



# City of Costa Mesa Council Agenda

**TUESDAY, AUGUST 2, 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, 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 Firefighters Association (CMFA).

**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 Pro Tem Monahan

**MOMENT OF SOLEMN  
EXPRESSION**

Rabbi Haim Asa, Fairview Hospital Chaplin

*[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**

Mayors Award – Taffy and Tony Dalby, Volunteer Facilitators  
of the Costa Mesa Chapter of Operation Interdependence

Employees of the Month -

Juan Manzo, Recreation Leader, Administrative Services

Mel Lee, Senior Planner, Development Services

Rachel Gamboa, Office Specialist, Development Services

Bob Baumgardner, Code Enforcement Officer, Development  
Services

**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 June 7, June 21, and July 5, 2005.  
**Recommendation: Approve**

Warrants

3. Warrant Resolution 2067, funding Payroll No. 514 for \$2,060,427.04, and City operating expenses for \$811,826.84, including payroll deductions.  
**Recommendation: Approve**
4. Warrant Resolution 2068, funding City operating expenses for \$1,467,934.81.  
**Recommendation: Approve**

Administrative Actions

5. [Agreement with Oce-USA, Inc., Suite 700 Irvine, to lease-purchase an Oce Varioprint 2110 high-speed copier and to extend the existing maintenance contract on the Oce 3165 for five \(5\) years, for the amount of \\$ 35,168.](#)  
**Recommendation: Approve; authorize Mayor and Clerk to sign**

CONSENT CALENDAR—continued

Administrative Actions

6. [Award contract for design of four streets and one alley, through Community Development Block Grant Funds \(CDBG\) for street improvement projects in Fiscal Year 2005-06, to KABBARA Engineering, 121 North Harwood Street, Orange, for an amount not to exceed \\$120,700.00.](#)  
**Recommendation: Approve; authorize Mayor and Clerk to sign**
  
7. [Award contract for 2004-2005 Slurry Seal and Crack Seal Project, Project No. 05-11, to Hardy & Harper, Inc., 1312 E. Warner Avenue, Santa Ana, in the amount of \\$646,734.57 \(base bid\).](#)  
**Recommendation: Approve; authorize Mayor and Clerk to sign**
  
8. [Upgrade Electrical Panels at City Hall, First Floor, 77 Fair Drive, Project 05-15.](#)
  - (a) Authorize staff to negotiate a contract with a qualified contractor within the projects existing budget of \$30,000.00.  
**Recommendation: Approve; authorize City Manager and Clerk to sign**
  
9. [Costa Mesa Police Facility Site Fencing, Project No. 05-19.](#)
  - (a) Accept withdrawal of bid submitted by MJ Contractors, Inc., 9 Orchard Road, Suite 106, Lake Forest.  
**Recommendation: Accept**
  - (b) Direct staff to re-advertise the project  
**Recommendation: Approve**
  
10. [Completion of Missing Link Sidewalk Project, Project No. 04-25, by Damon Construction Company, 8851 Watson Street, Cypress.](#)  
**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 12 months thereafter**

CONSENT CALENDAR—continued

Administrative Actions

11. [Memorandum of Understanding \(MOU\) with Orange County Transportation Authority \(OCTA\), the City of Costa Mesa, the City of Fountain Valley, and the City of Huntington Beach for a Santa Ana River Crossing Study \(SARX\) Supplemental Environment Impact Report for the Garfield Avenue/Gisler Avenue Bridge over the Santa Ana River.](#)  
**Recommendation: Approve; authorize Mayor**
  
12. [2004-2005 Fourth Quarter Community Objectives Update.](#)  
**Recommendation: Receive and File; approve moving Community Objective 98-B12, 03-B3, and 03-D2, to the Ongoing List**
  
13. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING RECORDS DESTRUCTION FOR THE FINANCE DEPARTMENT OF THE CITY OF COSTA MESA, PURSUANT TO ORDINANCE NO. 75-60.](#)  
**Recommendation: Adopt Resolution**
  
14. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, MODIFYING BUILDING AND CONSTRUCTION FEES TO ESTABLISH AND PROMOTE A RESIDENTIAL REMODELING INCENTIVE PROGRAM.](#)  
**Recommendation: Adopt Resolution**

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

VI PUBLIC HEARINGS

VII OLD BUSINESS

1. [From the meeting of July 5, 2005, consideration of funding and an agreement for the donation of \\$7,500.00 for the expense of moving the Friends of the Costa Mesa Libraries' Bookstore Building.](#)  
**Recommendation: Determine whether to fund the donation of \$7,500.00 to move the bookstore building for the Friends of the Libraries; if approved, authorize the City Manager, or his designee, to negotiate an agreement for the relocation and ultimate disposition of the building**

VIII NEW BUSINESS

1. [Approval for continuation of and appointments to the Cultural Arts Committee \(CAC\).](#)  
**Recommendation:** Approve; and appoint five committee members and one alternate to the Cultural Arts Committee
  
2. [Consideration of commencement time and the order of business for City Council meetings.](#)  
**Recommendation:** Determine whether to change meeting time to begin at 5:30 P.M. and the order of business; adopt Resolution
  
3. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING THE STREETScape AND MEDIAN DEVELOPMENT STANDARDS, for Fairview Road accent trees and to add a priority list for the development of landscape improvements for certain parkways and neighborhood entryways.](#)  
**Recommendation:** Adopt Resolution

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 – Adjourn to Tuesday, August 16, 2005



**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.*

