



City of Costa Mesa Council Agenda

TUESDAY, MARCH 4, 2008

Eric R. Bever
Mayor

Linda W. Dixon
Council Member

Allan R. Mansoor
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
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. 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: the Costa Mesa Police Management Association (CMPMA), Costa Mesa Police Association (CMPA) Confidential Employees Unit, Executives, & Part-Time Employees.
2. CONFERENCE WITH LEGAL COUNSEL – Pending Litigation: Salvador Jiminez v. City of Costa Mesa, Orange County Superior Court case no. 07CC00560, pursuant to Government Code Section 54956.9(a).

3. Conference with Legal Counsel – Anticipated Litigation: Initiation of litigation, one case, pursuant to Government Code Section 54956.9(c)

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 Council Member Katrina Foley

**MOMENT OF SOLEMN
EXPRESSION** Pastor Leigh Harrison, Lighthouse Coastal Community
Church

[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 Employee of the Month - Dennis Johnson, Assistant Engineer
David Cho, Assistant Engineer

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

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 8.

Written Communications

1. Reading Folder.

Recommendation: Receive and process

CONSENT CALENDAR—continued

Minutes

2. Adjourned Regular Meeting/Study Session of February 12, 2008, and Regular Meeting of February 19, 2008

Recommendation: Approve

Warrants

3. Warrant Resolution 2202, funding City operating expenses for \$832,225.18.

Recommendation: Approve

4. Warrant Resolution 2203, funding Payroll No. 804 for \$2,558,730.80 and Payroll No. 803A for negative \$47.04, and City operating expenses for \$1,571,623.51 including payroll deductions.

Recommendation: Approve

Administrative Actions

5. [Renewal of Support Agreement with Oracle Corporation, 1001 Sunset Boulevard, Rocklin, for the support of the PeopleSoft E-Pay modules, effective June 3, 2008 through June 2, 2009, in an amount not to exceed \\$155,137.52.](#)

Recommendation: Approve; authorize the City Manager to sign purchase requisitions

6. [Professional Services Agreement with Kabbara Engineering, 121 North Harwood Street, Orange, for Engineering Services for Design of Pomona Avenue and 18th Street Rehabilitation Project, in the amount not to exceed \\$95,170.](#)

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

CONSENT CALENDAR—continued

Administrative Actions

7. Salary Adjustments and Memorandum of Understanding for the Costa Mesa Police Management Association (CMPMA)

- (a) Memorandum of Understanding (MOU) with the Costa Mesa Police Management Association (CMPMA) for the period covering September 1, 2007 through August 31, 2010.

Recommendation: Approve

- (b) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ESTABLISHING THE SALARY RANGE FOR THE JOB CLASSIFICATIONS REPRESENTED BY THE COSTA MESA POLICE MANAGEMENT ASSOCIATION (CMPMA) TO REFLECT THE ESTABLISHED LABOR MARKETPLACE PURSUANT TO THE 2007-2010 MOU.

Recommendation: Adopt resolution

- (c) Budget Adjustment No. 08-041 for \$193,125.

Recommendation: Approve; authorize the City Manager to sign

8. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, TO APPROVE A LIST OF PROJECTS AND ACCEPT PROPOSITION 1B FUNDING FROM THE STATE OF CALIFORNIA DEPARTMENT OF FINANCE TO BE USED ON ELIGIBLE TRANSPORTATION PROJECTS WITHIN THE CITY OF COSTA MESA.

Recommendation: Adopt Resolution

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

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

No Public Hearings are scheduled.

RECESS THE REGULAR CITY COUNCIL MEETING TO THE SPECIAL MEETING OF THE REDEVELOPMENT AGENCY (RDA)

ROLL CALL

1. Regular Redevelopment Agency meeting minutes of December 11, 2007.

Recommendation: Approve

2. Ratify Warrant Resolutions CMRA-367, CMRA-368 and CMRA-362; and approve Warrant Resolution CMRA-369.

Recommendation: Ratify and approve

<p style="text-align: center;">ADJOURN THE SPECIAL MEETING OF THE REDEVELOPMENT AGENCY AND RECONVENE REGULAR CITY COUNCIL MEETING</p>
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VIII OLD BUSINESS

1. [From the meeting of February 19, 2008, rehearing request by Council Member Foley of the determination regarding the request for “Group One” Field User Status for the Pacific Coast Girls Fast Pitch Softball.](#)

Recommendation: Provide direction

IX NEW BUSINESS

1. [AT&T Above Ground Utility Cabinets](#)

Recommendation: Provide direction for future improvements; and release pending permits for AT&T above ground utility cabinets

2. [Request by Council member Foley for adoption of an Airport Policy](#)

X REPORTS

City Attorney:

City Manager:

- XI ADJOURNMENT – Adjourn to March 11, 2008, 4:30 p.m., for a Study Session. Next Regular City Council Meeting will be held on March 18, 2008.