

# AGENDA CITY OF COSTA MESA CITY COUNCIL

**REGULAR CITY COUNCIL MEETING  
TUESDAY, JANUARY 8, 2013  
CITY COUNCIL CHAMBERS, 77 FAIR DRIVE  
CLOSED SESSION 5:00 P.M.  
REGULAR MEETING – 6:00 P.M.**

**JAMES M. RIGHEIMER**  
Mayor

**STEPHEN MENSINGER**  
Mayor Pro Tem

**SANDRA GENIS**  
Council Member

**GARY MONAHAN**  
Council Member

**WENDY LEECE**  
Council Member

City Attorney  
**Thomas Duarte**

Chief Executive Officer  
**Thomas R. Hatch**

**Note regarding agenda-related writings or documents provided to a majority of the City Council after distribution of the City Council agenda packet (GC §54957.5):**

Any related writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection during normal business hours at the City Clerk's Office at City Hall, located at 77 Fair Drive, 1<sup>st</sup> Floor, Costa Mesa. In addition, such writings and documents may be posted—whenever possible or as part of the agenda—on the city's website at [www.costamesaca.gov](http://www.costamesaca.gov).

Your attendance at this public meeting is valued and appreciated. If you have questions regarding the agenda, public comments or wish to obtain copies of documents please contact the City Clerk office at (714)754-5221 or e-mail [Brenda.Green@costamesaca.gov](mailto:Brenda.Green@costamesaca.gov).

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

For those who wish to address the City Council, speaker cards are not required. However, for the purpose of accurate recording of the official minutes, please print your name and address on a speaker card and submit to the City Clerk. Upon invitation, please use the podiums on either side of the dais to speak to the City Council. Please direct all verbal communications, requests, and/or questions to the Mayor.

1. Any written communications, photos, or other materials for distribution to the City Council must be submitted to the City Clerk **PRIOR TO THE START OF THE MEETING.** Any materials to be displayed on the overhead projector at the Council meeting must be submitted to the City Clerk **PRIOR TO THE START OF THE MEETING.**
2. 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.”
3. All cell phones and other electronic devices are to be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to conduct a phone conversation.
4. 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.
5. Free Wi-Fi is available in the Council Chamber during the meetings. Two networks are available: council1 and council2. The password for either network is: cmcouncil.

**NOTE:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (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].

## **CLOSED SESSION – 5:00 P.M.**

**The City Council will recess to Conference Room 1B for Closed Session at the conclusion of public comments.**

### **ROLL CALL**

### **PUBLIC COMMENTS**

Members of the public are welcome to address the City Council only on those items on the Closed Session agenda. Each member of the public will be given three minutes to speak.

1. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator regarding Employee Organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Police Association (CMPA), Costa Mesa Police Management Association (CMPMA), and Costa Mesa Division Managers Association pursuant to Government Code Section 54957.6
2. Conference with legal counsel regarding existing litigation: Costa Mesa Employees Association v. City of Costa Mesa, a municipal corporation, et al., Orange County Superior Court Case No. 30-2011 00475281, pursuant to Government Code Section 54956.9(a).
3. Conference with legal counsel, regarding existing litigation: John Doe v. City of Costa Mesa, District Court for the Central District of California, Case No. SACV12-1665-AG(RNBx), pursuant to Government Code Section 54956.9(a).
4. Conference with legal counsel regarding anticipated litigation, significant exposure to litigation pursuant to Government Code Section 54956.9(b) for one potential case.

## **REGULAR MEETING OF THE CITY COUNCIL 6:00 p.m.**

### **CALL TO ORDER**

**PLEDGE OF ALLEGIANCE** Mayor Righeimer

### **MOMENT OF SOLEMN EXPRESSION**

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

Pastor Dave Manne, Calvary Chapel

### **ROLL CALL**

### **CITY ATTORNEY CLOSED SESSION REPORT**

**ANNOUNCEMENTS:** There's always something happening in Costa Mesa!  
The Mayor will play a video clip of the "Costa Mesa Minute," featuring upcoming events and activities in the community.

## **PRESENTATIONS**

Certificates of Recognition for heroism to: Arturo Hernandez & Gerald Rodriguez, maintenance workers at South Pointe Apartments, who rescued two women from a burning apartment unit.

Certificates of Recognition to coach and students from Estancia High School Football Team for winning the "Battle of the Bell – 2012"

## **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 minutes each to address any item within the City Council's jurisdiction and not listed on the agenda. Speakers are also invited to comment on items on the agenda, but only at the time in which the agenda item is being heard, and will also be limited to three minutes each. The three minute per speaker time limit may be extended for good cause by the mayor or by a majority vote of City Council.

Questions and comments made by public speakers may be addressed by the City Council during Council Comments or by the Chief Executive Officer during the CEO's Report. Additional follow-up responses to questions and concerns may also be addressed in the weekly CEO E-Briefing newsletter. To subscribe to the newsletter, please visit the city's website at <http://www.costamesaca.gov>.

## **COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS**

1. Mayor James M. Righeimer
2. Mayor Pro Tem Stephen Mensinger
3. Council Member Sandra Genis
4. Council Member Wendy Leece
5. Council Member Gary Monahan

## **REPORT – CHIEF EXECUTIVE OFFICER (CEO)**

## 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 8

### 1. READING FOLDER

- (a) Claims received by the City Clerk: Olga Riga; Judy Ruth Mullin, Lawrence Arthur; Colin Vaught; Antonio Arzate.

RECOMMENDATION: Receive and file

- 2. MINUTES: SPECIAL MEETING OCTOBER 6, 2009; SPECIAL MEETING OCTOBER 12, 2010.

RECOMMENDATION: Approve

- 3. WARRANT RESOLUTION 2450: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding City operating expenses for \$737,420.65.

RECOMMENDATION: Approve

- 4. WARRANT RESOLUTION 2451: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 12-25 SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 12-25 for \$1,989,414.12, and City operating expenses for \$679,624.95, including payroll deductions.

RECOMMENDATION: Approve

5. WARRANT RESOLUTION 2452: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding City operating expenses for \$790,732.59.

RECOMMENDATION: Approve

6. WARRANT RESOLUTION 2453: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTERS NOS. 12-25A AND 12-26 SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 12-25A for \$-4,357.29, Payroll No. 12-26 for \$2,129,699.51 and City operating expenses for \$3,176,988.44, including payroll deductions.

RECOMMENDATION: Approve

7. WARRANT RESOLUTION 2454: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding City operating expenses for \$453,699.45.

RECOMMENDATION: Approve

8. REQUEST FOR "RESIDENT ONLY" PARKING RESTRICTION ON FORD ROAD BETWEEN PARSONS STREET AND THE ALLEY WEST OF NEWPORT BOULEVARD FRONTAGE ROAD

RECOMMENDATION:

1. City Council adopt the attached resolution (Attachment 1) approving the implementation of a "Resident Only" parking restriction on Ford Road, between Parsons Street and the alley west of Newport Boulevard Frontage Road; and
2. Authorize the Transportation Services Manager to extend the "resident only" parking restriction for a maximum 1000' radius from the above limits, as needed.

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

**PUBLIC HEARINGS – 7 p.m. (Resolution No. 05-55)**

1. CLOSURE IMPACT REPORT FOR ANCHOR TRAILER PORT/MOBILEHOME PARK, 1527 NEWPORT BOULEVARD

RECOMMENDATION:

Adopt City Council Resolution (attached) requiring the Proposed Owner to Implement the Closure Impact Report for the Anchor Trailer Port/Mobilehome Park.

**OLD BUSINESS                      NONE**

**NEW BUSINESS**

**1.     [FAIRVIEW PARK WETLANDS BOARDWALK PROJECT](#)**

RECOMMENDATION:

Provide direction to staff regarding the proposed Fairview Park Wetlands Boardwalk Project (Attachment 1).

**2.     [SR-55 \(NEWPORT BOULEVARD\) IMPROVEMENT STUDY](#)**

RECOMMENDATION:

Receive and file report on the SR-55 (Newport Boulevard) Improvement Study.

**3.     [COUNCIL AUTHORIZATION FOR THE IMPLEMENTATION OF SECURITY CAMERA SYSTEM UPGRADE AND EXPANSION FOR CITY HALL AND LION'S PARK](#)**

RECOMMENDATION:

The CEO's Office recommends that the city council authorizes staff to proceed with the implementation of a security camera system upgrade and expansion to the following facilities/areas:

1. An upgrade and expansion of the existing city hall security camera system which will include the addition of a new digital recording system and the installation of new cameras on all floors and the employee and council parking lot area. The new cameras are designed to integrate with and augment the existing camera system and allow real time viewing and remote access to authorized users; and
2. Installation of a camera system in and around the perimeter of Lion's Park for the enhancement of park security efforts.

**REPORT – CITY ATTORNEY**

**ADJOURNMENT - Next Regular City Council Meeting January 15, 2013.**

**UPCOMING COMMUNITY EVENTS AND ACTIVITIES**

- Friday, January 4, 2013, 6:00 p.m. First Fridays Roadshow at City Hall
- Tuesday, January 29, 2013, Battle of the Badges blood drive sponsored by the Red Cross; 9 a.m. to 3 p.m.; Costa Mesa Emergency Operations Center (EOC), 99 Fair Drive, Costa Mesa