

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

July 21, 2009

The City Council meeting of the City of Costa Mesa, California met in regular session July 21, 2009, at 5:01 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 R. Mansoor
Mayor Pro Tem Wendy Leece
Council Member Eric R. Bever
Council Member Katrina Foley
Council Member Gary Monahan

Council Members Absent: None

Officials Present: City Manager Allan Roeder
Assistant City Attorney Harold Potter
Administrative Services Director Stephen Mandoki
City Clerk Julie Folcik
Human Resources Administrator Lance Nakamoto

II. PUBLIC COMMENTS

There were no public speakers.

III. CLOSED SESSION:

1. Pursuant to Government Code Section 54957.6., conference with Allan L. Roeder, City Manager and Labor Negotiator, Agency Negotiator: Steve Mandoki, Administrative Services Director, regarding Employee Organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Firefighters Association (CMFA), Costa Mesa Police Officers Association (CMPOA) and Costa Mesa Police Management Association (CMPMA).

Mayor Mansoor recessed the meeting at 5:04 p.m., to the closed session in Conference Room 1B.

The Mayor reconvened the regular meeting at 6:00 p.m.

PLEDGE OF ALLEGIANCE - David William Lester, U.S. Army (Retired), World War II and Battle of the Bulge Combat Veteran, and Bronze Star with V for Valor and Purple Heart Medal.

MOMENT OF SOLEMN EXPRESSION - Father Tashgian, St. Mary Armenian Church

ROLL CALL

Council Members Present: Mayor Allan R. Mansoor
Mayor Pro Tem Wendy Leece
Council Member Eric R. Bever
Council Member Katrina Foley
Council Member Gary Monahan

Council Members Absent: None

Officials Present: City Manager Allan Roeder
Assistant City Attorney Harold Potter
Acting Development Services Director Kimberly Brandt
Public Services Director Peter Naghavi
Neighborhood Improvement Manager Muriel Ullman
Fire Chief Mike Morgan
Administrative Services Director Stephen Mandoki
Human Resources Analyst Ryan Thomas
Finance Director Marc Puckett
Recreation Manager Jana Ransom
Principal Planner Claire Flynn
City Clerk Julie Folcik

CLOSED SESSION REPORT

Assistant City Attorney Harold Potter reported that no action was taken on the closed session item.

PRESENTATIONS

Mayor Mansoor recognized The Offices of South Coast Plaza for earning LEED-EB Operations and Maintenance Gold Certifications by the U.S. Green Building Council. The Mayor noted that they are the first buildings in California to receive this prestigious distinction and presented a proclamation to Mr. Chase McLaughlin, Director of South Coast Plaza Towers.

IV. PUBLIC COMMENTS

1. Dennis Grady, President of the Bark Park Foundation, invited everyone to the 13th Annual Bark Park Foundation Dog Wash and Vendor Fair to be

held on August 15, 2009, from 9:00 a.m. to 3:00 p.m., at the parking lot of the Bark Park.

2. Beth Refakes, Costa Mesa, commented on the improvements of Newport Boulevard and the efforts of minimizing traffic problems; referred to the announcement of the dedication ceremony of the Old Town Costa Mesa Newport Boulevard beautification project and the area reference as "Old Town" noting it should be known as "Downtown." She referred to an article in the newspaper relating to the proposed State budget cuts and expressed concern on the impact to the City budget.
3. Ernie Feeney, Costa Mesa, reported that the police were called out to the Costa Mesa Senior Center 14 times since January of 2008 and expressed concern on the matter.
4. Chris McEvoy, Costa Mesa, encouraged that the Council to reconsider allowing businesses to operate without a special use permit to promote businesses in the area; asked the Council to reconsider their determination and reinstating the Teen Drop-In Program; and encouraged the Council to keep the character of the City while dealing with budget issues.

V. COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Eric Bever congratulated Jake Gibb and Shawn Rosenthal for winning the Manhattan Beach Volleyball Open Championship; and addressed a public speaker's comments noting "inconsistency" regarding his request to "keep the character of the city" while encouraging a change to the zoning regulations.

Mayor Pro Tem Wendy Leece spoke about her role as the liaison to the Costa Mesa Senior Center noting that she have been receiving letters regarding the elimination of the bread program at the Center and requested City staff to assist the Senior Center in reinstating the bread program; commented on a public speaker's suggestion to increase revenues by auctioning golf rounds provided by the Costa Mesa Golf Course; announced she attended a photo opportunity with Council Member Foley at the TeWinkle Teen Drop In Program and expressed support of the program; announced the adoption of State laws AB32 the Global Warming Act and SB375 on Greenhouse Gas Emissions; thanked City staff for producing the Business Assistance Guide to help new businesses; announced she attended the League of California Cities meeting on State seizure of local funding; announced she attended the meeting of the O.C. Vector Control, Dedication Ceremony at Triangle Square, and the Soroptomist Club Welcome Convention.

Council Member Katrina Foley thanked the Daily Pilot for contributing \$1200 to the TeWinkle Teen Center, thanked the Maloof Brothers for the Maloof Money Cup event recognizing it as a success and for the tax revenue it produced, and announced the opening of the Orange County Fair.

VI. CONSENT CALENDAR ITEM NOS. 1 THROUGH 11.

MOTION: Approve recommended actions for Consent Calendar Item Nos. 1 through 11, except for Consent Calendar Item Nos. 6 and 7.

Moved by Mayor Allan R. Mansoor, seconded by Mayor Pro Tem Wendy Leece.

The motion carried by the following roll call vote:

Ayes: Mayor Allan R. Mansoor, Mayor Pro Tem Wendy Leece, Council Member Eric R. Bever, Council Member Katrina Foley, Council Member Gary Monahan

Noes: None.

Absent: None.

1. Reading Folder.

The following claims were received and processed by the City Clerk: Daniela Bolzman; Patricia Faye Cruz; Kahraman Lateef; Denise, Gerardo, and Joshua Naranjo; State Compensation Insurance Fund; and Brian Tunstall. The following requests for Alcoholic Beverage Control Licenses were received and processed:

Trader Joes Company, for Trader Joes located at 640 West 17th Street, for a type 42 (on-sale beer and wine – public premises).

Thai Puparn Corporation, for Thai Tastee located at 560 West 19th Street, Unit C, for a person-to-person transfer of an existing type 41 (on-sale beer and wine for a bona fide eating place).

420 Concept LLC, Pizzeria Ortica located at 650 Anton Boulevard, Suite J, for a person-to-person and premise-to-premise transfer of an existing type 47 (on-sale general for a bona fide eating place).

2. Regular Adjourned Meeting/Study Session Minutes of June 9, 2009; Regular Meeting Minutes of June 16, 2009 and July 7, 2009.

ACTION: Continued Regular Adjourned Meeting/Study Session of June 9, 2009; Approved Regular Meeting of June 16, 2009 and July 7, 2009.

3. Warrant Resolution 2274, funding City operating expenses for \$703,925.76.

ACTION: Resolution adopted.

4. Warrant Resolution 2275, funding Payroll No. 914 for \$2,519,357.19 and Payroll No. 913A for negative \$40.00 and City operating expenses for \$1,502,009.90 including payroll deductions.

ACTION: Resolution adopted.

5. Lease Agreement with Global Tower Assets, LLC, a Delaware LLC, 750 Park of Commerce Boulevard, #300, Boca Raton, Florida, for placement of a monopine cell tower at the Costa Mesa Golf Course, for five (5) years with an option to renew with five (5) years options.

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

8. Reduction of Maintenance Bond (Certificate No. SU 5014567), from \$321,500 to \$64,300, to Headlands Reserve, LLC, 24849 Del Prado, Dana Point, in connection with the Coastal Sage Scrub Restoration Project at Fairview Park.

ACTION: Approved.

9. Adopt plans, specifications, and working details for "Proposition 1B" Street Maintenance Project, City Project No. 09-05, and award construction contract to All American Asphalt, Post Office Box 2229, Corona, in the amount of \$993,993.

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

10. Adopt plans, specifications, and working details for the rehabilitation of Orange Avenue (from Del Mar Avenue to Mesa Drive), City Project No. 09-13, and award construction contract to R.J. Noble Company, 15505 East Lincoln Avenue, Orange, in the amount of \$524,750.

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

11. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPOINTING AN AUTHORIZED AGENT FOR OBTAINING GRANT MONIES, EQUIPMENT, OR SERVICES UNDER THE 2008 HOMELAND SECURITY GRANT PROGRAM.

ACTION: Adopted Resolution No. 09-50.

ITEMS REMOVED FROM THE CONSENT CALENDAR

6. **Revision of Substantial Amendment to the 2008-2009 Annual Action Plan for the application of Community Development Block Grant (CDBG-R) funds.**

Neighborhood Improvement Manager Muriel Ullman summarized the report and responded to questions from the Council relating to shovel-ready projects and funding for the Joanne Street Bike Trail Project.

Phil Morello, Costa Mesa, commented on the need to be ready with shovel-ready projects since Congress is speaking about a possible second stimulus.

Martin Millard, Costa Mesa, stated that the Joanne Street Bike Trail Project was not a good idea and opined that funding should be used to remove slum buildings.

MOTION: Approve.

Moved by Mayor Allan R. Mansoor, seconded by Mayor Pro Tem Wendy Leece.

The motion carried by the following roll call vote:

Ayes: Mayor Allan R. Mansoor, Mayor Pro Tem Wendy Leece, Council Member Eric R. Bever, Council Member Katrina Foley, Council Member Gary Monahan

Noes: None.

Absent: None.

7. Sole Source Purchase of a 100-foot Tractor Drawn Aerial Ladder Truck (TDA), from South Coast Fire Equipment, Inc., 2020 South Baker, Ontario, in the amount of \$1,135,659.80.

(a). A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, TO AUTHORIZE A SOLE SOURCE PURCHASE TRACTOR DRAWN AERIAL LADDER TRUCK (TDA).

At the request of Mayor Pro Tem Leece, Fire Chief Mike Morgan gave a brief report of the staff report; described the new TDA truck; and responded to questions from the Council and public speakers relating to cost, delivery date, and purchase of a used vehicle.

Phil Morello, Costa Mesa, inquired on an auction of a used fire truck.

MOTION: Approve Sole Source Purchase; adopt Resolution No. 09-51.

Moved by Mayor Allan R. Mansoor, seconded by Mayor Pro Tem Wendy Leece.

The motion carried by the following roll call vote:

Ayes: Mayor Allan R. Mansoor, Mayor Pro Tem Wendy Leece, Council Member Eric R. Bever, Council Member Katrina Foley, Council Member Gary Monahan

Noes: None.

Absent: None.

As it was not yet the time set for Public Hearings, the Mayor proceeded to Old Business and New Business Items.

VIII. OLD BUSINESS

1. From the meeting of July 7, 2009, second reading and adoption of Ordinance 09-8: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, AMENDING TITLE 15, CHAPTER 1, ARTICLE I

OF THE COSTA MESA MUNICIPAL REGARDING SHOPPING CART CONTAINMENT REQUIREMENTS, requiring the installation of a shopping cart containment system at retail stores which provide shopping carts for customers.

MOTION: Adopt Ordinance No. 09-8, read by title only, and waived further reading.

Moved by Mayor Allan R. Mansoor, seconded by Mayor Pro Tem Wendy Leece.

The motion carried by the following roll call vote:

Ayes: Mayor Allan R. Mansoor, Mayor Pro Tem Wendy Leece, Council Member Eric R. Bever, Council Member Katrina Foley, Council Member Gary Monahan

Noes: None.

Absent: None.

IX. NEW BUSINESS

1. Presentation by Jonathan Kramer, City Technical Advisor, Kramer Firm Inc., and Ron Boyer, Corporate Senior Network Engineer, Time Warner Cable, regarding the inspection of Time Warner Plant Systems and Facilities.

Administrative Services Director Steve Mandoki introduced technical advisor, Mr. Jonathan Kramer (Kramer Firm, Inc.) and Corporate Senior Network Engineer Ron Boyer (Time Warner Cable) who each made a presentation regarding the inspection of Time Warner Plant Systems and Facilities and addressed the complaints received.

Beth Refakes, Costa Mesa, commented on the improvements of Time Warner services.

MOTION: Receive and file report.

Moved by Council Member Katrina Foley, seconded by Mayor Pro Tem Wendy Leece.

The motion carried by the following roll call vote:

Ayes: Mayor Allan R. Mansoor, Mayor Pro Tem Wendy Leece, Council Member Eric R. Bever, Council Member Katrina Foley, Council Member Gary Monahan

Noes: None.

Absent: None.

2. Amendment to the Contract with the Board of Administration of the California Public Employees Retirement System (CalPERS):

(a). A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, TO AMEND THE CONTRACT FOR SAFETY

MEMBERS BETWEEN THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM (CALPERS) AND THE CITY COUNCIL OF THE CITY OF COSTA MESA.

(b). AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF COSTA MESA AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM (CALPERS).

(c). Notice of Costs Disclosure to provide two (2) years additional service credit for Safety and Miscellaneous members.

The Administrative Services Director provided an overview of the staff report. He, along with Finance Director Marc Puckett, responded to questions from the Council relating to CALPERS employee contributions and the number of employees eligible for early retirement.

**MOTION: Adopt Resolution No. 09-52.
Moved by Mayor Allan R. Mansoor, seconded by Council Member Katrina Foley.**

The motion carried by the following roll call vote:

Ayes: Mayor Allan R. Mansoor, Mayor Pro Tem Wendy Leece, Council Member Eric R. Bever, Council Member Katrina Foley, Council Member Gary Monahan

Noes: None.

Absent: None.

MOTION: Introduced Ordinance No. 09-9 for first reading, read by title only, and waived further reading; authorized the City Clerk to execute required CALPERS certifications and documents (for Safety and Miscellaneous groups).

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

The motion carried by the following roll call vote:

Ayes: Mayor Allan R. Mansoor, Mayor Pro Tem Wendy Leece, Council Member Eric R. Bever, Council Member Katrina Foley, Council Member Gary Monahan

Noes: None.

Absent: None.

MOTION: Receive and file notice.

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

The motion carried by the following roll call vote:

Ayes: Mayor Allan R. Mansoor, Mayor Pro Tem Wendy Leece, Council

Member Eric R. Bever, Council Member Katrina Foley, Council Member Gary Monahan

Noes: None.

Absent: None.

VII. PUBLIC HEARINGS

1. PUBLIC HEARING: Review of the decision of the Parks and Recreation Commission to allow a facility use permit for a private basketball league to use the Downtown Recreation Center Gymnasium (1860 Anaheim Avenue) on Sundays beginning July 25, 2009.

Council member Bever in noting his reasons for the review felt that the volleyball and basketball players that would be impacted were not notified until after the decision to lease the DRC gym to a for-profit basketball league would have been made; that it would be displacing those residents who would otherwise be using the gym, and noted that residents of the surrounding area were not notified of the use which would likely increase traffic to the park. Council Member Leece concurred expressing concern of noticing and felt that current gym users should be notified of the matter. Council Member Foley questioned the reasons for the review and the noticing requirements; pointed out the league does include Costa Mesa residents and rental of the facility would generate revenue.

Martin Millard, Costa Mesa, noted that the league is from Santa Ana and is known as a "business." He questioned the impact on parking, and hidden costs such as the wear and tear on the facility.

Chris Eric, Costa Mesa, commented on the intense use of the facility and the potential detriment to the community; expressed concern of traffic issues and for-profit businesses taking precedence over community residents.

Chris McEvoy, Costa Mesa, commented that he would like the City generate revenue and pointed out additional tax revenues from participants; suggested reducing the League's hours on Sundays and not allowing hard-soled shoes.

The Mayor stated that he would like to see the gym utilized effectively by as many Costa Mesa residents who wish to use it.

MOTION: Approve a request of issuance of a Facility Use Permit for the Downtown Recreation Center Gymnasium to Rigoberto Bautista to manage the Costa Mesa Weekend Basketball League on Sundays for an initial six-month term with an option for an additional six-month term by mutual consent; give priority registration to confirmed Costa Mesa residents who provide a California drivers license or a State issued identification card with a Costa Mesa

address.

Moved by Mayor Allan R. Mansoor, seconded by Council Member Gary Monahan.

Council Member Monahan inquired on the rental cost of the facility. Recreation Manager Jana Ransom noted that the rate is based upon an hourly rate of \$120 per hour.

Council Member Foley in asking for clarification on the motion inquired if a name change was required of the league to Costa Mesa Weekend Basketball League. The Recreation Manager noted that the league was a "for-profit" business pointing out that the facility would be rented by the league owner, Rigoberto Bautista.

Further discussion ensued among the Council relating to the motion and referencing the league as the "Costa Mesa Weekend Basketball League." The Recreation Manager responded to questions from the Council relating to current gym use, noticing, alternative facilities, impact, and parking accommodations. She noted that she has been in contact with Mr. Bautista and conveyed his interest in managing the City's weekday league and his interest in gym time.

The motion carried by the following roll call vote:

Ayes: Mayor Allan R. Mansoor, Mayor Pro Tem Wendy Leece, Council Member Katrina Foley, Council Member Gary Monahan

Noes: Council Member Eric R. Bever

Absent: None.

2. PUBLIC HEARING: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING AMENDMENT NO. 1 TO THE MESA WEST BLUFFS URBAN PLAN SP-05-08 RELATED TO ADDITIONAL MIXED-USE, LIVE/WORK, AND RESIDENTIAL DEVELOPMENT PROVISIONS IN THE WESTSIDE MIXED-USE OVERLAY ZONE.

Principal Planner Claire Flynn summarized the staff report and responded to questions from the Council relating to work space area of proposed live/work developments on 18th Street and recommendations of the Planning Commission.

Council Member Leece supported staff's recommendation regarding the definition of "adequate" work space and expressed concern on live/work units reverting to residential units if work space is not defined.

Council Member Bever felt that the percentage of proposed work space was excessive.

Eleanor Egan, Costa Mesa, commented on the development of live/work units and the use of such units as residential; expressed concern of

encouraging development of high-density residential units in a high-density area; spoke about the need for a standard in order to exercise control of the type of proposed developments, suggesting a sliding scale on establishing a size for work space. She responded to questions from the Council relating to the definition of high-density and adequate work space; and proposed slight changes to the recommendations of the Planning Commission.

Chris McEvoy, Costa Mesa, echoed the comments of the previous speaker and opined that live/work units disguise high-density and pointed out impacts such as complaints, problems, noise, and parking.

Chris Eric, Costa Mesa, commented on a suggestion of a sliding scale on minimum size of work space and supported a flexible scale that would be determined by staff and the commission.

John Hawley, Costa Mesa, referred to the land use matrix noting that the indicated facilities would require more work space, and expressed support of a sliding scale to define work space.

Kathleen Eric, Costa Mesa, encouraged the Council would leave the plan as it was intended.

Martin Millard, Costa Mesa, spoke of the need to encourage developers to come in and focus on development of loft type structures.

Phil Morello, Costa Mesa, expressed concern of the area turning into a "slum" and questioned enforcement of live/work units.

Colin McCarthy, member of the Planning Commission, clarified that nothing was being removed from the plan and expressed concern of a minimum standards and ensuring no high-density. He responded to questions from the Council and opined that a minimum standard would restrict development noting that staff could provide direction.

Council Member Monahan expressed support of the Planning Commission's recommendations.

MOTION: Adopt resolution approving Amendment No. 1 to the Mesa West Bluffs Urban Plan.

Moved by Council Member Gary Monahan. Motion died for lack of second.

In response to the definition of "High Density", as noted by a public speaker to be "20 units per acre", Council Member Beverfelt that the number was low compared with densities allowed in other cities as well as the parts of the city where 50 to 100 dwelling units to the acre have been permitted. He inquired on parking requirements of live/work and residential units, recognized the importance of the flexibility of the plans,

and expressed the support for the urban plans "as is."

MOTION: Receive and file report.

Moved by Council Member Eric R. Bever. Motion died for lack of second.

Council Member Foley indicated the need for more discussion on the item and suggested continuing the item to a study session. Mayor Pro Tem Leece also supported additional discussion for further clarification on the plan.

MOTION: Continue the item to a Study Session.

Moved by Council Member Katrina Foley, seconded by Mayor Pro Tem Wendy Leece.

SUBSTITUTE MOTION: Adopt Resolution No. 09-53 to approve the Amendment No. 1 to the Mesa West Bluffs Urban Plan.

Moved by Council Member Gary Monahan, seconded by Council Member Eric R. Bever.

The Mayor expressed support of the recommendations of the Planning Commission and proposed the following additions:

1. Approve page three of the Planning Commission staff report dated April 13, 2009, Item B, bullet-point item three to establish minimum size of work spaces in live/work units to encourage business,
2. In the Mesa West Bluffs Urban Plan, page seven, paragraph one (b), not to delete the word "adequate,"
3. In the Mesa West Bluffs Urban Plan, amend page eight, last sentence in paragraph four to replace "could" with "will," and amend first paragraph under Residential Reversion of Live/Work Units to replace "expressly discouraged" with "not allowed."

The maker of the motion agreed to the additions. The seconder of the motion expressed reservation. Council Member Foley questioned the impact of the proposed additions and reiterated her support of continuing the item for further discussion.

Council Member Bever suggested a minimum required work-space of 150 square feet which could eliminate the word "adequate" in the definition and inquired on the work-space size of the live/work development on 18th Street. He indicated that the space of approximately 300 to 350 square feet was more than reasonable for the development.

Further discussion ensued among the Council and City staff relating to clarification of the motion, and proposed changes.

Council Member Foley reiterated her suggestion to further discuss and

evaluate the amendments at a study session.

The substitute motion failed by the following roll call vote:

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

The motion failed by the following roll call vote:

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

MOTION: Adopt Resolution No. 09-53 to approve the Amendment No. 1 to the Mesa West Bluffs Urban Plan as amended by the following:

1. Approve page four, of the City Council staff report, Table A – bullet-point items 2 through 6:

*Include clarification that roof gardens shall not be considered a building story.

*Include clarification that other mixed-use development standards from different Urban Plans may apply to a project.

*Include explanation of deviations(and justifications for deviations),

*Include important distinctions between live/work units and residential lofts.

*Include minimum interior dimensions of 10-foot wide by 38-foot long for two-car tandem garages., and

2. In the Mesa West Bluffs Urban Plan, page seven, paragraph 1 (b), not to delete the word “adequate.”

Moved by Council Member Gary Monahan, seconded by Mayor Allan R. Mansoor for discussion.

Discussion ensued between Council Member Monahan and the Mayor regarding proposed additions to the plan and establishing a minimum size of work space in live/work units.

Council Member Bever believed that the proposed square footage was too high and suggested 150 square foot for a minimum work space size. Following discussion on the size of the work space, the Mayor indicated he was interested in leaving the work space closer to 300 to 350 square feet pointing out that the "work" stays in live/work. Council Member Monahan suggested establishing a minimum workspace of 250 square feet, the seconder of the motion agreed.

Council Member Foley encouraged changing the minimum workspace to

at least 600 to 900 square feet. The motion restated:

MOTION: Adopt Resolution No. 09-53 to approve the Amendment No. 1 to the Mesa West Bluffs Urban Plan as amended by the following:

1. Approve page four, of the City Council staff report, Table A – bullet-point items 2 through 6:

***Include clarification that roof gardens shall not be considered a building story.**

***Include clarification that other mixed-use development standards from different Urban Plans may apply to a project.**

***Include explanation of deviations(and justifications for deviations),**

***Include important distinctions between live/work units and residential lofts.**

***Include minimum interior dimensions of 10-foot wide by 38-foot long for two-car tandem garages.**

2. Approve page three of the Planning Commission staff report dated April 13, 2009-- Item B, bullet-point item 3:

***Establish minimum size of work spaces in live/work units to encourage business; and**

***Remove the chart and establish a minimum workspace of 250 sq ft.**

3. In the Mesa West Bluffs Urban Plan, page seven, paragraph 1 (b), not to delete the word “adequate”; and

4. In the Mesa West Bluffs Urban Plan, amend page eight, last sentence in paragraph 4, to replace “could” with “will”.

Moved by Council Member Gary Monahan, seconded by Mayor Allan R. Mansoor.

The motion carried by the following roll call vote:

Ayes: Mayor Allan R. Mansoor, Council Member Eric R. Bever, Council Member Gary Monahan

Noes: Mayor Pro Tem Wendy Leece, Council Member Katrina Foley

Absent: None.

3. PUBLIC HEARING: AN ORDINANCE OF THE CITY COUNCIL OF COSTA MESA, CALIFORNIA, FOR CODE AMENDMENT CO-09-006 TO AMEND TITLE 9, CHAPTER V, FILMING ACTIVITIES, OF THE COSTA MESA MUNICIPAL CODE REGARDING FILM PERMIT RULES AND REGULATIONS.

The Principal Planner summarized the staff report.

MOTION: Introduce Ordinance No. 09-10 for first reading, read by title only and waived further reading.

Moved by Mayor Allan R. Mansoor, seconded by Mayor Pro Tem Wendy Leece.

The motion carried by the following roll call vote:

Ayes: Mayor Allan R. Mansoor, Mayor Pro Tem Wendy Leece, Council Member Eric R. Bever, Council Member Katrina Foley, Council Member Gary Monahan

Noes: None.

Absent: None.

X. REPORTS

The City Manager announced that the State may have a budget but pointed out the lack of detail. He noted that the situation is being monitored through the League of California Cities and other organizations pointing out that it was not positive for local governments. He encouraged the public to contact your representatives about your opinions on the State Budget.

XI. ADJOURNMENT - The Mayor declared the meeting adjourned at 9:28 p.m. The next Regular City Council Meeting to be held on August 4, 2009.

Mayor of the City of Costa Mesa

ATTEST:

City Clerk of the City of Costa Mesa