

REGULAR MEETING OF THE CITY COUNCIL
CITY OF COSTA MESA

JUNE 21, 2005

The City Council of the City of Costa Mesa, California, met in regular session June 21, 2005, at 6:30 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 led by The Reverend Barbara Steward, St. John the Divine Episcopal Church.

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
City Attorney Kimberly Hall
Barlow
Development Services Director
Donald Lamm
Public Services Director William
Morris
Finance Director Marc Puckett
Recreation Manager Jana
Ransom
Police Lieutenant Lester Gogerty
Deputy City Clerk Julie Folcik

PRESENTATION

Mayor Mansoor introduced Management Analyst Hilda Veturis who reported that the Orange County Section of the American Planning Association had honored the Westside Revitalization Oversight Committee (WROC) on May 26, 2005, for their long-term efforts in relation to the City's west side. Ralph Ronquillo, Chairman of WROC, expressed his appreciation to those who had worked on the WROC Report. Kathleen Eric and Judi Berry, members of WROC, recognized Hilda for her association with the committee.

PUBLIC COMMENT
Millard Comments

Martin Millard, Costa Mesa, addressed an alleged violation of the Brown Act, and stated that it was unimportant compared to a "secret" Council-approved private group of citizens who are involved with the Job Center. He reported that the Assistant City Manager is the liaison to the group, and the City Attorney performs the legal work. He observed that some homes in the Mesa North area house more than one family, and asked Council to be proactive to remedy the situation. Mr. Millard asked how Council Member Foley was progressing with the letter she had indicated she would forward to President Bush regarding illegal immigration, a letter she indicated which would be more specific than the letter recently sent by Council.

Sutra Lounge

Judi Berry, Costa Mesa, commented that she receives a monthly report from the Costa Mesa Police Department and recently noted that there are an above-average number of calls for Police assistance for the Sutra Lounge, 1870 Harbor Boulevard. She felt that the City's resources should be used more productively.

Fireworks Sandra Genis, Costa Mesa, believed that limitations on the use of fireworks has "gone out the window", and illegal use is escalating each year. She observed that fireworks have been used in her neighborhood since Memorial Day, and asked if the City is committed to enforcement. She suggested utilizing the City's Recreation Review magazine to publicize the rules. Ms. Genis summarized the regulations: no persons shall discharge any fireworks of any kind within the City except on July 4 between 4:00 p.m. and 10:00 p.m. of such day, and no person under the age of 18 shall discharge any fireworks less in the presence of an adult. Mayor Mansoor asked staff to respond to Ms. Genis.

Shereshevsky Anne Hogan Shereshevsky, Costa Mesa, observed that fireworks stands are unattractive. She reported that Costa Mesa seniors are appreciative of the monies allocated in the budget for transportation and the full-time maintenance worker at the Costa Mesa Senior Center. She announced that she is traveling to Washington D.C. in October 2005, for the White House Conference on Aging.

CONSENT The following items were removed from the Consent Calendar:
CALENDAR Item No. 5, Contract award for Roof Replacement at the Neighborhood Community Center, Police Substation, Lions Park Restroom, and Heller Park Restroom, Project No. 05-10, to Best Contracting Services, Inc.; Item No. 6, Award of Bid Item No. 1083, Three-year Pesticide Application and Rodent Control, to RPW Services Incorporated; Item No. 7, Award of Bid Item No. 1084, Rental of Two Copiers, to Cell Business Equipment; Item No. 8, Agreement with Ware Disposal Company, Inc., for refuse removal services, green waste diversion, and a recycling program; and Item No. 9, Completion of Asbestos Abatement at Costa Mesa Police Facility Basement, Project No. 04-27.

MOTION/Approved On motion by Mayor Mansoor, seconded by Council Member
Except Item Nos. 5, Dixon, and carried 5-0, the remaining Consent Calendar items
6, 7, 8, and 9 were approved as recommended.

READING FOLDER The following Reading Folder items were received and processed:

Claim Claim received by the Deputy City Clerk: Majid Ekbatani.

Alcoholic Beverage Request for Alcoholic Beverage Control License from Sushi Sho,
Control License 2263 Fairview Road, Suite J, for a person-to-person transfer of a
Type 41 ABC License (on-sale beer and wine for a bona fide eating
place).

Public Utilities Southern California Gas Company filed Application Nos. A.05-06-
Commission 012 and A.05-06-011 with the Public Utilities Commission
requesting approval of its programs and associated budgets for
Low Income Energy Efficiency, California alternate Rates for
Energy, and Energy Efficiency.

MINUTES Minutes of the regular meeting of May 3, 2005, were approved as
May 3, 2005 distributed.

WARRANTS The following warrants were approved:

Approved Warrant Warrant Resolution 2061, funding Payroll No. 511 for
2061/Payroll 511 and \$2,036,786.87, Payroll No. 510A for \$1,920.96, and City
510A operating expenses for \$1,726,172.16, including payroll
deductions.

Warrant Resolution 2062, funding City operating expenses for

Approved Warrant
2062

\$449,512.04.

ADMINISTRATIVE
ACTIONS/Adopted
Resolution 05-40, 19th
Vacation, Setting
Hearing July 19, 2005

Adopted Resolution 05-40: 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 628 WEST 19th STREET, setting a public hearing on Tuesday, July 19, 2005, at 6:30 p.m.

Adopted Resolution
05-41, Magnolia
Vacation, Setting
Hearing July 19, 2005

Adopted Resolution 05-41: 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 197 MAGNOLIA STREET (ORANGE AVENUE SIDE), setting a public hearing on Tuesday, July 19, 2005, at 6:30 p.m.

Approved Measure
"M" Programs

Regarding Measure "M" Eligibility: Maintenance of Effort was approved; and the Seven-year Capital Improvement Program was approved.

The following Consent Calendar items were presented:

Item No. 5, Award contract for Roof Replacement, Project No. 05-10, to Best Roofing and Waterproofing, Inc., doing business as Best Contracting Services, Inc.

Item No. 6, Award Bid Item No. 1083, Three-year Pesticide Application and Rodent Control, to RPW Services Incorporated.

Item No. 7, Award Bid Item No. 1084, Rental of Two Copiers, to Cell Business Equipment (CBE), 4A Mason Street, Irvine, for rental of two Sharp copiers for a two-year period, for \$17,482.50 annually.

Item No. 8, Agreement with Ware Disposal Company, Inc., for refuse removal services, green waste diversion, and a recycling program.

Item No. 9, Completion of Asbestos Abatement at Costa Mesa Police Facility Basement, Project No. 04-27, by Unlimited Environmental, Inc., 1390 32nd Street, Signal Hill.

Martin Millard, Costa Mesa, observed that the above contracts were being awarded to companies that are not located in Costa Mesa. He encouraged staff to locate local vendors to submit bids. Mayor Mansoor replied that the bids are directed to all contractors who express interest, including those in Costa Mesa.

MOTION

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

Awarded Contract for
Roof Replacement,
Project No. 05-10, to
Best

Awarded contract for Roof Replacement at the Neighborhood Community Center, (1845 Park Avenue); Police Substation (567 West 18th Street); Lions Park Restroom (570 West 18th Street); and Heller Park Restroom (257 East 16th Street), Project No. 05-10, to Best Roofing and Waterproofing, Inc., doing business as Best Contracting Services, Inc., 19027 South Hamilton Avenue, Gardena, for \$190,930.00, and the Mayor and Deputy City Clerk were authorized to sign on behalf of the City.

Awarded Bid Item No. 1083, Three-year Pesticide Application

Awarded Bid Item No. 1083, Pesticide and Rodent Control to RPW

and Rodent Control, to RPW Services Incorporated, Post Office Box 2342, Fullerton, for the performance of pest application and rodent control over a three-year period, in an amount not to exceed \$52,000.00 annually, modifying Page 3 of the contract, "Rodent Control" to read, "Any applications performed before 5:00 a.m. or after 6:00 p.m. will be subject to a premium rate of \$60.00 per hour, per technician."

Awarded Bid Item No. 1084, Rental of Two Copiers, to CBE

Awarded Bid Item No. 1084, Rental of Two Copiers, to Cell Business Equipment (CBE), 4A Mason Street, Irvine, for rental of two Sharp copiers for a two-year period, for \$17,482.50 annually.

Approved Agreement with Ware Disposal for Refuse Removal and Recycling

An agreement was approved with Ware Disposal Company, Inc., 1018 North Lincoln Street, Santa Ana, for refuse removal services, green waste diversion, and a recycling program, for \$98,853.30 annually, the Mayor and Clerk were authorized to sign on behalf of the City, and the Public Services Director was authorized to extend the agreement July 1 each fiscal year up to a maximum of six years if the increase is equal to or less than the annual Consumer Price Index (CPI).

Accepted Work for Asbestos Abatement at Police Facility, Project No. 04-27, by Unlimited Environmental

Asbestos Abatement at Costa Mesa Police Facility Basement, Project No. 04-27, was completed to the satisfaction of the Public Services Director on April 15, 2005, by Unlimited Environmental, Inc., 1390 32nd Street, Signal Hill. The work was accepted; the Deputy City Clerk was authorized to file a Notice of Completion; authorization was given to release retention monies 35 days thereafter; the Labor and Material bond was ordered exonerated 7 months thereafter; and the Performance Bond was ordered exonerated 6 months thereafter.

PUBLIC HEARING
2005-2006 City Budget

The Deputy City Clerk announced that this is the time and place set for the public hearing to consider the City Budget for fiscal year 2005-2006:

Resolution determining and adopting an appropriations limit of \$140,623,635.00 for fiscal year 2005-2006, in accordance with Article XIII-B of Proposition 4 of the Constitution of the State of California, as amended by Proposition 111 and Senate Bill 88.

Resolution adopting a budget for fiscal year 2005-2006.

Resolution determining and adopting the General Fund operating reserve for the 2005-2006 fiscal year in accordance with Title 2, Chapter V, Article 6, of Costa Mesa Municipal Code

Resolution approving the Investment Policy for Fiscal Year 2005-2006 and delegating the investment activities to the City Treasurer.

The Affidavit of Publication is on file in the City Clerk's office. The Finance Director reviewed the Agenda Reports, and he and the Public Services Director responded to questions from Council.

Martin Millard, Costa Mesa, claimed that there is no "baseline" in the budget, meaning that Costa Mesa is not being compared to other cities on major items, such as Police Department expenditures. The City Manager replied that the comparison information Mr. Millard is referring to is located on Page 106 of the

study session guide to the budget.

Judi Berry, Costa Mesa, addressed "Vacation, Comp Time, Excess Cash Out" (\$865,000.00), and asked that this number be reduced by encouraging employees to use their vacation time. She indicated that \$500,000.00 had been budgeted for the Red Light Camera program, and questioned continuing the program if income is not guaranteed. The City Manager responded that the two of the red light camera intersections, 17th Street/Newport Boulevard and 19th Street/Newport Boulevard, have been reactivated; terms of the agreement for the cameras are being renegotiated; and the City is working with the courts to update their accounting system so they may make a distinction between citations issued for moving violations in relation to red light cameras versus those issued by Police officers for speeding, etc.

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

MOTION/Adopted
Resolution 05-42,
Appropriations Limit

On motion by Mayor Pro Tem Monahan, seconded by Council Member Bever, and carried 5-0, Resolution 05-42 was adopted: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DETERMINING AND ADOPTING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2005-2006, IN ACCORDANCE WITH ARTICLE XIII-B OF THE CONSTITUTION OF THE STATE OF CALIFORNIA, AS AMENDED BY PROPOSITION 111 AND SENATE BILL 88, adopting an appropriations limit of \$140,623,635.00 for fiscal year 2005-2006.

MOTION/Adopted
Resolution 05-43,
General Fund Oper-
ating Reserve

On motion by Mayor Pro Tem Monahan, seconded by Council Member Dixon, and carried 5-0, Resolution 05-43 was adopted: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DETERMINING AND ADOPTING THE GENERAL FUND OPERATING RESERVE FOR FISCAL YEAR 2005-2006, IN ACCORDANCE WITH TITLE 2, CHAPTER V. ARTICLE 6, OF THE COSTA MESA MUNICIPAL CODE.

MOTION/Adopted
Resolution 05-44,
Adopting Statement
of Investment Policy

On motion by Mayor Pro Tem Monahan, seconded by Council Member Foley, and carried 5-0, Resolution 05-44 was adopted: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING THE 2005-2006 STATEMENT OF INVESTMENT POLICY, AND AUTHORIZING THE CITY TREASURER TO INVEST AND REINVEST IDLE MONIES OF THE CITY OF COSTA MESA IN ACCORDANCE WITH THE 2005-2006 STATEMENT OF INVESTMENT POLICY.

MOTION/Adopted
Resolution 05-45,
Adopting Budget

On motion by Mayor Mansoor, seconded by Council Member Bever, the following action was taken: Resolution 05-45, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING A BUDGET FOR THE FISCAL YEAR 2005-2006, with the following amendments: (referring to budget Page 199, Summary of Capital Improvement Projects by Funding Source), eliminated No. 1 (17th St./Irvine Ave. Improvement Project), No. 3 (Newport Blvd./18th St. Improvements), and No. 5 (Newport Blvd. Southbound Frontage Rd./Fair Dr.); eliminated funding for the Human Relations Committee; approved the purchase of up to two motor units for the Traffic Division of the Police Department within the existing budget; directed staff to reassess the street repair funds during or after the City's annual audit to ascertain available funds that may be reallocated towards meeting the goal of repairing the "20 worst

Residential Streets”; directed review of City employee vacation accrual payoff with the goal of a 50 percent reduction; to review and try to reduce of the use of the fund balance; and to consider for separate vote the allocations to the D.A.R.E Program, OCRAA membership and the Costa Mesa United contribution.

Discussion ensued regarding the motion.

SUBSTITUTE
MOTION/To Include
D.A.R.E. Died

Prior to clarification of the original motion, a substitute motion was made by Mayor Pro Tem Monahan to include the D.A.R.E. Program in the 2005-2006 budget. The motion died for lack of a second.

Council Member Foley commented that she thought that members of the Human Relations Committee should be notified that funding may be eliminated.

The motion carried 5-0.

MOTION/Approved
D.A.R.E. Funding

On motion by Mayor Pro Tem Monahan, seconded by Mayor Mansoor, and carried 5-0, the D.A.R.E. Program funding in the fiscal year 2005-2006 budget was approved, and staff was directed to review and to place on a future agenda.

Regarding the Orange County Regional Airport Authority (OCRAA), Mayor Pro Tem Monahan thought that funding should be retained in the budget, believing that this is the only route to resist the expansion of John Wayne Airport. He encouraged taking a leadership position with the group.

MOTION/To Approve
Funding for OCRAA

A motion was made by Mayor Pro Tem Monahan, seconded by Council Member Bever, to retain the funding for the OCRAA in the 2005-2006 Budget.

Mayor Mansoor, liaison to the OCRAA, believed that airport issues are crucial to Costa Mesa but felt that the money spent should be justified.

SUBSTITUTE
MOTION/Retained
OCRAA Funding;
Held Pending Presenta-
tion

A substitute motion was made by Mayor Mansoor, seconded by Council Member Dixon, to approve continued membership and inclusion of funding in the budget for the OCRAA, holding the funding pending a presentation by Jack Wagner, OCRAA Executive Director, at an upcoming Council study session.

Mayor Mansoor understood that many members of the OCRAA do not contribute, and some others contribute less than Costa Mesa. He felt it important that all cities pay equally, and asked for accountability for the City’s tax dollars. The City Manager stated that some cities provide “in kind” services, and some have made nominal contributions but Costa Mesa has overwhelmingly funded the remaining OCRAA operations.

The substitute motion carried 4-1, Mayor Pro Tem Monahan voting no.

MOTION/Approved
Costa Mesa United
Funding

A motion was made by Mayor Pro Tem Monahan, seconded by Council Member Foley, and carried 3-2, Mayor Mansoor and Council Member Bever voting no, to approve maintaining in the

proposed budget the \$400,000.00 allocated for Costa Mesa United.

Mayor Mansoor opposed the motion because he felt that the City

has a commitment to repair the 20 worse residential streets, and suggested splitting the funds.

MOTION/Gave
Directions to Staff
Re Parks and Recrea-
tion Commission
Meetings

On motion by Council Member Dixon, seconded by Mayor Mansoor, and carried 3-2, Mayor Pro Tem Monahan and Council Member Bever voting no, the City Attorney was directed to prepare a resolution or ordinance to change the meeting schedule of the Parks and Recreation Commission.

Mayor Pro Tem Monahan opposed the motion, stating that the Parks and Recreation Commission performs a valuable service, and that requests for tree removal which occur every month should not be postponed. Mayor Mansoor thought that it was reasonable to review the Commission's schedule.

MOTION/Allocated
Monies to Cultural
Arts Committee

On motion by Council Member Foley, seconded by Council Member Dixon, and carried 3-2, Mayor Mansoor and Mayor Pro Tem Monahan voting no, the interest from the IKEA \$350,000.00 contribution, approximately \$10,000.00, was allocated to the Cultural Arts Committee for programming.

PUBLIC HEARING
Medical Marijuana
Dispensaries

The Deputy City Clerk announced that this is the time and place set for the public hearing to consider an ordinance amending Title 13 of the Costa Mesa Municipal Code to prohibit the establishment of medical marijuana dispensaries in the City of Costa Mesa. Environmental Determination: Exempt. The Affidavit of Publication is on file in the City Clerk's office. The Development Services Director summarized the Agenda Report dated June 6, 2005. The City Attorney and the Police Lieutenant responded to questions from Council.

Erik Eichler, Huntington Beach, stated that he has regulated medical marijuana for Orange County and Los Angeles County. He enumerated the community concerns regarding opening and maintaining a dispensary, and assured Council that the facility would be "locked down", where there would be no advertising, the facility may offer physical therapy and counseling for patients with illness and injuries, it would be in a discrete area, and the medicine would be used in privacy.

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

MOTION/Gave
Ordinance 05-11
First Reading

On motion by Mayor Pro Tem Monahan, seconded by Mayor Mansoor, and carried 3-2, Council Member Dixon and Council Member Foley voting no, Ordinance 05-11 was given first reading: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE TO PROHIBIT THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSARIES IN THE CITY OF COSTA MESA, read by title only and further reading was waived.

Mayor Mansoor indicated that his primary reason for supporting the motion is secondary crime issues. Council Member Foley opposed the motion because of the lack of data to support the findings of secondary effects, and she believed that many of the issues brought forward were due to the failure to have existing guidelines and controls in place. She added that this item had been overwhelmingly adopted by the voters of California, it is important for those persons who do not have other options, and a moratorium was more appropriate while the issue is being researched. Council

Member Bever agreed with the compassionate use of marijuana but encouraged a managed, controlled environment. He felt it incumbent upon the State to develop guidelines.

MOTION/Gave
Directions to Staff

On motion by Council Member Foley, seconded by Council Member Dixon, and carried 3-2, Mayor Mansoor and Mayor Pro Tem Monahan voting no, staff was directed to prepare a resolution to be forwarded to the League of Cities which formerly requests that they, in concert with the Attorney General's office and other agencies, develop guidelines for local communities to implement Proposition 215.

OLD BUSINESS
Illegal Drug and Gang
Activity

The Deputy City Clerk presented from the meeting of June 7, 2005, second reading and adoption of Ordinance 05-10, relating to regulations applicable to landlords renting property upon which specified illegal drug or gang activities are occurring.

MOTION/Adopted
Ordinance 05-10

On motion by Council Member Bever, seconded by Mayor Mansoor, and carried 5-0, Ordinance 05-10 was adopted: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING CHAPTER 12 OF TITLE 11 OF THE COSTA MESA MUNICIPAL CODE RELATING TO REGULATIONS APPLICABLE TO LANDLORDS RENTING PROPERTY UPON WHICH SPECIFIED ILLEGAL DRUG OR GANG ACTIVITIES ARE OCCURRING, read by title only and further reading was waived.

NEW BUSINESS
Appointment to Costa
Mesa Senior
Corporation

The Deputy City Clerk presented a request to appoint two members to the Board of Directors of the Costa Mesa Senior Corporation. The Recreation Manager reviewed the Agenda Report dated June 13, 2005.

Beth Refakes, Costa Mesa, agreed with a suggestion from Council Member Bever that the positions be recruited from the community.

Aviva Goelman, Executive Director, Costa Mesa Senior Center, concurred that one of the two board members should be drafted from the community, and encouraged Council to make the Recreation Manager the second voting member.

Council Member Dixon commented that the board meetings are open to the community and invited residents and persons who live outside of Costa Mesa to submit an application if they would like to serve on the board.

MOTION/Gave
Directions to Staff

On motion by Mayor Mansoor, seconded by Council Member Bever, staff was directed to solicit applications from interested community members, with the appointment of the two members to the Board of Directors Members at a later date.

SUBSTITUTE
MOTION/To Appoint
Recreation Manager
to Board

A substitute motion was made by Council Member Foley, seconded by Council Member Dixon, to appoint the Recreation Manager, Jana Ransom, as one of the designated Board Members to the Costa Mesa Senior Corporation, and to recruit the second position from the community. After discussion the motion failed to carry 3-2, Mayor Pro Tem Monahan, Mayor Mansoor, and Council Member Bever voting no.

Council Member Dixon thought that the Recreation Manager would be an asset to the Board. Mayor Pro Tem Monahan opposed the substitute motion, stated that having a City employee as a Board Member could create a conflict of interest. The City Manager confirmed for Council Member Dixon that a previous Recreation

Manager had been an appointed Board Member.

The original motion 3-2, Council Member Dixon and Council Member Foley voting no.

NEW BUSINESS
Council Policy 800-4

The Deputy City Clerk presented an amendment to Council Policy 800-4, Acceptance and Recognition of Donation to City Parks and Public Facilities. The Public Services Director summarized the Agenda Report dated June 9, 2004, and responded to questions from Council.

Council Member Dixon thought that recognition of a donation to a park by a private citizen should be acknowledged by the Mayor. She thought that to disallow plaques which memorialize pets in City parks is extremely insensitive, and any person who is deceased, has lived in Costa Mesa and has given back to the community should be eligible for Circle of Service Recognition. Council Member Foley observed that an inordinate amount of time had been spent on this elaborate policy. Mayor Mansoor appreciated the work that the Parks and Recreation has devoted to this item and was comfortable with the recommendations.

MOTION/Approved
Recommended
Actions

A motion was made by Mayor Mansoor, seconded by Mayor Pro Tem Monahan, and carried 3-2, Council Member Dixon and Council Member Foley voting no, to approve the recommended action as follows:

Change title of the Policy to include Circle of Service Recognition.

Provide direction on how payments/cash donations can be received.

Delete the City Council and Mayor acknowledgement of donation.

Add standard for minimum 15-gallon size for tree donations.

Add reference to disallow plaques memorializing pets in City parks.

Add standard for the shape, material and size of the memorial and donation plaques.

Clarify party responsible for acquisition and installation of donated items and plaques.

Clarify installation of the plaques to be flush with the ground.

Clarify that park furniture will be at locations that are Americans with Disabilities Act (ADA) accessible.

Delete reference to application forms for tree and park furniture donations.

Clarify procedure to nominate Circle of Service Honorees.

COUNCIL
COMMENTS

Council Member Dixon, referring to a comment made by Costa Mesa resident Martin Millard during Public Comments, asked for an explanation why the committee for the Job Center is not open to the public. Referring to a comment made by Judi Berry regarding

Responses to Public
Comments

the Sutra Lounge, she asked that they be required to provide private policing/security. She asked for a copy of the enforcement schedule for fireworks the upcoming 4th of July, and asked that the public be reminded on CMTV, Channel 24, of the fireworks regulations. The City Manager reported that the committee for the Job Center is not Council directed or appointed, and the City has no authority to tell private citizens that their conversations must be open to other members of the public. He added that Mr. Millard, as well as other member of the community, had been so advised.

A.B.L.E.

Council Member Foley asked for information regarding the location of the A.B.L.E. helicopter on the 4th of July, asking if it will be in Newport Beach or Costa Mesa.

Fireworks

Council Member Bever asked that the seller provide a flyer to every person who purchases fireworks which indicates the City's rules, and asked that the joint Police Department/Fire Department personnel monitor that the flyers are being distributed. He suggested that "lighting" be substituted for "shooting off" when referencing the fireworks, and asked that a universal sign that prohibits fireworks be displayed in the City's parks.

The Mayor declared the meeting adjourned at 9:00 p.m.

ADJOURNMENT