



City of Costa Mesa Council Agenda

TUESDAY, MAY 18, 2010

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

Development 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: Stephen N. Mandoki, Administrative Services Director, regarding Employee Organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Firefighters Association (CMFA), Costa Mesa Police Association (CMPA), Costa Mesa Police Management Association (CMPMA) and Unrepresented Employees (Executive and Confidential).

2. Conference with Real Property Negotiators – Property: 88 Fair Drive. Agency Negotiator: Allan Roeder, City Manager. Negotiating parties: State of California, Under negotiation: price, terms of payment. Pursuant to Government Code Section 54956.8.

3. Conference with Real Property Negotiators – Property: 88 Fair Drive. Agency Negotiator: Allan Roeder, City Manager. Negotiating parties: American Fairs and Festivals, Inc; Advanced Real Estate Services. Under negotiation: price, terms of payment. Pursuant to Government Code Section 54956.8.

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 Rod Randall, Harbor Trinity Baptist 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 Mayor's Award – Karen Barloon

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

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. Study Session of April 13, 2010, Special Meeting of April 14, 2010, and Regular Meeting of April 20, 2010.

Recommendation: Approve

Warrants

3. Warrant Resolution 2317, funding Payroll No. 10-09 for \$2,323,350.31 and City operating expenses for \$594,169.98 including payroll deductions.

Recommendation: Approve

4. Warrant Resolution 2318, funding City operating expenses for \$546,082.66.

Recommendation: Approve

Administrative Actions

5. [Sole Source Purchase of equipment for the lighting of Fields No. 5 and No. 6 at the Farm Sports Complex from Musco Lighting, 4 Jenner, Suite 100, Irvine, in the amount of \\$87,000.](#)

Recommendation: Approve

6. [Agreement with Evercom Systems Inc., 14651 Dallas Parkway, Suite 600, Dallas, to continue the inmate pay telephone system in the jail, for a term of one \(1\) year.](#)

Recommendation: Approve; authorize the Police Chief to sign

7. [Newport Boulevard Improvement Project, City Project No. 08-08](#)

- (a) Amendment No. 2 to Cooperative Agreement 12-457, with the State of California Department of Transportation (Caltrans), to extend the term to December 31, 2012.

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

- (b) Contract Change Order with All American Asphalt, P.O. Box 2229, Corona, for the construction of Newport Boulevard Improvement Project, City Project No. 08-08, in the amount of \$700,000.

Recommendation: Approve; authorize the City Manager to sign

- (c) Contract Change Order with Jacobs Civil, Inc., 5757 Plaza Drive, Suite 100, Cypress, for the construction management and inspection services for the Newport Boulevard Improvement Project, City Project No. 08-08, in the amount of \$70,000.

Recommendation: Approve; authorize the City Manager to sign

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

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

No Public Hearings scheduled.

RECESS THE CITY COUNCIL MEETING. CONVENE THE SPECIAL JOINT MEETING OF THE PUBLIC FINANCE AUTHORITY AND THE CITY COUNCIL

ROLL CALL

- 1. P. F. A. meeting minutes of November 15, 2005 and December 5, 2006.

Recommendation: Approve

PUBLIC FINANCE AUTHORITY – continued

2. [Joint Powers Authority the Orange County Fairgrounds.](#)

For the City Council:

- (a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING FORMATION OF THE ORANGE COUNTY FAIRGROUNDS AUTHORITY WITH THE COSTA MESA PUBLIC FINANCING AUTHORITY.

Recommendation: Adopt resolution; and authorize Mayor to Execute Joint Powers Agreement and direct City Manager and City Attorney to take necessary steps to implement Joint Powers Agreement

For the Public Finance Authority:

- (b) A RESOLUTION OF THE BOARD OF THE COSTA MESA PUBLIC FINANCING AUTHORITY AUTHORIZING FORMATION OF THE ORANGE COUNTY FAIRGROUNDS AUTHORITY WITH THE CITY OF COSTA MESA, CALIFORNIA.

Recommendation: Adopt resolution; and authorize Authority Chair to Execute Joint Powers Agreement and direct Executive Director and Authority Attorney to take necessary steps to implement Joint Powers Agreement

ADJOURNMENT OF THE SPECIAL JOINT MEETING OF PUBLIC FINANCE AUTHORITY AND THE CITY COUNCIL

RECONVENE THE REGULAR CITY COUNCIL MEETING

VIII OLD BUSINESS

- 1. [Continued from the meeting of April 6, 2010: Appointments to various Council-appointed committees.](#)

OLD BUSINESS – continued

- a. Child Care and Youth Services Committee

Recommendation: Provide direction

- b. Redevelopment and Residential Rehabilitation (3R) Committee

Recommendation: Appoint member(s)

- 2. [From the meeting of May 4, 2010: AN ORDINANCE OF THE CITY COUNCIL OF COSTA MESA, CALIFORNIA, AMENDING TITLE 9 OF THE COSTA MESA MUNICIPAL CODE REGARDING FIREWORKS.](#)

Recommendation: Adopt Ordinance No. 10-6, to be read by title only, and waive further reading; and approve changes to Council Policy 400-2

IX NEW BUSINESS

- 1. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING THE 2010-2011 STATEMENT OF INVESTMENT POLICY FOR THE CITY, AND AUTHORIZING THE ASSISTANT FINANCE DIRECTOR TO ACT AS CITY TREASURER AND REINVEST IDLE MONIES OF THE CITY OF COSTA MESA IN ACCORDANCE WITH THE 2010-2011 STATEMENT OF INVESTMENT POLICY.](#)

Recommendation: Adopt resolution

- 2. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DESIGNATING THE EVENT ROUTE AND PARTIAL STREET CLOSURES FOR THE 2010 BARRETT-JACKSON ROAD RALLY.](#)

Recommendation: Adopt resolution; and approve temporary “moving” intersection closures for the June 19, 2010 event.

- 3. [Request from Mayor Mansoor to adopt a resolution declaring Costa Mesa as a “Rule of Law City” pertaining to immigration enforcement.](#)

Recommendation: Provide direction

NEW BUSINESS – continued

4. [Request from Mayor Pro Tem Leece to adopt a resolution supporting the California Jobs Initiative to suspend implementation of the California Global Warming Solutions Act \(AB 32\).](#)

Recommendation: Provide direction

X REPORTS

City Attorney:

City Manager:

XI ADJOURNMENT – Next Regular City Council Meeting June 1, 2010.

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.



CITY OF COSTA MESA

CALIFORNIA 92628-1200

P.O. BOX 1200

FROM THE OFFICE OF THE CITY CLERK

**NOTICE AND CALL OF A
SPECIAL JOINT MEETING OF THE
CITY OF COSTA MESA
CITY COUNCIL
AND THE
PUBLIC FINANCE AUTHORITY**

NOTICE IS HEREBY GIVEN that a Special Joint Meeting of the Costa Mesa City Council and the Public Finance Authority will be held on Tuesday, May 18, 2010, to begin at 6:00 p.m., in the Council Chambers, City Hall, 77 Fair Drive, Costa Mesa. The purpose of the Special Joint Meeting is to consider the following items:

Joint Powers Authority the Orange County Fairgrounds.

For the City Council:

- (a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING FORMATION OF THE ORANGE COUNTY FAIRGROUNDS AUTHORITY WITH THE COSTA MESA PUBLIC FINANCING AUTHORITY.

Recommendation: Adopt resolution; and authorize Mayor to Execute Joint Powers Agreement and direct City Manager and City Attorney to take necessary steps to implement Joint Powers Agreement

For the Public Finance Authority:

- (b) A RESOLUTION OF THE BOARD OF THE COSTA MESA PUBLIC FINANCING AUTHORITY AUTHORIZING FORMATION OF THE ORANGE COUNTY FAIRGROUNDS AUTHORITY WITH THE CITY OF COSTA MESA, CALIFORNIA

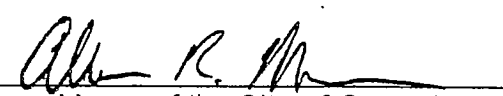
Recommendation: Adopt resolution; and authorize Authority Chair to Execute Joint Powers Agreement and direct Executive Director and Authority Attorney to take necessary steps to implement Joint Powers Agreement

DATED this 17th day of May 2010.

ATTEST:



City Clerk of the City of Costa Mesa



Mayor of the City of Costa Mesa