

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

March 07, 2006

The City Council meeting of the City of Costa Mesa, California met in regular session March 07, 2006, 5:05 p.m., in the Council Chambers of City Hall, 77, Fair Drive, Costa Mesa. The meeting was called to order by the Mayor.

ROLL CALL

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

Council Members Absent: None

Officials Present: City Manager Allan Roeder
City Attorney Kimberly Hall Barlow
City Clerk, Julie Folcik

PUBLIC COMMENT

There were no public speakers.

CLOSED SESSION

1. Conference with legal counsel pursuant to California Government Code Section 54956.9(a) - existing litigation, Acosta v. City of Costa Mesa, et al, Case No. SACV06-233 DOC (MLGx)

RECONVENE REGULAR MEETING

Mayor Mansoor adjourned the meeting, at 5:08 p.m. to closed session in Conference Room 1B.

Mayor Mansoor reconvened the Meeting at 6:20 p.m.

PLEDGE OF ALLEGIANCE - Council Member Katrina Foley

MOMENT OF SOLEMN EXPRESSION - Reverend Barbara Steward, St. John the Divine Episcopal Church

ROLL CALL

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

Council Members Absent: None

Officials Present: City Manager Allan Roeder
City Attorney Kimberly Hall Barlow
Development Services Director Donald Lamm
Public Services Director William Morris
Police Chief John Hensley
Police Lieutenant Karl Schuler
Building Official Khahn Nguyen
Principal Planner Kimberly Brandt
Senior Planner Mel Lee
City Clerk, Julie Folcik

CLOSED SESSION REPORT

The City Attorney announced that the following actions were taken by the City Council; to approve a written request for representation for defense for Chief John Hensley.

MOTION: to approve a written request for representation for defense for Chief John Hensley.

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

MOTION: to approve a written request for representation for defense for Mayor Allan Mansoor.

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

Abstain: Mayor Allan Mansoor

PRESENTATIONS - Mayor's Award - Sue Smith and Dave Brees (Sister City Program)

Mayor Mansoor congratulated Sue Smith and Dave Brees as recipients of the Mayor's Award. He commended them for their participation in the Sister City Project.

It was unanimously agreed to address Public Hearing No. 1 out of order.

1. **PUBLIC HEARING: Request for Review by Council Member Dixon of the Planning Commission's approval for Planning Application PA-05-42 for Pete Volbeda, authorized agent for Joe Cefalia, for a variance from minimum lot size requirements (12,000 sq. ft. required; approximately 4,000 sq. ft. per lot proposed) and lot width requirements (100 ft. required; 58 ft. and 62 ft. proposed) to subdivide an existing nonconforming lot into two and to consider Susannah Place instead of Orange Avenue as the front of Parcel 2, in conjunction with a development review for the construction of two, two-story single-family residences, located at 2590 Orange Avenue, in an R2-MD zone. Environmental determination: exempt.**

It was noted that a continuance was requested by the applicant.

**MOTION: Continue Public Hearing to March 21, 2006.
Moved by Mayor Allan Mansoor, seconded by Council Member Gary Monahan.**

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

PUBLIC COMMENT

Mike Brumbaugh, Costa Mesa, presented a petition of 90 signatures from residents relative to the safety of their neighborhood, requesting a stop sign at Belfast and Fernheath Avenue.

Chris Blank, Costa Mesa, presented additional petitions (320) in opposition to the instigation of the ICE proposal.

Paul Helms, Fullerton, expressed support the ICE proposal and recounted an occasion where he was asked to leave the Downtown Community Center when trying to use the grooming facilities after he had paid.

Duane Roberts, Anaheim, made comments relative to his opposition of the ICE program and Mayor Mansoor's position on the issue.

John Earl, Huntington Beach, expressed opposition to the ICE proposal and spoke of the resignation of a member of the 3-R Committee.

Fernanda De Souza, Costa Mesa, referencing SB1024, (Affordable Housing), felt that

the City should provide more programs for first time buyers.

Eileen Garcia, Laguna Beach, a self proclaimed Minutewoman, expressed support of the Council's decision relative to the ICE program.

Judi Berry, Costa Mesa, referencing the Financial statements relative to the mid-year Budget Review, requested that any extra money, utilized to paint the Senior Center.

Jarret Lovell, Costa Mesa, spoke of his objection to the portayal of the ICE proposal as that for public safety, expressing three points relative to the closing of the job center, the need for "good police community relations" and other safety risks.

MOTION: To take the remaining five speakers and to continue Public Comments after New Business.

Motion was made by Mayor Mansoor and seconded by Mayor Pro Tem Bever.

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

Ann Hogan-Shereshevsky, Costa Mesa, reminded residents that batteries are not to be thrown in the trash and requested a neighborhood disposal of batteries in Costa Mesa.

Mirna Burciaga, Costa Mesa, discussed the cost of Police Officer's training for the ICE program.

Mike Berry, Costa Mesa, suggested that grocery stores be contracted for battery disposal and expressed concern regarding the recent Cable provider changes.

James Robert Reade, Anaheim, recounted a history of accomplishments of Dr. Hector Garcia, Hispanic Civil Rights Activist and how it relates to recent activities relative to Civil Rights.

Alma Ramirez, Costa Mesa, spoke of various religions and ethnicity in Orange County.

COUNCIL MEMBERS REPORTS, COMMENTS, AND SUGGESTIONS

Mayor Allan Mansor Complimented staff for various street repairs and read the Constitutional Oath of Alliegence.

Council Member Katrina Foley requested that a stop sign be placed at Belfast and Fernheath, requested a report as to why Mr. Helms was removed from a facility, requested an update on Prop 46 and asked that the Public Comment Card system be discussed at the study session.

Council Member Linda Dixon announced that there are various committee

vacancies and recognized the Costa Mesa's Visitors Convention and Visitor's Bureau for their receiving an award for their marketing efforts.

CONSENT CALENDAR-

MOTION: approve the recommended actions for Consent Calendar Item Nos. 1-21, except for Consent Calendar Item Nos. 1, 7 and 21. Moved by Council Member Monahan, seconded by Council Member Linda Dixon.

The Motion carried by the following roll call vote:

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

Noes: None.
Absent: None.

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

2. Regular meeting of February 21, 2006.

ACTION: Received and processed.

3. Warrant Resolution 2098, for City operating expenses for \$1,032,785.45.

ACTION: Received and processed.

4. Warrant Resolution 2099, funding Payroll No. 604 for \$2,197,810.69 and City operating expenses for \$437,263.98, including payroll deductions.

5. Purchase of a new power management system and command post module equipment from Fun Company Products, 22343 East La Palma, Yorba Linda, for \$27,175.98.

ACTION: Approved.

6. Agreement for renewal for purchase and support for the Public Safety and City's computer business systems, with Hewlett Packard, 1421 South Manhattan Avenue, Fullerton, for a term of three (3) years, in an amount not to exceed \$278,195.00.

ACTION: Approved, and authorized the Mayor and City Clerk to sign on behalf of the City.

8. Agreement for design services of MacArthur Boulevard through the Arterial Highway Rehabilitation Program (AHRP), with Hall and Foreman, 420 Exchange, Irvine, in an amount not to exceed \$94,460.00.

(a) Budget Adjustment No. 06-051a in the amount of \$94,460.00, from the Gas

Tax Fund and the Measure "M" Fund.

ACTION: Approved, and authorized the Mayor and City Clerk to sign on behalf of the City; and approved Budget Adjustment 06-051a for \$94,460.00.

9. **Agreement for design services of Sunflower Avenue through the Arterial Highway Rehabilitation Program (AHRP) Program with Hall and Foreman, 420 Exchange, Irvine, in an amount not to exceed \$89,285.00.**

(a) Budget Adjustment No. 06-051a in the amount of \$89,285.00, from the Gas Tax Fund and the Measure "M" Fund.

ACTION: Approved, and authorized the Mayor and City Clerk to sign on behalf of the City; and approved Budget Adjustment 06-051a for \$89,285.00.

10. **Agreement for design services of Fair Drive through the Arterial Highway Rehabilitation Program (AHRP) Program with Hall and Foreman, 420 Exchange, Irvine, in an amount not to exceed \$132,565.00.**

(a) Budget Adjustment No. 06-051a in the amount of \$132,565.00, from the Gas Tax Fund and the Measure "M" Fund.

ACTION: Approved, and authorized the Mayor and City Clerk to sign on behalf of the City; and approved Budget Adjustment 06-051a for \$132,565.00.

11. **Agreement for design services of Red Hill Avenue through the Arterial Highway Rehabilitation Program (AHRP) Program with Praedium Engineering, 2020 Main Street, in an amount not to exceed \$248,860.00.**

(a) Budget Adjustment No. 06-051a in the amount of \$248,860.00, from the Gas Tax Fund and the Measure "M" Fund.

ACTION: Approved, and authorized the Mayor and City Clerk to sign on behalf of the City; and approved Budget Adjustment 06-051a for \$248,860.00.

12. **Agreement for design services of Harbor Boulevard through the Arterial Highway Rehabilitation Program (AHRP) Program with Praedium Engineering, 2030 Main Street, Irvine, in an amount not to exceed \$246,550.00.**

(a) Budget Adjustment No. 06-051a in the amount of \$246,550.00, from the Gas Tax Fund and the Measure "M" Fund.

ACTION: Approved, and authorized the Mayor and City Clerk to sign on behalf of the City; and approved Budget Adjustment 06-051a for \$246,550.00.

13. **Agreement for design services of East 19th Street through the Arterial Highway Rehabilitation Program (AHRP) Program with Praedium Engineering, 2030 Main Street, Irvine, in an amount not to exceed**

\$122,200.00.

(a) Budget Adjustment No. 06-051a in the amount of \$122,200.00, from the Gas Tax Fund and the Measure "M" Fund.

ACTION: Approved, and authorized the Mayor and City Clerk to sign on behalf of the City; and approved Budget Adjustment 06-051a for \$122,200.00.

14. **Agreement for design services of East 17th Street through the Arterial Highway Rehabilitation Program (AHRP) Program with PBS & J, 625 The City Drive South, Orange, in an amount not to exceed \$127,732.00.**

(a) Budget Adjustment No. 06-051a in the amount of \$127,732.00, from the Gas Tax Fund and the Measure "M" Fund.

ACTION: Approved, and authorized the Mayor and City Clerk to sign on behalf of the City; and approved Budget Adjustment 06-051a for \$127,732.00.

15. **Agreement for design services of West 19th Street through the Arterial Highway Rehabilitation Program (AHRP) Program with PBS & J, 625 The City Drive South, Orange, in an amount not to exceed \$154,872.00.**

(a) Budget Adjustment No. 06-051a in the amount of \$154,872.00, from the Gas Tax Fund and the Measure "M" Fund.

ACTION: Approved, and authorized the Mayor and City Clerk to sign on behalf of the City; and approved Budget Adjustment 06-051a for \$154,872.00.

16. **Completion of Ballistic Tile Safety Walls at Costa Mesa Police Department Shooting Range, Project No. 05-24, by Super Trap, Inc., 1601 Commerce Street, Corona.**

ACTION: the work was accepted; the City Clerk was authorized to file a Notice of Completion; authorization was to release retention monies 35 days thereafter; the Labor and Material Bond was ordered exonerated 7 months thereafter; and the Performance Bond was ordered exonerated 6 months thereafter.

17. **Replace HVAC Unit at Fire Station No. 4, (2300 Placentia Avenue), Senior Center (695 W. 19th Street), and Condenser Pipes at City Hall (77 Fair Drive) -Project No. 05-26.**

(a) Reject all bids.

ACTION: Rejected bids.

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

ACTION: Directed staff to re-advertise.

18. Theatre and Arts District Street Improvements:

(a) Agreement with the Orange County Transportation Authority (OCTA) for street improvements on Sunflower Avenue, Anton Boulevard, Bristol Street, Park Center Drive and Avenue of the Arts within the Theater and Arts District (TAD).

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

(b) Agreement with the County of Orange for street improvements on: Sunflower Avenue, Anton Boulevard, Bristol Street, Park Center Drive, Avenue of the Arts within the Theater and Arts District (TAD).

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

19. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING RECORDS DESTRUCTION FOR THE TRANSPORTATION SERVICES DIVISION OF THE PUBLIC SERVICES DEPARTMENT OF THE CITY OF COSTA MESA, PURSUANT TO ORDINANCE NO. 75-60.

ACTION: Adopted Resolution No. 06-16.

20. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING RECORDS DESTRUCTION FOR THE TELECOMMUNICATIONS DIVISION OF THE ADMINISTRATIVE DEPARTMENT OF THE CITY OF COSTA MESA, PURSUANT TO ORDINANCE NO. 75-60.

ACTION: Adopted Resolution No. 06-17.

1. Reading Folder.

Council Member Dixon and Council Member Foley asked questions relative to a follow-up report regarding the ICE Proposal with Police Chief.

Council Member Foley advised that Chief Hensley was not in support of the ICE Proposal.

MOTION: Receive and process

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

The motion carried by the following roll call vote:

Ayes: Mayor Allan Mansoor, Council Member Linda Dixon, Council Member

Katrina Foley, Mayor Pro Tem Eric Bever, Council Member Gary Monahan

Noes: None.

Absent: None.

7. **Agreement for renewal for support and purchase pursuant to the Oracle/PeopleSoft License Agreement to support Finance Department business processes for a term of one (1) year with Oracle Corporation, 1001 Sunset Boulevard, Rocklin, for an annual amount of \$133,887.17.**

City Attorney advised of the modification of the language in the sections 6.3 and 14.1 and asked that Council make their approval based on the aforementioned modifications.

MOTION: Approve as modified amending Sections 6.3 and 14.1.

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

MOTION: Approve as modified and authorize City Manager and City Clerk to sign on behalf of the City.

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

21. **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING APPLICATION FOR FUNDS FOR THE TRANSPORTATION ENHANCEMENT ACTIVITY (TEA) PROGRAM UNDER THE 1998 TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY FOR FOUR PROJECTS.**

Council Member Dixon complimented the Public Services Department relative to the street improvements

MOTION: Adopt Resolution No. 06-18.

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

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

The Mayor recessed the meeting at 7:45 p.m.

The Mayor reconvened the meeting at 8:04 p.m.

PUBLIC HEARING -

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

2. **PUBLIC HEARING: Appeal of the Planning Commission's revocation of Conditional Use Permit PA-95-10 for Eric Strauss, authorized agent for Barbara and Roger Allensworth which permitted the expansion of an existing sports bar into the adjacent space to allow 6 billiards tables and 4 or more electronic game machines, located at 580 Anton Boulevard #201, in a PDR-HD zone. Environmental determination: exempt.**

The Affidavits of Publication and of mailing are on file in the City Clerk's Office.

The Senior Planner summarized the Agenda Report and along with the Police Lieutenant responded to questions from the Council.

Joe Walker, representative of the applicant submitted to the Council a proposal of conditions ("Appellant's Exhibit 1") which indicated the willingness to provide minimum security for the sports calendar, and requested the City reverse the decision.

James Robert Reade, Anaheim, expressed concern shutting the business down and questioned if the Police report was accurate.

Fred Bockmiller, Costa Mesa, expressed that an amended CUP would be much more effective.

Mike Finrock, Costa Mesa, expressed that the video games were not the issue and requested that the Council allow the Sports Bar to keep the games.

MOTION: Adopt resolution to uphold, Planning Commission's decision.
Moved by Mayor Allan Mansoor. Motion died for lack of second.

Council Member Monahan pointed out if the CUP is not revoked, the following modifications are recommended: adjust the hours of business to 9:00 a.m. to 12:00 a.m., add alarmed crash bars to the doors, hire a Uniformed Security Company licensed under the Business and Professions Code, hire two (2) security guards until closing and hire three (3) security guards for major sporting events, limit of two (2) pool tables and no more than four (4) electronic games.

Council Member Foley requested that a security plan be created to be approved by the Development Services Department-Planning Division and the Police Department.

Mayor Pro Tem Bever requested to return to Council for a 6 month review.

MOTION: direct staff to prepare a resolution to modify Planning Commission's decision, to include the following: modifying the CUP to

9:00 a.m. to 12:00 a.m. midnight, add alarmed crash bars, pool tables limited to 2 (two), electronic games limited to 4 (four), hire a Uniformed Security Company licensed under the Business and Professions Code, hire 2 (two) Security Guards until closing on Friday and Saturday night and hire 3 (three) Guards for major sporting events, create a security plan to be approved by the Developmental Services Department-Planning Division and the Police Department and have the Sports Bar return to Council for a 6 month review.

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 Eric Bever, Council Member Linda Dixon, Council Member Katrina Foley, Council Member Gary Monahan

Noes: Mayor Allan Mansoor

Absent: None.

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

3. PUBLIC HEARING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, CREATING CHAPTER IX OF TITLE 5 OF THE COSTA MESA MUNICIPAL CODE RELATING TO IN-BUILDING PUBLIC SAFETY RADIO SYSTEM COVERAGE.

The Affidavit of Publication is on file in the City Clerk's Office.

The Building Official summarized the Agenda Report and responded to questions from the Council along with Senior Engineer Howard Newton, of the County Communications Department.

There were no public speakers.

MOTION: Give Ordinance No. 06-6 first reading, to be read by title only and waive further reading.

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

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

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

4. PUBLIC HEARING: A RESOLUTION OF THE CITY COUNCIL OF THE CITY

OF COSTA MESA, CALIFORNIA, ADOPTING SP-06-01 THAT AMENDS THE COSTA MESA THEATER AND ARTS DISTRICT PLAN/NORTH COSTA MESA SPECIFIC PLAN TO IDENTIFY ADDITIONAL PUBLIC IMPROVEMENTS AND FUNDING SOURCES.

The Affidavit of Publication is on file in the City Clerk's Office.

The Principal Planner summarized the Agenda Report and responded to questions from the City Council.

Alma Ramirez, Anaheim, expressed that she was appalled by the conditions of the OCTA busses.

MOTION: Adopt Resolution No. 06-21

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

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

OLD BUSINESS

1. **From the meeting of February 21, 2006, second reading and adoption of Ordinance No. 06-4, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING THE REQUIRED MINIMUM NUMBER OF UNITS IN A COMMON INTEREST DEVELOPMENT.**

MOTION: Adopt Ordinance 06-4, to be read by title only and waive further reading.

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

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

2. **From the meeting of February 21, 2006, second reading and adoption of Ordinance No.06-5, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA AMENDING CHAPTER II OF TITLE 2 OF THE COSTA MESA MUNICIPAL CODE RELATING TO THE APPOINTMENTS OF THE MAYOR AND THE MAYOR PRO TEMPORE.**

MOTION: Adopt Ordinance 06-5, to be read by title only and waive further reading.

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

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

NEW BUSINESS

1. **Request to the Orange County Local Agency Formation Commission (LAFCO) to initiate a Sphere of Influence Amendment relative to Banning Ranch and to reactivate the City's annexation application (CA-01-20) for West Santa Ana Heights.**

(a) A RESOLUTION OF APPLICATION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REQUESTING THE ORANGE COUNTY LOCAL AGENCY FORMATION COMMISSION TO INITIATE PROCEEDINGS FOR A SPHERE OF INFLUENCE AMENDMENT FOR BANNING RANCH, ADJACENT TO COSTA MESA'S WESTERN BORDER AND TO REACTIVATE THE CITY OF COSTA MESA ANNEXATION APPLICATION (CA-01-20) FOR WEST SANTA ANA HEIGHTS.

(b) Authorize City Manager to process payments for LAFCO application costs in excess of the initial filing fee of \$4,600 up to existing authorization limits (\$25,000) and to report such expenditures in writing to the City Council.

The Principal Planner summarized the Agenda Report and along with the City Manager and Development Services Director responded to questions from the City Council.

Robert Haule, West Santa Heights, gave a history of the annexation and expressed that it should remain as one Community.

Art Cencel, Newport Beach, member of the Annexation Committee for West Santa Ana Heights, expressed opposition to the contract for services with Costa Mesa.

Rita Lorman, Santa Ana Heights, expressed opposition to the annexation to

Costa Mesa.

Barbara Venezia, Newport Beach, PAC Chairman of the Santa Ana Heights Redevelopment Agency, Newport Beach, expressed opposition to the annexation to Costa Mesa.

Council Member Foley read from a letter dated March 3, 2006 from the City Manager of Newport Beach to Executive Officer of Orange County LAFCO...."while our annexation application does not contain either the areas south of Mesa Drive or the Santa Ana Country Club, the City Council has directed me as part of its action on Tuesday, February 14, to notify you that the Council is well aware of the strong desire on the part of many residents and property owners in those unincorporated areas to be part of our annexation application. Should LAFCO find that a change in the sphere of influence and a reorganization of these areas is appropriate and something that serves the goals of the resident property owners and LAFCO, then the City of Newport Beach would be willing to work with LAFCO in accomplishing that reorganization."

Fred Bockmiller, Costa Mesa, spoke in support of the proposed Resolution with the exception of the final clause.

Russell Niewiarowski, Santa Ana Heights, spoke in support of the annexation of Santa Ana Heights to Newport Beach.

Jessica Chang, Costa Mesa, felt that if her property is annexed by Costa Mesa then it would drop in property value.

John Fay, Santa Ana Heights, spoke relative to the protest of the annexation to Costa Mesa.

Katie Jensen, Santa Ana Heights, expressed opposition to the annexation to Costa Mesa.

Cal (in audible), Santa Ana Heights, spoke of oppositon of annexation to Costa Mesa.

Carla Lebeck, unincorporated area, asked the Council to provide guidelines regarding the annexation.

Mary Alice Campbell, Santa Ana Heights, expressed her objection of the annexation to Costa Mesa.

Marcelle Niewiarowski, Santa Ana Heights, spoke in opposition of annexation to Costa Mesa.

Council Member Monahan felt that the City would be better served if it proceeded to support the annexation of West Santa Ana Heights to Newport Beach and to instead focus it's energy to annexing the Banning Ranch area.

Council Member Bever concurred.

Council Member Foley expressed concern regarding the relinquishing of Santa Ana Avenue and in the area of Mesa Drive, she wanted to ensure that there were safeguards in place to maintain the streets.

Isabelle Hernandez, Santa Ana Heights, expressed opposition to the annexation to Costa Mesa.

MOTION: Adopt Resolution No 06-22, with the following modifications, to correct the reference to the amount of acreage from 369 to 357.2 (Page 1), to delete Paragraphs 2, 3 and 6 on Page 2 relative to the reactivation of the application for West Santa Ana Heights; direct that letters be sent to the City of Newport Beach expressing opposition to their adding of Country Club and south of Mesa at this time, and the resolve of Mesa Drive and Santa Ana Avenue to be maintained at least to centerline of the two streets by the City of Costa Mesa; and authorize the City Manager to process payments for LAFCO application costs in excess of the initial filing fee of \$4,600 up to existing authorization limits (\$25,000) and to report such expenditures in writing to the City Council.

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

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

The Mayor returned to taking Public Comments.

Nauí Huitzilopochtli, expressed concern regarding the first come first serve basis relative to the speaker card system.

Badary Arroyo, spoke in opposition to the ICE program, gave a prayer for families.

Daniel Rudisill, Mission Viejo, spoke in opposition of the ICE proposal.

Alfonso (no last name given), Colectivo Tonantzin, spoke in opposition to the ICE program.

Gisselle Souza, Westminister, advised Council that the Costa Mesa residents are against the ICE proposal.

REPORT:

City Manager advised the Council that the dedication of the Fairview Park Bridge

will be rescheduled.

ADJOURNMENT - The Mayor adjourned the meeting at 11:06 p.m. to March 21, 2006.

ATTEST:

Mayor of the City of Costa Mesa

City Clerk of the City of Costa Mesa