



City of Costa Mesa Council Agenda

TUESDAY, AUGUST 7, 2007

Allan Mansoor
Mayor

Linda Dixon
Council Member

Eric Bever
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
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. CONFERENCE WITH REAL PROPERTY NEGOTIATORS: Properties at 791, 795 and 799 Shalimar Drive, Costa Mesa. Agency Negotiator: Allan Roeder, City Manager. Negotiating Party: Aurelio, Maria and Jesus Pimentel, pursuant to Government Code Section 54956.8.

2. CONFERENCE WITH LABOR NEGOTIATORS pursuant to California Government Code Section 54957.6: Agency designated representatives: Allan Roeder, City Manager, Steve Mandoki, Administrative Services Director, and Terri Cassidy, Human Resources Manager regarding Employee organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Firefighters Association (CMFA), Costa Mesa Police Officers Association (CMPOA), and Costa Mesa Police Management Association (CMPMA), Confidential Employees and Other Unrepresented Employees (Appointed At-Will Executives, Appointed At-Will Sworn Department Directors, Appointed At-Will Department Directors; Department Directors in Classified Service, Sworn Division Managers in Classified Service, Division Managers in Classified Service)

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 Employees of the Month – Carol Proctor, Management Analyst and Tony Evon, Administrative Intern, City Manager's Office

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

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 13

Written Communications

1. Reading Folder.

Recommendation: Receive and process

CONSENT CALENDAR—continued

Minutes

2. Regular Meeting of July 3, 2007 and Special Meeting of July 10, 2007.

Recommendation: Approve

Warrants

3. Warrant Resolution 2171, funding Payroll No. 714 for \$2,349,918.87 and for funding City operating expenses for \$1,518,657.56.

Recommendation: Approve

4. Warrant Resolution 2172, funding City operating expenses for \$2,805,575.78.

Recommendation: Approve

5. Warrant Resolution 2173, funding Payroll No. 715 for \$2,401,039.92 and Payroll No. 714A for negative \$278.33, and City operating expenses for \$1,268,115.60 including payroll deductions.

Recommendation: Approve

Administrative Actions

6. [Final Map for Tract No. 17133 located at 2550 Elden Avenue, Costa Mesa, to convert existing seven-unit apartment complex to condominiums.](#)

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

7. [Accept Urban Area Security Initiative \(UASI\) funds, from the Fiscal Year 2006 Governor's Office of Homeland Security Grant Program, for the purchase of five \(5\) laptops for the Costa Mesa's Emergency Operations Center \(EOC\), in the amount not to exceed \\$9,952.52.](#)

Recommendation: Accept

- (a) Budget Adjustment No. 08-005 in the amount of \$9,953.

Recommendation: Approve

8. [Appropriation of Traffic Congestion Relief Revenue for the Arterial Highway Rehabilitation of Grant funded street improvement projects.](#)

- (a) Budget Adjustment No. 08-004 in the amount of \$1,196,472.

Recommendation: Approve

9. [Completion of street improvements and Setting Corner Monuments located at 535 Bernard Street by 1.7 Ocean Partners, P.O. Box 15126, Newport Beach, in connection with Encroachment Permit No. PS06-00185.](#)

Recommendation: Approve and refund \$8,480 cash deposit

10. [Reauthorize Residential Remodeling Incentive Program \(RRIP\) effective from September 4, 2007 to December 14, 2007.](#)

Recommendation: Approve

- (a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, MODIFYING BUILDING AND CONSTRUCTION FEES TO ESTABLISH AND PROMOTE A RESIDENTIAL INCENTIVE PROGRAM.

Recommendation: Adopt resolution

11. [From the meeting of July 17, 2007, purchase agreement for right-of-way acquisition and escrow instructions for a portion of property at 1726 Superior Avenue owned by Superior 17th LLC Ownership, 14500 Firestone Boulevard, La Mirada, for the Newport Boulevard Improvement Project.](#)

Recommendation: Approve; authorize Mayor and City Clerk to sign

12. [Renewal of lease agreement with the County of Orange for the Mesa Verde Library, located at 2969 Mesa Verde Drive E, Costa Mesa, from November 1, 2007 to October 31, 2017.](#)

Recommendation: Approve; authorize Mayor and City Clerk to sign

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

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

1. [PUBLIC HEARING: Appeal of Planning Commission's denial of Planning Application PA-06-59 and Parcel Map PM-06-250, for Louie Del Real, authorized agent for Aurelio Pimentel, for a residential common interest development conversion and parcel map of four apartment units into condominiums and a parcel map to facilitate the conversion, located at 1843 Pomona Street, in an R2-HD zone \(Multiple-Family Residential District, High Density\). Environmental Determination: exempt.](#)

Recommendation: Adopt resolution to uphold, reverse, or modify Planning Commission's decision

2. [PUBLIC HEARING: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, CERTIFYING SPECIAL ASSESSMENTS FOR COLLECTION OF DELINQUENT CIVIL CITATIONS FOR MUNICIPAL CODE VIOLATIONS.](#)

Recommendation: Adopt resolution

VIII OLD BUSINESS

1. [From the meeting of July 17, 2007, second reading and adoption of Ordinance 07-16, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 3 OF THE COSTA MESA MUNICIPAL CODE RELATING TO ANIMAL REGULATIONS AND SECTION 12-42 RELATING TO DOGS.](#)

Recommendation: Adopt Ordinance No. 07-16, to be read by title only, and waive further reading

IX NEW BUSINESS

1. [Urban Master Plan UMP-07-04 screening request for 690 Randolph Avenue.](#)

Recommendation: Provide feedback; receive and file.

2. [Consideration of a request to seek sponsorships for the Costa Mesa Bark Park facility.](#)

Recommendation: Approve recommendations of the Parks and Recreation Commission to allow the solicitation of fundraising/sponsorship proposals

3. Request of the City of Newport Beach for adoption of a resolution stating unifying principles pertaining to John Wayne Airport.

Recommendation: Consider request; adopt or reject the proposed resolution

4. Request of Council Member Lind Dixon for placement of two measures on the February Primary election ballot:

- (a) Placement before the voters the matter of a prohibition on the sale and discharge of safe and sane fireworks.
- (b) Placement before the voters the matter of an increase in the Transient Occupancy Tax (TOT).

X REPORTS

City Attorney:

City Manager:

- XI ADJOURNMENT – Adjourn to August 14, 2007 at 4:30 p.m. for a Study Session. Next Regular City Council Meeting August 21, 2007.