



# City of Costa Mesa Council Agenda

## TUESDAY, SEPTEMBER 6, 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 6:00 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 6:00 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:      None Scheduled

**RECESS TO STUDY SESSION:**

*The Council will recess to/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 10 minutes will be permitted for public comment. Note that no action may be taken by the 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 Dixon

**MOMENT OF SOLEMN  
EXPRESSION**

Mr. Dave Elliot, Vanguard University

*[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 – Kenneth Ottens

**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      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

VI 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 August 16, 2005.  
**Recommendation: Approve**

Warrants

3. Warrant Resolution 2071, funding Payroll No. 516 for \$2,105,414.96, and Payroll No. 515A for \$1,957.74, and City operating expenses for \$792,244.40, including payroll deductions.  
**Recommendation: Approve**
4. Warrant Resolution 2072, funding City operating expenses for \$1,218,572.99.  
**Recommendation: Approve**
5. Warrant Resolution 2073, funding Payroll No. 517 for \$2,068,909.73, and Payroll No. 516A for \$1,865.69, and City operating expenses for \$1,197,942.90, including payroll deductions.  
**Recommendation: Approve**

CONSENT CALENDAR—continued

Administrative Actions

6. [Bid Item No. 1082 for purchase of 135 additional new Dell Optiplex GX620 workstation computers, from Dell Marketing LP, One Dell Way RR8 M-S-8706, Round Rock, Texas, for \\$94,719.36.](#)  
**Recommendation: Approve**
  
7. [Annual contract for shopping cart retrieval services with Hernandez Cart Services, Inc., 1808 Lincoln Boulevard, Venice, in the amount of \\$40,000.00.](#)  
**Recommendation: Approve; authorize Mayor and Clerk to sign**
  
8. [Award contract for Traffic Signal Management Systems Integration Project, to PB Farradyne, 444 South Flower Street, Suite 3700, Los Angeles, in the amount of \\$315,000.00.](#)  
**Recommendation: Approve; authorize Mayor and Clerk to sign**
  
9. [Award contract for The Safe Route to School Radar Speed Sign Technology Services, to Fortel Traffic Inc., 1559 Harmony Circle, Anaheim, for \\$67,026.25.](#)  
**Recommendation: Approve; authorize Mayor and Clerk to sign**
  
10. [Amendment No. 1 to the Agreement for driver services for Senior Mobility Program with Western Transit Systems, 1919 East Lincoln Avenue, Anaheim, for a one-year extension through September 30, 2006, for \\$61,653.42.](#)  
**Recommendation: Approve; authorize the Mayor and Clerk to sign**
  - (a) Budget Adjustment No. 06-011 for \$3,626.00, to appropriate the additional Orange County Transportation Authority (OCTA) grant funds for a total of \$61,049.00, for Fiscal Year 2005-06.  
**Recommendation: Approve; authorize City Manager to sign**
  
11. [Budget Adjustment No. 06-008 for \\$29,267.00 for the California Integrated Waste Management Eleventh Cycle Used Oil Recycling Block Grant, and appropriate those funds to Public Services' operating budget for the Used Oil Recycling Program.](#)  
**Recommendation: Approve; authorize City Manager to sign**

CONSENT CALENDAR—continued

Administrative Actions

12. [State Farm Insurance Company Grant in the amount of \\$5,000.00 for the purchase of rescue equipment for the Fire Department.](#)  
**Recommendation: Accept grant**
  - (a) Budget Adjustment No. 06-006 for \$5,000.00.  
**Recommendation: Approve; authorize City Manager to sign**
  
13. [Harbor Boulevard at Gisler Avenue Intersection Improvements, Project No. 05-09.](#)
  - (a) Reject all bids.  
**Recommendation: Approve**
  - (b) Direct staff to re-advertise the project.  
**Recommendation: Approve**
  
14. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE CALIFORNIA RIVER PARKWAYS GRANT PROGRAM UNDER THE WATER SECURITY, CLEAN DRINKING WATER, COASTAL AND BEACH PROTECTION ACT OF 2002 \(PROPOSITION 50\) FOR THE FAIRVIEW PARK WETLANDS AND RIPARIAN HABITAT PROJECT.](#)  
**Recommendation: Adopt Resolution**
  
15. [Award contract to Moffatt & Nichol, 3780 Kilroy Airport Way, Suite 600, Long Beach, for design services of a Wetlands and Riparian Habitat at Fairview Park, in an amount not to exceed \\$489,895.00 \(base proposal plus additive items 1A and 2\).](#)  
**Recommendation: Approve; authorize Mayor and Clerk to sign**
  - (a) Budget Adjustment No. 06-010 for \$489,895.00.  
**Recommendation: Approve; authorize City Manager to sign**

CONSENT CALENDAR—continued

Administrative Actions

16. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE RECREATIONAL TRAILS PROGRAM FOR A BIKE TRAIL AT FAIRVIEW PARK.](#)  
**Recommendation: Adopt Resolution**
  
17. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE VACATION OF EXCESS RIGHT-OF-WAY AT 1629 SUPERIOR AVENUE, setting a public hearing on Tuesday, October 4, 2005, at 7:00 p.m.](#)  
**Recommendation: Adopt Resolution**
  
18. [Completion of 17<sup>th</sup> Street, 19<sup>th</sup> Street and Alley No. 111 Rehabilitation, Project No. 04-11, by R.J. Noble Company, 15505 E. Lincoln Avenue, Orange.](#)  
**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**
  
19. [Completion of Parkway Concrete Repair, Canyon Park Slope Repair, and National Avenue Storm Drain Construction Project, Project No. 03-22, by Ranco Corporation, P.O. Box 9007, Brea.](#)  
**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**
  
20. [Proposed action minutes format for City Council meeting minutes.](#)  
**Recommendation: Approve action minute format**

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

VII PUBLIC HEARINGS – 7:00 P.M. (Resolution 05-55)

1. [PUBLIC HEARING: Appeal from Mesa Heights Homeowner’s Association of the Planning Commission’s approval of aspects of Planning Application PA-05-16 for Tim DeCinces, authorized agent for Mike Simonian and Jane Caldwell, for a conditional use permit to allow off-site parking at 411 East 17<sup>th</sup> Street for the Beach Pit BBQ Restaurant located at 1676 Tustin Avenue \(so the restaurant may have outdoor patio seating\) with minor conditional use permits to deviate from shared parking at 411 East 17<sup>th</sup> Street \(Frazee Paint\) and to allow outdoor activities \(a television behind the restaurant\) at 1676 Tustin Avenue, in an C1 zone. Environmental determination: exempt.](#)  
**Recommendation: Adopt resolution to uphold, reverse or modify Planning Commission’s decision**
  
2. [PUBLIC HEARING: Recommended allocation of funds for the 2005-2006 Citizen’s Option for Public Safety/Supplemental Law Enforcements Services Fund \(COPS/SLESF\).](#)  
**Recommendation: Approve**

VIII OLD BUSINESS

1. [From the meeting of July 19, 2005, Parks and Recreation Commission Field Use recommendations:](#)
  - (a) Make no changes to Groups 4 and 5 organizations’ use of fields, and limit Group 6 organizations’ as recommended.  
**Recommendation: Approve**
  
  - (b) Permit no use of Newport Mesa Unified School District elementary schools located in Costa Mesa by adult soccer organizations.  
**Recommendation: Approve**
  
  - (c) Restrict adult soccer use to Costa Mesa High School fields, Estancia High School fields, Parsons School field, and Davis School Field with established site restrictions.  
**Recommendation: Approve**
  
  - (d) Make no changes to year-round use of fields by any organization.  
**Recommendation: Approve; direct staff to initiate and/or assist with development of rest and renovation periods at school at City fields**



OLD BUSINESS - continued

- (e) Make no changes to current allocation formula used on fields with lights.  
**Recommendation: Approve**
- (f) Support City staff efforts to revise existing Joint Use Agreement with Newport Mesa Unified School District with the City acting as the agent for the community use.  
**Recommendation: Approve**
- (g) Support inclusion of maintenance standards in any re-worked Joint Use Agreement with Newport Mesa Unified School District.  
**Recommendation: Approve**

IX NEW BUSINESS

- 1. [Senior Center Board Appointments](#)  
**Recommendation: Appoint two members**
- 2. [Parks and Recreation Commission recommendations for the :Proposed Median Island Layout and Plant Palette Modifications on Placentia Avenue.](#)
  - (a) Median island locations with minor staff revisions for Placentia Avenue from Wilson Street to the southerly City limits.  
**Recommendation: Approve**
  - (b) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING THE STREETScape AND MEDIAN DEVELOPMENT STANDARDS, for plant palette modifications on Placentia Avenue.  
**Recommendation: Adopt resolution**

X REPORTS

City Attorney

City Manager

- 1. [Federal Emergency Management Agency request \(FEMA\) request for Hurricane Disaster Assistance](#)  
**Recommendation: Provide direction; authorize City Manager to release personnel as requested and location conditions permit**

XI ADJOURNMENT - Adjourn to Tuesday, September 20, 2005