



City of Costa Mesa Council Agenda

TUESDAY, AUGUST 19, 2008

Eric R. Bever
Mayor

Linda W. Dixon
Council Member

Allan R. Mansoor
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
Peter Naghavi

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 of 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:

No Closed Session scheduled.

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. 07-80, each member of the public will be given an opportunity to speak for two (2) minutes on Study Session agenda items. A maximum overall time of (15) 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 Allan Mansoor

MOMENT OF SOLEMN EXPRESSION Pastor Frank Custer, Lighthouse Coastal Community 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 Proclamation – Christian Eric and Jim Grahl

Mayor's Cup – AYSO Region 97
Costa Mesa National Little League All Stars
Costa Mesa American Little League All Stars

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 (3) minute per speaker time limit may be extended for good cause by the Mayor, or by majority vote of City Council Members. Questions and comments made by public speakers may be addressed by Council during Council Comments.

V **COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS**

1. Mayor Eric Bever
2. Council Member Wendy Leece

3. Mayor Pro Tem 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 14.

Written Communications

1. Reading Folder.

Recommendation: Receive and process

Minutes

2. Regular Meeting of August 5, 2008.

Recommendation: Approve

Warrants

3. Warrant Resolution 2226, funding City operating expenses for \$604,672.

Recommendation: Approve

CONSENT CALENDAR—continued

Warrants

4. Warrant Resolution 2227, funding Payroll No. 816 for \$2,753,687.36, and Payroll No. 815A for \$451.10 and City operating expenses for \$1,545,871.03 including payroll deductions.

Recommendation: Approve

Administrative Actions

5. [Professional Services Agreement with Albert Grover & Associates, 211 East Imperial Highway, Suite 208, Fullerton, for the Costa Mesa/Santa Ana Signal Coordination Project, in the amount of \\$143,050.](#)

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

6. [Professional Services Agreement with CARE Ambulance Service Inc., 1517 W. Braden Court, Orange, for emergency ambulance and patient billing services, to commence on September 1, 2008.](#)

Recommendation: Approve and authorize the Mayor and City Clerk to sign; and approve modification of the terminology of the current Fire Department basic and advanced EMS (Emergency Medical Services) user fees

7. [Professional Services Agreement with Fortel Traffic, Inc., 5310 E. Hunter Avenue, Anaheim, for the purchase of 14 radar speed signs, in the amount of \\$180,600.](#)

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

- (a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING THE DIRECTOR OF PUBLIC SERVICES TO EXECUTE THE NECESSARY AGREEMENTS TO RECEIVE FUNDS UNDER THE CALIFORNIA SAFE ROUTES TO SCHOOL PROGRAM.

Recommendation: Adopt resolution

CONSENT CALENDAR—continued

Administrative Actions

8. [Amendment No. 2 to Cooperative Agreement No. D99-128, with the County of Orange, the Orange County Flood Control District, the Irvine Ranch Water District \(IRWD\), the Irvine Company, and the “Watershed Cities,” for the Toxics Total Maximum Daily Load \(TMDL\) studies in the Newport Bay Watershed, to extend the term for two years to be consistent with the end of the current phase of the Nitrogen and Selenium Management Program.](#)

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

9. [Release of Performance and Labor and Material Bonds \(Certificate No. 661117621\), in the amount of \\$10,000 each, to Loft 18, LLC \(Developer\), 1 South Fair Oaks Avenue, Suite 270, Pasadena, in connection with Encroachment Permit No. PS06-00289 for street improvements for Tract 16820, at 654 West 18th Street.](#)

Recommendation: Exonerate bonds

10. [Release of Faithful Performance Bond \(Certificate No. SU5014521\), in the amount of \\$313,100 for Habitat Revegetation at Fairview Park to Headlands Reserve, LLC, 24849 Del Prado, Dana Point, in connection with the Coastal Sage Scrub Restoration Project at Fairview Park.](#)

Recommendation: Exonerate bonds

11. [Authorize refund of cash deposit in the amount of \\$6,702 to Varkel Construction, Inc. \(Contractor\), 23141 La Cadena, Suite L, Laguna Hills, in connection with Encroachment Permit No. PS08-00291 for street improvements located at 290 La Perle Lane, Costa Mesa.](#)

Recommendation: Approve

12. [Designation of voting delegate for 2008 League of California Cities Annual Conference.](#)

Recommendation: Designate Council Member Wendy Leece as Costa Mesa’s voting delegate

CONSENT CALENDAR—continued

Administrative Actions

13. Salary adjustments for classifications represented by the Costa Mesa Police Management Association (CMPMA), Costa Mesa Police Association (CMPA), Costa Mesa City Employees Association (CMCEA), and Unrepresented Executive, Confidential and Part-time classifications.

- (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 ASSOCIATION (CMPA) PURSUANT TO THE 2007-2010 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 CITY EMPLOYEES ASSOCIATION PURSUANT TO THE 2004-2009 MOU, includes a retroactive salary increase for the classification of Video Production Coordinator as the result of a classification study.

Recommendation: Adopt resolution

- (c) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REVISING THE EXECUTIVE COMPENSATION PLAN AND EXECUTIVE SALARY SCHEDULE TO REFLECT CHANGES IN THE ESTABLISHED LABOR MARKETPLACE.

Recommendation: Adopt resolution

- (d) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REVISING THE PAY RANGES FOR THE JOB CLASSIFICATIONS WITHIN THE CONFIDENTIAL EMPLOYEES UNIT.

Recommendation: Adopt resolution

- (e) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADJUSTING THE RATES FOR PART-TIME CLASSIFICATIONS AND EMPLOYEES TO REFLECT THE ESTABLISHED MARKETPLACE.

Recommendation: Adopt resolution

CONSENT CALENDAR—continued

Administrative Actions

- (f) Budget Adjustment No. 09-005 for \$1,500,000.

Recommendation: Approve; authorize the Mayor to sign

- 14. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING RECORDS DESTRUCTION FOR THE RECORDS BUREAU 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: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, CERTIFYING FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT AND ADOPTING GENERAL PLAN GP-08-03 FOR THE PROPOSED 2008-2014 HOUSING ELEMENT.](#)

Recommendation: Adopt resolution

<p>RECESS THE REGULAR CITY COUNCIL MEETING TO THE SPECIAL MEETING OF THE REDEVELOPMENT AGENCY (RDA)</p>
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ROLL CALL

- 1. [Regular Redevelopment Agency meeting minutes of May 13, 2008.](#)

Recommendation: Approve

- 2. Ratify Warrant Resolutions CMRA-372 and CMRA-373; and approve Warrant Resolution CMRA-374.

Recommendation: Ratify and approve

3. [Master Plan Amendment RA-08-01 to the Triangle Square Master Plan \(PA-89-31/RA-89-05\) for major façade renovation and related improvements at 1870 Harbor Boulevard/1875 Newport Boulevard.](#)

Recommendation: Approve; subject to conditions; and adopt resolution

<p style="text-align: center;">ADJOURN THE SPECIAL MEETING OF THE REDEVELOPMENT AGENCY AND RECONVENE REGULAR CITY COUNCIL MEETING</p>
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VIII OLD BUSINESS

1. [From the meeting of March 4, 2008; AT&T Above-Ground Utility Cabinets status report.](#)

Recommendation: Receive and file report, or provide further direction to staff

2. [From the meeting of June 17, 2008; Residential Remodeling Incentive Program \(RRIP\) and Build Green Incentive Program \(BGIP\).](#)

Recommendation: Consider options

3. [From the meeting of August 5, 2008, second reading and adoption of Ordinance 08-6: 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.](#)

Recommendation: Adopt Ordinance No. 08-6, read by title only, and waived further reading

4. [From the meeting of August 5, 2008, second reading and adoption of Ordinance 08-7: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 9 \(LICENSES AND BUSINESS REGULATIONS\) OF THE COSTA MESA MUNICIPAL CODE REGARDING NONCONSENSUAL TOWING OF VEHICLES AND ROTATIONAL TOW OPERATIONS.](#)

Recommendation: Adopt Ordinance No. 08-7, read by title only, and waived further reading

IX NEW BUSINESS

1. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING THE COSTA MESA POLICE DEPARTMENT TOW POLICY GUIDELINES AND REQUIREMENTS FOR CONTRACT ROTATIONAL TOW SERVICE OPERATORS.](#)

Recommendation: Adopt resolution; approve Costa Mesa Police Department Tow Policy Guidelines and Requirements

2. [Recognition of individuals who donated funds or services for the design and construction of Angels Playground at TeWinkle Park.](#)

Recommendation: Approve Angels Charity's request

X REPORTS

City Attorney:

City Manager:

XI ADJOURNMENT – Next Regular City Council Meeting on September 2, 2008.

Agenda related writings or documents provided to a majority of the City Council members after distribution of the City Council Agenda Packet (GC 54957.5).

Any writings or documents provided to a majority of the City Council members regarding any item on this agenda will be made available for public inspection at the City Clerk's Public Counter, Lobby Level, in City Hall located at 77 Fair Drive, Costa Mesa, during normal business hours. In addition, such writings and documents may be posted, whenever possible, and as part of the agenda, on the City's website at www.ci.costa-mesa.ca.us.