

CITY COUNCIL  
CITY OF COSTA MESA

COUNCIL CHAMBERS  
CITY HALL  
77 FAIR DRIVE

OCTOBER 3, 2006  
REGULAR MEETING

Mayor Mansoor called the Regular Meeting of the City of Costa Mesa, California to order at 5:00 p.m. and requested the City Clerk to call the roll.

PRESENT: COUNCIL MEMBERS: ALLAN R. MANSOOR  
ERIC R. BEVER  
LINDA W. DIXON

ABSENT: COUNCIL MEMBERS: KATRINA A. FOLEY  
GARY C. MONAHAN

ALSO PRESENT: ALLAN L. ROEDER, CITY MANAGER  
KIMBERLY HALL BARLOW, CITY ATTORNEY  
LINDA D. RUTH, INTERIM CITY CLERK

PUBLIC COMMENTS: There were no public comments.

CLOSED SESSION: The Mayor declared the City Council recessed into Closed Session at 5:07 p.m., to consider the following:

1. Conference with Labor Negotiator: Steve Mandoki, Administrative Services Director and Terry Cassidy, Human Resources Manager, regarding the following employee organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Firefighters Association (CMFA), Costa Mesa Police Association (CMPA) Costa Mesa Police Management Association (CMPMA), and Unrepresented Employees, pursuant to Government Code Section 54957.6.
2. Conference with Legal Counsel – Existing Litigation: Shawn Brown vs City of Costa, Case No. VC 04-6946, pursuant to Government Code Section 54956.9(a).

AFTER RECESS: The Mayor reconvened the meeting with all Council Members being present, except Council Members Foley and Monahan.

AGENDA REVIEW STUDY SESSION: The Mayor announced that the agenda review study session would be conducted in Conference Room 1A on the first floor of City Hall and would commence immediately.

Council Member Foley entered the meeting at 5:30 p.m. and Council Member Monahan entered at 5:45 p.m. No action was taken on any matter.

AFTER RECESS: The Mayor reconvened the Regular Meeting of the City Council at 6:00 p.m.

PLEDGE OF ALLEGIANCE: Council Member Dixon led the assembly in the Pledge of Allegiance to the Flag.

MOMENT OF SOLEMN EXPRESSION: The Mayor asked the audience for a moment of silence and to remember those serving in the Armed Forces to keep our Country safe.

ROLL CALL: The Mayor requested the City Clerk to call the roll:

PRESENT: COUNCIL MEMBERS: ALLAN R. MANSOOR,  
ERIC R. BEVER  
LINDA W. DIXON  
KATRINA A. FOLEY  
GARY C. MONAHAN

ABSENT: COUNCIL MEMBERS: NONE

ALSO PRESENT: ALLAN L. ROEDER, CITY MANAGER  
KIMBERLY HALL BARLOW, CITY ATTORNEY  
LINDA D. RUTH, INTERIM CITY CLERK  
DONALD LAMM, DEVELOPMENT SERVICES DIRECTOR  
PETER NAGHAVI, TRANSPORTATION SERVICES MANAGER

CLOSED SESSION REPORT: City Attorney Kimberly Barlow announced that relating to:

1. The City Council gave direction to their Labor Negotiators.
2. Shawn Brown vs City of Costa Mesa, Case No. VC 04-6946, the City Council voted 3 to 0, with Council Members Foley and Monahan absent, to defend an individual officer involved in the matter.

#### PRESENTATIONS

1. Employees of the Month of October—Bray and Merritt: The Mayor acknowledged and introduced Gary Bray, Construction Inspector, and Pete Merritt, Chief Construction Inspector, of the Engineering Division of the Public Services Department, as Employees of the Month of October. The Mayor advised they were being recognized for their quick thinking, prompt action, and professional demeanor involving an elderly resident who collapsed from dehydration and stress, and thanked them for their efforts.

#### PUBLIC COMMENTS

1. Gema Salas, Costa Mesa, criticized the Mayor for his actions relating to immigration and expressed her disapproval of the Vietnam and Iraq wars and the City Council's adoption of a military unit in Iraq.
2. Scott Sink, Costa Mesa, again criticized the Mayor's western theme fundraiser and displayed a picture of a man in western garb in attendance; referred to a book which gave a historical perspective of the development of the American cowboy from the Mexican culture.
3. Tim Lewis, Costa Mesa, related a conversation he had with a gentleman whose wife wanted to return home to her native country because she did not feel safe here; he encouraged everyone to respect each other.

4. Mike Brumbaugh, Costa Mesa, expressed appreciation to the Police Department for their efforts in arresting a suspect in the recent murder of a young man on Baker Street.
5. Terry Shaw, Costa Mesa Historical Society, thanked the City Council for participating in their 40<sup>th</sup> Anniversary Celebration held September 16<sup>th</sup>, at the Diego Sepulveda Adobe; announced that the Fairview Park Friends Committee would be holding their 4<sup>th</sup> Annual Lounge Chair Theatre on Saturday, October 7<sup>th</sup>, commencing at 5:00 p.m., and would be showing the movie Narnia, and that additional information could be obtained by going to the City's website; also announced that open house would be held at the fire stations on Saturday, October 14<sup>th</sup> from 10:00 a.m. to 1:00 p.m.; and lastly announced that the next Historical Society's Speaker's Meeting would be held October 18<sup>th</sup>, at 7:00 p.m., and that Dr. Arthur Hansen, Director of Oral and Public History at California State University Fullerton, would be their guest speaker, and the topic would be Japanese/American in Orange County.
6. Judy Berry, Costa Mesa, referenced an earlier speaker who did not believe in the war being waged in Iraq and that the City should not support it by paying employees who were called to duty; she believed that City should extend the year time frame to 18 months, since the people in the military were being extended; and she voiced the opinion that even if you do not believe in the war, the Country should support their military, since they are obliged to go where their Commander-in-Chief sends them.

## COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

### Mayor Mansoor

1. Reiterated that some of the speakers this evening continue to misstate the facts; that the ICE proposal includes felons and sweeps and does not focus on victims.

### Council Member Foley

1. Expressed appreciation to the Police Department for apprehending the murder suspect mentioned earlier in the meeting.
2. Expressed that she did not believe it appropriate or considerate for speakers to display photos of people for public viewing for the purpose of making fun and respectfully requested that in the future speakers make their points in a way that is not hurtful to people who are not making governmental decisions.
3. Announced that October was Head Start Month in Orange County and advised that she was a guest speaker at their annual dinner; noted the benefits of the program and encouraged everyone to support it.
4. Noted receipt of a survey from the Orange County Transportation Authority (OCTA) which was due by October 16<sup>th</sup> and inquired if their comments could be directed to the Public Services Department for inclusion in the City's response and if the City Council could receive copies of the response; Transportation Services Manager Naghavi responded in the affirmative.
5. Announced that on October 26<sup>th</sup>, at 6:00 p.m., a Candidate's Forum would be hosted by the Mesa Del Mar Homeowners' Association and held at Sonora Elementary School.

6. Requested that information about the formation of assessment districts for construction of arterial walls and undergrounding of utilities, neighborhood monument entrance program, and Residential Rehab Improvement Program be sent to all homeowners' associations; City Manager Roeder responded he would see that it was done.

#### Council Member Dixon

1. Expressed her appreciation to the Police Department for their diligent efforts in capturing the suspect in the recent murder that occurred on Baker Street.

#### Mayor Pro Tem Bever

1. Echoed the accolades to the Police Department on the arrest of the suspect in the recent murder case.
2. Reminded everyone that the Residential Rehabilitation Improvement Program ended December 15<sup>th</sup> and encouraged their participation in the Program.
3. Referred to a recent newspaper article in the Daily Pilot about a group home relocating from Newport Beach into Costa Mesa and requested the City Manager and City Attorney to review the Group Homes in the Neighborhood article recently published in the September 2006 Western Cities Magazine; and requested the subject be agendaized for a Study Session.

#### Council Member Monahan

1. Inquired what the status of the group home relocation was. City Manager Roeder advised that the group home was looking at relocating their administrative offices to West 17<sup>th</sup> Street in Costa Mesa; that a minor conditional use permit application for office use and use of a facility from 6:00 to 9:00 p.m. for counseling only, was submitted and approved; and that no further information about the group home activities has been received.

### CONSENT CALENDAR

Council Member Foley removed Item No. 8 from the Consent Calendar for comment.

MOTION: On motion by Council Member Mansoor, seconded by Council Member Dixon, the City

Council took the following actions on the remaining items on the Consent Calendar:

#### Written Communications

1. Reading Folder: Ordered the following communications Received and Processed:
  - a. Claim received by the City Clerk: Dora M. Loarca-Morales.
  - b. Request for Alcoholic Beverage Control Licenses:

1. Afsharpanah Bardia, for the BC Broiler, 1866 Newport Blvd, for a person-to-person transfer of an existing Type 41 (on-sale beer and wine for a bona fide eating place) License.

2. JDL Management Group, Inc., for Hashigo Tofu, 3033 Bristol Street, Suite M, for a person-to-person transfer of an existing Type 41 (on-sale beer and wine for a bona fide eating place) License.

3. J & M Investments Inc., for L & M Dairy, 1712 Santa Ana Avenue, for a person-to-person transfer of an existing Type 20 (off-sale beer and wine) License.

4. Novikoya Xeniya, for Vinter Wholesale, 2227 Saybrook Lane, for an original Type 18 (distilled spirits wholesaler) License.

c. Notification Letter: Cingular Wireless – Notification Letter of intent to construct a cellular facility – Cingular Wireless Site No. LSAACA3189.

### Minutes

2. Approved the Minutes of the Regular Meeting held August 15, 2006 and the Adjourned Regular Meeting/Study Session held September 12, 2006.
3. Adopted Warrant Resolution 2128, funding Payroll No. 618 in the amount of \$2,280,424.39, and City operating expenses in the amount of \$616,467.31 including payroll deductions.
4. Adopted Warrant Resolution 2129, funding City operating expenses in the amount of \$954,284.59.

### Administrative Actions

5. a. Approved and authorized the Mayor and City Clerk to sign Sole Source Professional Services Agreement for Geotechnical Consultation with Geotechnical Professionals, Inc., 5736 Corporate Avenue, Cypress, for the Police Facility Expansion and Renovation Project, in an amount not to exceed \$35,252.  
b. Approved and authorized the Mayor to sign Budget Adjustment No. 07-011 in the amount of \$35,252.
6. Adopted plans and specifications and working details for the Exterior Painting of Fire Station No. 3 and Exterior Sealing of Costa Mesa Downtown Recreation Center, Project No. 06-17, awarded a Construction Contract to Southwest Coatings, Inc., 503 Harker Street, San Pedro, in the amount of \$27,000, and authorized the Mayor and City Clerk to execute same.
7. a. Accepted a grant from the Urban Area Security Initiative (UASI) in an amount not to exceed \$28,500, for Fire Department rescue air cushions and a self-contained breathing apparatus system upgrade.  
b. Approved and authorized the Mayor to sign Budget Adjustment No. 07-023, appropriating the \$28,500 grant funds into the Fire Department's Operating Budget.

## END OF CONSENT CALENDAR

A vote was taken on the foregoing motion. MOTION UNANIMOUSLY CARRIED.

## ITEMS REMOVED FROM THE CONSENT CALENDAR

### 8. ALLOCATION OF MONIES COLLECTED FROM MOTHER AND CHILD REFLECTING POOL:

Council Member Foley removed the matter from the Consent Calendar and asked if the monies were designated for a specific purpose.

Cindy Brenneman of the Costa Mesa Community Foundation replied the monies could go to a specific program and noted the Foundation has a new grant program with guidelines requiring that requests fall within the Foundation's vision statement, namely, the arts, children, public safety and beautification. Ms. Brenneman advised that requests for grants are considered four times a year and additional information can be accessed through the Foundation's website.

MOTION: On motion by Council Member Mansoor, seconded by Council Member Bever, the City Council approved the permanent allocation of all money collected from the Mother and Child Reflecting Pool to the Costa Mesa Community Foundation. MOTION UNANIMOUSLY CARRIED.

## PUBLIC HEARINGS

### 1. CONTINUED PUBLIC HEARING: APPEAL OF DENIAL OF PLANNING APPLICATION NO. PA-06-34, 3067 Bristol Street

---

The Public Hearing was continued from the meeting of September 5, 2006; appeal of denial of Planning Application No. PA-06-34, to amend conditions of approval of an existing conditional use permit (PA-99-49) to allow concurrent sales of beer and wine (single servings) with gasoline, and to allow exterior advertisement for alcoholic beverages on C-1 (Local Business District) zoned property located at 3067 Bristol Street; Greg Fick of Tait and Associates, Inc., authorized agent for Conoco Phillips, appellants. Environmental Determination: Categorically Exempt.

Earlier in the meeting, the Mayor announced that the appellant in a letter dated October 2, 2006, requested withdrawal of their appeal of the denial of Planning Application No. PA-06-34. No further action was taken by the City Council.

## OLD BUSINESS

1. ORDINANCE NO. 06-21: The City Clerk read the title of Ordinance No. 06-21 and noted it was introduced for first reading at the September 19, 2006 meeting.

MOTION: On motion by Council Member Mansoor, seconded by Council Member Foley, the City Council waived further reading and adopted Ordinance No. 06-21 entitled:

ORDINANCE NO. 06-21: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA AMENDING CHAPTER II OF TITLE 2 OF THE COSTA MESA MUNICIPAL CODE RELATING TO ADOPTION OF THE ANNUAL BUDGET. (By midnight on June 30<sup>th</sup> of each year)

Roll Call Vote:

AYES: COUNCIL MEMBERS: MANSOOR, BEVER, DIXON, FOLEY, AND MONAHAN

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: NONE

MOTION CARRIED. The Mayor declared Ordinance No. 06-21 duly passed and adopted.

### NEW BUSINESS

1. Urban Master Plan Screening UMP-06-09 for 2033 AND 2037 Anaheim Avenue within the Mesa West Residential Ownership Urban Plan Area.

Senior Planner Claire Flynn and Assistant Planner Rebecca Robbins briefed the Council Agenda Report dated September 15, 2006 and advised the purpose of the screening process was to allow the applicant to consider Council's initial comments and to refine the development concept based on their feedback. Ms. Robbins pointed out that the applicant proposes to construct three-story residences for homeownership with an underground parking structure and that development concept involves construction of nine single-family detached condominium units on two lots with eight existing dwelling units being demolished. Ms. Flynn expressed that staff has concern with the proposed deviations from the Development Standards, including but not limited to, one acre minimum for increased density, minimum 15-foot side setback requirements for three-story buildings, compatibility of contemporary architecture with existing residential neighborhood, and parking supply and bedroom mixes. Ms. Flynn stated staff was encouraging the developer to consider these concerns and to revise their plans prior to submission to the Planning Commission.

Council discussion ensued and clarification of existing and required setbacks was addressed. Council Members expressed the desire to see creative and innovative urban designs and expressed support for the proposed architecture. Council Member Foley stated that although she liked the contemporary design, she requested that the developer be sensitive to compatibility of the design with the adjoining neighborhood, noting the variety of architecture already in the area. Council Members Dixon and Foley and Mayor Mansoor encouraged the developer to underground his utilities. Council

Member Dixon requested that the landscaping include mature trees and a sufficient amount of open space in the project be required. Council Members Dixon and Foley requested that the project be environmentally compatible, to include the use of solar, green space, more open space due to the massing of the buildings, recyclable building materials, solar, etc. Council Member Bever questioned the amount of open space being provided, and Ms. Flynn responded that in addition to the 40 percent required, the applicant was proposing common open space area on the second floor, as well as individual patios and balconies.

Shaahin Espahbodi, representing S.E.A.N Design & Development, stressed their desire to provide private open space in addition to the open space development standard, which has resulted in 14 percent more open space overall. Mr. Espahbodi advised that the setbacks for the units on the north were 17 feet, and the only one end unit on the northwest side would have five feet. He pointed out that the adjoining neighborhood had a minimum rear yard setback of 10 feet. Mr. Espahbodi advised it was their intent to be environmentally compatible and noted the proposed plans were conceptual in nature at this time and they were willing to consider Spanish or Italian architecture, if desired. Council Members reiterated their satisfaction with the contemporary architecture. In response to Council Member Bever, Mr. Espahbodi advised that the average unit would be 3500 square feet.

The Mayor asked if anyone in the audience wished to address the City Council on the matter.

Terry Shaw, Costa Mesa, noted the project was massive and neighborhood to he north would be in the shadow of it; suggested that one unit be eliminated to address the setback issue; expressed the desire to see the use of solar panels; and noted with the landscaping, the project should be nice.

The Mayor asked if anyone else wished to speak; there was no response.

MOTION: On motion by Council Member Monahan, seconded by Council Member Dixon, the City Council ordered the report received and filed. MOTION UNANIMOUSLY CARRIED.

2. Installation of Stop Signs on Belfast Avenue at Fernheath Lane: Request for installation of three-way stop controls at the intersection of Belfast Avenue and Fernheath Lane.

Transportation Services Manager Peter Naghavi briefed the City Council Agenda Report dated September 21, 2006 and noted that staff was recommending denial of the request based upon minimum State warrants thresholds for multi-stop signs not being met. In response to Council questioning, Mr. Naghavi advised that traffic warrants are based on volume rather than speed because it is a matter of assigning right of way at the Intersection; that the City adopted guidelines require a threshold of 3500 vehicles per a 24-hour period and that Belfast Avenue is at 1470 vehicles; that the 85<sup>th</sup> percentile for Belfast Avenue is at 32.3 percentile; and that no accidents have occurred in the area in the past three years.

Council discussion ensued. Council Member Foley stated that a 33 percentile was not acceptable in a residential area and asked what other options, such as painting of large letters on the pavement or posting of signs indicating slow down, 25 miles per hour, children at play, entering a residential neighborhood, street narrowing, or construction of roundabouts, have been considered to slow the traffic. Mr. Naghavi responded some of those measures have been taken; others would require taking of property; and he expressed concern about giving a false sense of security if signs such as children at play were posted. He advised that staff would be submitting a traffic calming measures report in November or December of this year to address traffic issues. In response to Council Member Monahan, Mr. Naghavi stated that notice of this meeting was sent to residents within a 500-foot radius of the intersection. In response to Council Member Dixon, he stated that most of the abuse of the speed limit came from within the neighborhood, not cut-through traffic; and that the area was a good candidate for installation of permanent electronic speed signs that indicated the speed of a vehicle.

The Mayor asked if anyone wished to address the City Council on the matter.

1. William Lundergan, Costa Mesa, expressed concern for the safety of the children, especially the special needs children, who are playing or walking to school, and related personal experiences involving speeding vehicles.
2. Mike Brumbaugh, President of the Halecrest Hall of Fame Homeowners Association, expressed appreciation to Mr. Naghavi for his help in solving traffic issues in the area, but stated he looked at those solutions as interim solutions; advised that drivers follow the rules when the traffic trailer or motorcycle police officers are on the street, but in their absence, those drivers speed excessively; advised that drivers pass vehicles doing the posted speed limit, pass school buses, and that confrontations between drivers are now occurring.

The Mayor requested Mr. Brumbaugh to wrap-up his comments, or if the Council desired to extend his three-minute limitation.

MOTION: On motion by Council Member Foley, seconded by Council Member Mansoor, the City Council extended the three-minute limitation to allow Mr. Brumbaugh to complete his comments. MOTION UNANIMOUSLY CARRIED.

Mr. Brumbaugh continued that the residents in the area recognize that the Police cannot be on their street at all times and consequently they were requesting installation of the stop sign in an attempt to solve the traffic issue. He pointed out streets in the area that were cut-through routes to major streets. Mr. Brumbaugh stated that he understood the request did not meet the State warrants or City guidelines, but suggested maybe they needed to be changed so that residents could enjoy their neighborhoods, and that although there were no accidents, near misses are never addressed or recorded.

3. Marc Nitz, Costa Mesa, related his driving pattern in the area, noting that he cuts through on Belfast to get to his street and questioned what type of device was used to track the speed of vehicles when the survey was taken; Mr. Naghavi responded that a person sitting in a car parked inconspicuously used a speed gun with a range well over 100 feet. Mr. Nitz expressed his appreciation for the stop signs installed on Watson and

Conway, since vehicles cut through on Warren Lane. He encouraged the installation of speed humps on Warren Lane.

4. Ralph Ray, Costa Mesa, stated every year the traffic worsens on Belfast, that when he slows to enter his driveway, vehicles and school buses pass him, and that he has small children and is concerned for their safety. Mr. Ray stated he believed a stop sign was warranted, since his neighborhood had an elementary school located at the end of the street and was a cut-through street for traffic exiting the 405 Freeway onto Fairview Road.

5. Frank Rogers, Costa Mesa, advised that frequently there are drivers traveling at high rates of speeds late at night and expressed concern that they will lose control and plow right into their bedrooms which are located in the front of the houses; believed that both stop signs and speed humps should be installed; and requested a permanent solution to the Belfast Avenue traffic problem.

7. Craig Parks, Costa Mesa, expressed concern for the safety of the children on Belfast Avenue and advised when he walks in the evenings, he is always yelling at drivers to slow down.

The Mayor asked if anyone else wished to address the City Council on the matter; there was no further response.

City Council Members indicated they would support the installation of the stops signs, but did not believe it would provide a final solution and that initially, drivers would slow, but once it became routine, they would be speeding again. Installation of Botts dots was also discussed, but caution about the installation of speed bumps/humps was made.

**MOTION:** On motion by Council Member Monahan, seconded by Council Member Foley, the City Council indicated their support for the installation of stop signs on Belfast Avenue at the corner of Fernheath Lane and directed the City Attorney to research, prepare and submit at the next meeting appropriate findings relating to the installation.

Council Members discussed the possibility of installing Botts dots, but it was pointed out that the dots can be very noisy and that resident input should first be solicited, and that with the installation of the stop signs the neighborhood should continue to exercise caution and safety.

A vote was taken on the foregoing motion. **MOTION UNANIMOUSLY CARRIED.**

2. **Appointments and Reappointments to Various Council-Appointed Committees:** Council Member Monahan pointed out that resumes did not accompany the applications and noted at least one of the committees required some technical knowledge. He preferred to continue the matter two weeks and have staff request resumes from the applicants. Management Analyst Carol Proctor advised that on City Council appointed Committees resumes were not required. Council Member Monahan suggested that in the future more information be required from applicants.

The Mayor suggested that applicants be required to explain how their qualifications to serve on a specific committee would apply.

Council Member Foley and Dixon noted the lack of information provided on the applications and they could not contact applicants since telephone numbers were redacted.

**MOTION:** On motion by Council Member Monahan, seconded by Council Member Bever, the City Council continued appointments and reappointments to the various Council-appointed committees to the next meeting (October 17, 2006) and directed staff to obtain background information on the current applicants and to review and submit a more comprehensive application policy for future use. **MOTION UNANIMOUSLY CARRIED.**

Council Member Dixon acknowledged, and on behalf of the City Council expressed appreciation to, Shirley Willard and Mary Lang Graham for their efforts in the Costa Mesa Re-Leaf organization, noting they were responsible for plantings and trees being planted in neighborhoods, parks, and schools.

3. Memorandum of Understanding (MOU)—Santa Ana River Crossing Study:  
Transportation Services Manager Peter Naghavi briefed his Council Agenda Report dated September 20, 2006, relating to the MOU among the Cities of Costa Mesa, Fountain Valley and Huntington Beach and the Orange County Transportation Authority (OCTA) regarding the proposed Garfield Avenue/Gisler Avenue bridge crossing over the Santa Ana River.

City Manager Allan Roeder gave a historical background of the issues and explained it has taken 15 years to bring this matter to fruition and acknowledged the dedicated efforts of Council Member Monahan, Public Services Director William Morris and Transportation Services Manager Peter Naghavi.

Council Member Monahan pointed out that although they were not completely successful in getting OCTA to take the crossing off their Master Plan of Arterial Highways, they were successful in proving there are other less costly alternatives and strategies to building the crossings. He complimented the City Manager and staff for their tenacity and dedicated efforts and expressed appreciation to Supervisor Jim Silva for his assistance.

Council Members expressed their appreciation to Council Member Monahan, Supervisor Silva, the City Manager, and staff, especially Mr. Morris and Mr. Naghavi, for their efforts.

The Mayor asked if anyone wished to address the City Council on the matter.

Cindy Brenneman, on behalf of the Mesa Verde Community Homeowners' Association, expressed appreciation for the City's efforts thus far, and noted the ultimate goal was to get OCTA to remove the crossing from the Orange County Master Plan of Arterial Highways.

Council Member Monahan requested the City Manager to notify the Homeowners' Association when the MOU is on the agenda of OCTA; Mr. Roeder responded that he will notify the City Council and the homeowners associations with whom they have been

working . Council Member Monahan suggested it would be beneficial to have a couple of residents and Council Members address the OCTA Board when the MOU is considered.

Beth Refakas, Costa Mesa, thanked the City Council for their work on the Garfield/Gisler bridge and encouraged the City to start working on the elimination of the 19<sup>th</sup> Street Bridge.

The Mayor asked if anyone else wished to address the matter; there was no further response.

MOTION: On motion by Council Member Mansoor, seconded by Council Member Dixon, the City Council approved and authorized the Mayor to sign the Memorandum of Understanding (MOU) among the Cities of Costa Mesa, Fountain Valley and Huntington Beach and the Orange County Transportation Authority (OCTA) regarding the proposed Garfield Avenue/Gisler Avenue bridge crossing over the Santa Ana River, and further authorized the City Manager to make minor refinements to the MOU based on discussions with the other cities and OCTA. MOTION UNANIMOUSLY CARRIED.

5. November 7, 2006 City Council Meeting: The Mayor referred to the Council Agenda Report dated September 27, 2006 and noted that with the change in City Council meeting days from Monday to Tuesday, this would be the first year that a regular meeting would fall on a general election day. He was requesting that the November 7<sup>th</sup> regular meeting be held November 8<sup>th</sup> or other date convenient to Council Members. Council Member Dixon advised she was unavailable on November 8<sup>th</sup>. Council Member Monahan advised he could not be present at the November 7<sup>th</sup> meeting and suggested November 14<sup>th</sup> following the Redevelopment Agency meeting.

Council Member Foley voiced the opinion that the regular meeting should be held November 7<sup>th</sup> and not changed for the convenience of certain Council Members. Council Members Monahan and Mansoor reiterated this was the first time a regular meeting would be held on a general election day. Council Member Monahan pointed out that many people who attend Council meetings regularly are active in their community and elections and, therefore, would be working, attending, or watching election events on election day. Council Members Dixon and Foley suggested starting the November 7<sup>th</sup> meeting earlier.

The Mayor asked if anyone in the audience wished to address the matter; there was no response.

MOTION: On motion by Council Member Mansoor, seconded by Council Member Bever, the City Council determined the November 7<sup>th</sup> regular meeting would be held November 14<sup>th</sup>.

City Manager Roeder stated that if the motion carried, he wanted the City Council to be aware that staff would be producing two regular meeting agendas concurrently and also, advised that if there was any complication with holding the November 7<sup>th</sup> regular meeting on November 14<sup>th</sup>, he would bring the matter to the attention of the City Council at their Study Session to be held October 10<sup>th</sup>.

A vote was taken on the foregoing motion. Council Members Dixon and Foley voted "No." MOTION CARRIED.

## REPORTS

City Attorney: None

City Manager:

1. Police Department Recruitment and Retention Program: City Manager Roeder briefed his Council Agenda Report dated September 19, 2006 relating to Police Department recruitment and retention and incentive proposals. He noted the severe shortage in law enforcement relating to recruitment of entry level and lateral police officers throughout the State. He advised that he formed a Task Force comprised of representatives from the Police Finance Department, Finance Department, Human Resources, and his office to review short- and long-term strategies and actions to improve Police recruitment and retention practices. The result was the proposed recommendations. Mr. Roeder advised that Captain Tom Warnack and Training/Recruitment Administrator Hugh Tate were present to also answer any questions.

Council Member Foley noted that the purchase of a recruitment vehicle was in the budget adjustment and suggested that the Harbor Boulevard of cars be contacted for discount pricing or a contribution be made to the Community Foundation to cover the cost; City Manager Roeder responded in the affirmative.

In response to Council Member Foley, Training/Recruitment Administrator Hugh Tate advised that all police officers are trained under POST which is State-wide Peace Officers Standard Training Program, so size of city from which they may come is not an issue.

The Mayor asked if anyone wished to address the City Council on the matter; there was no response.

MOTION: On motion by Council Member Monahan, seconded by Council Member Foley, the City Council approved Budget Adjustment 07-24 in the amount of \$71,094 appropriating additional funding for Police Officer recruitment efforts, and authorized the City Manager to modify current Personnel policies regarding terms of probation and allocated sick leave for lateral police applicants. MOTION UNANIMOUSLY CARRIED.

Council Member Dixon, on behalf of the City Council, congratulated Captain Tom Warnack on his retirement and expressed appreciation for his service to the City since 1968. Captain Warnack was applauded for his service, and he thanked the City Council for the opportunity to serve the citizens of Costa Mesa.

ADJOURNMENT: The Mayor declared the meeting adjourned at 8:59 p.m., to October 10, 2006, 4:30 p.m., for a Study Session followed by a Joint Meeting with the Redevelopment Agency at 6:30 p.m., and announced that the next Regular Meeting would be held October 17, 2006.

Respectfully submitted,

BY: LINDA D. RUTH, INTERIM CITY CLERK

---

Allan R. Mansoor, Mayor

ATTEST:

---

Julie Folcik, City Clerk