

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

September 19, 2006

The City Council meeting of the City of Costa Mesa, California met in regular session September 19, 2006, at 5:00 p.m., in the Council Chambers of City Hall, 77, Fair Drive, Costa Mesa. The meeting was called to order by the Mayor.

ROLL CALL

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

Council Members Absent: None

Officials Present: City Manager Allan Roeder
City Attorney Kimberly Hall Barlow
City Clerk Julie Folcik

PUBLIC COMMENT

There were no public comments.

Mayor Mansoor recessed the meeting at 5:04 p.m. into Closed Session in Conference Room 1B.

III. CLOSED SESSION

1. **Public Employee Discipline/Dismissal/Release, pursuant to Government Code Section 54957.**
2. **Conference with Labor Negotiator, Agency Negotiator: Steve Mandoki, Administrative Services Director, and Terri Cassidy, Human Resources Manager, Employee Organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Firefighters Association (CMFA), Costa Mesa Police Association (CMPA), and Costa Mesa Police Management Association (CMPMA), pursuant to Government Code Section 54957.6.**

The Mayor reconvened the Regular Meeting at 6:00 p.m.

PLEDGE OF ALLEGIANCE - Mayor Pro Tem Eric Bever

MOMENT OF SOLEMN EXPRESSION - Associate Pastor David Stoner, First United

Methodist Church

ROLL CALL

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

Council Members Absent: None

Officials Present: City Manager Allan Roeder
Assistant City Manager Thomas Hatch
City Attorney Kimberly Hall Barlow
Development Services Director Donald Lamm
Public Services Director William Morris
Interim Fire Chief Steve Parker
Recreation Manager Jana Ransom
Management Analyst Carol Proctor
City Clerk Julie Folcik

CLOSED SESSION REPORT: City Attorney reported for Closed Session item no. 1 is deferred after New Business and item no. 2 there was no action taken and direction given.

1. Public Employee Discipline/Dismissal/Release, pursuant to Government Code Section 54957.

ACTION: The item was deferred until after New Business.

The City Attorney indicated that the City Council ran out of time in their deliberation.

2. Conference with Labor Negotiator, Agency Negotiator: Steve Mandoki, Administrative Services Director, and Terri Cassidy, Human Resources Manager, Employee Organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Firefighters Association (CMFA), Costa Mesa Police Association (CMPA), and Costa Mesa Police Management Association (CMPMA), pursuant to Government Code Section 54957.6.

No action was taken.

PRESENTATIONS

The Mayor read a letter from Wesley Robin, a student from Eastbluff Elementary, requesting information on Costa Mesa and presented a powerpoint presentation

of his final research product.

Former Mayor Jack Hammett made a presentation on the Freedom Committee of Orange County and introduced the following six war heroes: Mr. Walter Eeler, the only living survivor of D-day Normandy and Congressional Medal of Honor recipient; Mr. Dave Resler, recipient of two Bronze Stars who fought in the Battle of the Bulge; Captain LeBrakas, Commander and retired Navy Captain; Mr. Don Oldes, retired Lieutenant Colonel; Mr. Richard Higgins who received three medals from War World II and a Pearl Harbor survivor; Tom Heagan a Pearl Harbor survivor. Mr. Hammett, a Pearl Harbor survivor, reported on the mission of the committee to bring living history into the classroom of local schools and passing freedom on to future generations.

The Mayor presented the Costa Mesa Fire Explorer Post 400 - Certificates of Achievement to Josh Coleman and Anthony Todorut. Interim Fire Chief Steve Parker informed the audience the purpose of the Explorer Post program; congratulated the recipients, recognizing them as the highest achievers. Cindy Brenneman, Chairperson of the Costa Mesa Community Foundation, explained the scholarships given to the Explorer Post program and congratulated the recipients.

IV. PUBLIC COMMENTS

1. **Victor Zappia, Costa Mesa, referred to a letter he sent to the Planning Department regarding residential issues and requested help on a variance with waived or reduced fees.**
2. **Hildegard Gonzales, Costa Mesa, commented on abandoned shopping carts and gangs, contributing to the degrading of neighborhoods and called for an improvement on the Westside.**
3. **Anne Hogan Shereshevsky, Costa Mesa, complained of barking dogs in her neighborhood; requested a ban on fireworks; commented on the lack of quality, affordable senior housing and pointed out that there are no senior assisted living care within the city.**
4. **Gema Salas, Costa Mesa, commented on the freedom of immigrants and stated she opposed the use of city funds to support the war in Iraq and felt the way to support the military troops was to bring them home.**
5. **Scott Sink expressed opposition to the ICE Proposal and recounted events surrounding the arrest of a public speaker at a Council meeting earlier in the year.**
6. **Zach Doe, Orange Coast College Chapter of Fact or Fiction, commented on the Mayor's position on the immigration issues and advised of his opposition.**
7. **Judi Berry, Costa Mesa, refuting previous comments made by members of**

the public that the city is not meeting the needs for low-income housing, referred to an article in the Orange County Register that report that Costa Mesa was ranked fourth in Orange County cities for meeting the community's need for low income housing.

8. Beth Refakes, Costa Mesa resident and member of the Costa Mesa Historical Society, referring to the 40th anniversary celebration of the Historical Society held over the weekend, expressed appreciation for the support from the various City Departments.
9. Mike Berry, Costa Mesa, responded to previous speaker's comment referencing an arrest incident and thanked the Police for their constraint; referred to Orange County Register article relating to prostitution on Harbor Boulevard; noted a few issues and to consider alternatives.

V. COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

Council Member Katrina Foley

Thanked the Costa Mesa Historical Society for their anniversary celebration, along with the Model Train Engineers and the Explorer Post Program, for their services to City residents; announced the first Zone Reconfiguration meeting of the school district to begin on September 20th at 6:00 p.m. at the Sonora Elementary School; and addressed a previous speaker's comment regarding abandoned shopping carts, clarified her position on the issue and advised that it is a code enforcement issue.

Council Member Linda Dixon

Referred to last election and pointed out her support of the entire community.

Mayor Pro Tem Eric Bever

Announced his attendance of a symphony at the new Henry and Renee Segerstrom Concert Hall, encouraging the community to attend a performance and announced Triangle Square is under new ownership.

4. Council Member Gary Monahan

Represented the City at the League of California Cities conference held in San Diego; attended the Regional Center of Orange County's 10th Annual Spotlight Awards recognizing community volunteers helping those with developmental and physical disabilities; attended a memorial and opening of a new preschool on the Eastside; and requested staff to acquire information from the Dayle McIntosh Center that was provided at a recent Disability Access and Solutions for Housing forum.

5. Mayor Allan Mansoor

Referring to a recent email from the California Public Utilities Commission

regarding new incentives for installing solar energy, requested the City Manager to have staff review "if it is worthwhile and cost effective" for city facilities.

VI. CONSENT CALENDAR

CONSENT CALENDAR ITEM NOS. 1 THROUGH 20.

MOTION: Approve the recommendations for Consent Calendar Items Nos. 1 through 20, except for Consent Calendar Item No. 2 for the August 15, 2006 Regular Meeting Minutes.

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

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

1. Reading Folder.

ACTION: The following claims were received and processed: Jennifer Nolan; and Nicole R. Wear.

The following Alcoholic Beverage Control License was received and processed: Helene Marietherese Briggs, for The Wrapper, 3333 Bristol Street, Suite 2014, Costa Mesa, for a premise-to-premise (suite-to-suite) transfer of an existing type 20 (off-sale beer and wine).

The following notification letter was received and processed: Southern California Gas Company – Notice of Proposed Rate Decrease – Application No. A.06-08-026.

The follow-up report was received and processed: Response to questions presented at the City Council meeting of September 5, 2006, from Council Member in regards to Twenty-Four Hour Fitness Corporate Membership Information.

2. Regular Meeting of August 1 and August 15, 2006.

ACTION: Approved Minutes of August 1, 2006.

3. Warrant Resolution 2125, funding City operating expenses for \$546,013.84.

ACTION: Resolution adopted.

4. Warrant Resolution 2126, funding Payroll No. 617 for \$2,266,556.90 and Payroll No. 616A for \$8,291.02, and City operating expenses for \$634,071.90

including payroll deductions.

ACTION: Resolution adopted.

5. **Warrant Resolution 2127, funding City operating expenses for \$750,926.07.**

ACTION: Resolution adopted.

6. **Request from Police Officer Steve Calles, for Special Leave of Absence Without Pay, retroactive to September 6, 2006 to December 26, 2006.**

ACTION: Approved.

7. **Salary adjustments for classifications represented by the Costa Mesa Police Management Association and Costa Mesa Police Association.**

(a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REVISING THE PAY RANGES FOR JOB CLASSIFICATIONS REPRESENTED BY THE COSTA MESA POLICE MANAGEMENT ASSOCIATION (CMPMA) PURSUANT TO THE 2004-2007 MOU.

(b) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REVISING THE PAY RANGES FOR JOB CLASSIFICATIONS REPRESENTED BY THE COSTA MESA POLICE ASSOCIATION (CMPA) PURSUANT TO THE 2004-2007 MOU.

(c) Budget Adjustment No. 07-016 for \$687,013.

ACTION: Adopted Resolutions No. 06-74 and No. 06-75; Approved Budget Adjustment; and authorized the Mayor to sign.

8. **Professional Services Agreement for Engineering Design with Civil Source, 500 Wald Street, Irvine, in the amount of \$59,715, for design services of Cassia Avenue and Valencia Street, 2006-2007 CDBG Street Improvement Project.**

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

9. **Professional Services Agreement for Crossing Guards with All City Management Services, Inc., 1749 S. La Cienega Blvd., Los Angeles, in an amount not to exceed \$192,000, for crossing guard services, for a term of eleven months, effective October 2, 2006 through August 31, 2007, with automatic renewals for four (4) terms of one (1) year each.**

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

10. **Cooperative Agreement with the City of Santa Ana, for Rehabilitation of Sunflower Avenue, between Avenue of the Arts and Bear Street, adjacent to the Theatre and Arts District (TAD), in an amount not to exceed \$45,000, payable to Costa Mesa, for project development expenses.**

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

11. **Award Formal Bid Item No. 1100, for a two-year Landscape and Turf Maintenance (Parks, Facilities, and Sports Fields) contract, with four (4) one-year optional renewals, to Midori Gardens, Inc., 3231 South Main Street, Santa Ana, in an amount not to exceed \$305,076.64 for the first year.**

(a) Budget Adjustment No. 07-018 for \$114,190.

ACTION: Approved Contract; authorized the Mayor and City Clerk to sign; authorized the City Manager to approve optional contract renewals after the initial two-year (2) term; Approved Budget Adjustment and authorized the Mayor to sign.

12. **Award Formal Bid Item No. 1101, for a two-year Landscape and Turf Maintenance (Parkways, Medians, and Fire Stations) contract, with four (4) one-year optional renewals, to TruGreen Landcare, Inc., 1150 West Trenton Avenue, Orange, in an amount not to exceed \$168,526.20 for the first year.**

(a) Budget Adjustment No. 07-019 for \$120,804.

ACTION: Approved Contract; authorized the Mayor and City Clerk to sign; authorized the City Manager to approve optional contract renewals after the initial two-year (2) term; Approved Budget Adjustment and authorized the Mayor to sign.

13. **Adopt plans and specifications, and working details for the Parkway Concrete Repair and New Sidewalk Project, Project No. 06-10, and award a Construction Contract to Beldaire-West Landscape, Inc., P.O. Box 6270, Buena Park, in the amount of \$535,350.**

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

14. **Adopt plans and specifications, and working details for the Costa Mesa Police Facility Expansion and Renovation Project, Project No. 06-08, and award a Construction Contract to USS Cal Builders, Inc., 8051 Main Street, Stanton, in the amount of \$18,194,000.**

(a) Budget Adjustment No. 07-013 for \$18,194,000.

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

15. **Completion of Wilson Street/Pomona Avenue Traffic Signal Installation, Project No. 05-23, as of July 27, 2006, by Inspection Engineering**

Construction, Inc., 2973 Harbor Boulevard, #516, Costa Mesa.

ACTION: Work was accepted; City Clerk was authorized to file a Notice of Completion; authorization was given to release of retention monies 35 days thereafter; the Labor and Material Bond was ordered exonerated seven (7) months thereafter; and the Faithful Performance Bond was ordered exonerated twelve (12) months thereafter.

16. **Application for Grant Funds from the California Rivers Parkways Grant Program under the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50), for the Fairview Park Wetlands and Riparian Habitat Project, in the amount of \$2,100,000.**

(a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE CALIFORNIA RIVER PARKWAYS GRANT PROGRAM UNDER THE WATER SECURITY, CLEAN DRINKING WATER, COASTAL AND BEACH PROTECTION ACT OF 2002 (PROPOSITION 50).

ACTION: Adopted Resolution No. 06-76.

17. **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR GRANT FUNDS FROM THE TIRE-DERIVED PRODUCT GRANT PROGRAM. (\$22,463)**

ACTION: Adopted Resolution No. 06-77.

18. **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING APPLICATION FOR, AND ACCEPTANCE OF, A GRANT AWARD FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR THE "DUI ENFORCEMENT AND AWARENESS PROGRAM." (\$463,717)**

(a) Budget Adjustment No. 07-014 for \$463,717.

ACTION: Adopted Resolution No. 06-78; Approved Budget Adjustment and authorized the Mayor to sign.

19. **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, PROVIDING FOR TEMPORARY PARTIAL PAY FOR MILITARY LEAVE OF ABSENCE AND CONTINUATION OF BENEFITS FOR CITY OF COSTA MESA EMPLOYEES CALLED TO ACTIVE DUTY WITH THE ARMED FORCES. (Resolution Nos. 01-75 and 03-43 rescinded.)**

ACTION: Adopted Resolution No. 06-79.

20. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REVISING THE LIST OF DESIGNATED POSITIONS FOR THE CITY'S CONFLICT OF INTEREST CODE.

ACTION: Adopted Resolution No. 06-80.

ITEM REMOVED FROM CONSENT CALENDAR

2. Regular Meeting Minutes of August 15, 2006.

**MOTION: Continue to October 3, 2006 meeting.
Moved by Mayor Allan Mansoor, seconded by Mayor Pro Tem Eric Bever.**

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

VI. PUBLIC HEARINGS

The City Clerk announced that this was the time and place set for a public hearing to consider:

1. PUBLIC HEARING: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ORDERING THE VACATION OF A PORTION OF EL CAMINO DRIVE, MENDOZA DRIVE, AND CORONADO DRIVE ADJACENT TO 1011-1045 EL CAMINO DRIVE AND AT 2805 & 2829 SAN JUAN LANE. (Public Hearing set by Resolution No. 06-67.)

The Affidavit of Publication is on file in the City Clerk's office.

Director of Public Services, William Morris, advised that the applicant has requested a continuance of the public hearing to November 7, 2006 at 7:00 p.m., in order to post the required bonds.

Council Member Monahan exited at 7:26 p.m. and returned at 7:28 p.m.

Director of Development Services, Donald Lamm, responded to questions from City Council. Council Member Foley commented that the property is an attractive nuisance for graffiti, trash, transient, and parking and requested removal of posters and flyers located on the property. She requested that staff contact the surrounding property owners regarding future parking issues at the proposed development site.

Council Member Dixon pointed out that the delay is due to the developer needing to obtain required performance bonds and would like to know when the City can

expect development to break ground.

There were no public comments.

MOTION: Continue to November 7, 2006 at 7:00 p.m.

Moved by Mayor Allan Mansoor, seconded by Mayor Pro Tem Eric Bever.

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

VIII. OLD BUSINESS

1. **From the meeting of September 5, 2006, second reading and adoption of ORDINANCE 06-20: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING ZONING CODE AMENDMENT CO-06-06 WHICH AMENDS TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING FLOODPLAIN AND FLOODWAY DISTRICTS.**

MOTION: Adopt Ordinance No. 06-20, to be read by title only and waive further reading.

Moved by Mayor Allan Mansoor, seconded by Mayor Pro Tem Eric Bever.

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

IX. NEW BUSINESS

1. **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 30th of each year).**

City Attorney, Kimberly Barlow, briefed her staff report and answered questions from City Council.

Mayor Pro Tem Bever requested the ordinance include a budget submittal date to Council in order to have sufficient time to review prior to adoption. City Attorney advised the section code relating to the process of the preparation and submittal of the budget requires a separate ordinance to amend.

Judi Berry, Costa Mesa, agreeing with Mayor Pro Tem Bever's suggestion to include a minimum time frame, and felt that the proposed budget should be

available in mid-April but no later than May 15, allowing for adequate public review of the budget.

Mike Berry, Costa Mesa, suggested that staff development of a Gantt chart to assist with timeline for the budget review.

The Mayor closed public comments.

Council Member Monahan commended the City Manager and staff on preparation of the annual budget and felt that some of the recommendations could be put into a Council Policy.

MOTION: Introduce Ordinance No. 06-21 for first reading, read by title only, and waived further reading.

Moved by Council Member Gary Monahan, seconded by Council Member Linda Dixon.

Mayor Pro Tem Bever requested the maker of the motion to include direction to staff to prepare a council policy for adoption. Council Member Monahan instead suggested that the Mayor Pro Tem and the City Attorney could work with staff in preparing a policy for adoption.

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

2. Voters' Rights Act and Poll Worker Recruitment Presentation by the Orange County Registrar of Voters.

Neal Kelley, Registrar of Voters (ROV), presented a power-point presentation on the history of the voting ballot, election preparation and challenges, voting methods, Voting Rights Act, and Poll Worker Recruitment. Mr. Kelley responded to questions from the City Council and the public.

Erin Sloan, Costa Mesa resident and a Middle School Social Studies teacher, inquired on the qualifications of voting, the ROV's efforts to inform the community on voting qualifications; and the checking of voter registration for residency and citizenship.

The Registrar of Voter replied that by signing the Voter Registration Application's affidavit a person is stating , under penalty of perjury, that they are a United States citizen.

3. City Employee Poll Worker Program.

City Clerk Julie Folcik presented her staff report dated September 11, 2006.

There being no speakers, the Mayor closed public comments.

MOTION: Approved and authorized the City Manager to implement a program authorizing City employees to serve as volunteer poll workers throughout the City of Costa Mesa, for the City's General Municipal Elections.

Moved by Mayor Pro Tem Eric Bever, seconded by Mayor Allan Mansoor.

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

4. **Request from Council Members Foley and Dixon to establish an ad hoc committee to identify incentives for sustainable development strategies for the Overlay Zones.**

The City Manager, Allan Roeder, summarized the staff report dated September 12, 2006.

Council Member Dixon stated she would like to make Costa Mesa a better place to live by making it cleaner and greener. Council Member Foley echoed Council Member Dixon's comments and indicated she would like a walkable, likable, and livable City; commented on the model developments in the South Bristol Entertainment and Cultural Arts (SoBECA) area.

Mayor Pro Tem Bever commented on researching of cost-saving efficiency measures and stated his support of conservation and the good use of resources, however, opined an 11 member committee was not necessary for the task. He felt that the City staff could effectively research and identify such cost-effective measures.

Wendy Leece, Costa Mesa, expressed concern of the committee with 11 members and pointed out that a majority of the members would not be voting residents of Costa Mesa. She suggested that staff could focus on conservation and sustainability of a community.

Council Member Dixon clarified the purpose of the committee to assist with ideas and suggestions, not to set policy.

Judi Berry, Costa Mesa, expressed concern of the committee's limited focus of only the the SoBECA and Westside Overlay zone, stating she felt the recommendations should be established for the whole city; and voiced concern on the possible delay of improvements on the Westside by this committee.

Mike Berry, Costa Mesa, stated that a committee of such size would be ineffective and instead suggested appointing a city ombudsman; and felt recommendations should be implemented citywide.

Kathleen Erics, Costa Mesa, agreeing with a previous speakers, expressed her opposition to the need. She agreed with incentives for green building and thought that it should be applied citywide.

Council Member Foley addressed public speakers comments; stated the SoBECA and the Westside Overlay Zones were targeted due to the future developments; explained that the size of the committee is only a suggestion but that the composition of the members was to have the committee made up of professionals.

The Mayor supported the idea but had reservations on the need for a new committee and suggested that the Planning Commission look into it at a study session.

MOTION: Approve request to establish the ad hoc committee to identify incentives for sustainable development strategies for the Overlay Zones.
Moved by Council Member Katrina Foley, seconded by Council Member Linda Dixon.

SUBSTITUTE MOTION: Receive and file the report; directed staff to provide the staff report to the Planning Commission; and directed that the information regarding sustainable development be provided to developers over the counter.

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

The substitute motion carried by the following roll call vote:

Ayes: Mayor Allan Mansoor, Mayor Pro Tem Eric Bever, Council Member Gary Monahan

Noes: Council Member Linda Dixon, Council Member Katrina Foley

Absent: None.

The Mayor declared the meeting recessed at 8:45 p.m.

The Mayor reconvened the meeting at 8:55 p.m.

5. Sponsorship of D Company, 2-25 Aviation Regiment, US Army and Military Personnel who have connections to Costa Mesa.

(a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, FORMALLY ADOPTING D COMPANY, 2-25 AVIATION REGIMENT (TASK FORCE DIAMOND HEAD) OF THE UNITED STATES ARMY.

(b) Direct staff to disseminate information to the public and coordinate with other

City organizations, non-profit groups, and individuals to collect and send needed items to Unit.

Management Analyst, Carol Proctor, summarized the staff report. Council Member Foley presented her request advising that her brother was deployed to Iraq and read an e-mail from him expressing how much the soldiers would appreciate support and sponsorship.

Discussions ensued among Council Members relating to support and sponsorship of military personnel in combat zones. Mayor Pro Tem Bever suggested opening it up to other members of the community with members with services. Mayor Mansoor expressed appreciation of all military services and expressed concern of the logistics of the sponsorship. Council Member Monahan spoke in support of the outreach and adopting D Company and suggested the program be available to Costa Mesa employees with family connections to military personnel in combat zones.

The Mayor requested donation information be posted on our City's website.

MOTION: Adopt Resolution No. 06-81; approved and include City of Costa Mesa employees sponsorship of military personnel located in all the combat zones.

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

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

6. Modification to Athletic Field/Facility Use and Allocation Policy - Temporary, Portable Lighting Policy.

City Attorney Kimberly Barlow advised there is no conflict in the participation of Council Member Foley due to residing near a City Field/Facility since this matter is pertaining to a City-wide policy.

Recreation Manager Jana Ransom summarized the agenda report dated September 15, 2006.

Council Member Monahan suggested to remove specific dates from the policy and to provide based on need, with the provision, if there are no other lighted fields are available.

Discussion ensued relating to the clarification of the language of the policy. City Manager Allan Roeder advised the policy amendment addresses

the time frame that the portable lights may be used.

Ron Nugent, Costa Mesa resident and representing Pop Warner, expressed support for the recommendation and reporting of field issues due to the lack of lights.

Steve Mensinger, Costa Mesa, encouraged the approval of the recommendation.

Council Member Foley expressed her support but requested staff to review and revise the language of the policy as it relates to City uses.

**MOTION: Modify the existing policy to allow for the use of temporary portable lighting, if there are no other lighted fields available.
Moved by Mayor Allan Mansoor, seconded by Council Member Katrina Foley.**

The motion carried by the following roll call vote:

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

Noes: None.

Absent: None.

X. REPORTS

City Attorney: Reminded Council of the continuation of Closed Session item number one in Conference Room 1B.

City Manager: No Report.

The Mayor recessed to closed session at 9:31 p.m., to Conference Room 1B, regarding the following item:

1. Public Employee Discipline/Dismissal/Release, pursuant to Government Code Section 54957.

The Mayor reconvened the meeting at 9:40 p.m.

The City Attorney reported the following:

MOTION: Adopt findings and directed City Attorney to notify appellant of findings.

The motion carried by the following roll call vote:

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

Noes: Council Member Linda Dixon, Council Member Katrina Foley.

Absent: None.

XI. ADJOURNMENT - The Mayor declared the meeting adjourned at 9:45 p.m.

to the next Regular Meeting to be held October 3, 2006.

Mayor of the City of Costa Mesa

ATTEST:

City Clerk of the City of Costa Mesa