THE TIME LIMIT OF THE EFFECTIVENESS OF AND THE REDEVELOPMENT PLAN FOR THE DOWNTOWN REDEVELOPMENT PROJECT AREA; EXTENDING THE TIME LIMIT FOR PAYMENT OF INDEBTNESS AND RECEIPT OF PROPERTY TAXES UNDER THE REDEVELOPMENT PLAN FOR THE DOWNTOWN REDEVELOPMENT PROJECT AREA; AND MAKING OTHER FINDINGS IN CONNECTION THEREWITH, for first reading, to be 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 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. PUBLIC HEARING: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA AMENDING THE CITY'S FEE SCHEDULE AS TO PENALTIES FOR PARKING VIOLATIONS; pursuant to Senate Bill 857 which will increase the parking fines by \$3.00. (01:36:13)

City Attorney Kimberly Hall Barlow presented the report. (01:36:45)

MOTION: Adopt Resolution No. 10-76: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA AMENDING THE CITY'S FEE SCHEDULE AS TO PENALTIES FOR PARKING VIOLATIONS; pursuant to Senate Bill 857 which will increase the parking fines by \$3.00.

Moved by Mayor Allan R. Mansoor, seconded by Council Member Eric R. Bever.

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.

VIII OLD BUSINESS (01:37:46)

1. From the meeting of October 19, 2010, Ordinance No. 10-14: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA AMENDING THE COSTA MESA MUNICIPAL ZONING CODE, (CODE AMENDMENT CO-10-07, SECTIONS 13-6 (DEFINITIONS) AND 13-16 (ENFORCEMENT) REGARDING MEDICAL MARIJUANA DISPENSARIES. (01:37:52)

Sue Lester, Costa Mesa. (01:38:41)

MOTION: Adopt Ordinance No. 10-14: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA AMENDING THE COSTA MESA MUNICIPAL ZONING CODE, (CODE AMENDMENT CO-10-07, SECTIONS 13-6 (DEFINITIONS) AND 13-16 (ENFORCEMENT) REGARDING MEDICAL MARIJUANA DISPENSARIES, to be read by title only, and waive further reading.

Moved by Mayor Allan R. Mansoor, seconded by Council Member Eric R. Bever.

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. From the meeting of August 17, 2010, Administrative Services Fiscal Year 2010-2011 budget reductions. (01:39:58)

(a) Downtown Community Pool operations.

(b) Recreation on Campus (ROCKS) Program.

(c) First Amendment to the City of Costa Mesa's CDBG-R Substantial Amendment to fund a portion of the Whittier School site ROCKS Program.

City Manager Allan Roeder made the presentation first addressing the Downtown Community Pool operations and, along with Recreation Supervisor Lisa McPherson, responded to questions from the Council that included questions regarding operational costs, funding options, private operation, participant cost for use, reducing hours of operation, additional use options. (01:40:30)

Council Member Foley recommend that the item be continued to a future meeting to allow for further study additional revenue options and budgeting. (01:46:41)

The following public speakers spoke in support of keeping the pool open: Mark West, Costa Mesa (01:53:50); Barbara Beck, Costa Mesa (01:56:12); Katherine Houghton, Costa Mesa (01:57:27); Sue Lester, Costa Mesa. (01:59:30)

Mayor Mansoor expressed support of the continuance, but reiterated the existing budget deficit.

MOTION: Continue to the meeting of December 7, 2010, and direct staff to bring back options for Council consideration:

1. Consideration of reducing the hours of the pool and increasing the daily swim rates, but not the 3-month daily pass;
2. To take the savings from the after-school programs and redirect them to the pool operations;
3. To do a call out by the next meeting to obtain donations to offset the cost; and
4. To delay the closure of the pool until after the next meeting date.

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

Noes: Council Member Eric R. Bever

Absent: None.

3. From the meeting of October 19, 2010, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA TO UPHOLD THE PLANNING COMMISSION'S ACTION TO REVOKE ZONING APPLICATIONS ZA-89-25 AND ZA-92-10. (02:05:40)

City Attorney Kimberly Hall Barlow presented the report and responded to questions from the Council. (02:06:10)

Stephen Miles of Miles Chen Law Group, and on behalf of Garcia Recycling, addressed the findings and spoke in opposition of the revocation. (02:08:02)

Council Member Monahan noted a typographical error in the resolution and spoke in support of the resolution. (02:40:24)

Council Member Foley did not agree with how the Conditional Use Permit was revoked and therefore would not support the recommendation. (02:42:29)

MOTION: Adopt Resolution No. 10-77: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA TO UPHOLD THE PLANNING COMMISSION'S ACTION TO REVOKE ZONING APPLICATIONS ZA-89-25 AND ZA-92-10, as corrected in the last paragraph of the resolution to include "within 90 days," and to amend a sentence in the last paragraph in Exhibit "A" Finding 11 to read, "To be substantially larger than any local recycling facility..."

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 Gary Monahan

Noes: Council Member Katrina Foley

Absent: None.

4. From the meeting of October 19, 2010, Membership in the Association of California Cities, Orange County (02:43:27)

City Manager Allan Roeder presented the report and responded to questions from the Council.

Council Member Leece spoke in support of the membership. (02:48:35)

Mayor Mansoor expressed concern regarding the cost of the membership. (02:50:33)

Council Member Foley expressed concern regarding the cost of membership, and opined that the money could be allocated elsewhere.

(02:51:05)

MOTION: Approve Approve City's membership in the Association of the California Cities, Orange County.

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

The motion carried by the following roll call vote:

Ayes: Mayor Pro Tem Wendy Leece, Council Member Katrina Foley,
Council Member Gary Monahan

Noes: Mayor Allan R. Mansoor, Council Member Eric R. Bever

Absent: None.

The Mayor recessed the meeting at 9:18 p.m.

The Mayor reconvened the meeting at 9:26 p.m.

IX NEW BUSINESS (02:56:33)

1. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, AMENDING SECTION 12-20 "DISORDERLY CONDUCT" OF ARTICLE 1 "GENERALLY" OF CHAPTER II "USE REGULATED" OF TITLE 12 "PARKS AND RECREATION" OF THE COSTA MESA MUNICIPAL CODE TO PROHIBIT FISHING AND FEEDING OF WILD FOWL IN CITY PARKS. (02:56:37)

Maintenance Services Manager Bruce Hartley presented the report and responded to questions from the Council regarding the damage at Tewinkle Lake and Park caused by fishing and the water fowl.

Council Member Foley expressed concern regarding the City's attempt to adequately notify the surrounding homeowners' association and to educate the public. (03:10:24)

Council Member Bever inquired about health issues related to the bacteria and the algae. (03:14:28)

Mayor Pro Tem Leece asked if chlorine is used. (03:19:22)

Council Member Monahan inquired about managing migratory and non-migratory fowl. (03:22:00)

The following public speakers commented on the item: Phil Morello, Costa Mesa (03:27:51); Lisa Reedy, Costa Mesa (03:30:50)

MOTION: Receive and file.

Moved by Council Member Katrina Foley, seconded by Mayor Pro Tem Wendy Leece.

Mayor Mansoor spoke in support of community outreach to raise

awareness of the issues at the lake and park. (03:33:41)

Council Member Foley suggested outreach to the local schools and solicitation of community volunteers. (03:35:11)

SUBSTITUTE MOTION: Introduce Ordinance No. 10-17 for first reading to be read by title only, and waive further reading. Moved by Council Member Gary Monahan, seconded by Council Member Eric R. Bever.

Mayor Mansoor requested that the maker of the motion include community outreach. It was agreed give direction to staff.

Council Member Foley reiterated her concern of not having done outreach to the homeowners associations before action was to be taken and therefore felt it should be continued.

The substitute 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.

2. Options for filling anticipated vacancy on the City Council. (03:46:26)

City Attorney Kimberly Hall Barlow presented the report.

The following public speakers spoke in support of appointing a successor: Sue Lester, Costa Mesa (03:51:58); Chris Rhoades, Costa Mesa (03:55:03); Dan Goldman, Costa Mesa (03:55:41); Beth Refakes, Costa Mesa (03:58:29); Phil Morelo, Costa Mesa. (04:00:46)

MOTION: Accept applications for the filling of vacancies on the City Council, Planning Commission and the Parks Commission due 5:00 p.m. on Friday, December 17, 2010, that the applications be made public at the close of the filing date, for said appointments to be scheduled for Tuesday, January 4, 2010 City Council meeting, that the Council members may conduct their individual interviews of the applicants, and direct staff to solicit all current commissioners as to their interest in continuing service'. Moved by Council Member Gary Monahan, seconded by Mayor Allan R. Mansoor.

Council Member Bever suggested that the appointments for the Parks and Recreation and Planning Commissions be made after the Council member appointment and not at the same time to allow the newly-appointed Council member adequate time to review the applications for the commissions. (04:03:50)

Mayor Mansoor requested that the maker of the motion include the consideration of consolidating the Parks and Recreation and Planning Commissions into the motion. (04:05:40)

The motion restated:

MOTION: Accept applications for the filling of vacancies on the City Council, Planning Commission and the Parks Commission due 5:00 p.m. on Friday, December 17, 2010, that the applications be made public at the close of the filing date, for said appointments to be scheduled for Tuesday, January 4, 2010 City Council meeting, that the Council members may conduct their individual interviews of the applicants, and direct staff to solicit all current commissioners as to their interest in continuing service' and to agendize for consideration the consolidation of the Planning Commission and the Parks and Recreation Commission.

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

Mayor Pro Tem Leece spoke in support of the motion, but did not support the consolidation of the commissions. (04:09:40)

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.

3. Consider appointment of Arlene Schafer as Costa Mesa's representative to the Board of the Orange County Vector Control District (OCVCD) for the next two years. (04:10:12)

Mayor Pro Tem Leece made the presentation. (04:10:30)

Council Member Monahan spoke in support of the appointment. (04:12:16)

Council Member Bever supported opening up a recruitment for potential candidates. (04:17:41)

Mayor Mansoor spoke in opposition of the appointment. (04:20:39)

MOTION: Approve appointment of Arlene Schafer to Orange County Vector Control District Board.

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

The motion failed by the following roll call vote:

Ayes: Mayor Pro Tem Wendy Leece, Council Member Gary Monahan

Noes: Mayor Allan R. Mansoor, Council Member Eric R. Bever, Council Member Katrina Foley
Absent: None.

X REPORTS (04:24:04)

There were no reports.

XI ADJOURNMENT - The Mayor adjourned the meeting at 10:55 p.m. Next Regular City Council Meeting: December 7, 2010. (04:25:55)

noted the appointment of the mayor and the mayor pro tem at the next meeting.

meeting adjourned at 10:55 p.m.

Mayor of the City of Costa Mesa

ATTEST:

City Clerk of the City of Costa Mesa