



City of Costa Mesa Council Agenda

TUESDAY, APRIL 1, 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 LEGAL COUNSEL – Existing Litigation: Morton v. City of Costa Mesa; Orange County Superior Court Case Number 06CC09363, pursuant to Government Code Section 54956.9(a).
2. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation: Acosta v. City of Costa Mesa, pursuant to Government Code Section 54956.9(a).
3. CONFERENCE WITH LEGAL COUNSEL – Pending Litigation: Grazulis & Braga v. Wiater and City of Costa Mesa; Orange County Superior Court Case Number 04CC10146, pursuant to Government Code Section 54956.9(a).

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 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

Department of Motor Vehicles/Donate Life Month
Proclamation

Costa Mesa Sister City Ambassadors to Wyndham, Australia
– Summer 2007

Employee of the Month – Gaetano Russo

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 12.

Written Communications

1. Reading Folder.

Recommendation: Receive and process

Minutes

2. Special Joint Study Session with the Planning Commission of February 12, 2008; Regular Meeting of March 18, 2008 and Adjourned Regular Meeting/Study Session of March 11, 2008.

Recommendation: Approve

Warrants

3. Warrant Resolution 2206, funding City operating expenses for \$956,324.54.

Recommendation: Approve

4. Warrant Resolution 2207, funding Payroll No. 806 for \$2,553,499.72 and Payroll No. 805A for \$827.69 and City operating expenses for \$2,195,837.80 including payroll deductions.

Recommendation: Approve

Administrative Actions

5. [Memorandum of Understanding with CCN, USA, LLC., 1920 Main Street, Suite 210, Irvine, confirming the City's interest in exploring the possible installation of a CCNtv Community Communications System.](#)

Recommendation: Approve; authorize the Mayor to sign

6. [Award Formal Bid Item No. 1121, for the purchase of four \(4\) Honda Police Motorcycles from Huntington Beach Honda, 17555 Beach Boulevard, Huntington Beach, in the amount of \\$103,336.04.](#)

Recommendation: Approve

7. [Annual Review of the Costa Mesa 2000 General Plan.](#)

Recommendation: Receive and file

Administrative Actions

8. Salary adjustments for Executive (Directors and Managers), Confidential Employees Unit and Part-time job classifications:

- (a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REVISING THE EXECUTIVE COMPENSATION PLAN AND EXECUTIVE SALARY SCHEDULE TO REFLECT CHANGES IN THE ESTABLISHED LABOR MARKETPLACE.

Recommendation: Adopt resolution

- (b) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REVISING THE SALARY RANGES FOR JOB CLASSIFICATIONS WITHIN THE CONFIDENTIAL EMPLOYEES UNIT.

Recommendation: Adopt resolution

- (c) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REVISING THE SALARY RANGES FOR JOB CLASSIFICATIONS WITHIN THE PART-TIME EMPLOYEES UNIT.

Recommendation: Adopt resolution

- (d) Budget Adjustment No. 08-049.

Recommendation: Approve; authorize the Mayor to sign

- (e) Council Policy 300-2 Auto and Severance (for executive).

Recommendation: Adopt Council Policy 300-2

- (f) Council Policy 300-7 Adjustments to Employee Compensation (revising methodology of employee compensation).

Recommendation: Adopt Council Policy 300-7

Administrative Actions

9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING THE PURCHASING OFFICER, OR HIS/HER DESIGNATED REPRESENTATIVE, TO ACQUIRE FEDERAL SURPLUS PROPERTY FROM THE CALIFORNIA STATE AGENCY FOR SURPLUS PROPERTY.

Recommendation: Adopt resolution

10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE VACATION OF A PORTION OF ALLEY NO. 62 BETWEEN OLD NEWPORT BOULEVARD AND ALLEY NO. 61, and setting the hearing date for April 15, 2008, at 7:00 p.m.

Recommendation: Adopt resolution

11. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ACCEPTING FIVE CITY-OWNED ALLEY WAYS INTO THE CITY STREET SYSTEM.

Recommendation: Adopt resolution

- (a) Budget Adjustment No. 08-048 for \$900,000

Recommendation: Approve; authorize the Mayor to sign

12. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, SUMMARILY VACATING A PORTION OF EXCESS LANDSCAPE EASEMENT ADJACENT TO SAKIOKA DRIVE LOCATED AT 3400 AVENUE OF THE ARTS.

Recommendation: Adopt resolution; authorize the Mayor and City Clerk to sign Quitclaim Deed; and authorize City Clerk to record

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

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

None scheduled.

VIII OLD BUSINESS

1. [From the meeting of March 18, 2008, rehearing request by Mayor Eric R. Bever relative to the determination regarding Planning Application PA-07-48, for Richard and Wendy Schones, authorized agents for Gary F. Schones, for property located at 378 Costa Mesa Street.](#)

Recommendation: Provide direction

IX NEW BUSINESS

1. [Appointments to various Council-appointed committees.](#)

- a. Child Care and Youth Services Committee

Recommendation: Appoint member(s)

- b. Cultural Arts Committee

Recommendation: Appoint member(s)

- c. Fairview Park Friend/Fundraiser Committee

Recommendation: Appoint member(s)

- d. Historical Preservation Committee

Recommendation: Appoint member(s)

- e. Investment Oversight Committee

Recommendation: Appoint member(s)

X REPORTS

City Attorney:

City Manager:

- XI ADJOURNMENT – Adjourn to April 8, 2008, 4:30 p.m., for a Study Session. Next Regular City Council Meeting will be held on April 15, 2008.