

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

October 16, 2007

The City Council meeting of the City of Costa Mesa, California met in regular session October 16, 2007, at 5:03 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: Costa Mesa City Employee Association (CMCEA), and the Costa Mesa Police Association (CMPA).
2. CONFERENCE WITH LEGAL COUNSEL - Existing Litigation: Acosta v. City of Costa Mesa, et al, Case Number SACV06-233 DOC (MLGx), pursuant to Government Code Section 54956.9(a).

Mayor Mansoor recessed the meeting at 5:05 p.m. to closed session in Conference Room 1B.

The Mayor reconvened the regular meeting at 6:25 p.m.

PLEDGE OF ALLEGIANCE - Mayor Pro Tem Eric Bever

The Presentation of Colors was presented by the Costa Mesa Fire Department Honor Guards.

MOMENT OF SOLEMN EXPRESSION - Pastor Ed Cornwell, Costa Mesa Calvary Chapel

ROLL CALL

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

Council Members Absent: Council Member Katrina Foley

Officials Present: City Manager Allan Roeder
City Attorney Kimberly Hall Barlow
Development Services Director Donald Lamm
Public Services Director William Morris
Fire Chief Mike Morgan
Transportation Manager Peter Naghavi
Administrative Services Director Steve Mandoki
Assistant Planner Rebecca Robbins
City Clerk Julie Folcik

(Council Member Foley left at 6:15 p.m.)

CLOSED SESSION REPORT

City Attorney Kimberly Hall Barlow reported that no action were taken on any closed session items.

PRESENTATIONS

The Mayor presented a proclamation to Bob Dees, Coast Community College President, and Mary Hornbuckle, Coast Community College Board Member, recognizing Orange Coast College's 60th Anniversary in providing quality academic and professional instruction in our community.

Mayor Mansoor announced that Cindy Brenneman was selected as the recipient of the Mayor's Award for her involvement in the community, most recently as the President of the Costa Mesa Community Foundation. The Mayor acknowledged her endeavor of the Costa Mesa Veterans Memorial and recognized her level of dedication and outstanding support to this project as it serves as a positive example to members of the community.

Cindy Brenneman reported on the Costa Mesa Veterans Memorial Dedication and thanked the City Council and City staff for their involvement; and

advised of the upcoming events of the Costa Mesa Community Foundation.

The Mayor acknowledged the donation of 15 Animal Oxygen Masks by Jerome and Judy Blackman. Fire Chief Mike Morgan presented a video and explained the use of the Animal Oxygen Masks. The Mayor and City Council presented Mr. and Mrs. Blackman with a Certificate of Appreciation.

IV. PUBLIC COMMENTS

1. Colin McCarthy, President of the Mesa North Community Association, advising of the association's future events and thanked the City Council for their decision to designate Paularino Park as a passive park.
2. Tona Peca, Costa Mesa, stated that the high traffic volume on the SR-55 South freeway between 19th Street and 17th Street is having an adverse impact to the Eastside residential community.
3. Sandy Hill, Mission Viejo, honored Cindy Brenneman as a Trauma Intervention Program (TIP) volunteer. She gave an update on the program and the recent signing of a contract with Coast Community College District for TIP to be a part of their Emergency Preparedness Plan.
4. Anne Hogan Shereshevsky, Costa Mesa, reiterated her position of banning fireworks in the City and encouraged the finding of alternative ways to raise money by the youth groups; reported on a Pro-Skateboard Tournament to be held at the Orange County Fairgrounds; opined that Lions Park was not a suitable place for a skatepark; and announced that the Costa Mesa Senior Center is open and fully functional.
5. Sharon Tipton, Laguna Niguel, referencing the Benito Acosta court case inquired as to the costs of prosecution over the past two years.
6. Martin Millard, Costa Mesa, commented on the Westside improvements and the concentration of non-profit organizations in the area; referred to the traffic congestion and unsafe driving in the Mesa North area and suggested a police check point; and reported on vending trucks violating City ordinances, gang activity, and graffiti on the Westside.
7. Beth Refakes, Costa Mesa, stated she attended the Public Safety Expo held on October 13, 2007 and commended the City's Police and Fire Department for their time and effort. She congratulated Cindy Brenneman on receiving the Mayor's Award and expressed appreciation for the Costa Mesa Veterans Memorial.
8. Cindy Brenneman, Costa Mesa, announced the Costa Mesa Community Foundation is having a Bob's Old Fashioned Ice Cream Sale to support their grants fund to be held on October 20, 2007 at the Orange County

Fairgrounds. She thanked the Transportation Services Manager Peter Naghavi for the flashing light on the stop sign located on the corner of Baker and Clubhouse, and requested a flashing light for the stop sign located at Mesa Verde and Clubhouse. She applauded the City Council for their leadership.

V. COUNCIL MEMBERS’ REPORTS, COMMENTS, AND SUGGESTIONS

Mayor Pro Tem Eric Bever attended the Public Safety Expo and thanked Police Chief Christopher Shawkey, Fire Chief Mike Morgan, and their staff for a great event.

Council Member Wendy Leece attended the Public Safety Expo and pointed out a check list for disaster preparedness to be available on the City’s website; advised that she attended the Costa Mesa Senior Corporation Board meeting and reported that activities are back to normal after a recent fire at the Senior Center; and attended the Orange County Public Library meeting regarding the topic of library facilities.

Mayor Allan Mansoor corrected a public speaker’s reference to the United States being a Democracy to that of a Republic.

Council Member Linda Dixon shared that she received a letter from a proud mom recognizing her son, Eric Thomas Clayton Ringman, Boy Scout member in Costa Mesa Troop 911, earned his Eagle Scout for his project of restoring a sacred Indian site on Catalina Island. She also requested an update on fireworks stands and an update on a location for the community garden.

VI. CONSENT CALENDAR

CONSENT CALENDAR ITEM NOS. 1 THROUGH 14.

MOTION: Approved recommended actions for Consent Calendar Items Nos. 1 through 14, including Consent Calendar Item No. 2 amended the Regular Meeting Minutes of January 16, 2007 to include “responsibility” in reference to Animal Regulations on page nine; except for Consent Calendar Item No. 5.

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, Mayor Pro Tem Eric Bever, Council Member Wendy Leece

Noes: None.

Absent: Council Member Katrina Foley

- 1. Reading Folder.

ACTION: The following Claims were received and filed by the City Clerk:

Jaime Engler on behalf of Enterprise Rent-A-Car; Jeanne Waller.

The following Request for Alcoholic Beverage Control License was received and filed: Henrys Holdings LLC, for Henrys Farmers Market located at 3030 Harbor Boulevard, Suite D, for a person-to-person transfer of an existing type 21 (off-sale general).

The following notification letters were received and processed: Public Utilities Commission of the State of California – 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, Submission of Public Education Plan Per Decision 07-09-025.

Public Utilities Commission of the State of California – Information about Proposed Rate Increases, Southern California Edison Company, Application No. 07-07-026.

2. Regular Meeting Minutes of July 17 and October 2, 2007; Special Joint Study Session with the Planning Commission Minutes of July 10, 2007; Special Meeting Minutes of September 24, 2007.

ACTION: Approved, amending the Regular Meeting minutes of January 16, 2007 to include “responsibility” in reference to Animal Regulations on page nine.

3. Warrant Resolution 2182, funding Payroll No. 720 for \$2,455,554.80 and City operating expenses for \$1,117,936.19, including payroll deductions.

ACTION: Resolution adopted.

4. Warrant Resolution 2183, funding City operating expenses for \$666,971.56.

ACTION: Resolution adopted.

6. Adopt plans and specifications, and working details for the Roadway Rehabilitation of Gisler Avenue from Harbor Boulevard to 100 feet west of Nebraska Place, Federal Project No. STPL-5312 (056), City Project No. 07-02, and award construction contract to R.J. Noble Company, 15505 East Lincoln Avenue, Orange, in the amount of \$1,585,525.60.

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

7. Adopt plans and specifications, and working details for the Roadway Rehabilitation of Fair Drive from Fairview Road to Harbor Boulevard, Federal Project No. STPL-5312 (055), City Project No. 07-06, and award construction contract to All American Asphalt, P.O. Box 2229, Corona, in the amount of \$804,101 (base bid plus additive bid item).

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

8. Completion of Picnic Shelter Demolition and Replacement at Wakeham Park, 3400 Smalley Road, City Project No. 06-24, by Hondo Company, Inc., 2121 South Lyon Street, Santa Ana.

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.

9. Authorize refund of cash deposit in the amount of \$12,617, to Farhad Khosravi, P.O. Box 30255, Santa Ana, in connection with Encroachment Permit No. PS07-00049 for street improvements located at 258 Santa Isabel Avenue, Costa Mesa.

ACTION: Approved.

10. Accept Urban Area Security Initiative (UASI) funds, for tools and equipment for the Fire Department's heavy rescue fire apparatus, in the amount of \$52,589.

(a). Budget Adjustment No. 08-010 for \$52,589.

ACTION: Approved; approved Budget Adjustment No. 08-010 and authorized the Mayor to sign.

11. Accept Urban Area Security Initiative (UASI) funds, from the Fiscal Year 2006 Governor's Office of Homeland Security Grant Program, for the purchase of two (2) projectors for the Costa Mesa's Emergency Operations Center (EOC), in an amount not to exceed \$2,154.89.

ACTION: Approved.

12. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING APPLICATION FOR FUNDS FOR THE TRANSPORTATION ENHANCEMENT (TE) PROGRAM UNDER THE 2005 SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT, TRANSPORTATION ACT- LEGACY FOR USERS FOR SEVERAL PROJECTS IN THE CITY OF COSTA MESA, for Fiscal Years 2008-2010.

ACTION: Adopted Resolution No. 07-75.

13. Final Map for Tract No. 16945 located at 2453 Orange Avenue, Costa Mesa, consisting of nine (9) residential numbered lots and one (1) lettered lot for a common interest residential development.

ACTION: Approved; authorized City Engineer and City Clerk to sign.

14. Final Map for Tract No. 17044 located at 1940 Maple Avenue, Costa Mesa, consisting of a one (1) lot subdivision to convert an existing two-story, 16-unit apartment complex into a common interest development (condominiums).

ACTION: Approved; authorized City Engineer and City Clerk to sign.

ITEM REMOVED FROM THE CONSENT CALENDAR

5. **Sole source purchase order for the rehabilitation of two (2) City-owned street sweepers, from GCS Western Power & Equipment, 8271 Commonwealth Avenue, Buena Park, in the amount of \$219,810.**

Council Member Dixon requested a report on the cost for the rehabilitation of the street sweepers, approved over the last 5 years; questioning at what point it becomes cost-effective to simply purchase new street sweepers.

MOTION: Approve.

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, Mayor Pro Tem Eric Bever, Council Member Wendy Leece

Noes: None.

Absent: Council Member Katrina Foley

VII. PUBLIC HEARING

1. PUBLIC HEARING: Withdrawal of an urgency ordinance to extend Ordinance No. 07-9, placing a moratorium on the conversion of existing industrially zoned property into industrial condominiums.

ACTION: Withdrawn.

2. PUBLIC HEARING: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ORDERING THE VACATION OF PUBLIC ALLEY NO. 128.

Public Services Director William Morris summarized the staff report and responded to questions from the City Council.

Mayor Pro Tem Bever noted the positive improvements along 17th Street

and expressed support of the recommendation.

MOTION: Adopt Resolution No. 07-76; authorize the Mayor and City Clerk to sign; direct the City Clerk to record the Quitclaim Deed. 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 Wendy Leece

Noes: None.

Absent: Council Member Katrina Foley

3. PUBLIC HEARING: Second reading and adoption of Ordinance 07-18, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING SECTIONS 5-1, 5-1.1, 5-2, 5-3, 5-12, AND 5-95 OF TITLE 5, AND SECTIONS 7-14 THROUGH 7-21 OF TITLE 7 OF THE COSTA MESA MUNICIPAL CODE BY ADOPTING THE 2007 EDITIONS OF THE CALIFORNIA CODES AND RELATED MODEL CODES WITH APPENDICES AND AMENDMENTS THERETO; the codes include the California Building Code, California Fire Code, California Plumbing Code, California Mechanical Code, California Electrical Code and the Model Codes related to International Property Maintenance Code, Uniform Code for Abatement of Dangerous Buildings and the Orange County Grading Code.

MOTION: Adopt Ordinance No. 07-18, read by title only, and to waive 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, Mayor Pro Tem Eric Bever, Council Member Linda Dixon, Council Member Wendy Leece

Noes: None.

Absent: Council Member Katrina Foley

4. Annual review of the Citywide Traffic Impact Fee Program

(a). A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, CONTINUING THE CITYWIDE TRAFFIC IMPACT FEE FOR NEW DEVELOPMENT IN THE CITY OF COSTA MESA AND THE RELATED ANNUAL REVIEW OF THE CITYWIDE TRAFFIC IMPACT FEE PROGRAM AND CAPITAL IMPROVEMENT PLAN FOR TRANSPORTATION IMPROVEMENTS, approving the following staff and Traffic Impact Fee Ad Hoc Committee recommendations to continue Citywide Traffic Impact Fee of \$181.00 per Average Daily trip (ADT); continue the incentive program for new developments by assessing traffic impact fees on an incremental basis for the first 100 trips; to approve the

annual accounting of the Citywide Traffic Impact Fee Program; and to approve the exemption of pre-schools and child-care facilities from the Citywide Traffic Impact Fee Program.

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

Mayor Pro Tem Bever expressed his support of the recommendation.

Anne Broussard, Costa Mesa, stated that the anticipated fees the City would receive from preschools and childcare were negligible, commented that these facilities are for education and should be exempt, and encouraged Council's support.

Roseann Andrus, Costa Mesa, represented the Orange County United Way, commended the Transportation Services Division for their recommendation, commented on the positive impacts of quality childcare services, and requested the support of the Council.

**MOTION: Adopt Resolution 07-77.
Moved by Mayor Pro Tem Eric Bever, seconded by Council Member Wendy Leece.**

The motion carried by the following roll call vote:

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

Noes: None.

Absent: Council Member Katrina Foley

VIII. OLD BUSINESS

No Old Business scheduled.

IX. NEW BUSINESS

1. Appointments and reappointments to various Council-appointed committees.
 - a. Child Care and Youth Services Committee
 - b. Cultural Arts Committee
 - c. Fairview Park Friend/Fundraising Committee
 - d. Historical Preservation Committee
 - e. Investment Oversight Committee
 - f. Redevelopment & Residential Rehabilitation (3R) Committee
 - g. Costa Mesa Senior Corporation Board

Assistant City Manager Thomas Hatch presented the staff report.

Arlene Flanagan, President of the Costa Mesa Senior Corporation Board, thanked Recreation Manager Jana Ransom and Management

Analyst Mark Taylor for their support after the Senior Center fire incident; requested that the Council consider all applications that were received to date.

Aviva Goldman, Executive Director of the Costa Mesa Senior Center, thanked City staff for their support after the fire at the Senior Center; recommended Patricia Linsky, Judy Lindsay, and Kym Espinosa for appointment to the Senior Corporation Board.

a. Child Care and Youth Services Committee

The Mayor announced that there were no applications received.

b. Cultural Arts Committee

MOTION: Appoint Dennis Crane and Caryn Kallal as regular members; and appoint Ray Garcia as an alternate member to the Cultural Arts Committee.

Moved by Mayor Pro Tem Eric Bever, 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 Wendy Leece

Noes: None.

Absent: Council Member Katrina Foley

c. Fairview Park Friend/Fundraising Committee

MOTION: Appoint John Anderson and Colin McCarthy as regular members to the Fairview Park Friend/Fundraising Committee.

Moved by Council Member Linda Dixon, 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 Wendy Leece

Noes: None.

Absent: Council Member Katrina Foley

d. Historical Preservation Committee

MOTION: Appoint John McQueen as a regular member; and appoint Christopher Bunyan as an alternate member to the Historical Preservation Committee.

Moved by Council Member Wendy Leece, 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 Wendy Leece
Noes: None.
Absent: Council Member Katrina Foley

e. Investment Oversight Committee

MOTION: Appoint Terry Shaw as a regular member; and appoint Dave Stiller as an alternate member to the Investment Oversight Committee.

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 Wendy Leece

Noes: None.

Absent: Council Member Katrina Foley

f. Redevelopment & Residential Rehabilitation (3R) Committee

MOTION: Appoint Bob Wakeham, Colin McCarthy, Arlene Schafer, Phil Morello, Jonathan Zich, and Cambria Briggs; and appoint Colin McCarthy and Mandip Samra as alternate members to the Redevelopment & Residential Rehabilitation (3R) Committee.

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 Wendy Leece

Noes: None.

Absent: Council Member Katrina Foley

g. Costa Mesa Senior Corporation Board

MOTION: Appoint Judy Lindsay and Patricia Linsky as regular members to the Costa Mesa Senior Corporation Board.

Moved by Council Member Wendy Leece, seconded by Council Member Linda Dixon.

SUBSTITUTE MOTION: Appoint James Fisler and Agnes Dubberly as regular members to the Costa Mesa Senior Corporation Board.

Moved by Mayor Allan Mansoor. Motion died for lack of second.

The motion carried by the following roll call vote:

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

2. Request for "Resident Only" parking restriction on Drake Avenue, between St. Clair Street and Sonora Road, and on St. Clair Street, between Bear Street and Velasco Lane.

(a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DESIGNATING PERMIT PARKING ON DRAKE AVENUE AND ST. CLAIR STREET.

The Transportation Services Manager summarized the staff report and responded to questions from the City Council.

Cora Lim, Costa Mesa, commented on the lack of parking spaces due to the vehicles from the Bear Creek Apartments; reported on abandoned vehicles, problems with street sweeping and long-term parked cars.

MOTION: Approve; authorized the Transportation Services Manager to extend the "resident only" parking restriction for a maximum of 1,000 feet in radius from the above streets based on Council's guideline requirements; and adopt Resolution No. 07-78. Moved by Mayor Pro Tem Eric Bever, seconded by Council Member Linda Dixon.

The motion carried by the following roll call vote:

Ayes: Mayor Allan Mansoor, Council Member Linda Dixon, Mayor Pro Tem Eric Bever, Council Member Wendy Leece
Noes: None.
Absent: Council Member Katrina Foley

3. Request for "Resident Only" parking restriction on Capital Street, east of Pomona Avenue.

(a). A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DESIGNATING PERMIT PARKING ON CAPITAL STREET.

The Transportation Services Manager summarized the staff report and responded to questions from the City Council.

Council Member Dixon asked that the Council be notified of "Resident Only" parking restriction in a neighborhood relative to new projects in the area.

Joe Zavala, Costa Mesa, reported on high traffic in his cul-de-sac and lack of enforcement and complained of the "boom-box" noise from the

vehicles, suggesting a ban.

Barbara Wilson, Costa Mesa, reported on numbers of homes, sober-living homes, and apartments in the area and pointed out the amount of traffic that is generated from the tenants.

Mayor Mansoor and Mayor Pro Tem Bever expressed support of the recommendations and the idea of prohibiting boombox noise. Mayor Pro Tem Bever inquired on noise enforcement relating to motorcycles. Council Member Leece asked City staff to look into Capital Street for any code violations relating to garage use as living space.

MOTION: Approve; authorize the Transportation Services Manager to extend the “resident only” parking restriction for a maximum of 1,000 feet in radius of Capital Street as needed, with a qualifying petition; and Adopt Resolution No. 07-79.

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 Wendy Leece

Noes: None.

Absent: Council Member Katrina Foley

RECESS: The Mayor declared the meeting recessed at 8:16 p.m.

AFTER RECESS: The Mayor reconvened the meeting at 8:25 p.m.

4. Urban Master Plan Screening Request UMP-07-05 for 1036/1042 West 18th Street within the Mesa West Bluffs Urban Plan.

Council Member Leece recused herself from the discussion claiming a conflict of interest due to her residential location within 500 feet of the proposed project and exited the meeting at 8:26 p.m.

Assistant Planner Rebecca Robbins presented the staff report and responded to questions from the Council relating to setbacks, screenings, and size variables of the units.

Mayor Pro Tem Bever expressed support of the project and indicated that it would be an improvement to the area.

Bryan Coggins, applicant, presented a slide presentation and gave a brief overview of the project. He stated that it would be a live/work environmental friendly detached home community and spoke about the target audience, green building and drought resistance gardening. He pointed out that the project is less dense than what is allowed.

Council Member Dixon commended the project and suggested the installation of elevators in some units.

Kirsten Mangers-Flynn, President of the California SeaBreeze Home Owner's Association, Costa Mesa, noted the concerns of the HOA relating to traffic, trees that are 30-years old surrounding the property, limited access of emergency vehicle or evacuation, structural heights and resident's privacy. She hoped to work with the applicant and requested the Council's consideration on the matter.

The applicant reassured the Council that they are willing to work with the neighborhood regarding concerns and indicated that there is planned an emergency access behind the property.

MOTION: Receive and file.

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

Noes: None.

Abstain: Council Member Wendy Leece

Absent: Council Member Katrina Foley

(Council Member Leece returned to the Chambers at 8:52 p.m.)

5. Memorandum of Understanding with CCN USA LLC, for confirmation of the City's interest in exploring the possible installation of a Community Communications System.

Administrative Services Manager Steve Mandoki presented the staff report.

Fred Armendariz, President and CEO of CCN USA, noted their company does not advertise and pointed out that the City would have complete approval of the contents that goes on the system and complete oversight on all screen locations with no financial exposure. In reference to questions from the Council, Mr. Armendariz spoke about the type of media content, market served, system locations, communication advantages and explained funding for the system.

The Mayor expressed interest in discussions relating to a contract; but not limit to exclusive negotiation with CCN. Discussion ensued amongst the Council, City staff, and Mr. Armendariz relating to the City's interest and consideration of returning to a study session for further discussion.

MOTION: Confirm interest in an MOU with CCN USA LLC; but not limit, negotiations exclusively with CCN USA LLC, and to return to a

study session for discussion.

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

The motion carried by the following roll call vote:

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

Noes: None.

Absent: Council Member Katrina Foley

X. REPORTS

There were no reports.

**XI. ADJOURNMENT - The Mayor declared the meeting adjourned at 9:18 p.m.
The next Regular City Council Meeting will be held November 6, 2007.**

Mayor of the City of Costa Mesa

ATTEST:

City Clerk of the City of Costa Mesa