



# City of Costa Mesa Council Agenda

## TUESDAY, APRIL 3, 2007

**Allan Mansoor**  
Mayor

**Linda Dixon**  
Council Member

**Eric Bever**  
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  
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:

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. 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** OCTA Renewed Measure M Program: Update & Next Steps

Employee of the Month – Brad Long, Video Production  
Specialist, Administrative Services/Telecommunications  
Division

**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 Wendy Leece
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 22.**

Written Communications

1. Reading Folder.

**Recommendation: Receive and process**

Minutes

2. Corrected Regular Meeting of February 6, 2007, Adjourned Regular Meeting/Study Session of March 13, 2007, Regular Meeting of March 6, 2007, and Regular Meeting of March 20, 2007.

**Recommendation: Approve**

Warrants

3. Warrant Resolution 2154, funding Payroll No. 705 for \$2,287,451.15, and Payroll No. 704A for \$1,631.78, and City operating expenses for \$1,395,713.45 including payroll deductions.

**Recommendation: Approve**

4. Warrant Resolution 2155, funding City operating expenses for \$699,528.18.

**Recommendation: Approve**

CONSENT CALENDAR—continued

Claims

5. Claim from William Ligu Ionescu (alleges he was falsely arrested and imprisoned and drugged by Costa Mesa Police Department, sustaining physical and mental injuries).

**Recommendation: Reject**

6. Claims from Magaly Pineda and Rosa Correa (allege City employee caused auto accident).

**Recommendation: Reject**

7. Claim from Bibi Zemalah Turrin (alleges wrongful arrest).

**Recommendation: Reject**

Administrative Actions

8. [Award Request for Proposal No. 1108, for Telephone and Data Cabling Systems, for the Police Facility Expansion and Renovation Project, to Prime Electrical Services, Inc., 480 Enterprise Street, San Marcos, in the amount of \\$164,760.33.](#)

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

9. [Award Request for Proposal No. 1109, for Audio Visual Systems, for the Police Facility Expansion and Renovation Project, to TV Magic, Inc., P.O. Box 546, San Clemente, in the amount of \\$314,314.11.](#)

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

10. [Completion of CCTV Phase III Project, City Project No. 06-01, by Steiny and Company, Inc., 12907 East Garvey Avenue, Baldwin Park.](#)

**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

11. [Completion of Costa Mesa Senior Center Energy Efficient Roof Coating, City Project No. 06-19, by Best Roofing & Waterproofing, Inc., dba Best Contracting Services, Inc., 19027 South Hamilton Avenue, Gardena.](#)

**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

12. [Accept Grant from the State Farm Insurance Company, for portable gas detector devices, in the amount of \\$5,000.](#)

**Recommendation:** Approve

- (a) Budget Adjustment No. 07-066.

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

13. [Cooperative Agreements for the I-405/Susan Street Exit Ramp Project:](#)

- (a) Cooperative Agreement 12-567, with the State of California Department of Transportation (Caltrans), for the construction of the I-405/Susan Street Exit Ramp Project.

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

- (b) Reimbursement Agreement with C.J. Segerstrom & Sons, for the funding of construction of the I-405/Susan Street Exit Ramp Project.

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

14. [Maintenance Agreement, with the State of California Department of Transportation \(Caltrans\), for the Susan Street Exit Ramp Project.](#)

**Recommendation:** Approve, authorize the City Manager and/or City Attorney to make minor revisions based on final discussions with Caltrans; and authorize the City Manager and City Clerk to sign

15. [Easement Deed from Orange County Flood Control District \(OCFCD\), granting surface easement over the Gisler Channel, within the proposed Susan Street Exit Ramp Right-of-Way.](#)

**Recommendation:** Approve; authorize the City Manager and/or City Attorney to make minor revisions based on final discussions with OCFCD and Caltrans; authorize the Mayor and City Clerk to sign; and direct City Clerk to record deed

16. [Access Agreement, with IKEA Property, Inc., and C.J. Segerstrom & Sons, Henry T. Segerstrom Properties, LLC, and Ruth Ann Moriarty Properties, LLC, granting access rights to portions of their property, for highway construction purposes in the Susan Street Exit Ramp Project.](#)

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

17. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AGREEING TO THE SUPERSEDING FREEWAY AGREEMENT BETWEEN THE CITY OF COSTA MESA AND THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION.](#)

**Recommendation:** Adopt resolution

- (a) Superseding Freeway Agreement, with the State of California Department of Transportation (Caltrans), to incorporate the Susan Street Exit Ramp Project to the Freeway System.

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

CONSENT CALENDAR—continued

18. [Final Map for Tract No. 17017 located at 580 Anton Boulevard, Costa Mesa, to convert a one lot subdivision to facilitate two \(2\) 25-story residential and ancillary retail use, high rise structures for a common interest development.](#)

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

19. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING THE APPROPRIATION OF GENERAL FUND RESERVES IN THE AMOUNT OF \\$300,000 TO LOAN THE PARK DEVELOPMENT FEES FUND COSTS RELATED TO THE DEMOLITION OF STRUCTURES AND OTHER RELATED WORK AT 261 MONTE VISTA AVENUE IN COSTA MESA.](#)

**Recommendation: Adopt resolution**

- (a) Budget Adjustment No. 07-068.

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

20. [2006 Annual Review of the Costa Mesa 2000 General Plan.](#)

**Recommendation: Receive and file report**

21. [Council Policy for dais seating for City Council.](#)

**Recommendation: Adopt Council Policy**

22. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE CALHOME PROGRAM; THE EXECUTION OF A STANDARD AGREEMENT IF SELECTED FOR SUCH FUNDING AND ANY AMENDMENTS THERETO; AND ANY RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE CALHOME PROGRAM.](#)

**Recommendation: Adopt resolution**

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



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

1. [PUBLIC HEARING: Rezone Petition R-07-01, for Anna Lauri, authorized agent for Red Mountain Retail Group, requesting a rezone from C2 \(General Commercial\) to PDC \(Planned Development Commercial\) to accommodate a future mixed-use development, located at 2089 and 2099 Harbor Blvd and 511 Hamilton Street, in a C2 zone. Environmental determination: exempt.](#)

- (a) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REZONING 2089 AND 2099 HARBOR BOULEVARD AND 511 HAMILTON STREET FROM C2 (GENERAL COMMERCIAL) TO PDC (PLANNED DEVELOPMENT COMMERCIAL) BY ADOPTION OF REZONE PETITION R-07-01.

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

VIII OLD BUSINESS

1. [From the meeting of March 20, 2007, second reading and adoption of Ordinance No. 07-5, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING DEVELOPMENT AGREEMENT AMENDMENT DA-07-01 TO THE SEGERSTROM HOME RANCH DEVELOPMENT AGREEMENT \(DA-00-01\).](#)

**Recommendation: Adopt Ordinance No. 07-5, to be read by title only, and waive further reading**

IX NEW BUSINESS

1. [Request for “Resident Only” parking restriction on Damascus Circle and Venetian Drive.](#)

**Recommendation: Approve; authorize the Transportation Services Manager to extend the “resident only” parking restriction for a maximum of 1000 feet as needed, with a qualifying petition from affected residents**

- (a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DESIGNATING PERMIT PARKING ON DAMASCUS CIRCLE AND VENETIAN DRIVE.

**Recommendation: Adopt resolution**

NEW BUSINESS—continued

2. [Request for legislative positions on Assembly Bill 1457 \(Huffman\) and the Groundwater Replenishment System.](#)

**Recommendation: Approve or deny a letter opposing Assembly Bill 1457 sponsored by Assemblyman Huffman**

- (a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, SUPPORTING GROUNDWATER REPLENISHMENT SYSTEM, AND THE JOINT EFFORTS OF THE ORANGE COUNTY WATER DISTRICT AND THE ORANGE COUNTY SANITATION DISTRICT.

**Recommendation: Adopt resolution**

3. [Appointments 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)**

4. [AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 11 \(OFFENSES – MISCELLANEOUS\) OF THE COSTA MESA MUNICIPAL CODE REGARDING FURNISHING GRAFFITI IMPLEMENTS TO MINORS.](#)

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

NEW BUSINESS—continued

5. AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, PLACING A MORATORIUM ON THE APPROVAL OF ANY SUBDIVISIONS, USE PERMITS, VARIANCES, OR ANY OTHER APLICABLE ENTITLEMENT WHICH WOULD ALLOW FOR EXISTING MULTI-FAMILY APARTMENT UNITS TO BE CONVERTED OR SUBDIVIDED INTO RESIDENTIAL CODOMINIUMS IN THE CITY OF COSTA MESA..

**Recommendation: Introduce and adopt interim urgency ordinance, read by title only, and waive further reading**

X REPORTS

City Attorney:

City Manager:

- XI ADJOURNMENT – Adjourn to April 10, 2007, 4:30 p.m., for a Study Session. Next Regular City Council Meeting April 17, 2007.