



# City of Costa Mesa Council Agenda

**Linda Dixon**

Mayor

**Gary Monahan**

Mayor Pro Tem

**Libby Cowan**

Council Member

**Karen Robinson**

Council Member

**Chris Steel**

Council Member

City Manager

Allan Roeder

City Attorney

Jerry Scheer

Development Services Director

Donald Lamm

Director of Public Services

William Morris

Deputy City Clerk

Mary Elliott

## **COUNCIL MEETS 1<sup>ST</sup> & 3<sup>RD</sup> MONDAYS - - 77 Fair Drive**

SPEAKERS: PLEASE PRINT YOUR NAME AND ADDRESS ON THE YELLOW CARDS AT THE PODIUM.

COUNCIL POLICY 000-4 - TIME LIMIT FOR COUNCIL MEETINGS - Except for extenuating circumstances, Council meetings shall conclude at midnight. If there is unfinished business, these items will be continued to a future council meeting.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Mary Elliott, Deputy City Clerk, (714) 754-5223. 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]. The Council meets for an Agenda Review Study Session beginning at 6:00 p.m. in Conference Room 5-A of City Hall. The public is welcome to attend. No action may be taken by the Council prior to the 6:30 p.m. meeting.

**MARCH 18, 2002**

**6:30 p.m.**

- |     |                      |  |
|-----|----------------------|--|
| I   | PLEDGE OF ALLEGIANCE | Council Member Robinson                              |
| II  | INVOCATION           | Dr. Dennis Short, Harbor Christian Church            |
| III | ROLL CALL            |  |
| IV  | MINUTES              | Regular meeting of March 4, 2002                     |
|     | MOTION               | To read all ordinances and resolutions by title only |
|     | PRESENTATION         | Employee of the Month Yvette Ozuna                   |

- V 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 minutes during Public Comments to speak on any item within the 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 the Council Members.
- VI CONSENT CALENDAR--All matters listed under the Consent Calendar are considered to be routine and will be enacted in one motion in the form listed below. There will be no separate discussion of these items prior to the time the Council votes on the motion, unless members of the Council, staff, or the public request specific items to be removed from the Consent Calendar for discussion. Items removed from the Consent Calendar will be discussed and voted upon immediately following 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, address, and item number.

Written Communications

Recommendation

1. Reading Folder.

Receive and process

Business Permit

2. Notice of Intention to Appeal of Solicit for Charitable Purpose from Teen Challenge of Southern California, 5445 Chicago Avenue, Riverside, by setting up tables in front of stores advertising their All-You-Can-Eat Pancake Breakfast, and solicitors will be present in residential areas from March 19, 2002, to March 18, 2003.

Approve pursuant to Costa Mesa Municipal Code Section 9-127(d)

Warrants

3. Warrant Resolution 1891, funding Payroll 205 for \$1,833,138.49, and City operating expenses for \$788,665.19, including payroll deductions.
4. Warrant Resolution 1892, funding City operating expenses for \$736,884.91.

Approve

Approve

Claims

CONSENT CALENDAR – continued

Recommendation

- |    |   |        |
|----|---|--------|
| 5. | Claim from Cathleen Curtis (alleging dangerous condition of property).                      | Reject |
| 6. | Claim from The Cape Apartments (alleging loss of economic value due to construction).       | Reject |
| 7. | Claim from Wimbledon Glen Apartments (alleging loss of economic value due to construction). | Reject |

Administrative Actions

- |     |  |   |
|-----|--|---|
| 8.  | Completion of street improvements at 1640 Babcock Street, by I.C.E. Builders, Inc., 421 East Cerritos Avenue, Anaheim, in connection with Encroachment Permit No. PS01-00423 (ZA-00-55).     | Accept work; refund cash deposit for \$5,838.50   |
| 9.  | Completion of street improvements at 3565 Harbor Blvd., by Bali Construction, Inc., 9852 East Joe Vargas Way, South El Monte, in connection with Encroachment Permit No. PS00-00602.         | Accept work; exonerate bonds  |
| 10. | Completion of Replacement of Hallway and Lobby Tile at the Neighborhood Community Center, Project No. 01-14, by Angeles Contractor, 12692 Hoover Street, Garden Grove.                       | Accept work; authorize Clerk to file a Notice of Completion; release retention funds 35 days there-after; exonerate Labor and Material Bond 7 months thereafter; exonerate Per-formance Bond 12 months thereafter |
| 11. | Agreement with Fanticola Family Limited Partnership, to purchase a portion of property at 2175 Newport Blvd. for \$6,500.00 for the Newport Blvd./Victoria Street intersection improvements. | Approve agreement and escrow instructions; author-ize Mayor to sign   |

Administrative Actions

CONSENT CALENDAR – continued

Recommendation

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|---|--|
| 12. Award contract for Joann-Miner Alley No. 19 Improvements from Fountain Way East to East of Miner Street, Project No. 02-01, to GMC Engineering, Inc., 1401 Warner Avenue, Suite B, Tustin, for \$254,054.50 (Base Bid plus both Alternate Bid Items minus Base Bid Items 2 and 9).  | Approve; authorize Mayor and Clerk to sign |
| 13. Award Formal Proposal Item No. 021102 to Quick Crete Products Corp., 731 Parkridge Avenue, Norco, for purchase and installation (including delivery and offloading with crane-equipped truck) of 101 specialized concrete waste containers and 65 concrete bus benches; and pickup and disposal of 40 existing City concrete waste containers and 30 concrete benches, for a total amount of \$72,848.71. | Approve; authorize Mayor and Clerk to sign |
| 14. Amendment to Cooperative Agreement with C. J. Segerstrom & Sons, for redesign and construction of the extension of the Fairview Road northbound I-405 onramp overcrossing to accommodate construction of the future Susan Street offramp.   | Approve; authorize Mayor and Clerk to sign |
| 15. Revised Cooperative Agreement No. 12-453 with the State of California Department of Transportation (CALTRANS) for redesign and construction of an extended Fairview Road northbound I-405 onramp overcrossing to accommodate construction of the future Susan Street offramp.   | Approve; authorize Mayor and Clerk to sign |

CONSENT CALENDAR--continued

Recommendation

Administrative Actions

- |     |   |  |
|-----|---|--|
| 16. | Amendment to the Temporary Construction Easement Deed on Sakioka Farms property to enable construction of the new Anton Blvd. onramp to the northbound I-405 Freeway. | Approve; authorize Mayor and Clerk to sign |
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-----END OF CONSENT CALENDAR-----

VII PUBLIC HEARINGS

- |    |  |                  |
|----|--|------------------|
| 1. | PUBLIC HEARING: A resolution finding and determining that the public interest and necessity requires the acquisition of an easement for street widening purposes, for that certain property located at 2180 Newport Blvd., Assessor Parcel No. 426-121-22. | Adopt resolution |
|----|--|------------------|

VIII OLD BUSINESS

- |    |   |                      |
|----|---|----------------------|
| 1. | From the meeting of March 4, 2002, second reading and adoption of Ordinance 02-4, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLES 13 AND 20 OF THE COSTA MESA MUNICIPAL CODE TO INCORPORATE NUMEROUS MISCELLANEOUS TECHNICAL CHANGES AND CLARIFICATIONS IN LAND USE REGULATIONS AND DEVELOPMENT STANDARDS AFFECTING ALL ZONING DISTRICTS. | Adopt Ordinance 02-4 |
|----|---|----------------------|

OLD BUSINESS--continued

Recommendation

2. From the meeting of March 4, 2002, second reading and adoption of Ordinance 02-5, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING THE REGULATION OF LARGE FAMILY DAY CARE HOMES. Adopt Ordinance 02-5

(a) Review criteria and standard conditions of approval for large family day care homes. Approve

3. From the meeting of March 4, 2002, second reading and adoption of Ordinance 02-6, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADDING CHAPTER 12 TO TITLE 11 OF THE COSTA MESA MUNICIPAL CODE AND ESTABLISHING REGULATIONS APPLICABLE TO LANDLORDS RENTING PROPERTY UPON WHICH SPECIFIED ILLEGAL DRUG OR GANG ACTIVITIES ARE OCCURRING. Adopt Ordinance 02-6

4. From the meeting of March 4, 2002, second reading and adoption of Ordinance 02-7, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING CHAPTER XIX OF TITLE 10 OF THE COSTA MESA MUNICIPAL CODE REGARDING SOLICITING EMPLOYMENT ON PRIVATE PROPERTY. Adopt Ordinance 02-7

5. Purchase of Southern California Edison excess property, Parcel 1 of Tentative Parcel Map No. 2000-239, for \$545,000.00. Approve

IX NEW BUSINESS Recommendation

1. Downtown and Eastside Transportation Ad Hoc Committee Recommendations for Newport Boulevard: Provide direction

- (a) Authorize the committee to study and review all options for Newport Blvd. improvements and return to Council with recommendations.
  - (b) Proceed with a request to the Orange County Transportation Authority (OCTA) to initiate a study for the downgrade of State Route 55 Freeway extension from 15<sup>th</sup> Street to 19<sup>th</sup> Street.
  - (c) Return the \$700,000.00 grant funding to OCTA which was to be used for design and environmental analysis of 4 northbound lanes on Newport Blvd. from 17<sup>th</sup> Street to 19<sup>th</sup> Street and 4 southbound lanes from 19<sup>th</sup> Street to Broadway.
2. Staff recommendations regarding AT&T Broadband (AT&T) Customer Service Issues.
- (a) Find that AT&T has failed to meet the minimum standards for customer service calls set forth in the Franchise Agreement and therefore good cause exists to impose a fine of \$100.00 per day. Approve
  - (b) Designate the City Manager as the City Council's authorized agent to implement the above stated course of action. Approve

X REPORTS

City Attorney

City Manager

XI COUNCIL MEMBERS REPORTS, COMMENTS, AND SUGGESTIONS

1. Council Member Robinson

2. Council Member Steel

3. Council Member Cowan

4. Mayor Pro Tem Monahan

5. Mayor Dixon

XII ADJOURNMENT