



City of Costa Mesa Council Agenda

TUESDAY, DECEMBER 5, 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 Performance Evaluation for City Attorney and City Manager, pursuant to California Code Section 54957.

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**

[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 Mayors Award – Sally Brown

Recognition of the 2005 First-Line Supervisor, Sergeant Paul Beckman; 2005 Officer of the Year, Officer Derek Trusk; 2005 Civilian of the Year, Michael S. Fantozzi; and 2005 Volunteer of the Year, Mickey Dunlap

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 GENERAL MUNICIPAL ELECTION

1. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, RECITING THE FACTS OF THE GENERAL MUNICIPAL ELECTON HELD ON NOVEMBER 7, 2006, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW.](#)

Recommendation: Adopt resolution

- (a) Swearing in of newly elected City Council Members.
2. Election of Mayor and Mayor Pro Tem:
 - (a) Nominations for Mayor.
 - (b) Nominations for Mayor Pro Tem.

- VII **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 17.

Written Communications

1. Reading Folder.

Recommendation: Receive and process

Minutes

2. Regular Minutes of November 14, 2006.

Recommendation: Approve

CONSENT CALENDAR—continued

Warrants

3. Warrant Resolution 2137, funding City operating expenses for \$1,751,589.70.

Recommendation: Approve

4. Warrant Resolution 2138, funding Payroll No. 623 for \$2,233,896.71 and Payroll No. 622A for \$1,865.06, and City operating expenses for \$519,445.27 including payroll deductions.

Recommendation: Approve

Administrative Actions

5. [Cooperative Agreement No. 12-540 with the State of California Department of Transportation \(Caltrans\) for the construction of improvements at Fairview Road/I-405 Interchange.](#)

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

6. [Cooperative Agreement No. 12-541 with the State of California Department of Transportation \(Caltrans\) for the construction of improvements at Harbor Boulevard/I-405 Interchange.](#)

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

7. [Cooperative Agreement No. C-6-0808 with the Orange County Transportation Authority \(OCTA\) for the “Go Local” Program.](#)

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

- (a) Cooperative Agreement with the City of Santa Ana designating that City as the lead agency representing the City of Costa Mesa for the OCTA “Go Local” Program.

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

CONSENT CALENDAR—continued

Administrative Actions

8. [Sole Source Purchase of a 75' Aerial Ladder Quint Apparatus \(Vehicles\), from American La France of Los Angeles, 13800 Valley Boulevard, Fontana, in the amount of \\$636,238.](#)

Recommendation: Approve

9. [Authorize refund of cash deposit in the amount of \\$5,623 to Damon Van Oostendorp, 250 Santo Tomas Avenue, Costa Mesa, in connection with Encroachment Permit No. PS06-00339 for street improvements located at 250 Santo Tomas Avenue, Costa Mesa.](#)

Recommendation: Approve

10. [Authorize refund of cash deposit in the amount of \\$14,952 to Knox Brothers Construction, Post Office Box 11312, Costa Mesa, in connection with Encroachment Permit No. PS06-00269 for street improvements located at 125 Mesa Drive, Costa Mesa.](#)

Recommendation: Approve

11. [Authorize refund of cash deposit in the amount of \\$11,340 to Jim Cefalia, 930 West Oceanfront, Newport Beach, in connection with Encroachment Permit No. PS06-00510 for street improvements located at 147 23rd Street, Costa Mesa.](#)

Recommendation: Approve

12. [Release of Performance Bond in the amount of \\$2,000 to HGC Irvine, LLC, 190 Newport Center Drive, Suite 220, Newport Beach, in connection with Tract Map No. 16526 for tract corner monumentation at 2455 Irvine Avenue, Costa Mesa.](#)

Recommendation: Exonerate Bond

13. [Completion of Exterior Painting of Fire Station No. 3 and Exterior Sealing of Costa Mesa Downtown Recreation Center, Project No. 06-17, by Southwest Coatings, Inc., 503 Harker Street, San Pedro.](#)

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

CONSENT CALENDAR—continued

Administrative Actions

14. [Resolutions requesting employment extension:](#)

- (a) A RESOLUTION REQUESTING EMPLOYMENT EXTENSION PER GOVERNMENT CODE SECTION 21221(h) (INTERIM POLICE CHIEF).

Recommendation: Approve; Adopt resolution

- (b) A RESOLUTION REQUESTING EMPLOYMENT EXTENSION PER GOVERNMENT CODE SECTION 21221(h) (INTERIM FIRE CHIEF).

Recommendation: Approve; Adopt resolution

15. [2008 Federal Appropriations Funding Application for the construction of the Wetlands and Riparian Habitat Project at Fairview Park.](#)

Recommendation: Approve

16. [2006 Emergency Management Performance Grant \(EMPG\) Allocation:](#)

- (a) Agreement to Transfer Funds with the County of Orange for the 2006 Emergency Management Performance Grant (EMPG) Program.

Recommendation: Approve; authorize the City Manager to sign

- (b) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING APPLICATION FOR AND ACCEPTANCE OF YEAR 2006 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) REIMBURSEMENT ALLOCATION.

Recommendation: Adopt resolution

- (c) Allocation of the 2006 EMPG Program proceeds in an amount not to exceed \$17,000 to the City's General Fund – Emergency Services.

Recommendation: Approve

17. [Redevelopment Agency's 2006 Annual Report.](#)

Recommendation: Receive and file

CONSENT CALENDAR—continued

Administrative Actions

18. [Contractual Agreement with the County of Orange for the services of one Gang Prevention and Suppression Officer \(Deputy Probation Officer\) in the amount not to exceed \\$59,131.](#)

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

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

ADJOURN THE REGULAR CITY COUNCIL MEETING TO THE SPECIAL MEETING OF THE PUBLIC FINANCE AUTHORITY

ROLL CALL

1. [A RESOLUTION OF THE BOARD OF DIRECTORS OF THE COSTA MESA PUBLIC FINANCING AUTHORITY APPROVING A LEASE/PURCHASE AGREEMENT WITH THE CITY OF COSTA MESA AND CERTAIN OTHER DOCUMENTS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE CITY OF COSTA MESA 2007 CERTIFICATES OF PARTICIPATION \(POLICE FACILITY EXPANSION PROJECT\) IN A PRINCIPAL AMOUNT NOT TO EXCEED \\$30,000,000.](#)

Recommendation: Approve; adopt resolution

ADJOURN THE SPECIAL MEETING OF THE PUBLIC FINANCE AUTHORITY AND RECONVENE REGULAR CITY COUNCIL MEETING

VIII 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, AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS RELATING TO THE SALE AND DELIVERY OF NOT TO EXCEED \\$30,000,000 CITY OF COSTA MESA 2007 CERTIFICATES OF PARTICIPATION \(POLICE FACILITY EXPANSION PROJECT\), AND AUTHORIZING CERTAIN DOCUMENTS AND DIRECTING CERTAIN ACTIONS IN CONNECTION THEREWITH.](#)

Recommendation: Adopt resolution

IX OLD BUSINESS

No Old Business items scheduled.

X NEW BUSINESS

1. [Urban Master Plan Screening UMP-06-11 request for 616 Center Street and 613 Plumer Street within the Mesa West Residential Ownership Urban Plan area.](#)

Recommendation: Provide comments

2. [Request of Trinity Broadcasting Network \(TBN\) for approval of Film Permits.](#)

Recommendation: Provide direction on issuance of Film Permits to TBN

XI REPORTS

City Attorney:

City Manager:

- XII ADJOURNMENT – Adjourn to December 12, 2006, at 4:30 p.m., for a Study Session.