



# City of Costa Mesa Council Agenda

**TUESDAY, APRIL 18, 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

Director of Public Services  
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 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 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, 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:

1. Conference with legal counsel pursuant to California Government Code Section 54956.9(a) – existing litigation, Acosta v. City of Costa Mesa, et al, Case Number SACV06-233 DOC (MLGx)
2. Conference with legal counsel pursuant to California Government Code Section 54957 – public employment, Chief of Police recruitment

**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** Mayor Pro Tem Bever

**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**

Mayor’s Award – Devin Fairbarn  
Employee of the Month – Stephanie Smith, Recreation Leader  
Sister City Student Exchange Presentation

**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:**

- **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 (3) minutes during Public Comments 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. 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 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 April 4, 2006.

**Recommendation: Approve**

Warrants

3. Warrant Resolution 2104, funding City operating expenses for \$784,772.20

**Recommendation: Approve**

4. Warrant Resolution 2105, funding Payroll No. 607 for \$2,192,001.95 and Payroll No. 606A for negative \$2,484.60, and City operating expenses for \$1,114,423.97, including payroll deductions.

**Recommendation: Approve**

CONSENT CALENDAR—continued

Administrative Actions

5. [Agreement to provide Third Party Administration claims services for self-insured workers' compensation programs with Hazelrigg Risk Management Services, Inc., 14275 Pipeline Avenue, Chino, for the term of April 1, 2006 to December 31, 2006.](#)

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

6. [Agreement for City-owned building evaluation services with 3D/International, Inc., 12100 Wilshire Boulevard, Suite 1950, Los Angeles, in an amount not to exceed \\$75,000.00.](#)

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

7. [Completion of Fairview Park Bicycle Pedestrian Bridge, Project No. 05-17, by Sol Construction, Inc. 231 E. Alessandro Boulevard, Suite #A405, Riverside.](#)

**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 twelve (12) months thereafter**

8. [Bail Schedule review for the purposes of updating the current amounts and to include unlisted chargeable sections.](#)

**Recommendation: Authorize City Attorney to review**

9. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING A PREQUALIFICATION PROGRAM INCLUDING PREQUALIFICATION STATEMENT, UNIFORM SYSTEM OF RATING, AND APPEAL PROCEDURE PURSUANT TO PUBLIC CONTRACT CODE SECTION 10163 FOR CONSTRUCTION OF THE POLICE FACILITY EXPANSION AND RENOVATION PROJECT.](#)

**Recommendation: Adopt resolution**

CONSENT CALENDAR—continued

10. [A RESOLUTION OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING RECORDS DESTRUCTION FOR THE RECORDS DIVISION OF THE POLICE DEPARTMENT OF THE CITY OF COSTA MESA, PURSUANT TO ORDINANCE NO. 75-60.](#)

**Recommendation: Adopt resolution**

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

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

1. [PUBLIC HEARING: From the meeting of March 21, 2006, a continued hearing regarding a Request for Review of the Planning Commission’s approval for Planning Application PA-05-42 for Pete Volbeda, authorized agent for Joe Cefalia, for a variance from minimum lot size requirements \(12,000 sq. ft. required; approximately 4,000 sq. ft. per lot proposed\) and lot width requirements \(100 ft. required; 58 ft. and 62 ft. proposed\) to subdivide an existing nonconforming lot into two and to consider Susannah Place instead of Orange Avenue as the front of Parcel 2, in conjunction with a development review for the construction of two, two-story single-family residences, located at 2590 Orange Avenue, in an R2-MD zone. Environmental determination: exempt.](#)

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

VIII OLD BUSINESS

1. [From the meeting of April 4, 2006, second reading and adoption of Ordinance No. 06-7: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING ZONING CODE AMENDMENT CO-06-03 THAT AMENDS TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING DENSITY BONUSES AND OTHER INCENTIVES.](#)

**Recommendation: Adopt Ordinance 06-7, to be read by title only and waive further reading**

OLD BUSINESS—continued

2. [From the meeting of April 4, 2006, second reading and adoption of Ordinance No. 06-8: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING PETITION R-05-05, CHANGING THE ZONING OF THE NORTHWESTERLY PORTION OF 1941 CHURCH STREET TO GENERAL BUSINESS \(C2\) TO ACCOMMODATE A LOT LINE ADJUSTMENT.](#)

**Recommendation: Adopt Ordinance No. 06-8, to be read by title only and waive further reading**

3. [From the meeting of April 4, 2006, second reading and adoption of Ordinance No. 06-9: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING ZONING CODE ADMENDMENT C0-05-05 THAT AMENDS TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING A MIXED-USE OVERLAY DISTRICT.](#)

**Recommendation: Adopt Ordinance No. 06-9, to be read by title only and waive further reading**

4. [From the meeting of April 4, 2006, second reading and adoption of Ordinance No. 06-10: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING OVERLAY ZONE PETITION R-05-06A FOR A MIXED-USE OVERLAY DISTRICT IN THE SOBECA URBAN PLAN AREA, LOCATED SOUTH OF BAKER STREET, EAST OF THE SR-73 FREEWAY, AND NORTH OF THE INTERSECTION OF THE SR-73/SR-55 FREEWAYS.](#)

**Recommendation: Adopt Ordinance No. 06-10, to be read by title only and waive further reading**

5. [From the meeting of April 4, 2006, second reading and adoption of Ordinance No. 06-11: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING OVERLAY ZONE PETITION R-05-06B FOR A MIXED-USE OVERLAY DISTRICT IN WESTSIDE URBAN PLANS AREA, GENERALLY BOUND BY WILSON STREET \(NORTH\), HARBOR BOULEVARD AND SUPERIOR BOULEVARD \(EAST\), AND THE CITY'S CORPORATE LIMITS \(WEST/SOUTH\).](#)

**Recommendation: Adopt Ordinance No. 06-11, to be read by title only and waive further reading**

IX NEW BUSINESS

- 1. [Survey results for funding mechanisms to underground overhead utilities citywide.](#)

**Recommendation: Review and comment**

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

- a. Child Care and Youth Services Committee

**Recommendation: Appoint two (2) members**

- b. Cultural Arts Committee

**Recommendation: Appoint three (3) members**

- c. Fairview Park Friend/Fundraising Committee

**Recommendation: Appoint one (1) “at-large” member**

- d. Historical Preservation Committee

**Recommendation: Appoint four (4) members**

- e. Investment Oversight Committee

**Recommendation: Appoint three (3) members**

X REPORTS

City Attorney

City Manager

XI ADJOURNMENT - Adjourn to May, 2, 2006