



# City of Costa Mesa Council Agenda

## TUESDAY, APRIL 19, 2011

**Gary Monahan**  
Mayor

**Jim Righeimer**  
Mayor Pro Tem

**Wendy Leece**  
Council Member

**Eric Bever**  
Council Member

**Stephen Mensinger**  
Council Member

City Attorney  
Thomas Duarte

Chief Executive Officer  
Thomas R. Hatch

Development Services Director  
Kimberly Brandt

Public Services Director  
Peter Naghavi

City Clerk  
Julie Folcik

**Council Chambers, 77 Fair Drive**  
**6:00 p.m. – Council Meeting**

**TIME LIMIT FOR CITY COUNCIL MEETINGS:** Except by majority vote of the City Council to continue, meetings shall conclude at midnight. If there is unfinished business on the Agenda, those items will be continued to the next regularly scheduled City Council meeting, pursuant to Resolution No. 05-8.

### **Welcome to the City Council Meeting**

Your attendance at this public meeting is valued and appreciated.

The following City codes, guidelines, and reminders are provided for your information:

1. In accordance with Costa Mesa Municipal Code, Sec. 2-64 (1): No person in the audience shall "engage in disorderly, disruptive, disturbing, delaying or boisterous conduct including but not limited to, handclapping, stomping of feet, whistling, making noise, use of profane language or obscene gestures, yelling or similar demonstrations, which may disrupt the peace and good order of the Council proceedings."
2. All cell phones and pagers are to be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to respond to a page or to conduct a phone conversation.
3. In accordance with City Council Policy 000-11, and among other requirements, any video submitted for display at a public meeting must have been previously reviewed by staff to verify appropriateness for general audiences. A copy of this policy is available at City Hall during normal office hours.

4. Please use the podiums on either side of the dais to speak to the City Council. Direct all verbal communications, requests, and/or questions to the Mayor.

5. Any written communications, pictures, etc., to be provided to the Council should be directed to the City Clerk. Any exhibits to be displayed on the overhead screen may be given to the appropriate staff member.

**NOTE:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk, (714) 754-5225. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35.104 ADA Title II].

**PLEDGE OF ALLEGIANCE** Mayor Pro Tem Jim Righeimer

**MOMENT OF SOLEMN EXPRESSION** Phil Eyskens, Church of the Nazarene - Light House of Costa Mesa

*[Per Council Policy 000-12, these presentations are made by community volunteers stating their own views. The Council disclaims any intent to endorse or sponsor the views of any speaker. Interested presenters, please contact the City Clerk's office.]*

**ROLL CALL**

**ANNOUNCEMENTS** There's always something happening in Costa Mesa!

The Mayor will announce upcoming events and activities in the community which are sponsored by or affiliated with the City.

Please refer to the last page of the agenda for a detailed list of announced events and activities. These may also be found on the City's website.

**PRESENTATIONS** Mayor's Award – Mike Bargas, Estancia High School Football Coach

**SPEAKERS: PLEASE PRINT YOUR NAME AND ADDRESS ON THE SPEAKER FORM(S) AND PRESENT TO THE CITY CLERK PRIOR TO THE ITEM.**

**PLEASE NOTE:**

- **YELLOW FORM IS FOR PUBLIC COMMENTS OF TOPICS NOT ON THE AGENDA.**
- **GREEN FORM IS FOR SPECIFIC AGENDA ITEMS. PLEASE FILL OUT FOR EACH AGENDA ITEM YOU WISH TO ADDRESS.**

**PUBLIC COMMENTS:** To ensure fair and equal treatment of all who appear before the City Council and to expedite City business, speakers will be limited to three (3) minutes each to address any item within the City Council's jurisdiction and which is not listed on the Agenda. The three (3) minute per speaker time limit may be extended for good cause by the Mayor, or by majority vote of City Council Members. Questions and comments made by public speakers may be addressed by Council during Council Comments.

**CONSENT CALENDAR:** All matters listed under the Consent Calendar are considered to be routine and will be acted upon in one motion. There will be no separate discussion of these items unless members of the City Council, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar for discussion. Items removed from the Consent Calendar will be discussed and voted upon immediately following City Council action on the remainder of the Consent Calendar.

Members of the public who wish to discuss Consent Calendar items should come forward to the microphone upon invitation by the Mayor, state their name, city in which they reside, and item number to be addressed.

**CONSENT CALENDAR ITEM NOS. 1 THROUGH 10.**

Written Communications

1. Reading Folder.

**Recommendation: Receive and process**

Minutes

2. Regular meeting of April 5, 2011.

**Recommendation: Approve**

Warrants

3. Warrant Resolution 2364, funding Payroll No. 11-07 for \$2,188,053.61, and Payroll No. 11-06A for \$839.71, and City operating expenses for \$1,007,659.50, including payroll deductions.

**Recommendation: Approve**

4. Warrant Resolution 2365, funding City operating expenses for \$352,521.41.

**Recommendation: Approve**

Administrative Actions

5. [Completion of Placentia Avenue/17<sup>th</sup> Street Traffic Signal Modification Project, Federal Project No. HSIPL-5312 \(073\), City Project No. 09-26, by Christopher R. Morales, Inc., 155 North Eucla Avenue, San Dimas.](#)

**Recommendation:** Accept work; authorize City Clerk to file a Notice of Completion; release retention monies 35 days thereafter; exonerate the Labor and Material Bond seven (7) months thereafter; and exonerate the Faithful Performance Bond seven (7) months thereafter

6. [Completion of Parkway Concrete Repair and New Sidewalk Construction Project, City Project No. 10-05, by D.P. Mangan, Inc. dba Pave West, 551 South Harbor Boulevard, La Habra.](#)

**Recommendation:** Accept work; authorize City Clerk to file a Notice of Completion; release retention monies 35 days thereafter; exonerate the Labor and Material Bond seven (7) months thereafter; and exonerate the Faithful Performance Bond twelve (12) months thereafter

7. [Completion of American Recovery and Reinvestment Act \(ARRA\), Rehabilitation of Wilson Street \(from Fairview Road to Newport Boulevard\), Federal Project No. ESPL-5312 \(079\), City Project No. 10-08, by All American Asphalt, Post Office Box 2229, Corona](#)

**Recommendation:** Accept work; authorize City Clerk to file a Notice of Completion; release retention monies 35 days thereafter; exonerate the Labor and Material Bond seven (7) months thereafter; and exonerate the Faithful Performance Bond seven (7) months thereafter

8. [Completion of Rehabilitation of Alley No. 47 \(between Cleveland Avenue and Coolidge Avenue and from Baker Street to Paularino Avenue\), City Project No. 10-12, by Black Rock Construction, 282 North Saint Crispin Avenue, Brea.](#)

**Recommendation:** Accept work; authorize City Clerk to file a Notice of Completion; release retention monies 35 days thereafter; exonerate the Labor and Material Bond seven (7) months thereafter; and exonerate the Faithful Performance Bond twelve (12) months thereafter

9. [Final Map for Tract No. 17401 located at 2079 and 2083 Thurin Street, Costa Mesa, for the subdivision of one \(1\) lot to facilitate a 10-unit common interest development \(condominiums\).](#)

**Recommendation:** Approve; authorize City Engineer and City Clerk to sign

10. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE VACATION OF A PORTION OF SAINT CLAIR STREET AT 766 SAINT CLAIR STREET, setting a Public Hearing on May 17, 2011.](#)

**Recommendation: Adopt resolution**

-----END OF CONSENT CALENDAR-----

PUBLIC HEARINGS - 7:00 p.m. (Resolution No. 05-55)

1. PUBLIC HEARING: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ESTABLISHING SCHEDULES OF RATES, FEES, AND CHARGES FOR SERVICES PROVIDED BY THE CITY OF COSTA MESA POLICE DEPARTMENT FOR SPECIAL/COMMUNITY EVENTS.

**Recommendation: Continue public hearing to May 17, 2011**

OLD BUSINESS

1. [From the meeting of April 5, 2011, Ordinance No. 11-5: AN ORDINANCE OF THE CITY COUNCIL OF COSTA MESA, CALIFORNIA, AMENDING COSTA MESA MUNICIPAL CODE SECTION 2-101, relating to the Assistant City Manager.](#)

**Recommendation: Adopt Ordinance No. 11-5, to be read by title only, and waive further reading**

2. Reports from City Council working groups
  - (a) Economic Development and Development
  - (b) Sports and Recreation
  - (c) Policies, Procedures, and General Plan/Circulation
  - (d) Budget and Capital Improvements
  - (e) Motel Issues

NEW BUSINESS

1. [Appointments to various Council-appointed committees.](#)
  - a. Cultural Arts Committee  
**Recommendation: Appoint member(s)**
  - b. Historical Preservation Committee  
**Recommendation: Appoint member(s)**
  - c. Investment Oversight Committee  
**Recommendation: Appoint member(s)**
  - d. Redevelopment and Residential Rehabilitation (3R) Committee  
**Recommendation: Appoint member(s)**

COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

1. Council Member Eric Bever
2. Council Member Wendy Leece
3. Council Member Stephen Mensinger
4. Mayor Gary Monahan
5. Mayor Pro Tem Jim Righeimer

REPORTS

City Attorney:

Chief Executive Officer:

CLOSED SESSION:

1. Conference with Thomas R. Hatch, Chief Executive Officer, 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) pursuant to Government Code Section 54957.6.

CLOSED SESSION REPORT

ADJOURNMENT – Next Regular City Council Meeting: May 3, 2011.

**Agenda related writings or documents provided to a majority of the City Council members after distribution of the City Council Agenda Packet (GC 54957.5).**

Any writings or documents provided to a majority of the City Council members regarding any item on this agenda will be made available for public inspection at the City Clerk's Public Counter, Lobby Level, in City Hall located at 77 Fair Drive, Costa Mesa, during normal business hours. In addition, such writings and documents may be posted, whenever possible, and as part of the agenda, on the City's website at [www.ci.costa-mesa.ca.us](http://www.ci.costa-mesa.ca.us).

**UPCOMING COMMUNITY EVENTS AND ACTIVITIES**

**APRIL 2011**

- Saturday, April 23<sup>rd</sup>, 8:00 a.m. - The 4<sup>th</sup> Annual Costa Mesa Community Run features a 5k and 2k run through scenic Fairview Park. The event kicks off on Friday night, April 22<sup>nd</sup>, at Estancia High School with a FREE concert by Blue Daddy. For more information, please visit [www.costamesacommunityrun.com](http://www.costamesacommunityrun.com).
- Saturday, April 23 9:00 – Noon, The City will celebrate Arbor Day by planting trees in and around Estancia Park. Residents are encouraged to participate. For further information, please call (714) 327-7492
- Friday, April 29<sup>th</sup> and Saturday, April 30<sup>th</sup> there will be a Nutrilite Health & Fitness Expo at the Orange County Fair & Event Center.
- Saturday, April 30<sup>th</sup> there will be a Kids Run the OC.
- Sunday, May 1<sup>st</sup>, the Orange County Marathon, Half Marathon and Wahoo's 5K will take place. The OC Marathon and Half Marathon begin at Fashion Island and ends at the OC Fair & Event Center; Wahoo's 5K begins and ends at the OC Fair & Event Center. For further details on the Friday, Saturday and Sunday events visit [www.ocmarathon.com](http://www.ocmarathon.com)

