City of Costa Mesa
Council Agenda

TUESDAY, SEPTEMBER 18, 2007

Allan Mansoor
Mayor

Linda Dixon
Council Member

Eric Bever
Mayor Pro Tem

Katrina Foley
Council Member

Wendy Leece
Council Member

City Attorney
Kimberly Hall Barlow

City Manager
Allan Roeder

Development Services Director
Donald Lamm

Public Services Director
William Morris

City Clerk
Julie Folcik

Council Chambers, 77 Fair Drive
5:00 p.m. – Closed Session and 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].

CLOSED SESSION
5:00 p.m.

At the conclusion of the Public Comment, the City Council will recess to Conference Room 1B for Closed Session. Please note that if there are not any closed session items listed, City Council will convene at its regular meeting time of 6:00 p.m.

I ROLL CALL

II PUBLIC COMMENTS Members of the public are welcome to address the City Council only on those items listed on the Closed Session agenda. Each member of the public will be given three (3) minutes to speak.

III CLOSED SESSION:

1. CLOSED SESSION WITH LEGAL COUNSEL - ANTICIPATED LITIGATION pursuant to California Government Code Section 54956.9 - significant exposure to litigation - one case.

2. CONFERENCE WITH LABOR NEGOTIATORS pursuant to California Government Code Section 54957.6: Agency designated representatives: Allan Roeder, City Manager, Steve Mandoki, Administrative Services Director, and Terri Cassidy, Human Resources Manager regarding employee organizations: Costa Mesa City Employee Association (CMCEA), and the Costa Mesa Police Association (CMPA).

RECESS TO STUDY SESSION:
The Council will recess to and convene an Agenda Review Study Session beginning at 5:30 p.m. in Conference Room 1-A of City Hall. The public is welcome to attend and offer comment.

Pursuant to Resolution No. 05-8, each member of the public will be given an opportunity to speak for one (1) minute on Study Session agenda items. A maximum overall time of ten (10) minutes will be permitted for public comment. Note that no action may be taken by the City Council prior to the 6:00 p.m. meeting.

RECONVENE REGULAR MEETING

REGULAR CITY COUNCIL AGENDA
6:00 p.m.

PLEDGE OF ALLEGIANCE Mayor Allan Mansoor

MOMENT OF SOLEMN EXPRESSION
[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

CLOSED SESSION REPORT

PRESENTATIONS South Coast Plaza 40th Anniversary

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

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

IV 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-minute per speaker time limit may be extended for good cause by the Mayor, or by majority vote of City Council Members.

V COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

1. Mayor Allan Mansoor
2. Council Member Katrina Foley
3. Council Member Linda Dixon
4. Mayor Pro Tem Eric Bever
5. Council Member Wendy Leece

VI **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 July 17 and August 7, 2007.

Recommendation: Approve

CONSENT CALENDAR—continued

Warrants

3. Warrant Resolution 2178, funding Payroll No. 718 for $2,524,307.68 and Payroll No. 717A for $685.00, and City operating expenses for $504,711.97 including payroll deductions.

   Recommendation: Approve

4. Warrant Resolution 2179, funding City operating expenses for $869,188.75.

   Recommendation: Approve

Administrative Actions

5. Authorize reward payment to a citizen of Costa Mesa, in the amount of $500, pursuant to Costa Mesa Municipal Code, Chapter VII ½ Graffiti, Section 11-147.

   Recommendation: Approve

6. Professional Services Agreement with Western Transit Systems, 1619 East Lincoln Avenue, Anaheim, for Senior Mobility Program Driver Services, for a three (3)-year with one (1) optional one (1)-year extension, for $202,311.

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

7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE VACATION OF ALLEY NO. 128, setting a Public Hearing on October 16, 2007.

   Recommendation: Adopt resolution

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

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

1. PUBLIC HEARING: From the meeting of September 4, 2007, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING ZONING CODE AMENDMENT CO-07-01, WHICH AMENDS TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING THE REVIEW PROCEDURES AND DEVELOPMENT STANDARDS FOR THE CONVERSION OF EXISTING RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENTS TO COMMON INTEREST DEVELOPMENTS.

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

VIII OLD BUSINESS

There is no Old Business scheduled.

IX NEW BUSINESS

1. Conservation Easement with the Orange County Flood Control District and the United States Army Corps of Engineers (USACE) for the construction of Wetlands and Riparian Habitat of Fairview Park.

   Recommendation: Approve; authorize staff to finalize the Conservation Easement language; authorize the Mayor and City Clerk to sign

2. Conduct of carnivals in City parks.

   Recommendation: Provide direction

X REPORTS

City Attorney:

City Manager:

XI ADJOURNMENT – Next Regular City Council Meeting October 2, 2007.