City of Costa Mesa
Council Agenda

TUESDAY, SEPTEMBER 19, 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. Public Employee Discipline/Dismissal/Release, pursuant to Government Code Section 54957.

2. Conference with Labor Negotiator, Agency Negotiator: Steve Mandoki, Administrative Services Director, and Terri Cassidy, Human Resources Manager, Employee Organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Firefighters Association (CMFA), Costa Mesa Police Association (CMPA), and Costa Mesa Police Management Association (CMPMA), pursuant to Government Code Section 54957.6.

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 Mayor Pro Tem Eric Bever

MOMENT OF SOLEMN EXPRESSION Pastor Julie Elkins, First United Methodist 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

Student Power Point Presentation of City of Costa Mesa Report

Freedom Committee of Orange County

Costa Mesa Fire Explorer Post 400 Certificates of Achievement

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

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 20.

Written Communications

1. Reading Folder.

Recommendation: Receive and process

Minutes

2. Regular Meeting of August 1 and August 15, 2006.

Recommendation: Approve

CONSENT CALENDAR—continued

Warrants

3. Warrant Resolution 2125, funding City operating expenses for $546,013.84.

   Recommendation: Approve

4. Warrant Resolution 2126, funding Payroll No. 617 for $2,266,556.90 and Payroll No. 616A for $8,291.02, and City operating expenses for $634,071.90 including payroll deductions.

   Recommendation: Approve

5. Warrant Resolution 2127, funding City operating expenses for $750,926.07.

   Recommendation: Approve

Administrative Actions

6. Request from Police Officer Steve Calles, for Special Leave of Absence Without Pay, retroactive to September 6, 2006 to December 26, 2006.

   Recommendation: Approve

7. Salary adjustments for classifications represented by the Costa Mesa Police Management Association and Costa Mesa Police Association.

   (a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REVISING THE PAY RANGES FOR JOB CLASSIFICATIONS REPRESENTED BY THE COSTA MESA POLICE MANAGEMENT ASSOCIATION (CMPMA) PURSUANT TO THE 2004-2007 MOU.

   Recommendation: Adopt resolution

   (b) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REVISING THE PAY RANGES FOR JOB CLASSIFICATIONS REPRESENTED BY THE COSTA MESA POLICE ASSOCIATION (CMPA) PURSUANT TO THE 2004-2007 MOU.

   Recommendation: Adopt resolution

CONSENT CALENDAR—continued

Administrative Actions (continued)

(c) Budget Adjustment No. 07-016 for $687,013.

Recommendation: Approve; authorize the Mayor to sign

8. Professional Services Agreement for Engineering Design with Civil Source, 500 Wald Street, Irvine, in the amount of $59,715, for design services of Cassia Avenue and Valencia Street, 2006-2007 CDBG Street Improvement Project.

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

9. Professional Services Agreement for Crossing Guards with All City Management Services, Inc., 1749 S. La Cienega Blvd., Los Angeles, in an amount not to exceed $192,000, for crossing guard services, for a term of eleven months, effective October 2, 2006 through August 31, 2007, with automatic renewals for four (4) terms of one (1) year each.

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

10. Cooperative Agreement with the City of Santa Ana, for Rehabilitation of Sunflower Avenue, between Avenue of the Arts and Bear Street, adjacent to the Theatre and Arts District (TAD), in an amount not to exceed $45,000, payable to Costa Mesa, for project development expenses.

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

11. Award Formal Bid Item No. 1100, for a two-year Landscape and Turf Maintenance (Parks, Facilities, and Sports Fields) contract, with four (4) one-year optional renewals, to Midori Gardens, Inc., 3231 South Main Street, Santa Ana, in an amount not to exceed $305,076.64 for the first year.

Recommendation: Approve; authorize the Mayor and City Clerk to sign; authorize the City Manager to approve optional contract renewals after the initial two-year (2) term

(a) Budget Adjustment No. 07-018 for $114,190.

Recommendation: Approve; authorize the Mayor to sign

Administrative Actions (continued)

12. Award Formal Bid Item No. 1101, for a two-year Landscape and Turf Maintenance (Parkways, Medians, and Fire Stations) contract, with four (4) one-year optional renewals, to TruGreen Landcare, Inc., 1150 West Trenton Avenue, Orange, in an amount not to exceed $168,526.20 for the first year.

    Recommendation: Approve; authorize the Mayor and City Clerk to sign; authorize the City Manager to approve optional contract renewals after the initial two-year (2) term

    (a) Budget Adjustment No. 07-019 for $120,804.

    Recommendation: Approve; authorize the Mayor to sign

13. Adopt plans and specifications, and working details for the Parkway Concrete Repair and New Sidewalk Project, Project No. 06-10, and award a Construction Contract to Belaire-West Landscape, Inc., P.O. Box 6270, Buena Park, in the amount of $535,350.

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

14. Adopt plans and specifications, and working details for the Costa Mesa Police Facility Expansion and Renovation Project, Project No. 06-08, and award a Construction Contract to USS Cal Builders, Inc., 8051 Main Street, Stanton, in the amount of $18,194,000.

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

    (a) Budget Adjustment No. 07-013 for $18,194,000.

    Recommendation: Approve; authorize the Mayor to sign

15. Completion of Wilson Street/Pomona Avenue Traffic Signal Installation, Project No. 05-23, as of July 27, 2006, by Inspection Engineering Construction, Inc., 2973 Harbor Boulevard, #516, Costa Mesa.

    Recommendation: Accept work; authorize City Clerk to file a Notice of Completion; release retention monies 35 days thereafter; exonerate the Labor and Material Bond seven (7) months thereafter; and exonerate the Faithful Performance Bond twelve (12) months thereafter

Administrative Actions (continued)

16. Application for Grant Funds from the California Rivers 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, in the amount of $2,100,000.

    (a) 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).

    Recommendation: Adopt resolution

17. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR GRANT FUNDS FROM THE TIRE-DERIVED PRODUCT GRANT PROGRAM. ($22,463)

    Recommendation: Adopt resolution

18. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING APPLICATION FOR, AND ACCEPTANCE OF, A GRANT AWARD FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR THE "DUI ENFORCEMENT AND AWARENESS PROGRAM." ($463,717)

    Recommendation: Adopt resolution

    (a) Budget Adjustment No. 07-014 for $463,717.

    Recommendation: Approve; authorize the Mayor to sign

19. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, PROVIDING FOR TEMPORARY PARTIAL PAY FOR MILITARY LEAVE OF ABSENCE AND CONTINUATION OF BENEFITS FOR CITY OF COSTA MESA EMPLOYEES CALLED TO ACTIVE DUTY WITH THE ARMED FORCES. (Resolution Nos. 01-75 and 03-43 rescinded.)

    Recommendation: Adopt resolution

CONSENT CALENDAR—continued

Administrative Actions (continued)

20. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REVISING THE LIST OF DESIGNATED POSITIONS FOR THE CITY'S CONFLICT OF INTEREST CODE.

Recommendation: Adopt resolution

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

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

1. PUBLIC HEARING: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ORDERING THE VACATION OF A PORTION OF EL CAMINO DRIVE, MENDOZA DRIVE, AND CORONADO DRIVE ADJACENT TO 1011-1045 EL CAMINO DRIVE AND AT 2805 & 2829 SAN JUAN LANE. (Public Hearing set by Resolution No. 06-67.)

Recommendation: Continue to October 3, 2006 at 7:00 p.m.

VIII OLD BUSINESS

1. From the meeting of September 5, 2006, second reading and adoption of ORDINANCE 06-20: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING ZONING CODE AMENDMENT CO-06-06 WHICH AMENDS TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING FLOODPLAIN AND FLOODWAY DISTRICTS.

Recommendation: Adopt Ordinance No. 06-20, to be read by title only and waive further reading

IX NEW BUSINESS

1. 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 30th of each year).

   Recommendation: Introduce ordinance for first reading, read by title only, and waive further reading

2. Voters' Rights Act and Poll Worker Recruitment Presentation by the Orange County Registrar of Voters.

3. City Employee Poll Worker Program.

   Recommendation: Approve and authorize the City Manager to implement a program authorizing City employees to serve as volunteer poll workers throughout the City of Costa Mesa, for the City's General Municipal Elections

4. Request from Council Members Foley and Dixon to establish an ad hoc committee to identify incentives for sustainable development strategies for the Overlay Zones.

   Recommendation: Consider request to establish the ad hoc committee

5. Sponsorship of D Company, 2-25 Aviation Regiment, US Army and Military Personnel who have connections to Costa Mesa.

   (a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, FORMALLY ADOPTING D COMPANY, 2-25 AVIATION REGIMENT (TASK FORCE DIAMOND HEAD) OF THE UNITED STATES ARMY.

   Recommendation: Adopt resolution and approve

   (b) Direct staff to disseminate information to the public and coordinate with other City organizations, non-profit groups, and individuals to collect and send needed items to Unit.

   Recommendation: Adopt resolution and approve

NEW BUSINESS — continued

6. Modification to Athletic Field/Facility Use and Allocation Policy - Temporary, Portable Lighting Policy.
Recommendation: Modify the existing policy to allow for the use of temporary, portable lighting between September 1 through April 30

X REPORTS

City Attorney:

City Manager:

XI ADJOURNMENT – Next Regular Meeting will be held October 3, 2006.