



# City of Costa Mesa Council Agenda

## TUESDAY, AUGUST 2, 2011

**Gary Monahan**  
Mayor

**Jim Rigeimer**  
Mayor Pro Tem

**Wendy Leece**  
Council Member

**Eric Bever**  
Council Member

**Stephen Mensinger**  
Council Member

City Attorney  
Thomas Duarte

Chief Executive Officer  
Thomas R. Hatch

Interim Development Services  
Director Khanh Nguyen

Public Services Director  
Peter Naghavi

City Clerk  
Julie Folcik

**Council Chambers, 77 Fair Drive**  
**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].

**PLEDGE OF ALLEGIANCE** Council Member Wendy Leece

**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**

**ANNOUNCEMENTS** There's always something happening in Costa Mesa!

The Mayor will announce upcoming events and activities in the community which are sponsored by or affiliated with the City.

Please refer to the last page of the agenda for a detailed list of announced events and activities. These may also be found on the City's website.

**PRESENTATIONS** Mayor's Award – Jack R. Hammett

Recognition to Meah Collins – 2011 Quiksilver USA Surf Champion

Mayor's Cup - Costa Mesa American and National Little League All Star Teams

**SPEAKERS: PLEASE PRINT YOUR NAME AND ADDRESS ON THE SPEAKER FORM(S) AND PRESENT TO THE CITY CLERK PRIOR TO THE ITEM.**

**PLEASE NOTE:**

- **YELLOW FORM IS FOR PUBLIC COMMENTS OF TOPICS NOT ON THE AGENDA.**
- **GREEN FORM IS FOR SPECIFIC AGENDA ITEMS. PLEASE FILL OUT FOR EACH AGENDA ITEM YOU WISH TO ADDRESS.**

**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.

**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 5.**

Written Communications

1. Reading Folder.

**Recommendation: Receive and process**

- (a) Claims received by the City Clerk: Orange County Transportation Authority, Sergio Salazar, and Kevin Saldivar.

Minutes

2. Regular meeting of July 19, 2011.

**Recommendation: Approve**

Warrants

3. [WARRANT RESOLUTION 2379: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding City operating expenses for \\$1,520,407.89.](#)

**Recommendation: Approve**

4. [WARRANT RESOLUTION 2380: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 11-15 AND PAYROLL REGISTER NO. 11-14A AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 11-15 for \\$2,129,630.95, and Payroll No. 11-14A for negative \\$1193.05, and City operating expenses for \\$1,450,442.32, including payroll deductions.](#)

**Recommendation: Approve**

Administrative Actions

5. [Authorize refund of cash deposit in the amount of \\$7,049 to Kerry Smith A Living Trust, 120 Monte Vista, Costa Mesa, in connection with Encroachment Permit No. PS10-00606 for street improvements and corner monumentation at 2568 Orange Avenue.](#)

**Recommendation: Approve**

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

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

None Scheduled.

OLD BUSINESS

None Scheduled.

NEW BUSINESS

1. [Request from Costa Mesa Pop Warner to include the use of Newport Mesa Unified School District Jim Scott Stadium as part of the Joint Use Agreement.](#)

- (a) Amendment of the Joint Use Agreement with the Newport-Mesa Unified School District for the inclusive use of the Jim Scott Stadium.

**Recommendation: Direct staff to discuss with the Newport-Mesa Unified School District**

- (b) City payment of up to one-half (1/2) of the annual rental of Jim Scott Stadium to a maximum of \$10,000 beginning with the 2010 season.

**Recommendation: Authorize**

2. [General Plan Screen GPS-11-02/Urban Plan Screening UMP-11-01 for Proposed 4-Unit Residential Project at 743 W. 20<sup>th</sup> Street.](#)

**Recommendation: Provide direction**

3. [Request for Proposal \(RFP\) Evaluation Process for the outsourcing of services.](#)

**Recommendation: Approve**

4. [Proposed outsourcing of Costa Mesa Police Department's Jail Operations.](#)

- (a) G4S Custody Services Solution's proposal for jail services.

**Recommendation: Direct staff to enter into discussions/negotiations regarding submitted proposal to explore the potential for contracting of jail services**

- (b) City of Newport Beach's Proposal for jail services.

**Recommendation: Direct staff to enter into discussions/negotiations regarding submitted proposal to explore various conceptual models for jail services**

- (c) Alternatives for city operations of jail services.

**Recommendation:** Direct staff to review results of discussions, as mentioned above, with impacted City staff to explore alternatives for reducing operational costs

5. [Request by Mayor Gary Monahan for authorization of staff time to research E-verify employment system and policies.](#)

**Recommendation:** Authorize staff time to research and to develop policies

6. [Review of City Council compensation and benefits.](#)

**Recommendation:** Provide direction

7. ~~Request by Council Member Leece for authorization of staff time to research the viability of a Costa Mesa Transparency and Accountability Reform Act.~~

**Recommendation:** Withdrawn

#### COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

1. Council Member Eric Bever
2. Council Member Wendy Leece
3. Council Member Stephen Mensinger
4. Mayor Gary Monahan
5. Mayor Pro Tem Jim Righeimer

#### REPORTS

City Attorney:

Chief Executive Officer:

CLOSED SESSION:

1. Conference with Thomas R. Hatch, Chief Executive Officer, and Labor Negotiator, Agency Negotiator 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), Costa Mesa Fire Fighters Management Association, and Costa Mesa Division Managers Association pursuant to Government Code Section 54957.6
2. Conference with legal counsel regarding existing litigation: Costa Mesa Employees Association v. City of Costa Mesa, a municipal corporation, et al., Orange County Superior Court Case No. 30-2011 00475281, pursuant to Government Code Section 54956.9(a).
3. Conference with legal counsel regarding anticipated litigation, significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9 (one case).

CLOSED SESSION REPORT

ADJOURNMENT – Adjourn to August 9, 2011 at 4:30 p.m. for a Study Session. Next Regular City Council Meeting: September 6, 2011.

**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](http://www.ci.costa-mesa.ca.us).

**UPCOMING COMMUNITY EVENTS AND ACTIVITIES**

**AUGUST 2011**

- The 2011 OC Fair, themed *LET'S EAT!* will continue Wednesdays through Sundays until August 14. For further information, visit [www.ocfair.com](http://www.ocfair.com)

- The OC Marathon presents OC Fair Fun Run. Run, walk, and skip through the OC Fair's 5K at 8:00 a.m. on Sunday, August 7<sup>th</sup>. For further information visit [info@ocfair5K.com](mailto:info@ocfair5K.com) or call (949) 222-3327.
- The first-ever Costa Mesa Restaurant Week is coming August 19-26 showcasing the diversity of dining options in the City. Participating restaurants will offer a prix-fixe menu of 3 or more courses at incredible prices to highlight their particular cuisine. Participating restaurants include Mastro's Steakhouse, Charlie Palmer, Scott's Restaurant, Hamamori, Pizzeria Ortica, Mi Casa and more.
- The Inaugural "BARK for Life of Orange County", an American Cancer Society Event will take place on Sunday, August 28<sup>th</sup> at TeWinkle Park. Bark for Life is fundraising event for the American Cancer Society that honors the care giving qualities of our canine companions. For further information visit [www.relayforlife.org/BarkOrangeCountyCA](http://www.relayforlife.org/BarkOrangeCountyCA) or call (714) 483-1612.