

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

November 20, 2007

The City Council meeting of the City of Costa Mesa, California met in regular session November 20, 2007, at 5:06 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

There were no public comments.

III. CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATORS pursuant to California Government Code Section 54957.6: Agency designated representatives: Allan Roeder, City Manager, Steve Mandoki, Administrative Services Director, and Terri Cassidy, Human Resources Manager regarding employee organizations: the Costa Mesa Police Association (CMPA).
2. Public Employee Performance Evaluation for City Attorney and City Manager, pursuant to California Code Section 54957.
3. CONFERENCE WITH LEGAL COUNSEL - Existing Litigation: Richard Charles Astin, Jr. and Rosanna Locke v. City of Costa Mesa; Orange County Superior Court Case Number 06CC05755, pursuant to Government Code Section 54956.9(a).

4. CONFERENCE WITH LEGAL COUNSEL - Existing Litigation: John Bradford Burckle; Claudia Burckle v. City of Costa Mesa; Orange County Superior Court Case Number 06CC10908, pursuant to Government Code Section 54956.9(a).

Mayor Mansoor recessed the meeting at 5:09 p.m. to the Closed Session in Conference Room 1B.

The Mayor reconvened the regular meeting at 6:10 p.m.

PLEDGE OF ALLEGIANCE - Council Member Katrina Foley

MOMENT OF SOLEMN EXPRESSION - Sr. Pastor Rod Randall, Harbor Trinity Church

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
Public Services Director William Morris
Transportation Services Manager Peter Naghavi
Principal Planner Kimberly Brandt
City Clerk Julie Folcik

CLOSED SESSION REPORT

City Attorney Kimberly Hall Barlow reported that no action was taken on Closed Session Item Nos. 1, 3 and 4; and that the City Council unanimously agreed to continue Closed Session Item No. 2 to the meeting of December 4, 2007.

The Mayor announced that Old Business Item No. 3 has been withdrawn from the agenda.

PRESENTATIONS

Mayor Mansoor recognized Sonora Elementary School for Academic Achievement on the most improved API Score in the District and presented a proclamation to Principal Christine P. Anderson.

The Mayor congratulated Public Services Director William Morris in being selected as Employee of the Month for November 2007. Mr. Morris was recognized for 18 years of service in providing outstanding leadership for his Department and directing the success and completion of many City projects, as well as for his upcoming retirement.

The Mayor announced that Ronnie Guyer, Field Representative for Assemblyman Van Tran, had been selected as a recipient for the Mayor's Award for successfully saving a woman's life. He was also recognized for his heroism in the Vietnam War and performing life-saving CPR on an injured two-year old.

IV. PUBLIC COMMENTS

1. Hema Salas, Costa Mesa, opposed the funding of the prosecution case of Benito Acosta and requested the Council to re-open the job center and to remove Immigration Custom Enforcement (ICE) Officers from the Police Department.
2. Scott Sink, Costa Mesa, spoke in opposition to the prosecution of Benito Acosta.
3. Martin Millard, Costa Mesa, referred to vacant properties in the City that are becoming a public nuisance; suggested that the City update the language in the Municipal Code Articles 1, 2, and 3 relating to public nuisance and standards of vacant properties.
4. Ted Stelle, Costa Mesa, commended the Council for awarding Ronnie Guyer the Mayor's Award and read a letter concerning the Broadway Sidewalk Project discussed at the Study Session of November 13, 2007.
5. Cindy Brenneman, Costa Mesa, spoke about freedom and presented pictures of the Costa Mesa Veterans Memorial, encouraging the public to purchase their bricks to support the memorial; congratulated William Morris on his retirement; and wished everyone a Happy Thanksgiving.

V. COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Katrina Foley wished everyone a safe and Happy Thanksgiving and requested a brief report on the El Camino Project. Director of Development Services Donald Lamm indicated that the developer had no intention of proceeding forward at this time and noted that the property is compliant with the building and safety and the property maintenance codes. Council Member Foley expressed concern on the deterioration of the property and requested that the matter be placed on a future agenda. Council Member Foley announced she attended the City Council School District Liaison Committee Meeting with Council Member Leece and reported discussions on the promotion of Costa Mesa schools and the maintenance and beautification of school campuses.

Council Member Linda Dixon congratulated William Morris on his retirement and expressed her appreciation for his years of service and guidance; and wished the community a Happy Thanksgiving.

Mayor Pro Tem Eric Bever inquired with the City Attorney on the funding of the Benito Acosta prosecution case; referred to a public speakers comments relating to ordinances on public nuisance and requested a report on similar ordinances of other Cities; and wished everyone a Happy Thanksgiving.

Council Member Wendy Leece wished all a Happy Thanksgiving; reported that she attended meetings with the School District and the Senior Center Board of Directors; reported on a homelessness issue at the Senior Center; advised she would be assuming the Board Member position on the Vector Control District; commented on hoarding as a health, safety, and fire issue and requested that the City Manager look into the City's Ordinance concerning hoarding.

Mayor Allan Mansoor congratulated William Morris on his retirement; wished everyone a Happy Thanksgiving; and in addressing comments by public speakers relating to the Benito Acosta case, pointed out that the courts upheld the City's Ordinance relating to conduct at City Council meetings.

VI. CONSENT CALENDAR

CONSENT CALENDAR ITEM NOS. 1 THROUGH 16.

MOTION: Approve recommended actions for Consent Calendar Items Nos. 1 through 16, except for Consent Calendar Item No. 9. 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 Wendy Leece

Noes: None.

Absent: None.

1. Reading Folder.

ACTION: The following claims were received and processed by the City Clerk: Dorothy Ables; Marjorie Dufresne; Ruth Alyce Dutro; Demetria King of State Farm Insurance Companies on behalf of Charles Torres; Kevin Westman.

The following request for Alcoholic Beverage Control License was received and processed: Ok Ja Shin, for Marina Liquor, located at 895 West 19th Street, for a person-to-person transfer of a type 21 (off-sale general).

The following notification letters were received and processed: Southern California Association of Governments (SCAG) – Recirculation of the notice of preparation for the Programmatic Environmental Impact Report (PEIR) for the Regional Transportation Plan (RTP). Royal Street Communications, LLC – Notification letter of the intent to construct a cellular facility – PCS Wireless Site No. LA2730A/CM Storage, 3180 Red Hill Avenue.

2. Regular Meeting Minutes of November 6, 2007.

ACTION: Approved, as amended to correct the last sentence on page 22, to include “not at this late hour” in reference to the Fairview Park Master Plan.

3. Warrant Resolution 2187, funding Payroll No. 722 for \$2,505,596.69 and Payroll No. 721A for \$3,391.99, and City operating expenses for \$657,450.87 including payroll deductions.

ACTION: Resolution adopted.

4. Warrant Resolution 2188, funding City operating expenses for \$1,275,252.26.

ACTION: Resolution adopted.

5. Transfer of Orange County Flood Control District (OCFCD) Easement Deed to State of California Department of Transportation (Caltrans), for the transfer of easement over the Gisler Channel, within the Susan Street Off-Ramp Right-of-Way.

ACTION: Approved; authorized the City Manager and/or City Attorney to make minor revisions based on final discussions with Caltrans; authorize the Mayor and City Clerk to sign and direct City Clerk to record deed.

6. Adopt plans and specifications, and working details for the Roadway Rehabilitation of Superior Avenue from Southerly City Limits to 17th Street, Federal Project No. STPL-5312 (064), City Project No. 07-12, and award construction contract to R.J. Noble Company, 15505 East Lincoln Avenue, Orange, in the amount of \$936,429.55.

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

7. Adopt plans and specifications, and working details for the Roadway Rehabilitation of West 19th Street from Placentia Avenue to Parkcrest Avenue, Federal Project No. STPL-5312 (052), City Project No. 07-13, and award construction contract to R.J. Noble Company, 15505 East Lincoln Avenue, Orange, in the amount of \$1,229,900.

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

8. Adopt plans and specifications, and working details for Harbor Boulevard/I-405 Improvement Project (from 0.25 km South of the I-405 Overcrossing to 0.30 km North of the I-405 overcrossing), City Project No. 07-22, and award construction contract to Beador Construction Company, Inc., 26320 Lester Circle, Corona, in the amount of \$3,480,300.00.

(a). Approve Budget Adjustment No. 08-015 in the amount of \$2,030,933.00.

ACTION: Approved and authorized the Mayor and City Clerk to sign; approved Budget Adjustment No. 08-015 and authorized the Mayor to sign.

10. Completion of East 17th Street/Raymond Avenue Flashing Crosswalk, Federal Project No. STPLH-5312 (067), City Project No. 06-02, by OAK Engineering, Inc., 1305 West Second Street, Pomona.

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 six (6) months thereafter.

11. Completion of Citywide Annual Parkway Concrete Repair Project, City Project No. 06-22, by J. RDMMAC, Inc., 14221 Whispering Sands Drive, Victorville.

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 (12) months thereafter.

12. Completion of Installation of Lighting System at Bark Park and Arlington Drive Parking Lot, 900 Arlington Drive, City Project No. 07-18, by D & J Foothill Electrical Contractors, Inc., 2451 First Street, La Verne.

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 (12) months thereafter.

13. Completion of Concrete Replacement at Estancia Park and Gisler Park, City Project No. 07-19, by G2 Construction, Inc., 13331 Garden Grove Boulevard, Suite H, Garden Grove.

ACTION: Work was accepted; City Clerk was authorized to file a Notice

of Completion; authorization was given to release of retention monies 35 days thereafter; the Labor and Material Bond was ordered exonerated seven (7) months thereafter; and the Faithful Performance Bond was ordered exonerated twelve (12) months thereafter.

14. Accept Fireman's Fund Insurance Company grant funds, in the amount of \$8,615, for the purchase of one (1) smoke ejector, two (2) lighting systems, two (2) rotary saws, and training software.

- a. Approve Budget Adjustment No. 08-020 for \$8,615.

ACTION: Approved; approved Budget Adjustment No. 08-020 and authorized the Mayor to sign.

15. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING THE APPLICATIONS SUBMITTED FOR THE CONSIDERATION OF BICYCLE TRANSPORTATION ACCOUNT FUNDING AND COMMITTING CITY MATCHING FUNDS.

ACTION: Adopted Resolution No. 07-82.

16. Salary adjustments for classifications represented by the Costa Mesa City Employees Association (CMCEA).

- (a). Amended Memorandum of Understanding (MOU) with the Costa Mesa City Employees Association (CMCEA) through August 31, 2009.

- (b). A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REVISING THE PAY RANGES FOR JOB CLASSIFICATIONS REPRESENTED BY THE COSTA MESA CITY EMPLOYEES ASSOCIATION PURSUANT TO THE 2004-2009 MOU.

- (c). Budget Adjustment No. 08-023 for \$1,283,778.

ACTION: Approved amended MOU; adopted Resolution No. 07-83; approved Budget Adjustment No. 08-023.

ITEM REMOVED FROM THE CONSENT CALENDAR

9. **Adopt plans and specifications, and working details for construction of tot lot, restroom, and picnic shelters at TeWinkle Park, 885 Junipero Drive, Costa Mesa, City Project No. 07-28, and award construction contract to Micon Construction, Inc., 1616 Sierra Madre Circle, Placentia, in the amount of \$1,028,100.50 (Base bid plus Additive Bid Item No. AD-4).**

At the request of Council Member Foley, Director of Public Services William Morris described the details of the project, and responded to questions from the City Council. Mr. Morris announced that the ground breaking would be held on November 28, 2007, at 3:00 p.m.

**MOTION: Approve; authorized the Mayor and City Clerk to sign.
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 Wendy Leece

Noes: None.

Absent: None.

VII. PUBLIC HEARINGS

1. PUBLIC HEARING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING SECTION 8-87 OF THE COSTA MESA MUNICIPAL CODE RELATING TO SOLID WASTE FRANCHISE FEES, to redefine the classes of waste hauler franchises and to set penalties for delinquent or non-payment of franchise fees.

The Public Services Director presented the staff report and responded to questions from the Council relating to the proposed franchise fees and payment policy, advantages and disadvantages of allowing outside haulers to operate in the City, and monitoring the recycling requirements of trash haulers.

Martin Millard, Costa Mesa, spoke about the negotiation with the trash haulers for the best price and expressed concern on the effects of the consumers.

**MOTION: Introduce Ordinance No. 07-19 for first reading, read by title only, and waive further reading.
Moved by Council Member Linda Dixon, seconded by Council Member Wendy Leece.**

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 Wendy Leece

Noes: None.

Absent: None.

2. PUBLIC HEARING: RESOLUTION OF THE CITY COUNCIL OF COSTA MESA, CALIFORNIA, ADOPTING GENERAL PLAN AMENDMENT GP-07-04 TO AMEND THE GENERAL PLAN LAND USE ELEMENT AND LAND USE MAP TO REMOVE WEST SANTA ANA HEIGHTS FROM THE CITY OF COSTA MESA'S SPHERE OF INFLUENCE. Environmental Determination: Negative Declaration. The Environmental Document was previously prepared by the City of Newport Beach.

Director of Development Services Donald Lamm briefly summarized the staff report and responded to a question from the Council.

Robert Hanley, Costa Mesa, member of West Santa Ana Heights Coalition, spoke in support of the recommended action, pointed out that this has long been the desire of their community for reasons primarily attributed to the City's approach regarding the John Wayne Airport.

MOTION: Approve

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 Wendy Leece

Noes: None.

Absent: None.

3. PUBLIC HEARING: The Wyndham Boutique Hotel / High-Rise Residential Project (GP-06-03/SP-07-01/PA-06-75/VT-17172) located at 3350 Avenue of the Arts in the PDR-HD (Planned Development Residential - High Density) zone. The proposed project requires the following discretionary actions:

(a). A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, TO CERTIFY FINAL ENVIRONMENTAL IMPACT REPORT NO. 1054 FOR THE WYNDHAM BOUTIQUE HOTEL/HIGH-RISE RESIDENTIAL PROJECT AT 3350 AVENUE OF THE ARTS.

(b). A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, TO OVERRULE THE ORANGE COUNTY AIRPORT LAND USE COMMISSION'S DETERMINATION THAT THE PROPOSED WYNDHAM BOUTIQUE HOTEL / HIGH-RISE RESIDENTIAL PROJECT (INCLUDING GENERAL PLAN AMENDMENT GP-06-03 AND SPECIFIC PLAN AMENDMENT SP-07-01) ARE INCONSISTENT WITH THE 2002 JOHN WAYNE AIRPORT ENVIRONS LAND USE PLAN. A four-fifths vote of the Council is required.

(c). A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, TO ADOPT GENERAL PLAN AMENDMENT GP-06-03 FOR THE WYNDHAM BOUTIQUE HOTEL/HIGH-RISE RESIDENTIAL PROJECT AT 3350 AVENUE OF THE ARTS.

(d). A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, TO ADOPT NORTH COSTA MESA SPECIFIC PLAN AMENDMENT SP-07-01 FOR THE WYNDHAM BOUTIQUE HOTEL/HIGH-RISE RESIDENTIAL PROJECT AT 3350 AVENUE OF THE ARTS.

(e). A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, TO APPROVE FINAL MASTER PLAN PA-06-75 AND VESTING TENTATIVE TRACT MAP VT-17172 FOR THE WYNDHAM BOUTIQUE HOTEL/HIGH-RISE RESIDENTIAL PROJECT AT 3350 AVENUE OF THE ARTS.

Principal Planner Claire Flynn presented the staff report along with a Powerpoint presentation and responded to questions from the City Council. Dana Privitt of Bonterra Consulting, prepared the Environmental Impact Report (EIR) for the proposed project and presented a summary of responses to comments and issues relating to the EIR.

City staff along with Ms. Privitt responded to City Council questions relating to the analysis of build out, trip generation rates, shade and shadow impacts to the adjacent apartment building, adequate water supply, and water conservation measures.

Discussion ensued between Council Member Foley and City staff referencing a letter received from Robin Leffler, Costa Mesa resident, addressing mitigation of impacts with existing residential units and the effect of mass transit. Transportation Services Manager Peter Naghavi advised of the current bus lines in the area and the introduction of the Bus Rapid Transit that would be operational in 2010. It was noted that the correspondence would be included in the resolution. Further discussion ensued relating to parking, air traffic safety, and building height limit.

Howard Zelefsky, representative of Makar Properties LLC, along with the building and landscape architect, described the design and sustainable features of the proposed building; commented on the shade and shadow effects to The Lakes Apartments and responded to questions from the Council.

Mr. Zelesky confirmed for Council Member Dixon their commitment in the use of green building technology where ever possible in the proposed development and the placement of appropriate public art, and the use of the Costa Mesa address. Council Member Dixon requested that due to the lack of open space for the project and the likelihood of pet ownership which would result in the increase in the use of the Costa Mesa Dog Park for a contribution by the developers to supplement the maintenance of Costa Mesa Bark Park. The Mayor indicated that he would not support the additional fees as he felt the developer's payment of the required park fees was appropriate.

Robin Leffler, Costa Mesa, asked the Council to consider the inadequacy of the EIR; questioned the EIR's fulfillment of its purpose at this point; and emphasized her concerns on water supply and transit.

Sandra Genis, Costa Mesa, asked the Council to consider additional conditions relating to adding the override of part 77 services to the buyers notice and that the applicant indemnify the City; requested that the City monitor trip counts at the driveway upon full occupancy of the project; suggested that the City require land dedication consistent with the number of dwelling units and to review the park fees.

Tom Smalley, Wyndam Hotel Manager, expressed that they are looking at ways to taking their existing operation in the direction of a greener approach.

The City Attorney clarified that the Airport Environs Land use Plan (AELUP) vote indicated on the resolution of the overrule of the Airport Land Use Commission (ALUC) should be corrected to reflect a 4-3 vote.

Mr. Zelefsky reconfirmed for Council Member Foley that Makar Properties would commit to the utilization of all of the green building design features presented as conditions of approval with the exception of pervious pavement and solar panels.

Council Member Dixon requested Makar Properties to consider making a contribution to the Costa Mesa Bark Park Foundation of \$25,000 per year over the next ten-years towards the maintenance of the bark park. After some discussion, Makar Properties agreed with Council Member Dixon to a voluntary onetime donation to the Costa Mesa Foundation by the developer towards the additional maintenance of the Bark Park in an amount later to be determined.

MOTION: Adopt Resolution No. 07-85: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, TO CERTIFY FINAL ENVIRONMENTAL IMPACT REPORT NO. 1054 FOR THE WYNDHAM BOUTIQUE HOTEL/HIGH-RISE RESIDENTIAL PROJECT AT 3350 AVENUE OF THE ARTS, and also include as a condition of approval in the Mitigation Monitoring Program that the applicant include sustainable green building design features in the project, excluding pervious pavement and solar panels. 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.

The Principal Planner requested that the letters from the ALUC and from Caltrans Division of Aeronautics be included as exhibits to the resolution overruling the ALUC's determination.

MOTION: Adopt Resolution No. 07-86: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, TO OVERRULE THE ORANGE COUNTY AIRPORT LAND USE COMMISSION'S DETERMINATION THAT THE PROPOSED WYNDHAM BOUTIQUE HOTEL / HIGH-RISE RESIDENTIAL PROJECT (INCLUDING GENERAL PLAN AMENDMENT GP-06-03 AND SPECIFIC PLAN AMENDMENT SP-07-01) ARE INCONSISTENT WITH THE 2002 JOHN WAYNE AIRPORT ENVIRONS LAND USE PLAN, as amended, correcting page three to reflect a 4-3 vote of the John Wayne AELUP and to include letters from the Airport Land Use Commission (letter dated November 13, 2007) and from Caltrans Division of Aeronautics (letter dated November 20, 2007), as Exhibits B and C.

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.

MOTION: Adopt Resolution No. 07-87: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, TO ADOPT GENERAL PLAN AMENDMENT GP-06-03 FOR THE WYNDHAM BOUTIQUE HOTEL/HIGH-RISE RESIDENTIAL PROJECT AT 3350 AVENUE OF THE ARTS.

Moved by Mayor Allan Mansoor, 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.

MOTION: Adopt Resolution No. 07-88: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, TO ADOPT

NORTH COSTA MESA SPECIFIC PLAN AMENDMENT SP-07-01 FOR THE WYNDHAM BOUTIQUE HOTEL/HIGH-RISE RESIDENTIAL PROJECT AT 3350 AVENUE OF THE ARTS.

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.

MOTION: Adopt Resolution No. 07-89: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, TO APPROVE FINAL MASTER PLAN PA-06-75 AND VESTING TENTATIVE TRACT MAP VT-17172 FOR THE WYNDHAM BOUTIQUE HOTEL/HIGH-RISE RESIDENTIAL PROJECT AT 3350 AVENUE OF THE ARTS.

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.

RECESS: The Mayor recessed the meeting at 9:14 p.m.

AFTER RECESS: The Mayor reconvened the meeting at 9:27 p.m.

VIII. OLD BUSINESS

1. From the meeting of November 6, 2007, Prioritization of current City projects.

The Public Services Director presented the staff report and responded to questions from the City Council relating to medians on Placentia Avenue. Mayor Mansoor indicated that he would like to proceed forward on the proposal of landscaped medians on Placentia. Council Member Dixon expressed interest in allocating funding in next year's budget for landscaped medians on Harbor Boulevard.

Lori McDonald, Costa Mesa, requested staff to improve the transition from Newport Boulevard, north bound, to the turn onto Fair Drive toward City Hall; reported driveway flooding due to the concrete grading fronting her

home.

MOTION: Approved the City projects priority list as presented. 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 Wendy Leece

Noes: None.

Absent: None.

2. Citywide Alley Improvements - Priority List.

The Public Services Director summarized the staff report. In reference to a question from the Mayor referencing a letter opposing the repavement of alleys, Mr. Morris advised that the residents would be polled and if the majority opposed repavement, then the City would not repave the alley but continue maintenance. Discussion ensued amongst the Council and City staff relating to funding of alley repair.

Mayor Pro Tem Bever agreed with the polling of the residents on repaving their alleys; and requested that Alley 80 be moved up on the priority list.

Lori McDonald, Costa Mesa, opposed alley repavement and referenced a petition against the repaving of Alleys 107 and 108.

MOTION: Approve the Alley Improvement priority list as recommended.

Moved by Mayor Allan Mansoor, 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 Wendy Leece

Noes: None.

Absent: None.

3. Request for rehearing by Mayor Pro Tem Bever of the determination from the meeting of November 6, 2007, regarding Professional Services Agreement with RJM Design Group, Inc., 31591 Camino Capistrano, San Juan Capistrano, for "Phase I" planning and conceptual design services of a permanent skate park at Lions Park, in an amount not to exceed \$69,325.

ACTION: Withdrawn.

IX. NEW BUSINESS

1. Request made by Angels Charity to name the new playground and its surrounding park amenities at TeWinkle Park "Angels Playground."

The Public Services Director presented the staff report noting that there is not a Council policy relative to the naming of elements within a park. He responded to questions from the City Council.

Doug Hansen hoped that the Council would consider this request and announced the ground breaking to be held on November 28, 2007, at 3:00 p.m.

Mr. Morris advised that if the renaming is approved, the monument sign would be donated by Angels Charity.

MOTION: Approve the Parks and Recreation Commission's recommendation.

Moved by Mayor Allan Mansoor, 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 Wendy Leece

Noes: None.

Absent: None.

2. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING CHAPTER I OF TITLE 19 OF THE COSTA MESA MUNICIPAL CODE RELATING TO STATE-ISSUED FRANCHISES AND THE PUBLIC, EDUCATIONAL AND GOVERNMENTAL CHANNEL ACCESS FACILITY FEE.

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

MOTION: Introduce Ordinance No. 07-20 for first reading, read by title only, and waived further reading.

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 Wendy Leece

Noes: None.

Absent: None.

X. REPORTS

The City Attorney wished her twins a Happy Birthday; wished all a Happy Thanksgiving; and expressed appreciation of working with William Morris.

The City Manager echoed comments concerning the retirement of William Morris, recognized his tenure with the City, and commended him for a job well done.

XI. ADJOURNMENT - The Mayor declared the meeting adjourned at 10:12 p.m. The next Regular City Council Meeting will be held December 4, 2007.

Mayor of the City of Costa Mesa

ATTEST:

City Clerk of the City of Costa Mesa