



City of Costa Mesa Council Agenda

TUESDAY, JULY 19, 2005

Allan Mansoor
Mayor

Gary Monahan
Mayor Pro Tem

Linda Dixon
Council Member

Katrina Foley
Council Member

Eric Bever
Council Member

City Attorney
Kimberly Hall Barlow

City Manager
Allan Roeder

Development Services Director
Donald Lamm

Director of Public Services
William Morris

Deputy City Clerk
Julie Folcik

Council Chambers, 77 Fair Drive
5:00 p.m. – Closed Session and 6:30 P.M. – Council Meeting

TIME LIMIT FOR COUNCIL MEETINGS – except by majority vote of the Council to continue, Council meetings shall conclude at midnight. If there is unfinished business on the Agenda, these items will be continued to the next regularly scheduled council meeting (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 Deputy 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 Deputy City Clerk, (714) 754-5225. Notification 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, Council will adjourn to Conference Room 1B for meeting in closed session. Please note that if there are not any closed session items listed, Council will convene at its regular meeting time of 6:30 p.m.

I ROLL CALL

- II PUBLIC COMMENT 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 Subdivision (b) of Section 54956.9 of the California Government Code, significant exposure to litigation, and/or pursuant to Subdivision (c) of California Government Code Section 54956.9, initiation of litigation, a closed session has been scheduled for the City Council to confer with legal counsel, Kimberly Hall Barlow, City Attorney, regarding anticipated litigation - one (1) case.
2. Pursuant to Section 54957.6 of the California Government Code, a closed session has been scheduled for the City Council to confer with the designated agency representatives Steve Mandoki, Administrative Services Director, and Terri Cassidy, Human Resources Manager, regarding labor negotiations with the Costa Mesa City Employee Association (CMCEA), Costa Mesa Firefighters Association (CMFA), Costa Mesa Police Association (CMPA), and Costa Mesa Police Management Association (CMPMA).

RECESS TO STUDY SESSION:

The Council will recess to/convene an **Agenda Review Study Session** beginning at **6:00 p.m.** in Conference Room 1-A of City Hall. The public is welcome to attend and offer comment.

Pursuant to Resolution No. 05-8, each member of the public will be given an opportunity to speak for one (1) minute on study session agenda items. A maximum overall time of 10 minutes will be permitted for public comment. Note that no action may be taken by the Council prior to the 6:30 p.m. meeting.

RECONVENE REGULAR MEETING
REGULAR CITY COUNCIL AGENDA
6:30 p.m.

PLEDGE OF ALLEGIANCE Mayor Mansoor

**MOMENT OF SOLEMN
EXPRESSION**

Pastor Dave Manne, Calvary Chapel 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

CLOSED SESSION REPORT

PRESENTATION Mayor's Award - Mike and Linda Brumbaugh

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

PLEASE NOTE:

- **THE YELLOW FORM IS FOR PUBLIC COMMENTS – TOPICS NOT ON THE AGENDA.**
- **THE 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 minutes during Oral Communications to speak on any item within the Council's jurisdiction and which is not listed on the Agenda. The three-minute per speaker time limit may be extended for good cause by the Mayor, or by majority vote of the Council Members.

- V CONSENT CALENDAR-All matters listed under the Consent Calendar are considered to be routine and will be enacted in one motion in the form listed below. There will be no separate discussion of these items prior to the time the Council votes on the motion, unless members of the Council, staff, or the public request specific items to be removed from the Consent Calendar for discussion. Items removed from the Consent Calendar will be discussed and voted upon immediately following 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.

Written Communications

1. Reading Folder.
Recommendation: Receive and process

Minutes

2. Regular meeting of May 17, 2005.
Recommendation: Approve

Warrants

3. Warrant Resolution 2065, funding Payroll No. 513 for \$2,031,345.74, and Payroll No. 512A for \$982.49, and City operating expenses for \$1,521,210.04, including payroll deductions.
Recommendation: Approve
4. Warrant Resolution 2066, funding City operating expenses for \$599,795.96.
Recommendation: Approve

Claims

5. Claim from Ralph McDowall (allegedly tripped and fell on Southern California Edison box).
Recommendation: Reject
6. Claim from Dennis Jones (alleges he drove over a metal covering that damaged his car).
Recommendation: Reject

CONSENT CALENDAR—continued

Administrative Actions

7. [Fifth amendment to the agreement with the A.C.T. GIS, Inc., 19000 Grovewood Drive, Corona, for support services of the City's Geographic Information System \(G.I.S.\), for the amount of \\$62,212.00.](#)
Recommendation: Approve; authorize City Manager and Clerk to sign

8. [Award contract for Concrete Replacement at Various Park Sites, Project No. 05-06, to S. Parker Engineering, Inc., 10059 Whippoorwill Avenue, Fountain Valley, for \\$37,106.30 \(base bid\).](#)
Recommendation: Approve; authorize Mayor and Clerk to sign

9. [Award contract for Replacement of Irrigation Control Wiring in Tanager Park, Project No. 05-13, to Belaire West Landscape, Inc., 7371 Walnut Avenue, Buena Park, in the amount of \\$18,220.00 \(base bid\).](#)
Recommendation: Approve; authorize Mayor and Clerk to sign

10. [Award contract for Fairview Park Bicycle-Pedestrian Bridge, Project No. 05-17, to Sol Construction, Inc., 231 E. Alessandro Boulevard, #A405, Riverside, in the amount of \\$578,899.00 \(base bid\).](#)
Recommendation: Approve; authorize Mayor and Clerk to sign
 - (a) Waive the minor irregularities in the bid submitted Sol Construction, Inc.
Recommendation: Approve
 - (b) Budget Adjustment No. 05-109 for \$457,986.00
Recommendation: Approve

11. [Replace HVAC Unit at Fire Station No. 4 \(2300 Placentia Avenue\); Police Substation \(567 W. 18th Street\); Senior Center \(695 W. 19th Street\); and Condenser Pipes at City Hall \(77 Fair Drive\), Project No. 05-14.](#)
 - (a) Reject all bids.
Recommendation: Approve
 - (b) Direct staff to re-advertise the project
Recommendation: Approve

CONSENT CALENDAR—continued

Administrative Actions

12. [Completion of Construction of Fairview Park Multipurpose Trail, Project No. 04-24, by Sol Construction, Inc., 231 E. Alessandro Boulevard, #A405, Riverside.](#)
Recommendation: Accept work; authorize Clerk to file a Notice of Completion; release retention funds 35 days thereafter; exonerate the Labor and Material Bond 7 months thereafter; exonerate Performance Bond 6 months thereafter

13. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DISSOLVING THE HUMAN RELATIONS COMMITTEE.](#)
Recommendation: Adopt Resolution

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

VI PUBLIC HEARINGS

1. [PUBLIC HEARING: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ORDERING THE VACATION OF EXCESS RIGHT-OF-WAY AT 197 MAGNOLIA STREET \(ORANGE AVENUE SIDE\).](#)
Recommendation: Adopt resolution, and authorize Mayor and Deputy City Clerk to sign Quitclaim Deed No. 3531

2. [PUBLIC HEARING: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ORDERING THE VACATION OF EXCESS RIGHT-OF-WAY AT 628 WEST 19TH STREET.](#)
Recommendation: Adopt resolution, and authorize Mayor and Deputy City Clerk to sign Quitclaim Deed No. 3532

VII OLD BUSINESS

1. [From the meeting of July 5, 2005, second reading and adoption of Ordinance 05-11, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE TO PROHIBIT THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSARIES IN THE CITY OF COSTA MESA.](#)
Recommendation: Adopt Ordinance 05-11, read by title only and waive further reading

OLD BUSINESS—continued

2. [From the meeting of July 5, 2005, Change Order No. 6 to the contract with California Landscape and Design, Inc., d.b.a. California Skateparks, 273 N. Benson Avenue, Upland, for TeWinkle Park Skate Park, Project No. 04-19, for \\$120,000.00, to construct a perforated steel plaza cover and supporting structures not included in the original contract due to budgetary limitations at that time.](#)
Recommendation: Provide staff direction regarding cancellation of Fiscal Year 2005-06 Capital Improvement Project No. 29 – TeWinkle Skate Park Shade Structure, and reallocation of available funding to other improvements to the Skate Park Facility

VIII NEW BUSINESS

1. [Residential Remodeling Incentive Program.](#)
Recommendation: Provide staff direction concerning program features and effective dates
2. [Viability of converting motels to affordable senior housing.](#)
Recommendation: Review Senior Housing Study and determine if staff should develop a list of financial incentives to promote the conversion of motels to affordable senior housing
3. [Establishment of an Ad Hoc Field Use Committee.](#)
Recommendation: Recommendation of the Parks and Recreation Committee to authorize the appointment of an ad hoc Field Use Committee; with reports back to the Parks and Recreation Commission by a date to be determined by the City Council
4. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING THE STREETScape AND MEDIAN DEVELOPMENT STANDARDS, to add Adams Avenue, from Placentia Avenue to Santa Ana River, to the list of aesthetically deficient arterial wall locations.](#)
Recommendation: Adopt Resolution; and direct staff regarding the request for City participation for the funding of the wall

IX REPORTS

City Attorney

City Manager

X COUNCIL MEMBERS REPORTS, COMMENTS, AND SUGGESTIONS

1. Council Member Katrina Foley
2. Council Member Linda Dixon
3. Council Member Eric Bever
4. Mayor Pro Tem Gary Monahan
5. Mayor Allan Mansoor

XI ADJOURNMENT

COSTA MESA CITY COUNCIL
REQUEST TO SPEAK TO THE COUNCIL
PUBLIC COMMENT – NON AGENDA ITEMS
(Please Print)

Name: _____

Address (Street Address Optional*): _____

City/State/Zip: _____

Public Comments/Non-Agenda Matter (please specify):

The Costa Mesa City Council welcomes your comments. Public comment is limited to three (3) minutes per speaker. When speaking please state your name and the city in which you reside and address your comments to the Council as a whole. Comments to individual supervisors or staff are not permitted.

This form is not mandatory in order to address the City Council however priority will be given to those speakers that have filled out the form and turned it into the Deputy City Clerk prior to the Mayor allowing for public comment on those items not listed on the agenda.

*This form provides necessary information for preparation of the permanent record of the meeting. If follow-up is requested an address is necessary for the purpose of receiving communication from staff.

NOTE: This form is subject to public disclosure.

Please deposit this form in the holder located directly behind the Deputy City Clerk prior to public comments.

*Thank you for your participation.
The City Council is interested in your opinion.*

COSTA MESA CITY COUNCIL
REQUEST TO SPEAK TO THE COUNCIL
AGENDA ITEMS
(Please Print)

Name: _____

Address (Street Address Optional*): _____

City/State/Zip: _____

Please specify Agenda Item:

Consent Calendar -

List Agenda Item No.: _____

Public Hearing (Please Check One) –

Support

Opposition

Other

List Public Hearing Item No.: _____

Old Business:

List Agenda Item No.: _____

New Business:

List Agenda Item No.: _____

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Thank you for your participation.