



# City of Costa Mesa Council Agenda

**Gary Monahan**  
Mayor

**Chris Steel**  
Mayor Pro Tem

**Allan Mansoor**  
Council Member

City Manager  
Allan Roeder

**Libby Cowan**  
Council Member

**Mike Scheafer**  
Council Member

Acting City Attorney  
Tom Wood

Development Services Director  
Donald Lamm

Director of Public Services  
William Morris

Deputy City Clerk  
Julie Folcik

## **COUNCIL MEETS 1<sup>ST</sup> & 3<sup>RD</sup> MONDAYS - 6:30 PM - 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 on the Agenda, 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 the 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 1-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.

## **AUGUST 18, 2003**

- |     |                      |  |
|-----|----------------------|--|
| I   | PLEDGE OF ALLEGIANCE | Mayor Monahan  |
| II  | INVOCATION           | Pastor David Manne, Calvary Chapel of Costa Mesa   |
| III | ROLL CALL            |  |
| IV  | MINUTES              | Regular meetings of July 7 and August 4, 2003  |
|     | MOTION               | To read all ordinances and resolutions by title only   |
|     | PRESENTATION         | Outstanding Commitment to Fairview Park Friend/Fundraising Committee, Kimberly Woods and Stella Hacker |
|     | PROCLAMATION         | Paularino Medical Plaza – ARCO Kids Care Fair  |

- 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 Oral Communications 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

1. Reading Folder.  
**Recommendation: Receive and process**

Warrants

2. Warrant Resolution 1965, funding Payroll No. 316 for \$2,019,427.97, Payroll No. 315A for negative \$1380.69, and City operating expenses for \$559,229.09, including payroll deductions.  
**Recommendation: Approve**
3. Warrant Resolution 1966 funding City operating expenses for \$1,869,930.84.  
**Recommendation: Approve**

Administrative Actions

4. [Amendment to an agreement with A.C.T. GIS, Inc., 19000 Grovewood Drive, Corona, for \\$57,200.00, for support services for the City's Geographic Information System.](#)  
**Recommendation: Approve; authorize City Manager and Clerk to sign**

CONSENT CALENDAR–continued

Administrative Actions

5. [Amendment to the 800 MHz Joint Agreement:](#)
  - (a) Amendment to language in Section 15 and 19 of the Joint Powers Agreement for the implementation and operation of the Orange County 800 MHz Countywide Coordinated Communication System dated December 15, 1995.  
**Recommendation: Approve**
  - (b) Amendment to the Joint Agreement for the Implementation and Operation of the Orange County 800 MHz Countywide Coordinated Communication System.  
**Recommendation: Approve; authorize Mayor and Clerk to sign**
  
6. [Addendum to the agreement with Carl Warren & Company, 750 The City Drive, Suite 400, Orange, for third party liability claims administration services, extending the contract for a three-year term beginning September 1, 2003.](#)  
**Recommendation: Approve; authorize Mayor and Clerk to sign**
  
7. [Completion of street improvements at 3420 Bristol Street, by Irish Construction, 2641 River Avenue, Rosemead, in connection with Encroachment Permit No. PS01-00604.](#)  
**Recommendation: Accept work; exonerate bonds**
  
8. [Completion of street improvements at 3006 Harbor Boulevard, by Exxon Mobile Corporation, 3700 West 190<sup>th</sup> Street, Torrance, in connection with Encroachment Permit No. PS02-00009 \(PA-01-06\).](#)  
**Recommendation: Accept work; exonerate bonds**
  
9. [Completion of street improvements at 3006 Harbor Boulevard, by Exxon Mobile Corporation, 3700 West 190<sup>th</sup> Street, Torrance, in connection with Encroachment Permit No. PS02-00008 \(PA-01-06\).](#)  
**Recommendation: Accept work; exonerate bonds**

CONSENT CALENDAR—continued

Administrative Actions

10. [Street and highway easement on South Coast Drive and Harbor Boulevard granted to the City of Costa Mesa for 1475 South Coast Drive \(PA-99-34\).](#)  
**Recommendation: Accept; authorize Mayor and Clerk to sign and record easement deed**
  
11. [Completion of Construction of Concrete Park Monument Signs at Various Parks and the Costa Mesa Tennis Club, Project No. 02-09, by TFN Architectural Signage, Inc., 3411 Lake Center Drive, Santa Ana.](#)  
**Recommendation: Accept work; authorize Clerk to file a Notice of Completion; release retention funds 35 days thereafter; exonerate Labor and Material Bond 7 months thereafter; exonerate Performance Bond 12 months thereafter**
  
12. [Completion of Asbestos and Lead-Base Paint Removal and the Demolition and Disposal of Park Structures, Project No. 03-02, by J & G Industries, Inc., 18627 Brookhurst Street, Suite #302, Fountain Valley.](#)  
**Recommendation: Accept work; authorize Clerk to file a Notice of Completion; release retention funds 35 days thereafter; exonerate Labor and Material Bond 7 months thereafter; exonerate Performance Bond 12 months thereafter**
  
13. [Alternate billing process for the Red Light Camera Enforcement Program with Nestor Traffic Systems, Inc., 400 Massasoit Avenue, Suite 200, East Providence, Rhode Island.](#)  
**Recommendation: Approve; authorize Mayor to sign**
  
14. [Contract for Shopping Cart Retrieval Services:](#)
  - (a) Award contract to Hernandez Cart Service, Inc., 1808 Lincoln Boulevard, Venice, for \$40,000.00, for shopping cart retrieval services through June 30, 2004.  
**Recommendation: Approve; authorize Mayor and Clerk to sign**
  
  - (b) Budget Adjustment No. 04-013 in the amount of \$40,000.00 to appropriate sufficient funding from the undesignated fund balance to cover the contract cost.  
**Recommendation: Approve**

CONSENT CALENDAR—continued

Administrative Actions

15. [Request from Anna Dolewski, Finance Department, Accounting Division, for an extension of a leave of absence to November 13, 2003.](#)  
**Recommendation: Approve**
  
16. [Emergency Purchase Requisition for Underground Storage Tank \(U.S.T.\) upgrades and selected removals.](#)  
**Recommendation: Approve**

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

VII PUBLIC HEARINGS

1. [PUBLIC HEARING: Continued from the meeting of July 14, 2003, proposed zoning overlay for residential Tract 1154, which is generally bounded by East 19<sup>th</sup> Street on the north, Irvine Avenue on the east, East 18<sup>th</sup> Street on the south, and Tustin Avenue on the west. Environmental Determination: Exempt.](#)  
**Recommendation: Approve Planning Commission's recommendation that a zoning overlay not be adopted**
  
2. [PUBLIC HEARING: Continued from the meeting of July 14, 2003, resolution of the City Council of the City of Costa Mesa, amending the City of Costa Mesa Residential Design Guidelines, including, but not limited to, view preservation guidelines. Environmental Determination: Exempt.](#)  
**Recommendation: Adopt resolution**
  
3. [PUBLIC HEARING: Ordinance of the City Council of the City of Costa Mesa amending Title 13 of the Costa Mesa Municipal Code relating to Residential Development Standards and review procedures. Environmental Determination: Exempt.](#)  
**Recommendation: Give ordinance first reading**

VIII OLD BUSINESS

1. From the meeting of August 4, 2003, claim from Rita Joy Kunkel (trip and fall on City sidewalk).  
**Recommendation: Reject**
  
2. [From the meeting of August 4, 2003, request from Target Greatlands, 3030 Harbor Boulevard, Unit A, for a public convenience or necessity finding for a premise-to-premise transfer of a Type 20 ABC License \(off-sale beer and wine\).](#)  
**Recommendation: Make the necessary finding of public convenience or necessity**

IX NEW BUSINESS

1. [Revised Council Policy 300-1 incorporating the recommended plan changes to the Retired Employees' Medical Program, effective August 19, 2003.](#)  
**Recommendation: Approve**
  
2. [Annual Review No. 1 and first amendment to Segerstrom Home Ranch Development Agreement \(DA-00-01\). The Planning Commission recommends:](#)
  - (a) Determine that the applicant and City have demonstrated good faith and compliance with the terms and conditions of Development Agreement DA-00-01.  
**Recommendation: Approve**
  
  - (b) Ordinance adopting the First Amendment to Development Agreement No. DA-00-01 for the Home Ranch Project.  
**Recommendation: Give ordinance first reading**
  
3. [Park Encroachments at Fairview Park.](#)  
**Recommendation: Determine whether or not it is appropriate to sell, lease, or permit use of a portion of Fairview Park, north of the Fairview storm channel and west of Placentia Avenue, to residents adjacent to this area on the south side of Swan Drive: if determined inappropriate, direct staff to bring back the draft Citywide Council Policy for consideration at a future Council meeting; and if sale, lease, or permitting of the property is deemed appropriate, consider staff recommendations as outlined in the agenda report**

NEW BUSINESS—continued

4. Pursuant to Section 54956.9(b)(3) of the California Government Code a closed session has been scheduled to confer with legal counsel regarding anticipated litigation of matters that involve significant exposure to litigation – One (1) case.

X REPORTS

City Attorney

1. Pursuant to Section 54956.9(a) of the California Government Code a closed session has been scheduled for the City Council to confer with legal counsel, Tom Wood, Acting City Attorney, regarding existing litigation in the case of: Rutter Development Corp. v. Costa Mesa, Case No. 03CC09792.

City Manager

XI COUNCIL MEMBERS REPORTS, COMMENTS, AND SUGGESTIONS

1. Council Member Scheafer
2. Council Member Mansoor
3. Council Member Cowan
4. Mayor Pro Tem Steel
5. Mayor Monahan

XII ADJOURNMENT