



# City of Costa Mesa Council Agenda

## TUESDAY, FEBRUARY 20, 2007

**Allan Mansoor**  
Mayor

**Wendy Leece**  
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 – Potential Litigation: Significant exposure to litigation, one case, Bristol Street Mini-Storage, pursuant to Government Code Section 54956.9(b).

#### **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 Wendy Leece

**MOMENT OF SOLEMN EXPRESSION** Dr. Dennis Short, President, Newport Mesa Irvine Interfaith Council

*[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** Gift to City of Costa Mesa from D Company, 2-25 Aviation Regiment, United States Army & Update on City Support of D Company

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

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**

Minutes

2. Regular Meeting of January 16, 2007 and February 6, 2007.

**Recommendation: Approve**

Warrants

3. Warrant Resolution 2148, funding Payroll No. 702 for \$2,655,408.61 and Payroll No. 701A for negative \$5,325.52, and City operating expenses for \$802,757.05 including payroll deductions.

**Recommendation: Approve**

4. Warrant Resolution 2149, funding City operating expenses for \$891,104.37.

**Recommendation: Approve**

Administrative Actions

5. [Award Professional Services Agreement, for temporary employee staffing services, to AppleOne Employment Services, Government Services Division, 990 Knox Street, Torrance, for a three-year period with the option of renewal for two additional one-year periods, in an amount not to exceed \\$75,000 annually.](#)

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

6. Award Professional Services Agreement for environmental consulting services, for the Wyndham Boutique Hotel/High-Rise Residential Project Environmental Impact Report (EIR), to BonTerra Consulting, 151 Kalmus Drive, Suite E-200, Costa Mesa, in the amount of \$234,545.

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

7. Award Contract for the maintenance of City's traffic signals, to Computer Service Company (CSC), 12907 East Garvey, Baldwin Park, beginning March 1, 2007, for one year.

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

- (a) Renew contract annually each March 1<sup>st</sup>, for up to a maximum of three additional years limited to any cost increase requests as allowed by the terms of the contract.

**Recommendation: Approve; authorize the Public Services Director to renew contract**

- (b) Budget Adjustment No. 07-056 for \$15,950.

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

Administrative Actions

8. [Completion of Installation of Monument Signs at Estancia Park, 1900 Adams Ave., and Adams Avenue near the West City Limit, Project No. 06-07, by Hondo Company, Inc., 2121 South Lyon Street, Santa Ana.](#)

**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 six (6) months thereafter

9. [Completion of 2005-2006 CDBG Projects: Wallace Avenue \(Project "A"\), Buoy Street \(Project "B"\), Kenwood Place \(Project "C"\), and Congress Street \(Project "D"\), Project No. 06-05, by R.J. Noble Company, 15505 E. Lincoln Avenue, Orange.](#)

**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

10. [Final Map for Tract No. 16897 located at 535-541 Bernard Street, Costa Mesa, for a one \(1\) lot airspace subdivision to facilitate the 12-unit common interest development \(condominiums\).](#)

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

11. [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 2006 ANAHEIM URBAN AREA SECURITY INITIATIVE \(UASI\).](#)

**Recommendation:** Adopt resolution

Administrative Actions

- (a) Authorize the Police Department to accept FY 2006 UASI reimbursement funds allocated to the City in an amount not to exceed \$46,614.79, 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. 07-049 for \$46,614.

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

- 12. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING RECORDS DESTRUCTION FOR THE TRANSPORTATION SERVICES DIVISION OF THE PUBLIC SERVICES DEPARTMENT OF THE CITY OF COSTA MESA, PURSUANT TO ORDINANCE NO. 75-60.

**Recommendation: Adopt resolution**

- 13. Fiscal Year 2006-2007 Mid-Year Budget Report

- (a) Budget Adjustment No. 07-057 for \$2,747,656.

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

- (b) Budget Adjustment No. 07-058 for \$36,000.

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

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

1. [PUBLIC HEARING: Continued from the meeting of January 16, 2007, appeal of the Planning Commission's denial of the six-month extension of time for Planning Application PA-05-30, for Lee Jamieson, Owner, and the County of Orange/Bristol Street Mini Storage, LLC, for the outdoor storage of recreation vehicles and a mini-storage facility \(originally approved under PA-94-24 and PA-04-12\), located at 1100 Bristol Street, in a C1 zone \(Local Business District\). Environmental determination: exempt.](#)

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

2. [PUBLIC HEARING: Rezone R-06-04/Planning Application PA-06-52/Minor Modification MM-06-36, for T4 Associates, LLC, for the following:](#)

- (a) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REZONING A 0.91 ACRE PROPERTY FROM C1 (LOCAL BUSINESS DISTRICT) TO PLANNED DEVELOPMENT RESIDENTIAL HIGH DENSITY (PDR-HD) FOR PROPERTY LOCATED AT 2460-2472 NEWPORT BOULEVARD. The rezone also includes a variance from minimum one-acre lot size requirement (0.91 Acre Proposed).

**Recommendation: Introduce ordinance, read by title only, and waived further reading**

- (b) Planning Application PA-06-52 which includes: (1) Master Plan to construct a 14-unit, two-story, attached multi-family residential condominium development; (2) Variance from open space requirements (42% required, approximately 35% proposed); and (3) Minor Modification MM-06-36 for an 8-foot high block wall (6-foot maximum allowed); for property located at 2460-2472 Newport Boulevard, in the Newport Boulevard Specific Plan area and the C1 (Local Business District) zone. Environmental determination: exempt.

**Recommendation: Adopt resolution to approve Planning Application PA-06-52, including variance and minor modification, subject to conditions.**



Public Hearing

3. [PUBLIC HEARING: Appeal of Planning staff zoning approval to construct an 884 sq. ft. second-floor addition to a single-family residence, located at 3175 Barbados Place, in an R1 \(Single-Family Residential District\) zone. Environmental determination: exempt.](#)

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

VIII OLD BUSINESS

1. [From the meeting of January 16, 2007, consideration of Above-Ground Utility boxes in the public right-of-way.](#)

**Recommendation: Provide direction on proposed conditions of approval**

IX NEW BUSINESS

1. [Potential Acquisition of 261 Monte Vista Avenue in Costa Mesa.](#)

**Recommendation: Direct staff to complete purchase of the property at 261 Monte Vista Avenue; Direct the Parks and Recreation Commission to coordinate a public outreach process and develop a conceptual design for the new park space; and Direct staff to bring back a report with the estimated costs and timelines for demolition of the existing site and to take the steps necessary to effectuate rezoning of the property.**

- (a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING THE ACQUISITION OF REAL PROPERTY AT 261 MONTE VISTA AVENUE IN COSTA MESA AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT THEREFOR.

**Recommendation: Adopt resolution**

- (b) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING THE GENERAL FUND TO LOAN THE PARK DEVELOPMENT FEES FUND TO COSTS RELATED TO THE ACQUISITION OF 261 MONTE VISTA AVENUE IN COSTA MESA.

**Recommendation: Adopt resolution**

NEW BUSINESS—continued

- (c) Budget Adjustment No. 07-060 for \$3,571.045.

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

X REPORTS

City Attorney:

City Manager:

XI ADJOURNMENT – Next Regular Council Meeting March 6, 2007.