



City of Costa Mesa Council Agenda

TUESDAY, MARCH 3, 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

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. 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).
2. Pursuant to California Government Code Section 54957, Public Employment: Programmer Analyst II; Request for Special Leave of Absence.

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 Pro Tem Wendy Leece

**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 Employee of the Month – Reserve Officer Rene Meng

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 Gary Monahan
2. Council Member Eric Bever
3. Mayor Pro Tem Wendy Leece
4. Mayor 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

Minutes

2. Regular Adjourned Meeting/Study Session of February 10, 2009; and Regular Meeting of February 17, 2009.

Recommendation: Approve

CONSENT CALENDAR—continued

Warrants

3. Warrant Resolution 2254, funding City operating expenses for \$1,455,548.20.

Recommendation: Approve

4. Warrant Resolution 2255, funding Payroll No. 904 for \$2,538,162.31, and City operating expenses for \$513,864.97, including payroll deductions.

Recommendation: Approve

Administrative Actions

5. [Professional Services Agreement with J & S Striping, 10715 Bloomfield Avenue, Santa Fe Springs, for street striping services, per Formal Bid No. 1128, for the period of two \(2\) years, in the amount not to exceed \\$55,607, for the initial term, with the option of renewing for three \(3\) additional one-year extensions.](#)

Recommendation: Approve; authorize Mayor and City Clerk to sign; and authorize the City Manager to sign for any justified rate increase

6. [Professional Services Agreement with Metro Pro Towing, 957 W. 17th Street, Costa Mesa, and G&W Towing, 965 West 18th Street, Costa Mesa, for police towing services, per Request for Proposal \(RFP\) 1118, for a term five \(5\) years with the option of renewal for three \(3\) additional one-year terms.](#)

Recommendation: Approve; authorize Mayor and City Clerk to sign; and authorize the City Manager to sign extension of contracts

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).

[Supplemental Information](#)

[Supplemental Memo.](#)

7. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ACCEPTING CITY OWNED ALLEY WAYS INTO THE CITY STREET SYSTEM.](#)

Recommendation: Adopt resolution

Administrative Actions

8. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DESIGNATING THE EVENT ROUTE AND STREET CLOSURES FOR THE 2009 ORANGE COUNTY MARATHON.](#)

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 February 17, 2009, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, amending the City's Fee Schedule regarding penalties for parking violations to collect state and county surcharges pursuant to Senate Bill 1732, Senate Bill 1407 and Senate Bill 1498.](#)

Recommendation: Adopt resolution

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).

[Supplemental memo.](#)

2. [PUBLIC HEARING: Appeal of Planning Commission's determination regarding Planning Application PA-08-23, for J7 Architecture, authorized agent for Christ Lutheran Church, for renovation of an existing church campus, including demolition of 6,180 square feet \(parsonage, residential structure, classroom, fireside\) and 9,749 square feet of new building addition containing a two-story administration office, café, and a youth lounge for a net increase of 3,569 square feet and a variance from maximum allowable height \(27 feet required, 33 feet proposed\) for the properties located at 758 and 760 Victoria Street and 2199 Raleigh Avenue in an R-1 zone \(Single-Family Residential District\). Environmental determination: exempt.](#)

Recommendation: Adopt resolution to uphold, reverse, or modify Planning Commission's decision

VIII OLD BUSINESS

1. [From the meeting of January 20, 2009, review of stop-sign requests for Broadway/Westminster Avenue and 20th Street/ Fullerton Avenue.](#)

Recommendation: Direct Staff

2. [From the meeting of February 3, 2009, second reading and adoption of Ordinance 09-2: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING ZONING CODE AMENDMENT C0-08-04, WHICH AMENDS TITLE 13 MODIFYING PROCEDURES FOR APPLICATIONS RELATED TO REASONABLE ACCOMMODATION.](#)

Recommendation: Adopt Ordinance No. 09-2, to be read by title only, and waive further reading

3. [From the meeting of February 17, 2009, Letter of Support for appropriation of Economic Stimulus Program.](#)

Recommendation: Receive and file

IX NEW BUSINESS

1. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REQUESTING SUPPORT IN KEEPING THE EXISTING 7.5 ACRE EQUESTRIAN CENTER AT THE ORANGE COUNTY FAIR AND EVENT CENTER FOR FUTURE GENERATIONS TO ENJOY.](#)

Recommendation: Consider adoption of resolution.

2. [Presentation Regarding the Meyers-Milias-Brown Act - Labor & Management Relations.](#)

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).

[Presentation slides for item](#)

3. [2008 Annual Review of City of Costa Mesa's General Plan.](#)

Recommendation: Receive and file

X REPORTS

City Attorney:

City Manager:

- XI ADJOURNMENT – Adjourn to March 10, 2009, 4:30 p.m., for a Study Session. Next Regular City Council Meeting March 17, 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.