City of Costa Mesa
Council Agenda

TUESDAY, MAY 5, 2009

Allan R. Mansoor
Mayor

Wendy Leece
Mayor Pro Tem

Katrina Foley
Council Member

Eric Bever
Council Member

Gary Monahan
Council Member

City Attorney
Kimberly Hall Barlow

City Manager
Allan Roeder

Acting Dev. Services Director
Kimberly Brandt

Public Services Director
Peter Naghavi

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. Pursuant to Government Code Section 54957.6., conference with Allan L. Roeder, City Manager 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).

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. 07-80, each member of the public will be given an opportunity to speak for two (2) minutes on Study Session agenda items. A maximum overall time of (15) 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 Pastor Mike Gibson, Christ Lutheran Church 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

CLOSED SESSION REPORT

PRESENTATIONS Excellence in Child Care Planning Award to Costa Mesa – Child Care Connections

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 (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.

V COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

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

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 6.

Written Communications

1. Reading Folder.

Recommendation: Receive and process

Minutes

2. Adjourned Regular Meeting of April 14, 2009; Regular Meeting of March 17, 2009 and April 21, 2009.

Recommendation: Approve

CONSENT CALENDAR—continued

Warrants

3. Warrant Resolution 2263, funding Payroll No. 908 for $2,568,769.55, and Payroll No. 907A for $1,706.37, and City operating expenses for $660,246.05 including payroll deductions.

   Recommendation: Approve

4. Warrant Resolution 2264, funding City operating expenses for $781,167.37.

   Recommendation: Approve

Administrative Actions

5. Adopt plans, specifications, and working details for the rehabilitation of Century Place, Howard Way, and East 16th Street, City Project No. 09-01, and award construction contract to R.J. Noble Company, 15505 East Lincoln Avenue, Orange, in the amount of $586,127.90.

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

6. Adopt plans, specifications, and working details for the rehabilitation of Orange Avenue from 17th Street to 18th Street, City Project No. 09-09, and award construction contract to R.J. Noble Company, 15505 East Lincoln Avenue, Orange, in the amount of $371,678.50.

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

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

VII 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, MODIFYING THE EMERGENCY MEDICAL SERVICES (EMS) BILLING PROCESS SO THAT ALL PATIENTS ARE BILLED EQUALLY WITHOUT REGARD TO RESIDENCY.

   Recommendation: Adopt resolution

PUBLIC HEARING—continued

2. PUBLIC HEARING: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING THE FISCAL YEAR 2009-2010 FIRE PREVENTION FEE SCHEDULE; relative to the fire prevention plan check and inspection fees program.

   Recommendation: Adopt resolution

3. PUBLIC HEARING: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, IMPLEMENTING THE COSTA MESA FIRE DEPARTMENT COST RECOVERY PROGRAM; relative to the motor vehicle accident cost recovery program.

   Recommendation: Adopt resolution

VIII OLD BUSINESS

1. From the meeting of April 21, 2009, second reading and adoption of Ordinance 09-3: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING ZONING CODE AMENDMENT CO-09-01 AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING OFF-STREET PARKING STANDARDS FOR SINGLE-FAMILY DETACHED UNITS WITH FIVE OR MORE BEDROOMS IN R1 ZONES AND SMALL LOT, DETACHED, SINGLE-FAMILY COMMON INTEREST DEVELOPMENTS.

   Recommendation: Adopt Ordinance No. 09-3, to be read by title only, and waive further reading

2. From the meeting of April 21, 2009, second reading and adoption of Ordinance 09-4: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING ZONING CODE AMENDMENT CO-09-02 AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING RESIDENTIAL DRIVEWAY WIDTH STANDARDS FOR SPECIFIED SINGLE-FAMILY DETACHED HOMES.

   Recommendation: Adopt Ordinance No. 09-4, to be read by title only, and waive further reading

OLD BUSINESS—continued

3. From the meeting of April 21, 2009, second reading and adoption of Ordinance 09-5: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECREASING SALARIES OF THE CITY COUNCIL MEMBERS.

   Recommendation: Adopt Ordinance No. 09-5, to be read by title only, and waive further reading

4. From the meeting of April 21, 2009, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING SECTION 9-179 AND ADDING SECTION 7-19 OF THE COSTA MESA MUNICIPAL CODE REGULATING FIREWORKS.

   Recommendation: Reintroduce Ordinance No. 09-6 for first reading, read by title only, and waive further reading

IX NEW BUSINESS

1. Business Improvement Area (BIA) Reauthorization:

   (a) Annual report for the Business Improvement Area (BIA) for Fiscal Year 2009-2010.

   Recommendation: Approve

   (b) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AN ANNUAL ASSESSMENT FOR FISCAL YEAR 2009-2010 FOR A BUSINESS IMPROVEMENT AREA COVERING CERTAIN COSTA MESA HOTELS AND MOTELS AND SETTING THE TIME AND PLACE FOR A PUBLIC HEARING ON PROPOSAL.

   Recommendation: Adopt resolution reauthorizing the BIA Assessment District boundaries; approval of the BIA Budget; and setting the Public Hearing date for June 16, 2009, at 7:00 p.m.

2. Appraisal of 1100 Bristol Street, Costa Mesa.

   Recommendation: Provide direction

X REPORTS

City Attorney:

City Manager:

XI ADJOURNMENT – Adjourn to May 12, 2009, 4:30 p.m., for a Study Session. Next Regular City Council Meeting May 19, 2009.

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.