

REGULAR MEETING OF THE CITY COUNCIL
CITY OF COSTA MESA

AUGUST 16, 2005

The City Council of the City of Costa Mesa, California, met in regular session Tuesday, August 16, 2005, at 6:00 p.m., in the Council Chambers of City Hall, 77 Fair Drive, Costa Mesa. The meeting was called to order by the Mayor, followed by the Pledge of Allegiance to the Flag led by Council Member Bever, and a moment of solemn expression.

ROLL CALL

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

Council Members Absent: None

Officials Present: City Manager Allan Roeder
Assistant City Attorney Harold Potter
Development Services Director Donald Lamm
Public Services Director William Morris
Assistant City Manager Steve Hayman
Police Chief John Hensley
Police Lieutenant Tom Curtis
Transportation Services Manager Peter Naghavi
Assistant Engineer Dennis Johnson
Senior Planner Claire Flynn
Deputy City Clerk Julie Folcik

PRESENTATION
Orange County
Children's Book
Festival

Mayor Mansoor introduced Pat Burne, co-founder and co-Executive Director of the Orange County Children's Book Festival, who provided an overview of the 2nd annual event to be held on Sunday, October 2, 2005, from 9:30 a.m. to 4:30 p.m., at Orange Coast College.

PRESENTATION
"No Time to Waste"
Program

Mayor Mansoor introduced Paul Shoenberger, President of the Board of Directors for the Mesa Consolidated Water District, who addressed the Association of California Water Agency program "No Time to Waste", which is a call for action to the State, local water agencies, and residents, in relation to water conservation.

PRESENTATION
Achievement of
Excellence in Procure-
ment Award

Mayor Mansoor introduced Finance Director Marc Puckett who announced that the Purchasing Division of the Finance Department had received the Achievement of Excellence in Procurement Award, which measures innovation, professionalism, productivity, and leadership in procurement activities. He congratulated Debbie Dobrott, Purchasing Supervisor, Teresa Romero, Buyer, and Rick Rolsheim, Storekeeper.

PUBLIC COMMENT
"Fillmore Slum"

Martin Millard, Costa Mesa, referred to a Daily Pilot article which defined an area near Paularino School and one near Killybrooke School as "being less affluent" in the City. He thought that the

“Fillmore Slum” area in the City fit this description, and maintained that there are persons living in garages in the “Fillmore Slum” and the “Mission/Mendoza Slum”. Mr. Millard asked Council to address the rundown areas of the City.

Shereshevsky
Comments

Anne Hogan Shereshevsky, Costa Mesa, announced that a fundraiser will be held for the Costa Mesa Senior Center at Ruby’s on 17th Street, Thursday, August 18, 2005, 5:00 p.m. to 9:00 p.m. She reported that there is a renter/homeowner rebate available to senior citizens who make less than \$39,000.00 per year, and forms are available at the Senior Center. She observed that it is difficult to cross the street at the intersection of 19th Street and Pomona Avenue, and reiterated her request for pothole repairs at Fairway Drive and Monte Vista Avenue. Ms. Hogan Shereshevsky commented on the convenience of having a one-stop place to pay bills, and mentioned the conflict in scheduling of the City Council meetings and the Concerts in the Park since they are both on Tuesday evenings.

Orange County New
Year’s Eve

The Executive Producer of Orange County New Year’s Eve (name unintelligible) announced that the event will be held at the Orange County Fairgrounds, and there will be four indoor stages with music, food, and other attractions. He assured Council that safety and security issues will be resolved prior to the event, and invited questions and comments to be e-mailed to www.community@ocnye.com.

Bark Park

Rachel Barnes, Huntington Beach, President of the Costa Mesa Bark Park Foundation, announced that the park is located at Arlington Drive and Newport Boulevard, and is open Wednesday through Monday.

Meeting Time Change

Judi Berry, Costa Mesa, objected to the change to a 6:00 p.m. start time for the City Council meetings.

School Test Scores

Sam Clark, Costa Mesa, encouraged Council to assist the Newport-Mesa Unified School District in bringing the test scores for Costa Mesa high schools to a higher level, and challenged parents to become involved. He confirmed that he will also present his request to the School District.

Alley Improvement

Jeff Kirst, Costa Mesa, referred to alley improvements between Walnut and Esther Streets, and between Orange and Westminster Avenues. He detailed the history of the City’s alley improvement program, and asked that his alley be added to the list to be upgraded. Mayor Mansoor replied that Mr. Kirst will receive a response from the City regarding this issue.

4th of July Enforcement

Theresa Umetsu, Costa Mesa, thanked Police Chief John Hensley and Lieutenant Rich Allum for Police enforcement efforts on the 4th of July at Tanager Park.

Animal Control

Tim Lewis, Costa Mesa, commented that it is difficult to reach personnel in the Animal Control office, and the message recorded on their telephone indicates that they are now processing applications from April, 2005. He proposed moving the licensing of animals to the Finance Department.

Igal Israel, Costa Mesa, referring to questions asked at the meeting of August 2, 2005, asked if the property at 2280 Newport Boulevard also a non-conforming use.

COUNCIL
COMMENTS

Council Member Foley announced that the City is currently recruiting for fire fighters, the application deadline is Friday, September 9, 2005, and information may be obtained on the City's website, www.ci.costa-mesa.ca.us. She noted that the third annual Lounge Chair Theater will begin Saturday, October 15, 2005, 6:00 p.m., Fairview Park, with a showing of "The Incredibles". Council Member Foley congratulated the Orange County school system for the progress in test scores as compared to the rest of the state, and addressed Mr. Millard's comment stating that the article in the paper pointed out that Paularino School and Killybrooke School reportedly did exceptionally well in the test scores as compared to Newport Beach schools. In response to a request from Council Member Foley, the Transportation Services Manager addressed the situation at the intersection of 19th Street and Pomona Avenue. Council Member Foley formally requested that two trash cans be placed at the Skateboard Park, outside of the skate facility, and asked for a report from staff regarding the one-stop bill pay service. She asked that Mayor Mansoor forward a letter to each of the corridor cities supporting Air Fair, the group who is attempting to place a permanent cap on the flights from John Wayne Airport. She asked staff to consider scheduling the next season of Concerts in the Park on an evening other than Tuesday..

Council Member Dixon invited the public to Ruby's on Thursday, August 18, 2005, to support the Costa Mesa Senior Center. She asked the Public Services Director to repair the pothole at Elden Avenue and Fairway Drive.

Council Member Bever thanked the Police Chief for the enforcement efforts at Tanager Park, and reminded residents that the Residential Remodeling Incentive Program will start on September 1, 2005, through December 31, 2005.

CONSENT
CALENDAR

The following items were removed from the Consent Calendar: Item No. 6, Purchase of six 2006 Police Interceptor Black and White Ford Crown Victoria vehicles from Clippinger Ford; Item No. 10, Award of contract for TeWinkle Park Athletic Field Complex, Project No. 05-20, to Lehman Construction, Inc.; and Item No. 14, Resolution revising salary ranges for job classifications represented by the Costa Mesa Firefighters Association, and Budget Adjustment No. 06-005.

MOTION/Approved
Except Items No. 6,
10, and 14

On motion by Mayor Pro Tem Monahan, seconded by Council Member Dixon, and carried 5-0, the remaining Consent Calendar items were approved as recommended.

READING FOLDER

The following Reading Folder items were received and processed:

Claims

Claims received by the Deputy City Clerk: Bernardo Cortez; Enterprise Rent-A-Car; Elizabeth and Joel Feitler; and Kim Hatchell.

Alcoholic Beverage
Control License

Request for Alcoholic Beverage Control License from:

Globe European Delicatessen, 1928 Harbor Boulevard, for a person-to-person transfer of a Type 20 ABC License (off-sale beer and wine).

Tokyo Sushi, 1113 Baker Street, Unit E, for a person-to-person transfer of a Type 41 ABC License (on-sale beer and wine for a bona fide eating place).

Maru Sushi, 2346 Newport Boulevard, Suite B3, for an original Type 41 ABC License (on-sale beer and wine for a bona fide eating place).

Public Utilities Commission Notice of Intent from Cingular Wireless, as required by Public Utilities Commission General Order 159-A, for installation use and maintenance of a Wireless Telecommunications Facility at 1300 Gisler Avenue (Site No. OC031).

Follow-Up Reports The following concerns received follow-up reports from staff:

Staff responded to a request from Igal Israel at the meeting of August 2, 2005, for a status report for two businesses located in proximity to his property at 2280 Newport Boulevard.

Staff responded to a request for information from Ed Eyerman and Marie Aiken at the meeting of August 2, 2005, in relation to canopies in residential zones.

Staff responded to a request from Matt Krueger at the meeting of August 2, 2005, regarding alley repair for Walnut Street, Esther Street, and Broadway.

MINUTES/July 19, and August 2, 2005 Minutes of the regular meeting of July 19, 2005, were approved as amended, and minutes of the regular meeting of August 2, 2005, were approved as distributed.

WARRANTS The following warrants were approved:

Approved Warrant 2069/Payroll 515 and 514A Warrant Resolution 2069, funding Payroll No. 515 for \$2,084,753.35, and Payroll No. 514A for \$2,452.70, and City operating expenses for \$1,900,254.86, including payroll deductions

Approved Warrant 2070 Warrant Resolution 2070, funding City operating expenses for \$1,719,647.01.

REJECTED CLAIM Staton The claim from Kashma Staton (alleging false arrest by Costa Mesa Police Department) was rejected.

ADMINISTRATIVE ACTIONS/Approved Purchase of Ford From Raceway Ford Purchase was approved of a new 2005 Ford Excursion, from Raceway Ford, 5900 Sycamore Canyon, Riverside, for \$43,815.54, in accordance with a government cooperative purchasing agreement with the State's General Services Administration (GSA).

Approved Agreement With Granicus for Streaming Media Solution An agreement was approved with Granicus, Inc., 28 2nd Street, Suite 400, San Francisco, for \$36,259.63, for Streaming Media Solution, and the Mayor and Deputy City Clerk were authorized to sign on behalf of the City.

Awarded West 17th Street and Raleigh Avenue Rehab, Project No. 05-18, To R. J. Noble Bids received for West 17th Street and Raleigh Avenue Rehabilitation, Project No. 05-18, are on file in the City Clerk's office. The contract was awarded to R. J. Noble Company, 15505 East Lincoln Avenue, Orange, for \$699,994.45 (base bid), and the Mayor and Deputy City Clerk were authorized to sign on behalf of the City.

Accepted Work by Sully Miller for 600 Town Center Drive, PS03-00548 Street improvements at 600 Town Center Drive, were completed to the satisfaction of the Public Services Director by Sully Miller Contracting Company, 100 East Orangethorpe Avenue, Suite 200, Anaheim, in connection with Encroachment Permit No. PS03-

00548. The work was accepted, and the bonds were order exonerated.

Accepted Work by
Armstrong Garden,
PS03-00731

Street improvements at 2123 Newport Boulevard were completed to the satisfaction of the Public Services Director by Armstrong Garden Center, 2123 Newport Boulevard, Costa Mesa, in connection with Encroachment Permit No. PS03-00731. The work was accepted, and the bonds were ordered exonerated.

Accepted Work by
C. J. Segerstrom for
1485 South Coast
Drive, PS02-00663

Street improvements at 1475 South Coast Drive were completed to the satisfaction of the Public Services Director by C.J. Segerstrom and Sons, 3315 Fairview Road, Costa Mesa, in connection with Encroachment Permit No. PS02-00663. The work was accepted, and the bonds were ordered exonerated.

Adopted Resolution
05-58

Resolution 05-58 was adopted: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) AS REQUIRED BY HOMELAND SECURITY PRESIDENTIAL DIRECTIVE (HSPD-5).

Adopted Resolution
05-59

Resolution 05-59 was adopted: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING RECORDS DESTRUCTION FOR THE COMMUNICATIONS DIVISION OF THE ADMINISTRATIVE SERVICES DEPARTMENT OF THE CITY OF COSTA MESA, PURSUANT TO ORDINANCE NO. 75-60.

Purchase of Six
Police Ford Vehicles
From Clippinger Ford

Item No. 6 on the Consent Calendar was presented: Purchase of six (6) 2006 Police Interceptor Black and White Ford Crown Victoria vehicles, from Clippinger Ford. Council Member Bever understood that several cities are placing used vehicles throughout the city to deter speeding and prevent other problems, and asked staff if it would be possible to use the cars which are being replaced in the same fashion.

MOTION/Approved
Purchase

On motion by Council Member Bever, seconded by Mayor Mansoor, and carried 5-0, purchase of the six vehicles was approved from Clippinger Ford, 2000 East Garvey South, West Covina, for \$136,127.82, in accordance with a Police package price agreement with the County of Los Angeles.

TeWinkle Park
Athletic Field Complex,
Project No. 05-20

Item No. 10 on the Consent Calendar was presented: Award contract for TeWinkle Park Athletic Field Complex, Project No. 05-20, to Lehman Construction, Inc. The Public Services Director referred to a revised recommendation contained in his August 11, 2005, memorandum which revised the amount of the contract due to elimination of the scoreboard (AD-4).

MOTION/Awarded
To Lehman
Construction

On motion by Mayor Pro Tem Monahan, seconded by Council Member Dixon, and carried 5-0, the contract for TeWinkle Park Athletic Field Complex, Project No. 05-20, was awarded to Lehman Construction, Inc., Post Office Box 3569, Tustin, for \$3,202,106.00 (base bid plus additive bid items AD-1through AD-3).

Firefighters Associa-
tion Salary Ranges

Item No. 14 on the Consent Calendar was presented: Resolution revising the salary ranges for job classifications represented by the Costa Mesa Firefighters Association; and Budget Adjustment No. 06-005. Council Member Foley asked for justification of the amount budgeted for this increase versus the amount being approved this evening. The City Manager replied that the money for the increase had been set aside for potential salary

adjustments, approximately \$1.5 million, in the current year's budget, and the fund balance was an appropriate source to meet the obligation.

Judi Berry, Costa Mesa, thought that the firefighters were actually receiving a 12 percent increase, and encouraged the City to negotiate the next contract wisely.

Mike Berry, Costa Mesa, stated that a portion of the firefighter's "retroactive pay increase" is based on an "affordability index", a portion of which is based on tax increase. He proposed engaging a professional consultant to negotiate these contracts in the future.

MOTION/Adopted
Resolution 05-60

On motion by Mayor Pro Tem Monahan, seconded by Mayor Mansoor, and carried 5-0, Resolution 05-60 was adopted: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REVISING THE SALARY RANGES FOR JOB CLASSIFICATIONS REPRESENTED BY THE COSTA MESA FIREFIGHTERS ASSOCIATION TO REFLECT THE ESTABLISHED LABOR MARKETPLACE PURSUANT TO THE 2004-2007 MOU.

PUBLIC HEARING
Temporary Storage
Containers

The Deputy City Clerk announced that this was the time and place set for the public hearing to consider an ordinance regarding temporary use of storage containers in residential zones. The Affidavit of Publishing is on file in the City Clerk's Office. The Development Services Director summarized the Agenda Report dated August 16, 2005, and responded for questions from Council. Council Member Dixon asked that the permit issued by the City be affixed to the storage containers and easily visible to Code Enforcement officers.

Beth Refakes, Costa Mesa, was concerned about the containers becoming an eyesore, and suggested limiting their usage time to 9 months. She voiced concern that the container may obstruct visibility, and suggested allowing only one either for building materials or personal storage. She noted the possibility that persons could live in the containers..

Sam Clark, Costa Mesa, suggested that the wording pertaining to time extensions for the permit be better defined

Tim Lewis, Costa Mesa, opposed the ordinance stating that it is unenforceable.

There being no other speakers, the Mayor closed the public hearing.

MOTION/Received
And Filed

A motion was made by Mayor Mansoor, seconded by Council Member Dixon, to receive and file the report.

Council Member Dixon commented that the neighborhood would be inconvenienced if storage containers were used during remodel projects. Council Member Foley opposed the motion because the storage containers would benefit those who participated in the Residential Remodeling Incentive Program. She said that it would encourage people to redo their homes. Mayor Pro Tem Monahan supported the motion because he believed that the containers are disruptive to the neighbors. Council Member Bever initially liked the concept but thought that it could be a major enforcement issue. The Development Services Director responded to a question from

Council Member Foley by stating that Code Enforcement Officers have the discretion to work with the homeowners on violations.

The motion carried 4-1, Council Member Foley voting no.

OLD BUSINESS
Permit Parking

The Deputy City Clerk presented from the meeting of November 15, 2004, six-month evaluation of parking modifications on Wilson Street, College Avenue, and Vanguard Way, and "Residential Only" permit parking on Columbia Drive, Wake Forest Road, Amherst Place, Tulane Place, Dartmouth Place, Rutgers Drive and Fordham Drive.

Retain "resident only" permit parking on Columbia Drive, Wake Forest Road, Amherst Place, Tulane Place, Dartmouth Place, Rutgers Drive and Fordham Drive.

Retain on-street parking on the south side of Wilson Street between College Avenue and Fairview Road.

Retain 90 degree angle parking on the east side of College Avenue, between Wilson and Victoria Streets, and the west side of Vanguard Way, between Fair Drive and Newport Boulevard.

Take no action regarding implementing additional parking restrictions for street sweeping purposes on streets within the study area.

Request Orange County Transportation Authority (OCTA) to reinstate bus service on Wilson Street between Harbor Boulevard and Fairview Road.

A communication was received from Ron Kirkbride, Costa Mesa, supporting permit parking with the exception of the south side of Wilson Street. The Assistant Engineer reviewed the Agenda Report dated August 4, 2005, and responded to questions from Council.

The following Costa Mesa residents opposed reinstatement of the bus route on Wilson Street: Lad Hernandez, who also addressed parking issues; a resident of Park View Townhomes, stated that the buses are dangerous; a Wilson Street resident, objected to the bus route and the two-hour parking restriction; John Roberts; and Andy McMillan, stated that the restricted parking is working well.

The following residents supported restoration of the bus services on Wilson Street: a resident on Rutgers Drive; and Anne Hogan Shereshevsky, who suggested using smaller buses.

Jay Gattis, Costa Mesa, opposed restricted parking on Wilson Street, and asked that residents be granted additional guest parking passes for visitors.

A Wilson Street resident called the traffic on Wilson a threat to his safety.

MOTION/Approved
Permit Parking

On motion by Mayor Mansoor, seconded by Council Member Dixon, and carried 5-0, the following action was taken:

Approved retaining "resident only" permit parking on Columbia Drive, Wake Forest Road, Amherst Place, Tulane Place, Dartmouth Place, Rutgers Drive and Fordham Drive.

Approved retaining on-street parking on the south side of

Wilson Street between College Avenue and Fairview Road; retaining 90 degree angle parking on the east side of College Avenue, between Wilson and Victoria Streets, and the west side of Vanguard Way, between Fair Drive and Newport Boulevard. Approved taking no action regarding implementing additional parking restrictions for street sweeping purposes on streets within the study area.

Denied reinstatement of the bus service on Wilson Street, between Harbor Boulevard and Fairview Road, until bus turnouts have been installed; and directed staff to ask OCTA to consider using smaller buses and to revisit alternative routes, including Victoria Street.

In consideration of a complaint received, Council Member Bever asked the Police Chief to monitor activities on College Avenue. Mayor Mansoor asked Mayor Pro Tem Monahan and the City Manager to determine through OCTA any changes to Victoria Street which would make a bus route viable.

The Mayor declared a recess at 8:15 p.m., and reconvened the meeting at 8:30 p.m.

RECESS

OLD BUSINESS D.A.R.E. Program

The Deputy City Clerk presented from the meeting of June 21, 2005, Drug Abuse Resistance Education (D.A.R.E.). The Police Chief summarized the Agenda Report dated July 21, 2005, and responded to questions from Council.

Council Member Foley thought that the program could be referred to the upcoming school liaison committee to make a recommendation and define an alternative. She pointed out that Newport Beach will continue to offer this program.

Martin Millard, Costa Mesa, thought that Newport Beach retaining the D.A.R.E. Program was of no relevance, the program should be cut, and the police officers reassigned to active duty.

Mirna Burciaga, Costa Mesa, asked what program would replace D.A.R.E. or what other avenues would be utilized. She agreed that it is the responsibility of parents to educate and make children aware in order to determine the right choices but felt that it is the responsibility of government to control drug dealers and to have prevention programs.

Judi Berry, Costa Mesa, agreed that she would prefer to see police officers on the streets.

Tim Lewis, Costa Mesa, concurred that the D.A.R.E. Program should be eliminated but thought that drug use should be addressed at every level.

Council Member Foley felt it imperative to have a relationship-building program which is risk prevention oriented. She was concerned that another program was not in place prior to eliminating D.A.R.E., and stated that the School District felt strongly that the Police should be involved in prevention.

Mayor Mansoor supported discontinuance of the D.A.R.E. Program, believing that the solution to these issues is stronger families and a focus on learning.

On motion by Mayor Mansoor, seconded by Council Member Bever, and carried 4-1, Council Member Foley voting no, the

MOTION/Discontinued
D.A.R.E.

D.A.R.E. Program was discontinued, and the Police Chief was authorized to reassign the two D.A.R.E. officers and equipment, at his discretion, effective September 1, 2005.

Mayor Pro Tem Monahan supported the motion, agreeing that the program had been ineffectual and the officers were needed on the street. Council Member Bever supported the motion, and asked the Police Chief to provide information regarding the two School Resource Officers (S.R.O.'s) who are provided by the Police Department along with the two D.A.R.E. officers. Council Member Foley strongly believed that it is important to have the S.R.O.'s at City schools.

OLD BUSINESS
Costa Mesa Job
Center

The Deputy City Clerk presented from the meeting of April 26, 2005, Job Center closure update. The Administrative Services Director reviewed the Agenda Report dated August 4, 2005, and introduced Chrissy Brooks, Executive Director, Mika Community Development Corporation, who provided an update on the Job Center and addressed the concept of a nonprofit employment center.

Jim Fisler, Costa Mesa, asked why the City is not utilizing Labor Ready which is a temporary employment agency. He encouraged the withholding of taxes from the workers pay.

Tim Lewis, Costa Mesa, suggested a plan for employing workers at the Job Center, asking that City-owned property be designated for the purpose of bringing workers and employers together.

Martin Millard, Costa Mesa, thought that the private organization hired to manage the workflow would be asking for monies from the City through Community Development Block Grant funds. He criticized the City for sanctioning "secret meetings", and allowing the Assistant City Manager to attend.

The City Manager took exception to the inference that the Job Center had received special attention, and advised that the Assistant City Manager's attendance at meetings regarding the Center were the same as would have occurred with any business group or homeowner's association.

Mike Berry, Costa Mesa, thought that there was a large difference between working on the Job Center and working with a business, and did not believe that the problems were being addressed.

Wendy Leece, Costa Mesa, applauded the decision on the D.A.R.E. Program. She proposed that the City "cut the strings" and allow the Job Center committee to be independent.

Judi Berry, Costa Mesa, questioned the steps outlined in the Agenda Report for Job Center closure, including records destruction.

On motion by Mayor Mansoor, seconded by Council Member Dixon, and carried 5-0, the report was received and filed.

MOTION/Received
and Filed

The Deputy City Clerk presented General Plan Screening Requests:

NEW BUSINESS
General Plan
Screening Requests

General Plan Screening Request GPS-05-02 for 2300 Harbor Boulevard and 380 West Wilson (Harbor Center) to allow for combining of the two commercial parcels into a larger parcel where the applicant proposes to build a mini-storage facility.

General Plan Screening Request GPS-05-03 for 580 Anton Boulevard (The Lakes Pavilions Retail Center) for a text amendment to the General Plan to accommodate two proposed high-rise condominium towers.

General Plan Screening Request GPS-05-04 for 1485 Dale Way and 2925 College Avenue (Jabsco Industries site) to allow for a change in the General Plan Land use designation to allow for the building of single-family detached homes or for-sale town-homes.

General Plan Screening Request GPS-05-05 for 3400, 3410 and 3420 Bristol Street, to allow for a text amendment to the General Plan to accommodate a residential condominium units on the upper floors of luxury hotel entitlement; or for all or part of Segerstrom Office towers for residential uses.

The Senior Planner summarized the Agenda Report dated August 1, 2005, and responded to questions from Council.

Mark Rosen, representing Avo's Mediterranean Cuisine at The Lakes Pavilions Retail Center, 580 Anton Boulevard, reported that the proposed project is inconsistent with the terms of the lease entered into by the applicant with his client.

Eric Straus, Property Manager for The Lakes Pavilions Retail Center, noted that the landlords are working diligently with their counsel to evaluate and remedy the dispute with their tenant, Avo's Mediterranean Cuisine.

On motion by Mayor Pro Tem Monahan, seconded by Council Member Dixon, and carried 5-0, General Plan Screening Requests GPS-05-02, GPS-05-03, GPS-05-04, and GPS-05-05 were accepted for processing.

MOTION/Accepted
for Processing

Regarding General Plan Screening Request GPS-05-04, Mayor Pro Tem Monahan commented that it is in the City's interest to consider a lower density project. Council Member Foley supported the motion, and asked that staff work with Avo's Mediterranean Cuisine to determine other potential locations in Costa Mesa which would be appropriate for their use. Mayor Mansoor commented that traffic is his number one concern, and asked that it be mitigated as much as possible. Council Member Dixon asked staff to review storage units within the City. The City Manager suggested that the report previously prepared on this subject be updated for Council and the Planning Commission.

The Deputy City Clerk presented a letter of response to the 2004-2005 Orange County Grand Jury Report, "Red Light Cameras: Automated Traffic Cops in Orange County". The Police Lieutenant summarized the Agenda Report dated August 1, 2005.

NEW BUSINESS
2004-2005 Orange
County Jury Report on
Red Light Cameras

On motion by Mayor Mansoor, seconded by Council Member Foley, and carried 5-0, a letter of response was approved; and the Mayor and the Chief of Police were authorized to sign on behalf of the City and to forward the letter to Frederick P. Horn, Presiding Judge of the Superior Court.

MOTION/Approved
Letter

The City Manager announced that Tuesday, August 23, 2005, 4:00 to 6:00 p.m., the dedication of the Volcom Skateboard facility will

CITY MANAGER'S
REPORT
Skateboard Park
ADJOURNMENT

occur at TeWinkle Park.

At 10:00 p.m., the Mayor adjourned the meeting to Tuesday, September 6, 2005.

