



City of Costa Mesa Council Agenda

Tuesday, June 7, 2005

Allan Mansoor
Mayor

Gary Monahan
Mayor Pro Tem

Linda Dixon
Council Member

Katrina Foley
Council Member

Eric Bever
Council Member

City Attorney
Kimberly Hall Barlow

City Manager
Allan Roeder

Development Services Director
Donald Lamm

Director of Public Services
William Morris

Deputy City Clerk
Julie Folcik

Council Chambers, 77 Fair Drive
5:00 p.m. – Closed Session and 6:30 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 Deputy 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 Deputy 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 6:30 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 - anticipated litigation: Significant exposure to litigation pursuant to paragraph (1) of subdivision (b) of Section 54956.9: One (1) case.

RECESS TO STUDY SESSION:

*The Council will recess to/convene an **Agenda Review Study Session** beginning at **6:00 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 6:30 p.m. meeting.

RECONVENE REGULAR MEETING

REGULAR CITY COUNCIL AGENDA

6:30 p.m.

PLEDGE OF ALLEGIANCE Council Member Dixon

**MOMENT OF SOLEMN
EXPRESSION**

Joan Iden Bowie, First Church of Christ Scientist

[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

PRESENTATION

Employee of the Month, Gary Hook

Costa Mesa Community Foundation Report, Cindy Brenneman

SPEAKERS: PLEASE PRINT YOUR NAME AND ADDRESS (Optional) ON THE YELLOW FORM LOCATED AT THE PODIUM AND PRESENT IT TO THE DEPUTY CITY CLERK.

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 minutes during Oral Communications 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 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

CONSENT CALENDAR—continued

Minutes

2. Regular meeting of April 5, 2005, ~~and May 3, 2005.~~
Recommendation: Approve

Warrants

3. Warrant Resolution 2058, funding City operating expenses for \$1,491,715.97.
Recommendation: Approve
4. Warrant Resolution 2059, funding Payroll No. 510 for \$2,046,771.03, Payroll No. 509A for \$372.08, and City operating expenses for \$1,004,524.36, including payroll deductions.
Recommendation: Approve
5. Warrant Resolution 2060, funding City operating expenses for \$1,701,682.46.
Recommendation: Approve

Administrative Actions

6. [Award Bid Item No. 1081, Root Pruning and Installation of Root Barriers, to United Pacific Services, 120 East La Habra Boulevard, Suite 107, La Habra, for an amount not to exceed \\$98,345.00 for a three-year period.](#)
Recommendation: Approve
7. [Award Bid Item No. 1082, Purchase of 275 New Dell Optiplex GX280 Workstation Computers to Dell Marketing LP, One Dell Way, RR8 M-S-8706, Round Rock, Texas, for \\$178,427.54.](#)
Recommendation: Approve
8. [Award contract for Gisler Avenue Bicycle Trail, Project No. 05-07, to All American Asphalt, P.O. Box 2229, Corona, for \\$237,069.60 \(base bid plus additive items 3a, c, d, and e\).](#)
Recommendation: Approve; authorize Mayor and Clerk to sign
 - (a) Budget Adjustment No. 05-100, for \$80,000.00.
Recommendation: Approve

Administrative Actions

9. [Agreement with Michael Balliet Consulting, 26351 Tarrasa Lane, Mission Viejo, for \\$30,525.00, for administration of the City's Source Reduction and Recycling Element \(SRRE\), from July 1, 2005, to June 30, 2006.](#)
Recommendation: Approve; authorize Mayor and Clerk to sign; authorize the Public Services Director to extend the agreement on July 1 of each fiscal year, up to a maximum of five years, if the contract adjustment is equal to or less than the annual Consumer Price Index

10. [Completion of TeWinkle Park Landscape Irrigation Mainline Rehabilitation, Project No. 04-10, by P&D Landscape Management Services, 999 Town & Country Road, 4th Floor, Orange.](#)
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 6 months thereafter

11. [Completion of off-site improvements to curb and gutter, driveway approach, curb drain, and street cuts, for utility connections at 2459 Elden Avenue, by Jeff Day, 10 Rolling Brook, Irvine, in connection with Encroachment Permit No. PS04-00757.](#)
Recommendation: Accept work; refund cash deposit of \$10,276.70

12. [Completion of street improvements at 1325 Sunflower Avenue by Standard Pacific Corp., 15326 Alton Parkway, Irvine, in connection with Encroachment Permit No. PS03-00133 \(Tract 16416\).](#)
Recommendation: Accept work; exonerate bonds

13. [Participation in the Emission Reduction Strategy Option authorizing the transfer of credits from City vendor IXO to the South Coast Air Quality Management \(SCAQMD\).](#)
Recommendation: Approve
 - (a) Agreement with IXO, P.O. Box 221, La Canada, for \$7,790.00, to purchase and transfer Vehicle Emission Reduction Credits to SCAQMD.
Recommendation: Approve; authorize Mayor and Clerk to sign

Administrative Actions

14. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING RECORDS DESTRUCTION FOR THE CITY ATTORNEY'S OFFICE OF THE CITY OF COSTA MESA, PURSUANT TO ORDINANCE NO. 75-60.](#)

Recommendation: Adopt resolution

15. [Consider sponsoring legislation to amend California Vehicle Code Section 21455.5 and 21455.6 relating to red light camera systems to clarify legislative intent regarding required notices and warnings, and operation of red light camera systems at jointly controlled intersections.](#)

Recommendation: Approve

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

VI PUBLIC HEARINGS

1. [PUBLIC HEARING: Resolution re-authorizing the Business Improvement Area assessment of two percent \(2%\) for certain City of Costa Mesa hotels and motels for fiscal year 2005-2006.](#)

Recommendation: Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, LEVYING AN ANNUAL ASSESSMENT FOR FISCAL YEAR 2005-06 FOR A BUSINESS IMPROVEMENT AREA COVERING CERTAIN COSTA MESA HOTELS AND MOTELS

VII OLD BUSINESS

VIII NEW BUSINESS

1. [Request from Friends of the Library to set aside Civic Center Park for the next ten years as the site of a future Central Library.](#)

Recommendation: Determine whether to adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, SETTING ASIDE CIVIC CENTER PARK FOR A TEN-YEAR PERIOD FOR FUTURE CONSTRUCTION OF A CENTRAL LIBRARY BY THE COSTA MESA FRIENDS OF THE LIBRARY

NEW BUSINESS—continued

2. [AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING CHAPTER 12 OF TITLE 11 OF THE COSTA MESA MUNICIPAL CODE RELATING TO REGULATIONS APPLICABLE TO LANDLORDS RENTING PROPERTY UPON WHICH SPECIFIED ILLEGAL DRUG OR GANG ACTIVITIES ARE OCCURRING.](#)

Recommendation: Give ordinance first reading, to be read by title only and waive further reading

IX REPORTS

City Attorney

City Manager

X COUNCIL MEMBERS REPORTS, COMMENTS, AND SUGGESTIONS

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

XI ADJOURNMENT

