



City of Costa Mesa Council Agenda

TUESDAY, NOVEMBER 14, 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
4:00 p.m. – Closed Session and 4:30 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

4:00 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 4:30 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. Bristol Street Mini-Storage:
 - (a) Conference with Real Property Negotiators: Property at 1100 Bristol Street, Costa Mesa. Agency Negotiator: Allan Roeder. Negotiating Parties: Bristol Street Mini-Storage LLC (Lee Jamieson) and County of Orange (Herb Nakasone), pursuant to Government Code Section 54956.8.
 - (b) Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation, one case, Bristol Street Mini-Storage, pursuant to Government Code Section 54956.9(b).
2. Conference with Legal Counsel—Anticipated Litigation: Significant exposure to litigation, one case, pursuant to Government Code Section 54956.9(b).

RECONVENE REGULAR MEETING

REGULAR CITY COUNCIL AGENDA
4:30 p.m.

PLEDGE OF ALLEGIANCE Mayor Allan Mansoor

**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 Orange County Human Relations Commission – Annual Report

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 Gary Monahan
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 16.

Written Communications

1. Reading Folder.

Recommendation: Receive and process

Minutes

2. Regular Meeting of September 19, 2006 and October 17, 2006.

Recommendation: Approve

Warrants

3. Warrant Resolution 2132, funding Payroll No. 620 for \$2,389,896.74, and City operating expenses for \$1,281,171.10 including payroll deductions.

Recommendation: Approve

4. Warrant Resolution 2133, funding City operating expenses for \$732,089.19.

Recommendation: Approve

5. Warrant Resolution 2134, funding Payroll No. 621 for \$2,296,591.43 and Payroll No. 620A for \$3,440.07, and City operating expenses for \$996,832.55 including payroll deductions.

Recommendation: Approve

Administrative Actions

6. Accept the donation from a private citizen, Mr. Ki Nam, for \$13,000 for the Police Department.

Recommendation: Approve

7. Purchase of ten 2007 Police Interceptor black and white Ford Crown Victoria vehicles with the police package from Clippinger Ford, 2000 E. Garvey South, West Covina, in the amount of \$247,395.30, through the County of Los Angeles Price Agreement.

Recommendation: Approve

- (a) Budget Adjustment No. 07-025 for \$310,000 to appropriate available balance in the Equipment Replacement Fund for replacement of ten police units.

Recommendation: Approve; authorize the Mayor to sign

8. Authorize refund of cash deposit in the amount of \$6,357 to Michael Saia, 14 Delamesa West, Irvine, in connection with Encroachment Permit No. PS06-00422 for street improvements located at 290 Sierks Street.

Recommendation: Approve

9. Authorize refund of cash deposit in the amount of \$9,003.10 to Cavecche Engineering & Construction Co., Inc., 4125 Katella Avenue, Los Alamitos, in connection with Encroachment Permit No. PS06-00267 for street improvements located at 3224 California Street.

Recommendation: Approve

10. Completion of 2005-2006 CDBG Project: Alley No. 123, Project No. 06-09, by Kalban, Inc., 9075 Glenoaks Boulevard, Sun Valley.

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

Administrative Actions

11. [Fire Station No. 6 and Tewinkle Park Restroom Roof Restoration, Project No. 06-21:](#)

- (a) Accept bid withdrawal from Vance & Associates Roofing, Inc.

Recommendation: Approve

- (b) Reject all bids.

Recommendation: Approve

- (c) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING PROJECT NO. 06-21 MAY BE PERFORMED MORE ECONOMICALLY BY LABOR, MATERIALS OR SUPPLIES FURNISHED AT A LOWER PRICE IN THE OPEN MARKET.

Recommendation: Adopt Resolution

- (d) Budget Adjustment No. 07-040 for \$25,000.

Recommendation: Approve; authorize the Mayor to sign

- (e) Authorize staff to negotiate with State licensed roofing contractors to obtain the best available price for the roof restoration at Fire Station No. 6 and TeWinkle Park Restroom, for a combined price not to exceed \$75,000.

Recommendation: Approve

12. [Adopt City Council Policy relating to legal defense of City employees or former employees.](#)

Recommendation: Adopt council policy

Administrative Actions

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

Recommendation: Adopt resolution

14. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE AGREEMENT TO TRANSFER OR PURCHASE EQUIPMENT OR SERVICES FOR THE FY 2005 URBAN AREAS SECURITY INIATIVE GRANT \(UASI\).](#)

Recommendation: Adopt resolution

- (a) Authorize the Police Department to accept FY 2005 UASI reimbursement funds allocated to the City in an amount not to exceed \$48,058, for reimbursement of training costs included but not limited to tuition, overtime, and backfill for pre-approved Office of Domestic preparedness-approved training for police, fire, and city personnel.

Recommendation: Approve

- (b) Budget Adjustment No. 07-035 for \$48,058.

Recommendation: Approve; authorize the Mayor to sign

15. [Agreement with the County of Orange to Transfer Property or Funds for Fiscal Year \(FY\) 2004-2005 Homeland Security Grant Program for reimbursement of training expenses and receiving equipment.](#)

Recommendation: Approve

- (a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPOINTING AN AUTHORIZED AGENT FOR OBTAINING GRANT MONIES, EQUIPMENT, OR SERVICES UNDER THE 2004 HOMELAND SECURITY GRANT PROGRAM.

Recommendation: Adopt resolution

Administrative Actions

16. [Agreement with the County of Orange to Transfer Property or Funds for Fiscal Year \(FY\) 2005-2006 Homeland Security Grant Program for reimbursement of training expenses and receiving equipment.](#)

Recommendation: Approve

- (a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPOINTING AN AUTHORIZED AGENT FOR OBTAINING GRANT MONIES, EQUIPMENT, OR SERVICES UNDER THE 2005 HOMELAND SECURITY GRANT PROGRAM.

Recommendation: Adopt resolution

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

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

1. [PUBLIC HEARING: Continued from the meeting of September 19, 2006 regarding A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ORDERING THE VACATION OF A PORTION OF EL CAMINO DRIVE, MENDOZA DRIVE, AND CORONADO DRIVE ADJACENT TO 1011-1045 EL CAMINO DRIVE AND AT 2805 & 2829 SAN JUAN LANE. \(Public Hearing set by Resolution No. 06-67.\)](#)

Recommendation: Adopt resolution; authorize the Mayor and City Clerk to sign; and Clerk to record Quitclaim Deeds

VIII OLD BUSINESS

1. [From the meeting of October 17, 2006, second reading and adoption of ORDINANCE 06-22: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING ZONING CODE AMENDMENT CO-06-07 WHICH AMENDS TITLE 13, CHAPTER V, ARTICLE 6 OF THE COSTA MESA MUNICIPAL CODE REGARDING THE REVIEW PROCEDURES FOR RESIDENTIAL SECOND-STORY ADDITIONS IN PLANNED DEVELOPMENT ZONES.](#)

Recommendation: Adopt Ordinance No. 06-22, to be read by title only and waive further reading

IX NEW BUSINESS

1. [Revised Community Development Block Grant \(CDBG\) funded Public Service Grants application rating criteria.](#)

Recommendation: Adopt; direct staff to revise program policies and procedures and the 2007-2008 Public Service Grant application to reflect changes.

- (a) Consider holding an additional City Council meeting to review the specific CDBG public service grant requests before a final vote is taken by the City Council.

Recommendation: Approve

2. [Urban Master Plan Screening UMP-06-10 request for 1640 Monrovia Avenue within the Mesa West Bluffs Urban Plan area.](#)

Recommendation: Provide comments

3. [Telecommunications legislation \(AB2987\) update, allowing for video services by telecommunications companies throughout the State.](#)

Recommendation: Direct staff to include Conditions of Approval for any requested permit in the public right-of-way that includes an above ground cabinet greater than 25 cubic feet in volume and to convey information to AT&T California.

X REPORTS

City Attorney:

City Manager:

XI ADJOURNMENT – Next Regular Council Meeting November 21, 2006.