

**REGULAR MEETING OF THE CITY COUNCIL
CITY OF COSTA MESA**

March 02, 2010

The City Council meeting of the City of Costa Mesa, California met in regular session March 02, 2010, at 5:03 p.m., in the Council Chambers of City Hall, 77 Fair Drive, Costa Mesa. The meeting was called to order by the Mayor.

I. ROLL CALL

Council Members Present: Mayor Allan R. Mansoor
Mayor Pro Tem Wendy Leece
Council Member Eric R. Bever
Council Member Katrina Foley

Council Members Absent: Council Member Gary Monahan

Officials Present: City Manager Allan Roeder
City Attorney Kimberly Hall Barlow
City Clerk Julie Folcik

II. PUBLIC COMMENTS

There was no public comments.

III. CLOSED SESSION

1. 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.
2. Conference with Legal Counsel - Existing Litigation: Asociacion De Jornaleros De Costa Mesa and the Colectivo Tonantzin v. City of Costa Mesa; United States District Court, Central District, Court Case Number SACV10-00128 CJC (RNBx), pursuant to Government Code Section 54956.9 (a).

The Mayor recessed the meeting at 5:06 p.m. to Conference Room 1B for the Closed Sessions.

The Mayor reconvened the regular meeting at 6:00 p.m.

PLEDGE OF ALLEGIANCE - Captain Timothy C. Richards, U.S. Army (Retired), Vietnam War Veteran

MOMENT OF SOLEMN EXPRESSION - Pastor Mike Gibson, Christ Lutheran

Church of Costa Mesa LCMS

ROLL CALL

Council Members Present: Mayor Allan R. Mansoor
Mayor Pro Tem Wendy Leece
Council Member Eric R. Bever
Council Member Katrina Foley

Council Members Absent: Council Member Gary Monahan

Officials Present: City Manager Allan Roeder
Assistant City Manager Thomas Hatch
City Attorney Kimberly Hall Barlow
Public Services Director Peter Naghavi
Building Official Khanh Nguyen
Budget and Research Officer Bobby Young
City Clerk Julie Folcik

CLOSED SESSION REPORT

The City Attorney reported that no action was taken on the closed session items.

PRESENTATIONS

The Mayor congratulated Gregory LaFave, Firefighter Paramedic, on being selected Employee of the Month for March. He was recognized for his involvement in the "Working Together to Save Lives" program, which teaches high school students CPR techniques and helps to prepare them in confronting many life-threatening situations.

IV. PUBLIC COMMENTS

Lisa Ball, representing South Coast Air Quality Management District (AQMD), thanked the City for airing the "State of the Air 2010" report.

Kurt Galitski, Costa Mesa, presented a letter from AYSO 102 regarding a donation to the City for field lighting.

Martin H. Millard, Costa Mesa, criticized the city for not properly prioritizing its spending.

V. COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

Mayor Pro Tem Wendy Leece announced a decontamination exercise for Citizen Emergency Response Teams (CERT) volunteers was to be taking place at the Orange County Fair and Event Center on March 3, 2010; announced that applications were being accepted for volunteers to serve on City committees; noted her attendance at the ribbon-cutting for the Costa Mesa Wellness Center;

reported that pictures of early Costa Mesa were at the Downtown Community Center as part of a Historical Preservation Committee project; stated that donations for the K-9 Clean-Up Sponsorship Program were still needed to replace all of the current plastic bag holders; and reported the summer Concerts in the Park have been planned and noted donations for the concerts were being accepted through the Costa Mesa Community Foundation.

Council Member Katrina Foley reported the outcome of the Joint Field Use Master Plan Task Force meeting and noted another meeting will take place in April; reported that new houses had been built in Mesa Del Mar; indicated the Costa Mesa High School Zone's Mardi Gras Celebration fundraiser was successful and expressed appreciation to all the donors; announced Costa Mesa High School, Tewinkle Middle School, and Estancia High School have started the first Orange County high school skateboarding teams; and requested staff to agendize the donation from AYSO 120 for the lighting of fields at The Farm site.

Council Member Eric Bever announced the first LEED-Platinum certified building in Orange County was built in Costa Mesa.

Mayor Allan Mansoor thanked AYSO 120 for the donation.

VI. CONSENT CALENDAR ITEM NOS. 1 THROUGH 6.

MOTION: Approved recommended actions for Consent Calendar Item Nos. 1 through 5, except for Consent Calendar Item Nos. 2, continuing the meeting minutes for Regular Adjourned Meeting/Study Session of February 9, 2010 and the Regular Meeting of February 16, 2010, and continued Consent Calendar Item 6.

Moved by Mayor Allan R. Mansoor, seconded by Council Member Katrina Foley.

The motion carried by the following roll call vote:

Ayes: Mayor Allan R. Mansoor, Mayor Pro Tem Wendy Leece, Council Member Eric R. Bever, Council Member Katrina Foley

Noes: None.

Absent: Council Member Gary Monahan

1. Reading Folder.

ACTION: The following claims were received by the City Clerk for processing:

Kaveh Ameri Arshadi; Joseph Bowen; Mercury Insurance on behalf of Lindsey A. Eastman; Allstate Insurance on behalf of Maria Figueroa; Cecil E. Ricks, Jr. on behalf of Viana Mehl Laituri.

The following Requests for Alcoholic Beverage Control Licenses were received for processing: For 345 Okidoki Dining Corporation, dba: Oki Doki, located at 3033 Bristol Street, Suite O, Costa Mesa, for a person-to-person transfer under existing type 41 (on-sale beer and wine for a bona

fide eating place).

For Bookrock Inc., dba: Meiji Ya, located at 1113 Baker Street, Suite E, Costa Mesa, for a person-to-person transfer under existing type 41 (on-sale beer and wine for a bona fide eating place).

2. Regular Adjourned Meeting/Study Session of February 9, 2010, Special Meeting of February 9, 2010, and Regular Meeting of February 16, 2010.

ACTION: Approved Special Meeting Minutes for February 9, 2010, and continued Regular Adjourned Meeting/Study Session of February 9, 2010 and the Regular Meeting of February 16, 2010.

3. Warrant Resolution 2306, funding City operating expenses for \$659,938.05.

ACTION: Adopted resolution.

4. Warrant Resolution 2307, funding Payroll No. 10-04 for \$2,295,651.48 and Payroll No. 10-03A for \$151.01 and City operating expenses for \$611,386.96 including payroll deductions.

Adopted resolution.

5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING APPLICATION FOR FUNDS FOR THE TRANSPORTATION ENHANCEMENT (TE) PROGRAM UNDER THE JOBS FOR MAIN STREET ACT OF 2010 FOR FAIRVIEW CHANNEL BICYCLE TRAIL PROJECT IN THE CITY OF COSTA MESA.

ACTION: Adopted Resolution No. 10-19.

6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING RECORDS DESTRUCTION FOR THE TECHNICAL BUREAU OF THE POLICE DEPARTMENT OF THE CITY OF COSTA MESA, PURSUANT TO ORDINANCE NO. 75-60.

ACTION: Continued to March 16, 2010.

VII. PUBLIC HEARINGS

No Public Hearings scheduled.

VIII. OLD BUSINESS

1. Continued from the meeting of February 16, 2010, request to waive Planning Application fee for Coast Motel for the conversion of a motel property into Single Room Occupancy (SRO) or Family Room Occupancy (FRO) units.

**MOTION: Approve Continue to March 16th
Moved by Mayor Allan R. Mansoor, seconded by Council Member
Eric R. Bever.**

The motion carried by the following roll call vote:

Ayes: Mayor Allan R. Mansoor, Mayor Pro Tem Wendy Leece, Council
Member Eric R. Bever, Council Member Katrina Foley

Noes: None.

Absent: Council Member Gary Monahan

IX. NEW BUSINESS

1. Fiscal Year 2009-2010 Mid-year Budget Report follow-up strategies.

Budget and Research Officer Bobby Young presented the budget report and responded to questions from the Council regarding upcoming capital improvement projects; contract negotiations with the various employee unions, and projected savings by the end of the fiscal year.

Discussion amongst the Council ensued relative to the possible increase in the Transient Occupancy Tax (TOT) and the business license tax.

City Manager Allan Roeder responded to questions from the City Council regarding the reimbursement by the State for Airborne Law Enforcement (ABLE) services along the freeways, the creating partnerships with other cities for ABLE services, the hiring freeze and the impacts it would create on the various departments, the reassigning of responsibilities and the reduction in programs and services.

Comments and suggestions from the City Council included a revenue generating "snack shack" at TeWinkle Park, cross-training of staff and temporary reassignment, the use of community volunteers, and a campaign to "buy in Costa Mesa"

Martin H. Millard, Costa Mesa, suggested a reduction in the frequency of street sweeping, elimination of the community Gardens and after school programs.

Anna Reagan, Costa Mesa, recommending that the city look into a monthly or yearly fee for medical services for such things as ambulance services that residents could pay over the course of year.

Beth Refakes, Costa Mesa, suggested that Council focus on essential services, recommended a permit fee for banners in storefronts and yard sales, and opined that ballot measures were the long-term solutions.

Chris McEvoy, Costa Mesa, made the following suggestions to reduce expenses: reducing the use of street lights in the parks when the park is closed; utilizing every other street light along the streets for illumination in

order to reduce the expense of electricity; and of printing multiple pages of reports per sheet of paper.

Mayor Pro Tem Leece requested information regarding previous action taken on the Emergency Medical Response Services (EMS) subscription fees.

MOTION: Approve the Proposed Management Recommendations and Strategies that include:

- 1. A freeze on filling of all current vacancies (except Police Patrol, as needed, and Sworn Fire to meet the minimum manning).**
- 2. A freeze on Capital Overlay Purchases and Capital Improvement Projects using General Fund Revenues.**
- 3. A moratorium on new programs and services; expansion of existing programs and services; and new projects requiring General Fund support.**
- 4. A review of Equipment Replacement Fund reserves.**
- 5. Initiation of discussions with Employee Associations regarding wages and benefits.**
- 6. Preparation of tax schedules with alternatives and supporting resolutions for the Transient Occupancy Tax (TOT) and Business License for the November 2010 Ballot.**
- 7. Submission of all Programs and Services to the City Council for budget prioritization.**

Moved by Mayor Allan R. Mansoor, seconded by Council Member Eric R. Bever.

The motion carried by the following roll call vote:

Ayes: Mayor Allan R. Mansoor, Mayor Pro Tem Wendy Leece, Council Member Eric R. Bever, Council Member Katrina Foley

Noes: None.

Absent: Council Member Gary Monahan

2. Proposed Council Policy 800-2 pertaining to Costa Mesa Country Club complimentary golf rounds.

Assistant City Manager Tom Hatch presented the staff report.

Council Member Bever and Mayor Pro Tem Leece indicated that they would allocate their rounds of golf to the City Manager for distribution.

Chris McEvoy, Costa Mesa, noted that this was an opportunity to raise money and take advantage of a revenue source.

Council Member Leece supported the idea of generating revenue with the golf rounds, but indicated that she would allocate her rounds to the City Manager or to a fundraiser with a specific purpose.

MOTION: approve Council Policy 800-2.

Moved by Council Member Katrina Foley, seconded by Mayor Allan R. Mansoor.

The motion carried by the following roll call vote:

Ayes: Mayor Allan R. Mansoor, Mayor Pro Tem Wendy Leece, Council Member Katrina Foley

Noes: Council Member Eric R. Bever

Absent: Council Member Gary Monahan

3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, SUPPORTING THE LOCAL TAXPAYER, PUBLIC SAFETY AND TRANSPORTATION ACT OF 2010.

Assistant City Manager Tom Hatch presented the report, informing of the proposed ballot measure, drafted by the League of California Cities, was aimed at preventing the State from shifting more local revenues to the State.

Mayor Mansoor was in concurrence of supporting the ballot measure and noted the importance of raising awareness of the public of the measure.

MOTION: Adopt Resolution No. 10-20.

Moved by Mayor Allan R. Mansoor, seconded by Council Member Eric R. Bever.

The motion carried by the following roll call vote:

Ayes: Mayor Allan R. Mansoor, Mayor Pro Tem Wendy Leece, Council Member Eric R. Bever, Council Member Katrina Foley

Noes: None.

Absent: Council Member Gary Monahan

X. REPORTS

XI. ADJOURNMENT

The Mayor adjourned the meeting at 7:56 p.m., to a Regular Adjourned/Study Session on March 9, 2010 at 4:30 p.m. The next Regular City Council Meeting would be held March 16, 2010.

Mayor of the City of Costa Mesa

ATTEST:

City Clerk of the City of Costa Mesa