

**CITY OF COSTA MESA  
PARKS AND RECREATION COMMISSION**

**September 22, 2004**

The Parks and Recreation Commission of the City of Costa Mesa met in regular session at 6:30 p.m., September 22, 2004, at City Hall, 77 Fair Drive, Costa Mesa, California. The meeting was called to order by Vice Chairman de Arakal, followed by the Pledge of Allegiance by Commissioner Fisler.

**ROLL CALL:**

Commissioners Present:

Byron de Arakal, Vice Chairman  
Mirna Burciaga, Commissioner  
James Fisler, Commissioner  
Wendy Leece, Commissioner

Commissioners Absent:

Mark Harris, Chairman

Also Present:

William J. Morris, Public Services Director  
Jana Ransom, Recreation Manager  
Bruce Hartley, Maintenance Services Manager  
Bart Mejia, Parks Project Manager  
Ken Sipes, Recreation Coordinator

**MINUTES**

A motion was made by Commissioner Leece, seconded by Commissioner Burciaga, and carried 4 to 0, Chairman Harris absent, to approve the minutes of the July 28, 2004 meeting with one modification to page five, paragraph four; to add the sentence: "Commissioner Leece suggested that the requestor review the type and style of font that is being used for greater visibility by the public."

**ORAL COMMUNICATIONS**

Martin Millard of Costa Mesa addressed the Commission regarding the number of sports fields in the City. He questioned the accuracy/validity of the Field User Information forms that groups complete, especially the groups at Paularino Park. Additionally noting that at the Paularino field one specific group is packing the field with people from Santa Ana and using the field every Saturday plus one day a week for practices after school from now until after Christmas. He also stated his desire to investigate this matter and to view public records regarding the public parks.

Karl Hawley, 296 – 16<sup>th</sup> Place, Costa Mesa, with the Harbor Soaring Society, addressed the Commission requesting watering of the landing area at Fairview Park (Canyon Drive area). He stated that the gliders have been flying in that area for approximately 32 years. The Harbor Soaring Society holds contests there and many clubs do not

attend because the ground is very hard and rough on their planes. He also noted that some of the planes are worth over a thousand dollars. Additionally, Mr. Hawley requested that a certain area, which he pointed out to the Commission on a map of Fairview Park, be smoothed out for the electric airplanes to use as a runway so that they could swing out over the vernal pond area and not land and take off around any pedestrians as they are currently doing.

In response to questions from Commissioner Leece, Mr. Hartley stated that he will contact Mr. Hawley to go over some of the details. Mr. Hartley also stated that he will visit the area because the map that Mr. Hawley provided may not be to scale. Mr. Hartley indicated that if the request is found not to be consistent with the Fairview Park Master Plan, or if there are bigger issues it might be brought back to Commission. However, if Mr. Hawley's request is consistent with the Fairview Park Master Plan then it could be handled by staff at which point cost and feasibility issues will be addressed.

## **CONSENT CALENDAR**

No Consent Calendar items.

## **PUBLIC HEARING**

### **TEMPORARY PORTABLE LIGHT REQUESTS – FIELD USERS AT KAISER SCHOOL AND PARSONS-WALDORF SCHOOL**

Ms. Ransom presented item and introduced Mr. Ken Sipes who provided the background information.

In response to questions from Vice Chairman de Arakal, Mr. Sipes informed the Commission that the Orange Coast United Soccer League, a Group 3 organization, has utilized lights at the Parsons-Waldorf School site for approximately two years.

In response to questions from Vice Chairman de Arakal regarding user groups, Ms. Ransom stated that residency verification is required when a Group 1 request is made. Priority status (Group 1) and waivers are not granted without verification of residency, which is done by the Recreation Division staff.

In response to questions from Commissioner Burciaga, Ms. Ransom stated that each Group 1 user must provide rosters and some other background information on an annual basis in order to prove residency.

In response to questions from Commissioner Fisler, Mr. Sipes stated that there are six fields with lights out of a total of 50 utility soccer fields, which are mainly used by Group 1 field users.

Vice Chairman de Arakal made notice of the City requirements for requesting portable lighting stating that requests must be made two months prior to the actual usage and both of these requests were made about one month prior. Vice Chairman de Arakal stated that procedures must be followed in order to avoid misperceptions.

Mr. Chris Sarris, AYSO Region 97, Newport Beach, addressed the Commission regarding his request to have portable lights at Kaiser Field. He stated that there are no lit fields on the east side of Costa Mesa and with 1,700 children in their program and with few fields available due to Measure A, the only way these teams can practice is to use portable lights. Last year they used the portable lights at Kaiser and were typically done by 7:00 or 7:30 p.m. They are requesting to use the lights until 8:00 p.m. to allow time to put away the lights and have the parents pick up their children.

Mr. Terry Colville, Orange Coast United Soccer League addressed the Commission regarding his request to have portable lights at Par-

sons-Waldorf School Field. He stated that they are a competitive youth soccer club for ages 8 to 18 that has been in this area for more than 20 years; noting that they are not in the Group 1 organization.

In response to questions from Commissioner Fidler, Mr. Colville stated that they are in the Coast Soccer League, which has over 300 teams spread throughout Southern California. However, there are approximately 12 teams in their club and while their home field is Estancia High School, they travel to other cities such as Huntington Beach, Palos Verdes and Torrance. He also stated that games are typically held on Saturday, with an occasional Sunday game and unlike practices, games are held during the day and do not require lights.

In response to questions from Commissioner Leece regarding the smell and noise of the generator and the glare of the lights that Mr. Sandefer wrote about in his e-mail, Mr. Colville stated that there is some glare, smell and noise, but not that much. He also stated that they have a hundred children practicing out there. Additionally, his personal phone number and that of the club's vice president, Dennis Brown, are given out to the neighbors and they are free to call them anytime there is a complaint or a problem.

Kathy Anderson, 2159 Tustin Avenue, Costa Mesa (a resident for over 54 years and a teacher for 30 years) addressed the Commission stating that an acre of her property was taken under eminent domain and at that time it was with the understanding that it was to be used as a school (Kaiser). Her concerns are the continuous screaming, the generator noise, the diesel smell and the lights reflecting in through the windows. Ms. Anderson also stated that there is no break, not even on Sundays; noting that the only break they receive is during the summer months.

In response to questions from Vice Chairman de Arakal, Mr. Sipes stated that Kaiser School does have a site specific plan and on Sundays, play starts at 9:30 a.m. and ends at 8:00 p.m.

Cheryl Carlson, 2116 Colina Vista Court, Costa Mesa, addressed the Commission stating that she was against having the lights at Kaiser because of issues like parking. She also stated that last year the lights appeared at Kaiser with no warning and the generator was running for hours every night. Lastly, they live with soccer seven days and five nights a week and that is not acceptable.

Casey Hagen, 2108 Colina Vista Court, Costa Mesa addressed the Commission stating that the lights were not the problem; going until 8:00 p.m., however, is the problem. If lights are approved, she would like conditions placed on them; such as ending at 7:00 p.m. and ensuring proper storage of gasoline and the generators. Ms. Hagen mentioned that last year there was gasoline stored next to the generator, which is a dangerous condition especially with the children (her child included) playing in the vicinity. Additionally, Ms. Hagen requested no soccer playing on Sundays. She requested that they have one day off from the 7:00 a.m. weekend practices, the noise, and the trash.

Bart Evans, 373 Ramona Way, Costa Mesa, addressed the Commission stating that he is familiar with the sounds of children playing on the playground and soccer fields because he lives adjacent to Newport Heights Elementary School. He also stated that due to Measure A the use of many fields has been lost. Additionally, he stated that he was for the lights and thought the hours, between 5:00 and 8:00 p.m., were reasonable; noting that the noise of children playing was not like the noises and expletives experience when people leave bars.

He also noted these children are between the ages of 8 and 10 and are supervised by responsible adult coaches.

Nora Etter, 1700 Star Light Circle, Newport Beach addressed the Commission stating that she has been coaching with AYSO for 11 years; since her sons were four years old. She also stated that she wanted to clear up some misconceptions regarding Mariners School and informed the Commission that since Measure A the school district no longer waters the fields, which decreases the playing area by half. Ms. Etter also stated that the group her son is in is the only one for his age that does not have try-outs (you sign up, you play) and that if you have a coach who is working, it is impossible to have an hour and a half practice with out the lights.

In response to questions from Vice Chairman de Arakal, Mr. Sarris stated that the lights are approximately fourteen feet high and when they are retracted, only the generator is visible. Mr. Sarris also stated that while their storage containers are tall enough to house the generator and lights, there is no room for them because of the container's width and the other equipment stored inside. Mr. Sarris informed the Commission that when they are out of fuel, they go buy it and fill up the generator. They do not store fuel.

Mr. Sarris informed the Commission that due to Measure A they lost five facilities (Woodland, Newport Heights, Ensign, Newport Harbor and Mariners), and there are sometimes two or three fields at each facility. Due to the loss of those facilities, they have begun to play on Sundays with play starting at 10:00 a.m. and ending by 3:30 or 4:00 p.m.

Lisa Bowler, 2525 Fairway Drive, Costa Mesa, board member of AYSO, addressed the Commission stating that she has a daughter that plays high school sports as well as APP AYSO; noting that high school sports end at 5:30 p.m. and soccer practices are from 6:00 to 7:30 p.m. Some lights are needed for safety purposes because it is completely dark by 7:30 when she picks up her daughter. She also stated that she grew up living next to an elementary school and knows there is some noise and inconvenience associated with living next to a school. However, they are here for the children and urged Commission to approve the use of lights until 8:00 p.m. and like someone said earlier, the children are not out there screaming and swearing like some people do when they leave a bar.

Barbara Guy, 2112 Colina Vista Court, a resident of Costa Mesa for 14 years, addressed the Commission stating that she does not believe that Kaiser can support the growth in soccer. She also stated that there are people at Kaiser during the weekend at 7:00 and 7:30 a.m. practicing and prepping the fields even though she is hearing that soccer does not start until 9:00 and 10:00 a.m. She stressed that the children are not the problem, it is the amount of soccer and the lights that shine into her bedroom when she is trying to sleep.

Jose Gutierrez, with Costa Mesa Soccer Club, stated to the Commission that he did not know how there could be people at Kaiser at 7:00 a.m. because his group has two strikes against them for starting to prepare the field five minutes before 9:00 a.m.

In response to questions from Commissioner Fidler, Ms. Ransom stated that when TeWinkle Park field was closed for renovations, the softball leagues were moved to Lion's Park (Davis Field), and Pop Warner was moved to the Farm Sports Complex due to some adjustments with AYSO 120 making some field time available for Pop Warner. Additionally noting that since the plans for TeWinkle Park Ballfields have changed, the groups have been moved back. Ms.

Ransom also stated that AYSO 97 is now utilizing Lion's Park (Davis Field) three nights a week, which gives them some lit field time.

In response to questions from Commissioner Leece, Ms. Ransom informed the Commission that the Newport Mesa Unified School District turns off the water during Measure A construction, so that even after the temporary buildings are removed the field conditions frequently are deteriorated and are not in playable condition as demonstrated at Back Bay Monte Vista School. Additionally, construction timelines are not necessarily set. In some cases construction does not begin on specified date and in turn might conclude either ahead of or behind schedule. Ms. Ransom also stated that as the fields become available, assuming they are in playable condition, every attempt is made to schedule teams on the site according to their site specific plans.

In response to questions from Commissioner Burciaga regarding turning one of the baseball fields at TeWinkle School into a parking lot, Ms. Ransom stated that staff will work with the groups that currently utilize the field (Costa Mesa National and AYSO 120) as to how to accommodate them.

In response to questions from Commissioner Leece regarding the availability of Newport Beach fields, Ms. Ransom stated that NMUSD is implementing a reservation system that will allow the City staff to look at the availability of any school site within the district; however, staff will only be able to reserve fields within Costa Mesa.

In response to questions from Commissioner Leece, Mr. Sarris stated that they have a meeting with the City of Newport Beach twice a year, where all field users submit their field requests; however, field allocations depend on the total number of Newport Beach residents. Therefore, they are not as impacted as Costa Mesa; however every single field is reserved. Additionally, Mr. Sarris suggested that a field allocation report be obtained from the Newport Beach staff.

In response to questions from Commissioner Fisler, Ms. Ransom explained how the policy is supposed to work noting that these are the first applications for temporary portable lights since the new policy was implemented on July 1<sup>st</sup>; stating that there is lag time in getting it all together. Additionally, the policy does not necessarily have to be complied with as is the case with a City Ordinance. However, the groups were instructed to disseminate the neighborhood flyers 30 days prior to the proposed use, which would have been August 26. If the notices were not disseminated until last week, then the proposed use should not be granted prior to mid October.

Vice Chairman de Arakal stated his displeasure with this situation, acknowledging that with new policies there is a learning curve. However, with all the misunderstandings regarding the Joint Use Agreement and the inability of high school coaches to understand it and its policies, not following the rules for whatever reason just exacerbates the problem. Additionally noting that the groups should not be completely penalized with respect to missing some of the new deadlines and also the people who live near Kaiser School and Parsons-Waldorf School Field should not be ignored. Therefore, permitted use should not be allowed to begin until October 15<sup>th</sup> and the lights should be pointed away from the residences.

Discussion ensued regarding the time the lights should be turned off, when the groups may start using the lights, the duration of the permit and getting the process right next time.

**MOTION**

Motion made by Vice Chairman de Arakal, seconded by Commissioner Leece, and carried 4-0, Commissioner Harris absent, to grant the request of AYSO Region 97 and Orange Coast Soccer with the following conditions: 1) that the permitted use not be allowed to begin until October 15, 2) that the use at Parsons-Waldorf School Field end at 9:00 p.m., use of Kaiser School field to end at 8:00 p.m., 3) that all lights at Kaiser School and Parsons-Waldorf School Fields be pointed away from residences, and 4) that the lights are secured as far away from residences and access to street as possible.

**OLD BUSINESS**

No Old Business items.

**NEW BUSINESS**

**CONSIDERATION OF ACCEPTANCE OF DONATED PLAY EQUIPMENT FOR TEWINKLE PARK**

Mr. Morris made the presentation and introduced Mr. Doug Hansen and Mr. Dave Alkema of Angel’s Charity to provide additional information.

Mr. Hansen stated that Angel’s Charity was founded in June of 2003 and handed out some flyers from a previous fundraising event and future events. He also provided newspaper clippings regarding Angel’s Charity from the Orange County Register and the Daily Pilot and some additional background information on the organization.

In response to questions from Vice Chairman de Arakal and Commissioner Fisler, Mr. Morris stated that Angel’s Charity group will collect the required money through donations and then, with a permit from and agreement with the City, remove existing equipment and install proposed equipment in one continuous construction phase. Additionally, Angel’s Charity would be responsible for carrying out the project from tear down to installation and by having the equipment donated. Mr. Morris also stated that if the group donated money, then the City would have to go through the Public Contracts Code, to design and construct, which would take time and money and there would be no assurances that the desired equipment could be installed due to the open bidding process.

Vice Chairman de Arakal stated that this is the type of public/private partnership he hopes the City will begin to explore more often, particularly with park projects like the one that has been proposed here tonight.

**MOTION**

Motion made by Vice Chairman de Arakal, seconded by Commissioner Fisler, and carried 4-0, Commissioner Harris absent, to accept the donation of playground equipment for TeWinkle Park by Angels Charity, with conditions of developing an agreement between donor and City to define roles, demolition/construction processes, etc.

**TREE REMOVAL REQUEST – 2371 COLGATE DRIVE**

Mr. Bruce Hartley made the presentation.

Mr. Eric Marovish, 2371 Colgate Drive, Costa Mesa addressed the Commission stating that the two trees are growing over the drive approach and lifting a portion of the sidewalk. He also stated that the tree roots have been grinded down on two sides and in talking to one

of their neighbors he discovered that a third side was also worked on last year. Mr. Marovish brought a sealed letter from his neighbor and gave it to Mr. Hartley to read for the Commission.

Mr. Hartley read the letter from Mr. Robert Carlson, 2375 Colgate, Costa Mesa, which stated, "Dear Mr. Hartley, we are concerned about the two palm trees at 2371 Colgate and would like to bring the situation to your attention. These trees, which have grown together, are 60 and 68 feet tall and the roots were recently trimmed on two sides to accommodate the new sidewalk. A third side of the trees was trimmed in order to reinstall the driveway apron. Our concern is that the trees are now in a weakened condition and could be a threat to our home with either the Santa Ana winds we are now experiencing or in the storms this winter. Because of these concerns for the safety of our home we are requesting that you remove these trees at your earliest convenience. Thank you for your consideration. Very truly yours. Robert Carlson".

In response to questions from Commissioner Fidler regarding the applicant's understanding of the tree replacement requirements, Mr. Marovish stated that safety was his primary concern and he would abide by policy requirements.

In response to questions from Mr. Marovish regarding the two trees planted over 20 years ago in public parkway by previous owner, Vice Chairman de Arakal informed the applicant that because they were in the public parkway the City's rules and regulations did apply, even if the City did not plant them. Additionally, if these trees are removed one new tree would be planted in the parkway and the two others would be planted elsewhere in the City.

In response to questions from the applicant as to who is responsible if damage occurs to the drive approach when the trees are being removed, Mr. Hartley stated that the drive approach is in the public right-of-way and is the City's responsibility. If the applicant paid the City to remove the trees and the drive approach was damaged, the City would be responsible for the repairs. If, however, the applicant hires a private contractor and the drive approach was damaged, the applicant would have to repair/replace at his expense.

## **MOTION**

Motion made by Commissioner Leece, seconded by Vice Chairman de Arakal, and carried 4-0, Commissioner Harris absent, to permit removal of two (2) Mexican Fan Palm trees, subject to 3:1 replacement ratio (one 24" box tree plus two 15" box trees) for each tree, with the following conditions: 1) at cost of the owner, 2) with the option to utilize either a private contractor or the City's services to remove the trees; 3) replacement trees to be as per the City's guidelines with at least one 24" box tree at the site, and 4) the remaining trees to be placed at the City's discretion.

## **PLACEMENT OF A MESSAGE BOARD IN PAULARINO PARK**

Mr. Bruce Hartley made the presentation.

Martin Millard addressed the Commission stating that he lived in Mesa North and hoped the item would be approved.

Vice Chairman de Arakal commented that he hoped a representative from the Board of the Mesa North Community Association would be present to discuss with the Commissioners the conditions that were recommended in the staff.

Robert Hiscock, 1059 Shane Street, Costa Mesa, addressed the Commission stating that he had spoken to Gary Peacock earlier in the day and Mr. Peacock stated that he hoped the message board installation would be approved.

A discussion ensued as to whether the association was aware of the conditions and the cost they may incur. Mr. Millard stated that in his opinion the association obtained this information via the City's web site and if they did not agree they would contact the City.

**MOTION**

Motion made by Commissioner Fisler, seconded by Vice Chairman de Arakal, and carried 4-0, Commissioner Harris absent, to approve placement of a message board in Paularino Park, subject to the ten (10) conditions as outlined in the staff report by William Morris, Public Services Director.

**SITE FURNISHINGS IN CITY PARKS**

Mr. Bruce Hartley made the presentation.

In response to questions from Vice Chairman de Arakal and Commissioner Burciaga, Mr. Hartley informed the Commissioners that every effort is made to retain consistency at each park. When they renovate a small park (or a picnic shelter) they try to change all the tables and benches, not just one. However, each location has its own furnishing requirements and each site will not necessarily utilize the same furniture. Additionally, the furniture is selected for its durability, not solely for appearance. The tables are a green recycled material and the sitting benches have a web coating that is not skate-able. The furniture is made locally (Anaheim) by Eagle One with no shipping fees; unlike mid-west companies that charge for shipping

Vice Chairman de Arakal expressed his desire to have a standard and uniform look for the park furnishings (as is done with the parkway furnishings), while preserving some flexibility. He also was impressed with the picnic tables and the recycled lumber/plastic bench that were displayed. Additionally, he stated that his goal was to set parameters/standards for the park furnishings.

Mr. Hartley stated that a proposal (which meets the direction of the Commission) could be submitted displaying a range of styles, leaving the colors open to interpretation so that not everything is tan, green or brown; noting that recycled materials do not come in a wide variety of colors. Additionally, Mr. Hartley noted that funding could be addressed once the desired improvements have been identified.

Commissioner Fisler stated that he concurred with Vice Chairman de Arakal regarding the locally manufactured recycled plastic picnic tables.

**MOTION**

Motion made by Vice Chairman de Arakal, seconded by Commissioner Fisler, and carried 4-0, Commissioner Harris absent, to create a draft policy for standardizing City park furnishings (tables, benches, water fountains) with a limited range of styles utilizing recycled plastic products.

**JOINT USE AGREEMENT WITH NEWPORT MESA UNIFIED SCHOOL DISTRICT AND CITY OF COSTA MESA**

Ms. Jana Ransom made the presentation.

In response to questions from Commissioner Fisler, Ms. Ransom stated that while the incidence and hours of field use has not changed, the increased revenue is a direct response to the field ambassadors and Park Rangers monitoring and informing the public of the required permits. Additionally, these hours reflect the actual use instead of the "blanket permits" from the youth groups that would go from 5:00 to 11:00 p.m., Monday through Friday. By issuing permits for actual required time, the fields are freed up for other paying groups.

Commissioner Leece indicated that she was pleased with the report and that there will be a standard established for the conditions of the fields. She additionally mentioned the articles in the paper that compared the upgraded Farm Sports Complex fields to Estancia and Parsons-Waldorf and the misconception that there is more money spent maintaining the Farm. In addition, Commissioner Leece requested Ms. Ransom submit a spreadsheet listing the all the schools in NMUSD denoting which fields are available and those that are unavailable due to Measure A and when they will become available.

Commissioner Leece inquired about a meeting between City officials and Newport Mesa Unified School District officials to which she was not invited even though she is the liaison between the City and the School District. She additionally stated that she felt this was a “secret meeting” and that the Brown Act was not properly adhered to.

In response to concerns raised by Commissioner Leece, Vice Chairman de Arakal stated that Council Member Mike Scheafer had announced to the community at the Mesa Verde Candidate Forum that a meeting was being held on August 31, 2004. He added that in his opinion the Brown Act was not violated in spirit or action because there were no more than two of any elected or appointed officials at the meeting. Those present were:

- NMUSD: Superintendent Barbot, Mr. Reed, Mr. Marsh
- School Board: Mr. Brooks and Mr. Egan
- City of Costa Mesa: Mayor Monahan, Councilman Scheafer, Mr. Roeder and Mr. Hayman,
- Parks and Recreation Commission: Chairman Harris and Vice Chairman de Arakal

Vice Chairman de Arakal noted that the meeting was scheduled because of the misunderstandings about the Joint Use Agreement based largely on newspaper articles. They discussed whose responsibility was what and the consensus derived from this meeting was:

- 1) assess the condition of the fields,
- 2) find a standard to bring the fields up to,
- 3) find funding to bring fields to that standard, and
- 4) find funding to pay for the field maintenance to maintain the set standard

Vice Chairman de Arakal stated that there will likely be user group representatives and coaches invited to be on the committee in the future to provide input. He also stated that the committee’s main objective will be to prepare a recommendation for the City Council and the School District at which point a public hearing will probably be held. He additionally noted that this was not a “secret meeting”.

Commissioner Leece affirmed that she is the liaison for the City to the school district for the meetings that are held quarterly. However, she noted that she and the press were not included in this meeting which was perplexing to her. In addition, Commissioner Leece requested a schedule of these meetings for the remainder of the year.

Commissioner Burciaga stated that the Joint Use Agreement is necessary because of the limited fields, and numerous request for their usage. However, it is not clear regarding who is responsible for some maintenance issues. She also queried the school district’s lack of a rest and renovation program like the City of Costa Mesa has because there is a notable difference between the Newport Beach fields and the Costa Mesa fields.

In response to Commissioner Leece questions regarding Paularino School field use, Ms. Ransom stated that the field use and allocation policy allows for long term user groups to pay on a monthly basis. Additionally, she noted that there has been no evidence of user

groups subcontracting their permits at a profit to outside groups.

Commissioner Leece requested an informational staff report for Paularino School field usage addressing, 1) who is using the fields, 2) how the money is handled, 3) if food is sold, and 4) if food sales are permitted.

Robert Hiscock, 1059 Cheyenne Street, Costa Mesa, addressed the Commission regarding Paularino School. His concerns were regarding the responsible party should damage occur to the homeowner's property by the user groups; the insurance requirements of user groups; players climbing over the fences of residents to retrieve their soccer balls; user groups starting early and ending late and adults playing on the west end of the field when Costa Mesa Soccer Youth League permitted use is supposed to be for the youth only. Mr. Hiscock also stated that he attempted to interview the people who are supposedly with Costa Mesa Soccer Youth League, however they did not want to talk to him.

In response to Mr. Hiscock's concerns, Vice Chairman de Arakal directed staff to send a field ambassador to Paularino School on Mondays and Wednesdays prior to 5:00 p.m. and after 6:00 p.m. in order to discern if the group is exceeding their permit time.

In response to Mr. Hiscock's concerns, Ms. Ransom stated that liability insurance is required by State Law and explained that the situation was similar to a golf course or softball field (for example, if a ball hit a parked vehicle the City would not be responsible, the person who hit or kicked the ball would be responsible). Additionally, if players climb into a homeowner's private property the Park Rangers or Police Department should be contacted to cite the trespasser, noting that field ambassadors do not have the authority to issue citations.

In response to questions from Mr. Terry Shaw (Bernard Street, Costa Mesa), Ms. Ransom stated that income for the gymnasium and pool use goes directly to the school district and is attached to the facility permit.

Mr. Shaw also stated that he is aware that this is a "hot button" issue in the community, newspaper and different organized groups, and the sooner it is resolved the better off we will all be.

Martin Millard, Costa Mesa stated that he agreed with Commissioner Leece that meetings should be open to the public. Additionally, he informed the Commission about his concerns regarding who is using Paularino School fields, and how the Recreation Division disseminates information regarding those groups.

Mike Berry, Meadow View Lane, Costa Mesa, addressed his remarks to Vice Chairman de Arakal regarding the way the meeting was run this evening and his displeasure with his treatment of his fellow Commissioners during the discussion of the recent meeting held between the City and Newport Mesa Unified School District on field use and field conditions.

## **MOTION**

No motion made.

## **RECREATION MANAGER'S REPORT**

Ms. Ransom updated the Commission on the following programs:

- Summer Aquatics program, despite a few problems at CMHS due to maintenance and an electrical problem at the OC Fairgrounds, 1,665 people were able to participate in swim lessons.

- Swim Olympics was held on August 14, 2004.
- 2004 Summer Concerts in the Park concluded with “The Answer”.
- Camp Costa Mesa had 120 children per week, up from 80 per week last year.
- TeWinkle Park ball field renovation project has been delayed for one year. Leagues have been rescheduled to play on that field, however a 30% drop off is anticipated due to the late change. This drop off will continue into next year when the project has been rescheduled.
- Invited Commissioners to visit the Futures Tournament at the Tennis Center, that is part of the USTA Pro Circuit and is in progress this week..
- Skate Park ground breaking scheduled for Wednesday, September 29, 2004, at 5:00 p.m.
- Chalk Art Festival is scheduled for October 30, 2004, at the Balearic Community Center from 10:00 a.m. to 3:00 p.m. If any one is interested in this event, it is free for children and \$5 per space for any artist, or want-to-be artist, that would like to come out. A goodie bag with pastels will be provided. Entertainment will be provided by “Antique Musical Group” utilizing about ten different antique musical instruments.
- KNO Halloween Party October 30, 2004.
- FNO Beach Bonfire will be held October 9 2004.

**PARKS PROJECTS  
MANAGER’S REPORT**

Mr. Mejia updated the Commissioners on the following projects:

- TeWinkle Park lake renovation project started with the relocation of the fish, which should be completed by September 23, 2004. Afterwards, the lakes will be drained and work will continue for the next three months.
- The ground breaking ceremony for the skate park will be this Wednesday, September 29, 2004, at TeWinkle Park with construction operations beginning the first week in October.
- The sports complex construction has been delayed due to insufficient funding. Staff will request additional funding next fiscal year. In the mean time, staff is applying for grants to supplement funding for this project.
- The award of the Gisler Park slope renovation project is scheduled for the second City Council meeting in October.
- The multi-purpose trail at Fairview Park will be advertised before the end of the year.
- The award of the design structures for the Placentia Bridge will be awarded the second City Council meeting in October.
- Staff recently submitted grant applications for landscape and irrigation improvements for five city projects: Newport Boulevard in two sections (between 17<sup>th</sup> and 19<sup>th</sup> and Bristol and 19<sup>th</sup>), Placentia Avenue median between Wilson and the South City limits, Joann Street bike trail and Gisler Avenue between Washington and the Santa Ana River.

**MAINTENANCE SERVICES  
MANAGER’S REPORT**

Mr. Bruce Hartley, Maintenance Services Manager, had no report this month.

**COMMISSIONERS  
COMMENTS**

Commissioner Leece commented on the similarity between the new lights on 19<sup>th</sup> Street and ones she saw in Jackson Hole, Wyoming and inquired about the annual meeting the Commission has with Newport Beach.

In response to questions from Commissioner Leece, Mr. Morris stated that an attempt was made to set up the meeting for June, how-

ever Newport Beach declined the offer and elected to meet with the Commission of another beach community. Mr. Morris also informed the Commission that the new street lamps on 19<sup>th</sup> street are owned by Southern California Edison and leased to the City. Additionally, he noted that there is an agreement between Edison and the City to allow for hanging banners on street lights for special events.

Commissioner Fisler stated that he is the liaison to the Fairview Park Friends Committee and at their last meeting he learned of Mr. Ron Molendyk's resignation. He expressed appreciation for all his efforts and thanked him for his service to the City.

Commissioner Fisler also stated that he had visited Fairview Park today and there were approximately 150 people participating in a cross-country meet. While there he noticed the new condensed language sign at the entrance and how it cleaned up the area. He also stated that he was pleased with the progress at Fairview Park.

Commissioner Fisler invited the public to Lounge Chair Theater at Fairview Park on Saturday, October 16, 2004, at 6:00 p.m. The movie to be shown will be "Finding Nemo". There will be several groups in attendance (Victoria School PTA, Costa Mesa Boy Scout Troup, Harbor Mesa Lions) selling hotdogs, hamburgers and polish sausages, popcorn, glow-in-the-dark jewelry, glow sticks for the children and a few informational booths from the user groups like the Harbor Soaring Society.

Commissioner Burciaga stated that she would like to have a community forum where Ms. Ransom can do a step by step presentation explaining the Joint Use Agreement in the same manner as this evening to inform, clear up any misunderstandings and to give the public an opportunity to voice their opinions. Commissioner Burciaga expressed her disappointment with what she has read in the newspaper and hopes that the City and the school district can work together to find solutions.

Vice Chairman de Arakal stated that he disagreed with Mr. Barry's earlier comments noting that he is working with the Recreation staff to ensure that the fields are accessible to the public with residents and schools having first priority.

Vice Chairman de Arakal addressed the Joint Use Agreement issue and the serious ramifications that could occur without the agreement. Additionally, he noted that he had reservations about adding a new softball field at TeWinkle Park because it would mainly be used for Group 6 users and Group 1 users would be losing a utility field. Vice Chairman de Arakal stated that he has directed staff to begin developing concept plans to submit to the City Council for the ten surplus parcels owned by other public entities that could be available for purchase in the near future. Additionally, he noted that this is a proactive step to begin adding field inventory to the City to alleviate the current field allocation dilemma.

In closing Vice Chairman de Arakal encouraged everybody to get out and vote and informed the public that the City Council passed a resolution on Monday, September 19, 2004, expressing support for Proposition 1A on the ballot for November, which would not allow local funds to be removed by Sacramento.

**ADJOURNMENT:**

The meeting was adjourned at **10:30 p.m.** to the Study Session on Wednesday, October 27, 2004 at 5:15 p.m. in Conference Room 1A,

followed by the regular Commission meeting at 6:30 p.m. in the Council Chambers.

Submitted by:

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William J. Morris  
Public Services Director