



# City of Costa Mesa Council Agenda

## TUESDAY, OCTOBER 3, 2006

**Allan Mansoor**  
Mayor

**Gary Monahan**  
Council Member

**Eric Bever**  
Mayor Pro Tem

**Katrina Foley**  
Council Member

**Linda Dixon**  
Council Member

City Attorney  
Kimberly Hall Barlow

City Manager  
Allan Roeder

Development Services Director  
Donald Lamm

Public Services Director  
William Morris

City Clerk  
Julie Folcik

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

#### **I ROLL CALL**

- II 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.

#### **III CLOSED SESSION:**

1. Conference with Labor Negotiator, Agency Negotiator: Steve Mandoki, Administrative Services Director, and Terri Cassidy, Human Resources Manager Regarding Employee Organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Firefighters Association (CMFA), Costa Mesa Police Association (CMPA) Costa Mesa Police Management Association (CMPMA), and Unrepresented Employees, pursuant to Government Code Section 54957.6.
2. Conference with Legal Counsel pursuant to Government Code Section 54956.9(a) – Existing Litigation, Shawn Brown v. City of Costa Mesa, Case Number VC 04-6946.

**RECESS TO STUDY SESSION:**

*The Council will recess to and convene an Agenda Review Study Session beginning at 5:30 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 ten (10) minutes will be permitted for public comment. Note that no action may be taken by the City Council prior to the 6:00 p.m. meeting.*

**RECONVENE REGULAR MEETING**

**REGULAR CITY COUNCIL AGENDA**

**6:00 p.m.**

**PLEDGE OF ALLEGIANCE**      Council Member Linda Dixon

**MOMENT OF SOLEMN  
EXPRESSION**

*[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**

**PRESENTATIONS**                      Employees of the Month – Public Services Engineering  
Division Staff: Gary Bray, Construction Inspector and Pete  
Merritt, Chief Construction Inspector

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

**PLEASE NOTE:**

- **YELLOW FORM IS FOR PUBLIC COMMENTS – TOPICS NOT ON THE AGENDA.**
- **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 (3) minutes each to address any item within the City 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 City Council Members.

V COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

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

VI **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 8.**

Written Communications

1. Reading Folder.

**Recommendation: Receive and process**

Minutes

2. Regular Meeting of August 15, 2006 and Adjourned Regular Meeting/Study Session of September 12, 2006.

**Recommendation: Approve**

Warrants

3. Warrant Resolution 2128, funding Payroll No. 618 for \$2,280,424.39, and City operating expenses for \$616,467.31 including payroll deductions.

**Recommendation: Approve**

CONSENT CALENDAR—continued

4. Warrant Resolution 2129, funding City operating expenses for \$954,284.59.

**Recommendation: Approve**

Administrative Actions

5. [Sole Source Professional Services Agreement for Geotechnical Consultation with Geotechnical Professionals, Inc., 5736 Corporate Avenue, Cypress, for the Police Facility Expansion and Renovation Project, in an amount not to exceed \\$35,252.](#)

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

- (a) Budget Adjustment No. 07-011 for \$35,252.

**Recommendation: Approve; authorize the Mayor to sign**

6. [Adopt plans and specifications, and working details for the Exterior Painting of Fire Station No. 3 and Exterior Sealing of Costa Mesa Downtown Recreation Center, Project No. 06-17, and award a Construction Contract to Southwest Coatings, Inc., 503 Harker Street, San Pedro, in the amount of \\$27,000.](#)

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

7. [Accept grant from the Urban Area Security Initiative \(UASI\), for Fire Department rescue air cushions and a self-contained breathing apparatus system upgrade, in the amount not to exceed \\$28,500.](#)

**Recommendation: Accept grant**

- (a) Budget Adjustment No. 07-023 for \$28,500.

**Recommendation: Approve; authorize the Mayor to sign**

8. [Permanent allocation of all money collected from the Mother and Child Reflecting Pool to the Costa Mesa Community Foundation.](#)

**Recommendation: Approve**

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

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

1. [PUBLIC HEARING: From the meeting of September 5, 2006, appeal of denial of Planning Application PA-06-34, to amend conditions of approval of an existing conditional use permit \(PA-99-49\) to allow concurrent sales of beer and wine \(single servings\) with gasoline, and to allow exterior advertisement for alcoholic beverages on property located at 3067 Bristol Street and zoned C-1 \(Local Business District\); Greg Fick of Tait and Associates, Inc., authorized agent for Conoco Phillips, appellants. Environmental Determination: Categorically Exempt.](#)

**Recommendation: Adopt resolution to uphold, reverse, or modify Planning Commission's decision**

VIII OLD BUSINESS

1. [From the meeting of September 19, 2006, second reading and adoption of ORDINANCE 06-21: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING CHAPTER II OF TITLE 2 OF THE COSTA MESA MUNICIPAL CODE RELATING TO ADOPTION OF THE ANNUAL BUDGET \(by midnight on June 30<sup>th</sup> of each year\).](#)

**Recommendation: Adopt Ordinance No. 06-21, to be read by title only and waive further reading**

IX NEW BUSINESS

1. [Urban Master Plan Screening UMP-06-09 request for 2033 and 2037 Anaheim Avenue within the Mesa West Residential Ownership Urban Plan area.](#)

**Recommendation: Provide comments**

2. [Installation of Three-Way Stop Controls at the intersection of Belfast Avenue and Fernheath Lane.](#)

**Recommendation: Deny request**

NEW BUSINESS—continued

3. [Appointments and reappointments to various Council-appointed committees.](#)

- a. Access, Building, Fire & Housing Board of Appeal

**Recommendation: Appoint member(s)**

- b. Child Care and Youth Services Committee

**Recommendation: Appoint member(s)**

- c. Cultural Arts Committee

**Recommendation: Appoint member(s)**

- d. Fairview Park Friend/Fundraising Committee

**Recommendation: Appoint member(s)**

- e. Historical Preservation Committee

**Recommendation: Appoint member(s)**

4. [Santa Ana River Crossing Study](#)

- (a) Memorandum of Understanding (MOU) between the cities of Costa Mesa, Fountain Valley, Huntington Beach, and The Orange County Transportation Authority (OCTA), regarding the proposed Garfield Avenue/Gisler Avenue bridge crossing over the Santa Ana River.

**Recommendation: Approve; authorize the Mayor to sign**

- (b) Authorize the City Manager to make minor refinements to the MOU based on discussions with other cities and OCTA.

**Recommendation: Approve; authorize the Mayor to sign**

5. [Request to reschedule the regular City Council meeting of November 7, 2006.](#)

**Recommendation: Consider request**

X REPORTS

City Attorney:

City Manager:

1. [Police Department Recruitment Authorizations](#)

- (a) Budget Adjustment No. 07-24 in the amount of \$71,094 to expand recruitment efforts by the Costa Mesa Police Department.

**Recommendation: Approve; authorize the Mayor to sign**

- (b) Authorize the City Manager to modify current personnel policies regarding terms of probation and allocated sick leave for lateral police applicants.

**Recommendation: Approve**

XI ADJOURNMENT – Adjourn to October 10, 2006, 4:30 p.m., for a Study Session followed by a Joint Meeting with the Redevelopment Agency at 6:30 p.m.