



# City of Costa Mesa Council Agenda

## TUESDAY, OCTOBER 17, 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. Conference with Legal Counsel – Existing Litigation; pursuant to Government Code Section 54956.9(a):
  - (a) Jiminez vs. City of Costa Mesa, Case Numbers CV02-2482 RGK (JTLx), CV03-2596 RGK (JTLx), CV03-4869 RGK (JTLx).
  - (b) Matsufuji vs. City of Costa Mesa, Case Number 04CC08215.
  
2. Conference with Labor Negotiator, Agency Negotiator: Steve Mandoki, Administrative Services Director, and Terri Cassidy, Human Resources Manager Regarding Employee Organizations: Costa Mesa City Employee Association (CMCEA), and Unrepresented Employees, pursuant to Government Code Section 54957.6.

**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**      Council Member Katrina Foley

**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**                      Building Industry Association of Southern California, Orange County Chapter (BIA/OC) Ruby Slippers Award "There's No Place Like Home"

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

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 18.**

Written Communications

1. Reading Folder.

**Recommendation: Receive and process**

Minutes

2. Regular Meeting of September 5, 2006 and October 3, 2006.

**Recommendation: Approve**

Warrants

3. Warrant Resolution 2130, funding Payroll No. 619 for \$2,275,120.53 and Payroll No. 618A for \$9,424.44, and City operating expenses for \$1,655,383.47 including payroll deductions.

**Recommendation: Approve**

CONSENT CALENDAR—continued

4. Warrant Resolution 2131, funding City operating expenses for \$746,885.34.

**Recommendation: Approve**

Administrative Actions

5. [Award Formal Bid Item No. 1099 for custodial supplies, for a two-year price agreement, to Waxie Sanitary Supply, 3220 South Fairview Road, Santa Ana, in the annual amount of \\$92,678.76.](#)

**Recommendation: Approve**

6. [Award Formal Bid Item No. 1101, for City wide Landscape and Turf Maintenance \(Parkways, Medians, and Fire Stations\) contract, for a period of two \(2\) years, with four \(4\) one-year optional renewals, to SpectrumCare, 27181 Burbank, Foothill Ranch, in an amount not to exceed \\$213,192 for the first year, and in an amount in each of the subsequent years that does not exceed the initial term amount plus an adjustment for cost increases \(if requested\).](#)

**Recommendation: Approve; authorize the Mayor and City Clerk to sign; authorize the City Manager to approve optional contract renewals after the initial two-year (2) term**

- (a) Budget Adjustment No. 07-030 for \$44,666.

**Recommendation: Approve; authorize the Mayor to sign**

7. [Award Formal Bid Item No. 1102, for five \(5\) new 2006 or 2007 Ford Standard Cab Trucks, from Theodore Robins Ford, 2060 Harbor Boulevard, Costa Mesa, in the amount of \\$105,529.38.](#)

**Recommendation: Approve**

8. [Award Formal Bid Item No. 1103, for the purchase of twelve portable light tower units from Hilbrick Equipment, 9616 Cherry Avenue, Fontana, in the amount of \\$97,233.47.](#)

**Recommendation: Approve**

CONSENT CALENDAR—continued

Administrative Actions

9. [Professional Services Agreement with Lim and Nascimento Engineering Corporation, 12 L Mauchly, Irvine, for Construction Management, Inspection and Survey Support Services for Fairview Road/I-405 Interchange Widening and Harbor Boulevard/I-405 Improvement Projects, in an amount not to exceed \\$898,056.](#)

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

10. [Professional Services Agreement with Granicus, Inc., 28 2<sup>nd</sup> Street, 4<sup>th</sup> Floor, San Francisco, for Web Streaming and Media Solution Upgrade, in the amount of \\$29,114.30.](#)

**Recommendation: Approve; authorize the City Manager to sign**

11. [Adopt plans and specifications, and working details for the Senior Center Heating, Ventilation, Air Conditioning \(HVAC\) and Controls Replacement, Project No. 06-18, and award a Construction Contract to F.M. Thomas Air Conditioning, Inc., 231 Gemini Avenue, Brea, in the amount of \\$140,990.](#)

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

12. [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; authorize the Mayor to sign**

CONSENT CALENDAR—continued

Administrative Actions

13. [Purchase of a 2006 Honda Accord LX V6, from Power Honda, 2888 Harbor Boulevard, Costa Mesa, for replacement of a vehicle involved in a traffic collision, in the amount of \\$24,403.35.](#)

**Recommendation: Approve**

- (a) Budget Adjustment No. 07-029 for \$24,404.00.

**Recommendation: Approve; authorize the Mayor to sign**

14. [Final Map for Tract No. 16883 located at 2436 Newport Boulevard, Costa Mesa, for the subdivision of one \(1\) lot into nine \(9\) residential lots and two \(2\) common lots to create a small lot, common interest development.](#)

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

15. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING APPLICATION FOR, AND ACCEPTANCE OF, A GRANT AWARD FROM THE CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL FOR THE "SHOULDER TAP PROGRAM."](#)

**Recommendation: Adopt resolution**

- (a) Budget Adjustment No. 07-026 for \$10,000.

**Recommendation: Approve; authorize the Mayor to sign**

[Supplemental Memo](#)

16. [Blue Ribbon Committee Membership for the Santa Ana River Trail Vision Plan modified membership.](#)

**Recommendation: Approve**

CONSENT CALENDAR—continued

Administrative Actions

17. 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 FOR SWORN (PUBLIC SAFETY) EXECUTIVE CLASSIFICATIONS.

**Recommendation: Adopt resolution**

- (a) Budget Adjustment No. 07-032 for \$63,981.

**Recommendation: Approve; authorize the Mayor to sign**

18. Letter of Agreement for a Flexible Benefit Account Increase for Costa Mesa City Employee Association (CMCEA), Costa Mesa Firefighters Association (CMFA), Costa Mesa Police Association (CMPA), Costa Mesa Police Management Association (CMPMA), Confidential, and Unrepresented Employees, in the amount of \$55 per month to all benefit-eligible employees (excluding Department Directors, Division Managers, and City Council Members) flexible benefit account effective January 1, 2007.

**Recommendation: Approve**

- (a) Budget Adjustment No. 07-031 for \$188,760.

**Recommendation: Approve; authorize the Mayor to sign**

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



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

1. PUBLIC HEARING: 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. ENVIRONMENTAL DETERMINATION: EXEMPT.

**Recommendation: Introduce ordinance for first reading, read by title only, and waive further reading**

2. PUBLIC HEARING: North Costa Mesa High-Rise Residential Projects in the North Costa Mesa Specific Plan area:
  - a. Final Program Environmental Impact Report No. 1052 (SCH #2006011077);
  - b. General Plan Amendment GP-06-02 (Land Use and Noise Elements);
  - c. Zoning Code Amendment CO-06-05;
  - d. North Costa Mesa Specific Plan Amendment SP-06-02;
  - e. Preliminary Master Plan PA-05-53 for Segerstrom Town Center (Site 1);
  - f. Preliminary Master Plan PA-05-52 for OCMA (Site 2);
  - g. Final Master Plan PA-05-48 and Vesting Tentative Tract Map for The Californian at Town Center (Site 3);
  - h. Preliminary Master Plan PA-05-47 for Symphony Towers (Site 4);
  - i. Preliminary Master Plan PA-05-50 for Pacific Arts Plaza (Site 5).

**Recommendation: Continue to meeting of November 21, 2006, at 7:00 p.m.**

*Supplemental Memo*

3. PUBLIC HEARING: Annual Review of the Traffic Impact Fee Program: Resolution to approve continuance of the current traffic impact fee of \$181 per Average Daily Trip (ADT) on an interim basis; continue the incentive program for new developments by assessing traffic impact fees on an incremental basis for the first 100 trips; and approve the annual accounting of the Citywide Traffic Impact Fee Program.

**Recommendation: Adopt resolution; approve**

VIII OLD BUSINESS

1. [From the meeting of October 3, 2006, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING INSTALLATION OF STOP SIGNS ON BELFAST AVENUE AT FERNHEATH LANE.](#)

**Recommendation: Adopt resolution**

2. [From the meeting of October 3, 2006, Appointments and reappointments to various Council-appointed committees.](#)

- a. Access, Building, Fire & Housing Board of Appeal

**Recommendation: Appoint member(s)**

- b. Child Care and Youth Services Committee

**Recommendation: Appoint member(s)**

- c. Cultural Arts Committee

**Recommendation: Appoint member(s)**

- d. Fairview Park Friend/Fundraising Committee

**Recommendation: Appoint member(s)**

- e. Historical Preservation Committee

**Recommendation: Appoint member(s)**

IX NEW BUSINESS

1. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DESIGNATING PERMIT PARKING ON FORDHAM DRIVE BETWEEN FAIR DRIVE AND NASSAU ROAD.](#)

**Recommendation: Adopt resolution**

- (a) Authorize the Transportation Services Manager to extend the “Resident Only” parking restriction a maximum of one mile as needed, provided a qualifying petition is received from affected residents.

**Recommendation: Approve**

X REPORTS

City Attorney:

City Manager:

- XI ADJOURNMENT – Adjourn to November 14, 2006, 4:30 p.m., for a Study Session followed by an Adjourned City Council Meeting at 6:00 p.m.