



# City of Costa Mesa Council Agenda

## TUESDAY, MARCH 20, 2012

**Eric R. Bever**  
Mayor

**Jim Righeimer**  
Mayor Pro Tem

**Stephen Mensinger**  
Council Member

**Wendy Leece**  
Council Member

**Gary Monahan**  
Council Member

City Attorney  
Thomas Duarte

Chief Executive Officer  
Thomas R. Hatch

Interim Development Services  
Director Khanh Nguyen

Public Services Director  
Ernesto Munoz

City Clerk  
Julie Folcik

**Council Chambers, 77 Fair Drive  
5:00 p.m. – Closed Session and  
6:00 p.m. – Council Meeting and Housing Authority**

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.
6. Free Wi-Fi is available in the Council Chamber during the meetings. Two networks are available: council1 and council2. The password for either network is: cmcouncil.

**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.

#### ROLL CALL

**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.

#### 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).~~

**Withdrawn**

## RECONVENE REGULAR MEETING

### REGULAR CITY COUNCIL AND HOUSING AUTHORITY AGENDA 6:00 p.m.

**PLEDGE OF ALLEGIANCE** Tustin Young Marines

**MOMENT OF SOLEMN EXPRESSION** Dr. Pastor Melinda Blackman, Harbor Christian 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**

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

The Mayor will play a video clip of the "Costa Mesa Minute," featuring 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** Estancia High School Varsity Football Team Recognition

**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. Additional follow-up responses to questions and concerns may also be addressed in the weekly CEO E-Briefing newsletter. To subscribe to the newsletter, please visit the City's website at <http://www.costamesaca.gov/> and enter your e-mail address in the box provided under "Sign up for latest City Hall news" at the top of the home page.

**REPORT – CHIEF EXECUTIVE OFFICER (CEO)**

**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**

- (a) Claims received by the City Clerk: Deann Dill on behalf of Enterprise Rent-A-Car; Kerry Karr on behalf of State Farm Insurance; Purcell Law on behalf of Elizabeth Wilson; Purcell Law on behalf of George Wilson.
- (b) Request for Alcohol Beverage Control license: Greenleaf, 234 East 17<sup>th</sup> Street, Suite 100; Ramen Jinya, 1450 Baker Street, Suite C.; Ramen Jinya, 1450 Baker Street, Suite C, Costa Mesa
- (c) Letter of Notification: Southern California Edison Company's Application for Approval of Proposal to Enable Automated Access of Customer Usage Data to Authorized Third Parties and Approval of Costa Recovery Mechanism, A. 12-03-004

Minutes

- 2. Special Study Session of January 31, 2012; Regular meeting of February 21, 2012.

**Recommendation: Approve**

Warrants

- 3. [WARRANT RESOLUTION 2411: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS, INCLUDING PAYROLL REGISTER NO. 12-05 AND PAYROLL REGISTER NO. 12-04A AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, funding Payroll No. 12-05 for \\$2,047,592.89 and Payroll No. 12-04A for \\$41.51, and City operating expenses for \\$405,514.82, including payroll deductions.](#)

**Recommendation: Approve**

- 4. [WARRANT RESOLUTION 2412: 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 \\$537,854.38.](#)

**Recommendation: Approve**

Administrative Actions

5. [Renewal of the Memorandum of Understand and Ground Lease with State of California, 2476 Shelley Circle, Costa Mesa, for the use of open space at the Fairview Developmental Center \(FDC\), for a term of five \(5\) years.](#)

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

- (a) Donation from the American Youth Soccer Organization (AYSO) Region 97, for the improvement of the parking lot at the FDC playing fields, in an amount not to exceed \$30,000.

**Recommendation: Accept**

- (b) Budget city's share of parking lot improvements at FDC in Fiscal Year 2012-2013.

**Recommendation: Approve**

6. [2011 Annual Review of the Costa Mesa 2000 General Plan.](#)

**Recommendation: Receive and file**

7. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, CHANGING THE ORDER OF BUSINESS OF THE CITY COUNCIL MEETINGS, to move the Council Member's Reports, Comments and Suggestions to occur after CEO Report.](#)

**Recommendation: Adopt resolution**

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

**HOUSING AUTHORITY – NO ITEMS**

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

No Public Hearings scheduled.

OLD BUSINESS

No Old Business scheduled.

NEW BUSINESS

1. [Urban Master Plan UMP-12-01 screening request for five \(5\) detached single-family residences at 1974 Meyer Place.](#)

[Attachment 1](#)

[Attachment 2](#)

[Attachment 3](#)

**Recommendation: Provide direction**

2. [Design and location of 19 West Urban Plan Area monument sign.](#)

**Recommendation: Provide direction**

- (a) Budget Adjustment No. 12-013 for \$15,000.

**Recommendation: Approve**

3. [Homeless Task Force recommendations.](#)

**Recommendation: Approve**

- (a) 2008-2010 Resources Impact in the Lions Park Vicinity Report.

**Recommendation: Receive and file**

4. [Military Affairs Team.](#)

**Recommendation: Receive and file**

5. [Proposal by the American Civil War Society to use a portion of Fairview Park for a Civil War reenactment and request to waive the special event permit and park use fees.](#)

**Recommendation: Approve**

6. [Fiscal Year 2011-2012 mid-year budget report.](#)

**Recommendation: Receive and file**

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

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

REPORT – City Attorney

ADJOURNMENT – Next Regular City Council Meeting: April 3, 2012.

**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.costamesaca.gov](http://www.costamesaca.gov)

### UPCOMING COMMUNITY EVENTS AND ACTIVITIES

MARCH/APRIL 2012



## City Council Agenda – March 20, 2012

- Wednesday, March 21 from 2-5 p.m. - The Fair Housing Foundation will conduct free tenant and landlord counseling at the Neighborhood Community Center. For more information, please contact the Fair Housing Foundation at (800) 446-3247.
- Saturday, March 24 - Estancia and TeWinkle Schools Foundation's fifth annual gala at the Mesa Verde Country Club. This year's event is themed "Some Like It Hot," and features hor's doeuvres, silent and live auctions, a buffet dinner, awards and dancing. For more information, visit [www.etsfoundation.org](http://www.etsfoundation.org).
- Thursday, March 29 through Saturday, March 31 - Sugar Plum Arts, Crafts, Antiques & Collectibles event will be held at the OC Fair & Event Center. Admission is free and parking is \$5. For further information on hours and vendors, visit [sugarplumcrafts.com](http://sugarplumcrafts.com) or call (562) 598-0857
- Sunday, April 1<sup>st</sup> at 11 a.m. the Costa Mesa Sanitary District will host a free Composting Workshop at Fairview Park. Bring your own lawn chair. For more information, call (949) 645-8400.
- Saturday, April 7 at 9:30 a.m. – Noon Egg-Citement 2012 will be held at Tanager Park. Activities include an Easter Bunny, bounce house, ponies, petting zoo and more. The event is presented by Torelli Realty. For further information, call (714) 540-7355 or visit [www.torellirealty.com](http://www.torellirealty.com).
- Friday, April 13 through Sunday, April 15 - 2012 Youth Expo at the OC Fair & Event Center. The Youth Expo will have lots of information, competitions, exhibits and entertainment catered for the youth. For further information, call (714) 708-1553 or (714) 708-1500, or e-mail [2012yeinfo@ocfair.com](mailto:2012yeinfo@ocfair.com).