



City of Costa Mesa Council Agenda

TUESDAY, MARCH 1, 2011

Gary Monahan
Mayor

Jim Righeimer
Mayor Pro Tem

Wendy Leece
Council Member

Eric Bever
Council Member

Stephen Mensinger
Council Member

City Attorney
Kimberly Hall Barlow

City Manager
Allan Roeder

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 Council Member Wendy Leece

MOMENT OF SOLEMN EXPRESSION Pastor Dave Manne, Calvary Chapel 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 Employee of the Month – Tim Sun

MADD Deuce Award – Officer Oscar Reyes

Presentations – Allan Roeder

Presentations – Kimberly Hall Barlow

Orange County Fairgrounds Update – Allan Roeder

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 7.

Written Communications

1. Reading Folder.

Recommendation: Receive and process

Minutes

2. Regular meeting of February 15, 2011.

Recommendation: Approve

Warrants

- 3. Warrant Resolution 2357, funding City operating expenses for \$759,114.20.

Recommendation: Approve

- 4. Warrant Resolution 2358, funding Payroll No. 11-04 for \$2,140,292.67, and Payroll No. 11-03A for \$43,304.45, and City operating expenses for \$815,522.04, including payroll deductions.

Recommendation: Approve

Administrative Actions

- 5. [Release of Performance and Labor and Material Bonds \(Certificate No. 661119748\) in the amount of \\$89,683 each and \(Certificate No. 661119749\) in the amount of \\$1,000, to 2295 Pacific, LLC \(Developer\), 190 Newport Center Drive, Suite 220, Newport Beach, in connection with Encroachment Permit No. PS06-00154 for street improvements and corner monumentation for Tract No. 16926, located at 2287-2295 Pacific Avenue, Costa Mesa.](#)

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

- 6. [Release of Performance and Labor and Material Bonds \(Certificate No. 892031\) in the amount of \\$40,000 each, to Brownco Construction Company, Inc. \(Contractor\), 1000 East Katella Avenue, Anaheim, in connection with Encroachment Permit No. PS08-00591 for street improvements located at 1643 Placentia Avenue, Costa Mesa.](#)

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

- 7. [2010 Annual Review of the Costa Mesa 2000 General Plan.](#)

Recommendation: Receive and file

-----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 FEES FOR THE RECREATION ON CAMPUS FOR KIDS PROGRAM.](#)

Recommendation: Adopt resolution

OLD BUSINESS

1. [From the meeting of February 15, 2011, Ordinance No. 11-3: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING COSTA MESA MUNICIPAL CODE SECTION 2-97, identifying the City Manager as the Chief Executive Officer of the City.](#)

Recommendation: Adopt Ordinance No. 11-3, 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. [Appointment of Tom Duarte of the Law Offices of Jones and Mayer as City Attorney, effective March 1, 2011.](#)

Recommendation: Approve

- (a) Amendment to agreement with the Law Offices of Jones and Mayer, 3777 North Harbor Boulevard, Fullerton, for contract legal services.

Recommendation: Approve; authorize the Mayor and City Clerk to sign

(b) Swearing in of new City Attorney.

2. [AN ORDINANCE OF THE CITY COUNCIL OF COSTA MESA, CALIFORNIA, ADOPTING MUNICIPAL CODE AMENDMENT CO-11-01, AMENDING SECTIONS 5-1.1 AND 5-1.3 OF TITLE 5 OF THE COSTA MESA MUNICIPAL CODE RELATED TO BUILDING PERMIT FOR MASONRY WALLS.](#)

Recommendation: Introduce ordinance for first reading to be read by title only, and waive further reading

3. [Feasibility and requirements to evaluate increasing capacity to Costa Mesa Emergency Medical Services – Paramedic System.](#)

Recommendation: Provide direction on whether to transmit a letter to the Medical Director of the Orange County Emergency Medical Services requesting that he determine the feasibility and requirements to evaluate the addition of the City’s ambulance provider as added capacity to the current Costa Mesa Emergency Medical Service-Paramedic delivery system.

4. [Outsourcing of City services.](#)

Recommendation: Consider recommendations of the City Council Budget Working Group for outsourcing of various City services and direct the Assistant City Manager to begin the process of noticing employees of this action.

COUNCIL MEMBERS’ REPORTS, COMMENTS, AND SUGGESTIONS

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

REPORTS

City Attorney:

City Manager:

CLOSED SESSION:

CLOSED SESSION REPORT

ADJOURNMENT – Adjourn to March 8, 2011 at 4:30 p.m. for a Study Session. Next Regular City Council Meeting: March 15, 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.

UPCOMING COMMUNITY EVENTS AND ACTIVITIES

MARCH 2011

- Tuesday, March 1st, 6:00 p.m. – Costa Mesa Pony Baseball 2nd opening game at TeWinkle Park: Costa Mesa Reds vs. Costa Mesa Phillies
- Wednesday, March 2nd, 6:00-8:00 p.m. - Costa Mesa Green Task Force presents: Home Skills for the Green Citizen – Keeping your home in the “green” zone at the Neighborhood Community Center Hamilton Room
- Saturday, March 5th - Opening Day Ceremonies for Little League Baseball
 - 9:00 a.m. Costa Mesa American Little League at Costa Mesa High School field (behind tennis courts)
 - 10:00 a.m. Newport Harbor Baseball Association at Mariners Park (Irvine/Dover)
 - 11:30 a.m. Costa Mesa National Little League at TeWinkle Middle School Major field

- Saturday, March 5th, 10:00 a.m. - Costa Mesa Historical Preservation Committee Diego Sepulveda Adobe Re-opening Ceremony at Estancia Park