

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

June 05, 2007

The City Council meeting of the City of Costa Mesa, California met in regular session June 05, 2007, at 5:04 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 Mansoor
Mayor Pro Tem Eric Bever
Council Member Linda Dixon
Council Member Katrina Foley
Council Member Wendy Leece

Council Members Absent: None

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

II. PUBLIC COMMENTS

Telford Walker, Newport Beach, speaking in reference to a closed session item, advised that after the conditioned approval by the Planning Commission they were made aware of the newly a revised drainage impact fee.

III. CLOSED SESSION:

1. Conference with Legal Counsel - Anticipated Litigation: Significant exposure to litigation, one case, pursuant to Government Code Section 54956.9(b).
2. Conference with Allan Roeder, City Manager, and Labor Negotiator, Agency Negotiator: Steve Mandoki, Administrative Services Director, and Terri Cassidy, Human Resources Manager regarding Employee Organization: Costa Mesa City Employee Association (CMCEA) and Other Unrepresented Employees pursuant to Government Code Section 54957.6.

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

The Mayor reconvened the regular meeting at 6:24 p.m.

PLEDGE OF ALLEGIANCE - Council Member Linda Dixon

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

ROLL CALL

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

Council Members Absent: None

Officials Present: City Manager Allan Roeder
Assistant City Manager Thomas Hatch
City Attorney Kimberly Hall Barlow
Development Services Director Donald Lamm
Transportation Manager Peter Naghavi
Recreation Manager Jana Ransom
Park Commissioner Kurt Galitski
Maintenance Manager Bruce Hartley
Parks Project Manager Bart Mejia
Management Analyst Carol Proctor
Senior Planner Mel Lee
Assistant Engineer Dennis Johnson
Chief of Police Christopher Shawkey
Police Sergeant Richard Allum
City Clerk Julie Folcik

CLOSED SESSION REPORT

City Attorney Kimberly Barlow reported that the City Council continued closed session item no.1 to the meeting of June 12, 2007, to precede the Study Session, by a vote of 5-0; and no action was taken on closed session item no. 2.

PRESENTATIONS

The Mayor recognized Officer Charles Oliver of the Police Department/Field Operations Division as Employee of the Month. He was recognized for a series of outstanding felony arrests while working the night time police watch last fall. The Mayor commended him for the excellent police work, professionalism and dedication to our City and community.

The Mayor presented a proclamation to Recreation Manager Jana Ransom, Parks Commissioner Kurt Galitski, Maintenance Manager Bruce Hartley, and Parks Project Manager Bart Mejia recognizing the month of July as Parks and Recreation Month.

Orange County American Planning Association Awards presentation was introduced by the Development Services Director Donald Lamm. David Barquist, AICP, Orange County Section Director of the American Planning Association presented the following four awards to the City Council:

Outstanding Planning Award for Planning Implementation, Large Jurisdiction, for the North Costa Mesa High-Rise Residential Projects;

Award of Merit for Comprehensive Planning, Large Jurisdiction, for the Westside Urban Plan;

Award of Merit for Focused Issue Planning for the South Bristol Entertainment and Cultural Arts (SoBECA) Urban Plan; and

Citizen Planner Award to former Planning Commissioner Bruce Garlich recognizing 25 years of service.

IV. PUBLIC COMMENTS

1. Chris Bunyan, Costa Mesa, commented on a tragic accident on Victoria Street and commended the work of City's Police and Fire Department noting that the residents cited traffic and speeding concerns on Victoria Street.
2. Susan Berkompas, Costa Mesa, announced a new theater arts company called American Coast Theater Company located at Vanguard University's Lyceum Theater premiering "A Streetcar Named Desire" from August 3 through 18, 2007. She invited the audience to call the box office at 714-619-6424 or visit their website at www.americancoasttheater.org for more information.
3. Anne Hogan Sherehevsky, Costa Mesa, presented photographs from the Memorial Day Celebration at Harbor Lawn featuring the Veterans Memorial and encouraged the audience to purchase a brick for the Veterans Memorial Fund; announced a flea market at the Costa Mesa Senior Center on June 23, 2007; and announced a Senior Center fundraiser at Ruby's Restaurant on June 21, 2007 from 5:00 p.m. to 9:00 p.m.
4. Martin Millard, Costa Mesa, suggesting more traffic enforcement traffic enforcement on the Westside or Mesa North.
5. Gary Monahan, Costa Mesa, invited the Council and audience to a special meeting on a special education plan for the next four years at the School Board's Headquarters on June 6, 2007, at 10:00 a.m.; requested that the Council agendaize the question of a directly elected Mayor for placement on the ballot.

The Mayor requested the City Manager to place the item relating to a directly elected Mayor on the City Council agenda of July 3, 2007.

V. COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Katrina Foley thanked the organizers of the Memorial Day Celebration.

Council Member Linda Dixon commented on the passing of Mary Heidelberg recognizing her contributions to the community.

Mayor Pro Tem Eric Bever echoed Council Member Foley's comments on the Memorial

Day Celebration; inquired on tree planting at Fairview Park and commented on resolving issues with the Kite Flying Group; addressed a safety issue relating to flying balls and field screening at Davis Field; commented on the fatal accident at Victoria Street pointing out a propensity of accidents at that location; and reported that the Transportation Department are working on safety measures for that location.

Council Member Wendy Leece attended and applauded the Project Cuddle 5K Fundraiser at Fairview Park and Talbert Park; commended the Employees Service Awards recognizing the years of service; recognized Video Production Coordinator Dane Bora for his work on highlighting employees and their service; reported on a successful Youth in Government Day on May 23, 2007; and requested a report on surrounding cities' fines on illegal fireworks use.

VI. CONSENT CALENDAR

CONSENT CALENDAR ITEM NOS. 1 THROUGH 15

MOTION: Approve recommended actions for Consent Calendar Items Nos. 1 through 14, except for Consent Calendar Item No. 15.

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 Wendy Leece

Noes: None.

Absent: None.

1. Reading Folder.

The following claims were received and processed by the City Clerk: Mircea Lupascu; Stacy Walker on behalf of Mercury Insurance; Steven M. Myers, Inc. on behalf of Sara Estrada and Jessie Nicole Cabrera; Sherry Plante; Anna Schaber (2 separate claims); Shawn Sullivan; and Vien Tran.

The following request for Alcoholic Beverage Control License was received and processed:

Uber Padilla, for the Mariscos Hector, 2263 Fairview Road, Suite G, for a person-to-person transfer of an existing type 41 (on-sale beer and wine for a bona fide eating place).

The following notification letters were received and filed:

Southern California Edison Company (U 338-E) for Authorized Cost of Capital for Utility Operation for 2008 – Notice of application A.07-05-003 in compliance with Rule 3.2(B).

North American Numbering Plan Administrator, on behalf of the California Telecommunications Industry, for Relief of the 714 Numbering Plan Area – Application No. 07-03-010.

2. Regular Meeting Minutes of April 17, 2007 and May 1, 2007; and Special Meeting and Adjourned Regular Meeting/Study Session Minutes of May 8, 2007.

ACTION: Approved.

3. Warrant Resolution 2162, funding Payroll No. 709 for \$2,333,929.30 and Payroll No. 708A for \$1,023.81, and City operating expenses for \$1,649,729.33 including payroll deductions.

ACTION: Resolution adopted.

4. Warrant Resolution 2163, funding City operating expenses for \$932,885.29.

ACTION: Resolution adopted.

5. Warrant Resolution 2164, funding Payroll No. 710 for \$2,343,612.69 and Payroll No. 709A for \$1,743.07, and City operating expenses for \$902,313.62 including payroll deductions.

ACTION: Resolution adopted.

6. Orange County Transportation Authority (OCTA) Senior Mobility Program Agreement C-2-0503 Amendment No. 1, for the extension of funding through June 30, 2011.

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

7. Professional Services Agreement for Construction Management, Inspection and Survey Support Services for the Susan Street Exit Ramp Project, to Lim and Nascimento (LAN) Engineering Corporation, 12 L. Mauchly, Irvine, in the amount not to exceed \$111,902.

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

8. Agreement with the 32nd District Agricultural Association, for Traffic Management Services for the Orange County Fair, beginning July 13, 2007 through August 5, 2007, in an amount not to exceed \$246,000.

ACTION: Approved; authorized the City Manager, or his designee, to sign.

9. Third Amendment to Professional Services Agreement, to provide additional tree maintenance services, to West Coast Arborist, Inc., 2200 E. Via Burton Street, Anaheim, in the amount of \$133,000.

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

10. Completion of Parkway Concrete Repair and New Sidewalk Project, City Project No. 06-10, by Belaire-West Landscape, Inc., P.O. Box 6270, Buena Park.

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 exoneration seven (7) months thereafter; and the Faithful Performance Bond was ordered exoneration

twelve months thereafter.

11. Completion of Raleigh Avenue Parkway Improvements, City Project No. 06-13, by Belaire-West Landscape, Inc., P.O. Box 6270, Buena Park.

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 exoneration seven (7) months thereafter; and the Faithful Performance Bond was ordered exoneration twelve months thereafter.

12. Completion of Upgrade of Electrical Panels at City Hall, First Floor - City Project No. 05-15, by Noor Electrical, 1618 Ohms Way, Costa Mesa.

ACTION: Approved work and refunded \$30,000 cash deposit.

13. Refunds of unexpended funds for the environmental consulting contracts with the Irvine Company/Camp Dresser & McKee and the five North Costa Mesa high-rise residential developers/Culbertson Adams & Associates (Developers' Trust Account No. 215520.701).

ACTION: Approved refunds in the amount of \$5,749.65 to Irvine Company and \$6,815 to each of the five North Costa Mesa high-rise residential developers.

14. Purchase of a 2007 BMW motorcycle, from Long Beach BMW Motorcycles, 2998 Cherry Avenue, Signal Hill, in the amount of \$22,880.17.

(a). Budget Adjustment No. 07-075 in the amount of \$22,880.17.

ACTION: Approved Purchase; Approved Budget Adjustment and authorized the City Manager to sign.

ITEM REMOVED FROM THE CONSENT CALENDAR

15. **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE VACATION OF EXCESS RIGHT OF WAY AT 540-544 VICTORIA STREET, setting a Public Hearing on July 3, 2007.**

Mayor Pro Tem Bever expressed some concern relative to the property being maintained as an attractive nuisance.

MOTION: Adopt Resolution No. 07-49.

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

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

VII. PUBLIC HEARINGS

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

1. PUBLIC HEARING: Appeal of the Planning Commission's denial of Planning Application PA-06-79 and Tentative Tract Map T-17132, for Ed Santa Cruz, authorized agent for 309 Monte Vista Avenue LLC, for a residential common interest development conversion of a two story, 8-unit apartment complex with a tentative tract map to facilitate the conversion, located at 309 Monte Vista Avenue, in an R2-MD zone. Environmental determination: exempt.

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

Development Services Director Donald Lamm introduced the staff report indicating that the applicant submitted plan revisions to address the concerns of the Planning Commission. He advised that the Council could refer the item back to the Planning Commission to consider the revised plans or conduct the hearing on the appeal of the Planning Commission's denial.

Senior Planner Mel Lee presented the staff report.

Christina Inman, owner and developer, stated she would like to pursue the original application and develop an eight-unit condominium. She gave a presentation pointing out the replacements and upgrades to the project; advised of the development progress; and responded to questions from the City Council.

James Demarais, attorney representing the applicant, to support his position that the project is beneficial and harmonious with the neighborhood read a letter noting the support of the surrounding neighbor(s).

Helen Romero, Costa Mesa, expressed support of the project; stated that it compliments the neighborhood; and questioned the approval process of the proposed project.

Gary Monahan, Costa Mesa, expressed support of the project stating that it is a good quality project.

Discussion ensued between the the Mayor and Senior Planner relating to parking issues and suggesting the implementation of enclosed garages in the rear and tandem parking spaces in the front. Mayor Mansoor stated his support of the project; expressed reservations on the front parking and landscaping; and suggested enclosed garages.

Mayor Pro Tem Bever expressed concern on the parking and stated he supported the renovation of the building infrastructure.

Council Member Dixon suggested the use of turf block to increase parking spaces; and inquired on the replacement of the roofs and undergrounding the utilities. The applicant indicated that the project is amendable to include these suggestions.

MOTION: Adopt Resolution No. 07-50, reversing Planning Commission's decision based upon findings established in Exhibit "A" and subject to

conditions of approval in Exhibit “B” adding a condition of approval requiring the replacement of the roofs of both buildings; the addition of garage doors for the back car ports; and directed the applicant to work with staff relative to increasing the parking on site and the use of turf block.

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

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

RECESS: The Mayor declared the meeting recessed at 7:49 p.m.

AFTER RECESS: The Mayor reconvened the meeting at 7:59 p.m.

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

2. Request for Waiver of Traffic Impact Fee for a temporary preschool use for St. Andrew’s Presbyterian Church located at 265 McCormick Avenue.

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

Transportation Services Manager Peter Naghavi presented the staff report and answered questions from the Council.

Dave Guder, Elder at St. Andrew’s Church, advised that the current location is a temporary site for the preschool; commented on the effect of the traffic impact fee of \$234,576 noting that they operate a non-profit organization; questioned the City’s calculated amount of average daily trips; and requested the Council to waive the traffic impact fees or consider a deferral if the temporary use extends beyond two years.

Discussion ensued among the applicant, Council Members, and staff relating to the calculation of the traffic impact fees which is based on average daily trips. The Mayor suggested a traffic impact fee assessment of \$5,000 if the temporary use is two years or less, and if the temporary use is extended beyond two years, than the full amount would be assessed.

Trevecca Okholm, Costa Mesa, Children’s Pastor at St. Andrew’s Church, in response to Council Member Leece’s questions stating that there are Costa Mesa families that attend the preschool and programs.

Roseanne Andrus, Costa Mesa, expressed support of the fee waiver request and commented on the calculation of the traffic impact fee.

Bill Mckibbin, Costa Mesa, stated that his two children attend St. Andrew’s

School, and urged Council to approve the fee waiver request.

Shalane Gargan, Costa Mesa, preschool worker at St. Andrew's Church, stated that if the fees are paid, it would take away this program and be detrimental to the families.

Corey Wicks, Costa Mesa, stated his children attends the preschool and asked Council to grant the fee waiver.

Vicky Gutierrez, Costa Mesa, commented she is a foster parent of a student that attends the school and commended the school for the excellent care they provide.

Tom Mcallister, Newport Beach, advised that his children attends the school, commented that it is a great program, and hoped that Council would approve the fee waiver.

Charlene Perez, Costa Mesa, advised that her children has attended the school for the last four years, commented she would like a positive and safe environment for her kids, and hoped that Council would waive the traffic fee.

Merideth Fleener, Newport Beach, spoke in support of school and asked the Council to support the waiving of the traffic fee.

Patti Dennis, Costa Mesa, stated her child attends St. Andrew's and applauded their service; expressed concern on the fees imposed and the discontinue of the program.

Deena Jeffs, Costa Mesa, commented on the impact on the working families if St. Andrew's Preschool would be discontinued.

Tina Farinsky, spoke in favor of waiving the fee and pointed out her reliance on the program.

Anne Broushard, Costa Mesa, reminded the Council of the benefits of a quality preschool and expressed support of the traffic fee waiver.

MOTION: Approve the request to waive the Traffic Impact Fee; and directed that if the temporary preschool use is extended beyond the two years, a traffic impact fee would be assessed, to be determined at that time, but not to exceed the amount of \$234,576.

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

Mayor Pro Tem Bever requested the City Manager to agendize the matter of revising the municipal code to include preschool and childcare facilities exempt from paying the citywide traffic impact fee. Mayor Mansoor requested that the Trip Fee Adhoc Committee review the matter prior to being presented to Council.

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 Wendy

Leece
Noes: None.
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, TO REZONE A 1.2-ACRE PROPERTY FROM R1 (SINGLE-FAMILY RESIDENTIAL) TO I&R (INSTITUTIONAL AND RECREATIONAL) AT 261 MONTE VISTA AVENUE. Environmental determination: exempt.

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

Director of Development Services Donald Lamm presented the staff report.

**MOTION: Introduce Ordinance No. 07-12 for first reading, read by title only, and waive further reading.
Moved by Mayor Allan Mansoor, seconded by Council Member Wendy Leece.**

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 Wendy Leece
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: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, CONFORMING TO HEALTH AND SAFETY CODE SECTION 33342.7, CONTAINING A DESCRIPTION OF THE COSTA MESA REDEVELOPMENT AGENCY'S PROGRAM TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN IN THE COSTA MESA DOWNTOWN REDEVELOPMENT PROJECT AREA.

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

The Director of Development Services presented the staff report.

**MOTION: Introduce Ordinance No. 07-13 for first reading, read by title only, and waive further reading.
Moved by Mayor Allan Mansoor, seconded by Council Member Wendy Leece.**

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 Wendy Leece

Noes: None.
Absent: None.

VIII. OLD BUSINESS

1. From the meeting of May 15, 2007, Review of Neighborhood Traffic Calming Program.

The Mayor expressed reservation on a city-wide traffic guideline commenting on the City's ability to address traffic calming issues on a case-by-case basis. He voiced his concerns on the prospective costs and the potential of shifting traffic from one street to another.

Council Member Dixon expressed support for a community meeting to discuss traffic calming guidelines for the entire City.

Mayor Pro Tem Bever commented on the different neighborhoods and the ability to address traffic calming issues on a case-by-case basis. He indicated that a unified code was not needed to address neighborhood traffic issues.

Council Member Foley clarified that there was not a desire for a unified code and explained the development of a process to address traffic calming issues in a more efficient manner.

Council Member Leece advised she received a number of phone calls in support of the current process of addressing traffic calming issues.

Barbara Beck, Costa Mesa, referred to the 1997 Eastside Traffic Study commenting on the primary effects of shifting traffic to local routes, delay in emergency response, and the reduction to property values due to increased traffic. She encouraged the Council to spend taxpayer's money on local traffic enforcement and street improvements.

Bunker Hill, Costa Mesa, spoke on the excessive speeding in his neighborhood, highly encouraged the implementation of a stop sign at Raymond and Westminster Street, and asked Council to address traffic calming in his neighborhood.

The Mayor asked the Transportation Services Manager for a memo relating to a brief analysis of stop signs on Raymond, Westminster, and 19th Street.

Gary Ingram, Costa Mesa, witnesses the speeding on Raymond Street and advised Council to look at traffic safety in a "proactive way" and not in a defensive way.

Beth Refakes, Costa Mesa, indicated that the developments that are coming are creating more traffic; felt that a stop sign is counterproductive for some streets; and felt that some of the traffic problems have been created when trying traffic calming on 19th Street.

Fred Hayward, Costa Mesa, commented on speeding issues in the City and would like to see the Council unified in keeping the families and kids

safe.

Cindy Brenneman, Costa Mesa, opposed the spending of the time and money on a traffic calming program as she felt that on a case-by-case basis the City has the ability to address traffic issues.

MOTION: Not to go forward with Citywide traffic calming measures, and receive and file report.

Moved by Mayor Allan Mansoor, seconded by Council Member Wendy Leece.

Along with the information the Mayor requested, Council Member Leece requested information on the traffic measures addressing speeding on Broadway Street and Flower Street. Council Member Dixon requested that information on Magnolia Street also be included in the memo.

The motion carried by the following roll call vote:

Ayes: Mayor Allan Mansoor, Mayor Pro Tem Eric Bever, Council Member Wendy Leece

Noes: Council Member Linda Dixon, Council Member Katrina Foley

Absent: None.

MOTION: Prepare a plan for a traffic slowing solution to be presented within the next three months for the streets of Flower, Broadway, Magnolia, and 19th street.

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

2. From the meeting of May 15, 2007: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 2, CHAPTER V, ARTICLE 3 OF THE COSTA MESA MUNICIPAL CODE REGARDING SETTLEMENT AND REJECTION AUTHORITY OF LIABILITY CLAIMS.

The City Attorney briefed the staff report and responded to questions from the City Council.

MOTION: Introduce Ordinance No. 07-14 for first reading, read by title only, and waive further reading.

Moved by Mayor Pro Tem Eric Bever, seconded by Council Member Linda Dixon.

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 Wendy Leece

Noes: Mayor Allan Mansoor

Absent: None.

IX. NEW BUSINESS

1. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, OPPOSING ANY CHANGE IN THE LAND USE OF THE NEWPORT BEACH GOLF COURSE AND SUPPORTING THE

DEVELOPMENT OF 1100 BRISTOL STREET SITE FOR ACTIVE RECREATIONAL PURPOSES.

Assistant City Manager Thomas Hatch presented the staff report.

Council Member Foley advised the reasons for bringing this item forward. The Mayor stated his support, expressed disappointment in the City of Newport Beach for not supporting the additional fields, recognized former Council Member Gary Monahan for his work on this item, and agreed with Council Member Foley on the airport expansion. Mayor Pro Tem Bever echoed the Mayor's comments and stated his support of the resolution.

Steve Lane, Newport Beach, partner of the Newport Beach Golf Course, commented on the golf course lease and asked Council to support the resolution.

Jim Forgash, Costa Mesa, works at the golf course opining that it keeps families together; and expressed opposition of airport expansion.

Nancy Alston, Newport Beach, representative of AirFair, an organization in opposition to the expansion of John Wayne Airport,hoped that the Council would support the resolution.

Ted Bishack, Costa Mesa, spoke in opposition of the growth of John Wayne Airport, thanked Council Member Foley for bringing this item forward, and urged the Council to adopt the resolution.

Pete Compton, expressed the importance of maintaining open space and recreation facilities; and supported the resolution.

Brian Valles, Costa Mesa, commended the Council for the apparent support of the resolution and their search for recreation.

Beth Refakes, Costa Mesa, thanked Council Member Foley for bringing this item forward and hoped that Council would not support the airport expansion.

Melinda Seely, President of AirFair, suggested the implementation of an aviation committee.

MOTION: Adopt Resolution No. 07-51; and to send a letter of the approved resolution to the Board of Supervisors and the City of Newport Beach. Moved by Council Member Katrina Foley, seconded by Mayor Pro Tem Eric Bever.

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

2. An application by the 32nd Agricultural District for a special event to close

certain segments of certain streets to traffic within the City of Costa Mesa for the purpose of a limited and controlled Cattle Drive from Fairview Park to the Orange County Fairgrounds on Friday July 27,2007, between the hours of 10 AM to 12 Noon.

Management Analyst Carol Proctor presented the staff report.

Becky Baily-Finley, C.E.O. of the Orange County Fair, announced the theme of the Orange County Fair is "Cowabunga"; spoke about the cattle drive through Costa Mesa and pointed out it is a fundraising opportunity for educational programs at the Farm and after-school program at the Ranch.

Cindy Brenneman, Costa Mesa, applauded the cattle drive and the learning opportunity; and expressed support of the item.

MOTION: Approve temporary street closures for portions of Placentia Avenue, Victoria Street, Harbor Boulevard, and Fair Drive, on July 27, 2007.

Moved by Mayor Pro Tem Eric Bever, 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 Wendy Leece

Noes: None.

Absent: None.

3. Proposed Flood Control Channel Multipurpose Trail.

(a). Budget Adjustment No. 07-078 in the amount of \$75,000, appropriating funds from the AB 2766 Air Quality Improvement Fund to the capital improvement project account for the Flood Control Channel Multipurpose Trail.

Transportation Services Manager Peter Naghavi presented the staff report and reponded to City Council questions.

Brian Valles, Costa Mesa, asked the Council to support the item and reported that this would address the neighborhood concerns on the unsightly trails behind the residences.

MOTION: Direct staff to commence preliminary design concepts plans, and conduct a public outreach program regarding a multipurpose pedestrian and bicycle trail along the Paularino Channel and Santa Ana/Delhi Flood Control Channels; and Direct staff to return to Council at the conclusion of project preliminary design/public outreach stage for further consideration.

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

The motion carried by the following roll call vote:

Ayes: Mayor Allan Mansoor, Mayor Pro Tem Eric Bever, Council Member

Linda Dixon, Council Member Katrina Foley, Council Member Wendy Leece

Noes: None.

Absent: None.

MOTION: Approve the Budget Adjustment; and authorize the City Manager to sign.

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

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

X. REPORTS

The City Attorney reported that City Prosecutor Dan Peelman is doing well after his heart surgery.

The City Manager reported that the Budget Study Session workbook is available on the City's website; and announced a Community Budget Workshop to be held on June 17, 2007, at 6:00 p.m.

Mayor Pro Tem Bever requested the City Manager to place on the next agenda a resolution to send a letter to the President, House and Senate regarding the immigration bill.

XI. ADJOURNMENT - The Mayor declared the meeting adjourned at 10:25 p.m., to June 12, 2007, at 4:30 p.m., for a Study Session. The next Regular City Council Meeting will be held June 19, 2007.

Mayor of the City of Costa Mesa

ATTEST:

City Clerk of the City of Costa Mesa