City of Costa Mesa
Council Agenda

TUESDAY, OCTOBER 21, 2008

Eric R. Bever
Mayor

Linda W. Dixon
Council Member

Allan R. Mansoor
Mayor Pro Tem

Katrina Foley
Council Member

Wendy Leece
Council Member

City Attorney
Kimberly Hall Barlow

City Manager
Allan Roeder

Development Services Director
Donald Lamm

Public Services Director
Peter Naghavi

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 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.

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:

No Closed Session scheduled.

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. 07-80, each member of the public will be given an opportunity to speak for two (2) minutes on Study Session agenda items. A maximum overall time of (15) 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 Katrina Foley

MOMENT OF SOLEMN EXPRESSION Pastor Rod Randall, Harbor Trinity Baptist 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

PRESENTATIONS Mayor's Award - Stan Brown

New 75 Ft. Quint Fire Truck – Deputy Fire Chief Keith Jones

Costa Mesa Police Dept and FBI – Partnership to Solve Crimes in Costa Mesa

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 (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.

V COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

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

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 11.

Written Communications

1. Reading Folder.

Recommendation: Receive and process

Minutes

2. Adjourned Regular Meeting/Study Session of September 9, 2008; Special Joint Meeting with the Newport Beach City Council of September 30, 2008; and Regular Meeting of October 7, 2008.

Recommendation: Approve

CONSENT CALENDAR—continued

Warrants

3. Warrant Resolution 2235, funding Payroll No. 820 for $2,685,397.70, and Payroll No. 819A for $2,055.26 and City operating expenses for $768,004.33 including payroll deductions.

   Recommendation: Approve

4. Warrant Resolution 2236, funding City operating expenses for $998,592.82.

   Recommendation: Approve

Administrative Actions

5. Grant from the Fireman's Fund Heritage Grant Program for a replacement vehicle for the Fire Department's Operations Deputy Chief, in the amount of $25,000.

   Recommendation: Approve acceptance

   (a) Budget Adjustment No. 09-006 for $25,000.

   Recommendation: Approve; authorize the City Manager to sign

6. Purchase of thirteen (13) traffic signal poles for the Newport Boulevard Improvement Project from JTB Supply Company, 1030 Batavia, Suite A, Orange, in the amount of $110,882.54.

   Recommendation: Approve; authorize the City Manager to sign

7. Cooperative Agreements 12-540 and 12-541 with the State of California Department of Transportation (Caltrans):

   (a) Amendment No. 1 to Cooperative Agreement 12-540 for the construction of improvements at Fairview Road/I-405 Freeway interchange.

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

CONSENT CALENDAR—continued

Administrative Actions

(b) Amendment No. 1 to Cooperative Agreement 12-541 for the construction of improvements at Harbor Boulevard/I-405 Freeway interchange

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

8. Reduction of retention funds withheld from the general contractor USS Cal Builders, Inc., 8051 Main Street, Stanton, to five (5) percent of the contract price, for the construction of the Police Facility Expansion and Renovation Project, City Project No. 06-08.

Recommendation: Approve

9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING THE FIRST AMENDED FRANCHISE AGREEMENT FOR RENEWAL OF THE BUS SHELTER FRANCHISE WITH CLEAR CHANNEL OUTDOOR, INC.

Recommendation: Adopt resolution; approve amended agreement and authorize the Mayor and City Clerk to sign

(a) Adjust the minimum guaranteed compensation from $94 to $99 per month, per shelter, in accordance with comparable increases in the published Consumer Price Index (CPI) for all urban consumers for the Los Angeles-Anaheim-Riverside region for the year ending August 2008.

Recommendation: Approve; authorize the Director of Public Services to make subsequent adjustments annually in accordance with increases in the CPI

CONSENT CALENDAR—continued

Administrative Actions

10. Safe Routes to School (SR2S) Program grant awards:

(a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING THE DIRECTOR OF PUBLIC SERVICES TO EXECUTE THE NECESSARY AGREEMENTS TO RECEIVE FUNDS UNDER THE CALIFORNIA SAFE ROUTES TO SCHOOL PROGRAM FOR THE BAKER/MENDOZA SIGNAL PROJECT.

Recommendation: Adopt resolution

(b) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING THE DIRECTOR OF PUBLIC SERVICES TO EXECUTE THE NECESSARY AGREEMENTS TO RECEIVE FUNDS UNDER THE CALIFORNIA SAFE ROUTES TO SCHOOL PROGRAM FOR THE IRVINE AVENUE.

Recommendation: Adopt resolution

11. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, SUMMARILY VACATING A PORTION OF EXCESS LANDSCAPE EASEMENT ADJACENT TO SAKIOKA DRIVE LOCATED AT 3400 AVENUE OF THE ARTS.

Recommendation: Adopt resolution; approve and authorize the Mayor and City Clerk to sign; and Clerk to record Quitclaim Deed 3606

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

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

1. Annual review of the Citywide Traffic Impact Fee Program:

(a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, CONTINUING THE CITYWIDE TRAFFIC IMPACT FEE FOR NEW DEVELOPMENT IN THE CITY OF COSTA MESA AND THE RELATED ANNUAL REVIEW OF THE CITYWIDE TRAFFIC IMPACT FEE PROGRAM AND CAPITAL IMPROVEMENT PLAN FOR TRANSPORTATION IMPROVEMENTS, approving the following staff and Traffic Impact Fee Ad Hoc Committee recommendations to continue Citywide Traffic Impact Fee of $181.00 per Average Daily trip (ADT); continue the incentive program for new developments by assessing traffic impact fees on an incremental basis for the first 100 trips; and to approve the annual accounting of the Citywide Traffic Impact Fee Program.

Recommendation: Adopt resolution

VIII OLD BUSINESS

No Old Business scheduled.

IX NEW BUSINESS

1. Extreme Home Makeover: Standardized Plans for the Freedom Homes

Recommendation: Receive and make available for public distribution

2. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ESTABLISHING AN IDENTITY THEFT POLICY AND PREVENTION PROGRAM AND TO COMPLY WITH FEDERAL REGULATIONS REGARDING ADDRESS DISCREPANCIES.

Recommendation: Adopt resolution

3. Cancellation or rescheduling of the regular City Council meeting of November 4, 2008.

X REPORTS

City Attorney:

City Manager:

XI ADJOURNMENT –Next Regular City Council Meeting November 4, 2008.

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.ci.costa-mesa.ca.us.