



City of Costa Mesa Council Agenda

Gary Monahan
Mayor

Allan Mansoor
Mayor Pro Tem

Chris Steel
Council Member

City Manager
Allan Roeder

Libby Cowan
Council Member

Mike Scheafer
Council Member

City Attorney
Kimberly Hall Barlow

Development Services Director
Donald Lamm

Director of Public Services
William Morris

Deputy City Clerk
Julie Folcik

COUNCIL MEETS 1ST & 3RD 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.

November 15, 2004

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| I | PLEDGE OF ALLEGIANCE | Mayor Gary Monahan |
| II | MOMENT OF SOLEMN EXPRESSION | Pastor Dave Peckham, Costa Mesa Seventh Day Adventist Church
[Per Council Policy 000-12, these presentations are made by community volunteers stating their own views. Interested presenters, please contact the City Clerk's office.] |
| III | ROLL CALL | |
| IV | MINUTES | Regular Meeting of October 18, 2004, and Special Meeting of November 8, 2004 |
| | MOTION | To read all ordinances and resolutions by title only |
| | PRESENTATIONS | Mayor's Award – Diane and Paul Hill, and Gordon West |

- 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 2030, funding City operating expenses for \$1,449,045.37.
Recommendation: Approve
3. Warrant Resolution 2031, funding Payroll No. 423 for \$1,924,611.84, Payroll No. 422A for negative \$1,489.68, and City operating expenses for \$1,044,383.17, including payroll deductions.
Recommendation: Approve

Administrative Actions

4. [Resolution authorizing a non-exclusive cable television franchise agreement for service to the formerly unincorporated county territory located in the City of Costa Mesa, to Adelphia Cablevision of Orange County, 3042 E. Miraloma, Anaheim.](#)
Recommendation: Adopt Resolution; Authorize Mayor and Clerk to sign

CONSENT CALENDAR—continued

Administrative Actions

5. [Award Bid Item No. 1078, Purchase of ten Hewlett Packard ProLiant DL 380 G4 Servers, rack servers with additional options, to be factory installed by Hewlett Packard, to Pricon Inc., 1831 W. Lincoln Avenue, Anaheim, for the amount of \\$52,480.30.](#)
Recommendation: Approve

6. [Final Map and subdivision Agreement for Tract No. 16382, located at 1901 Newport Boulevard, to subdivide seven \(7\) lots into two \(2\) lots for residential use, two \(2\) lots for commercial use and three \(3\) lots for parking and private streets.](#)
Recommendation: Approve map, authorize City Engineer and Clerk to sign; approve agreement and authorize Mayor and Clerk to sign

7. [Joann Street Bike Trail Fencing Improvements from Harbor Boulevard to Placentia Avenue – City Project No. 3-10.](#)
 - (a) Reject all Bids.
Recommendation: Approve

 - (b) Re-advertise project with appropriate revisions based upon further investigation of crime and beautification issues, and to further analyze the costs of the project.
Recommendation: Authorize

8. [Completion of Street Improvements associated with the construction of three \(3\) industrial buildings \(PA-02-34\) located at 3333 Susan Street, by Oltman's Construction Company, 10005 Mission Hill Road, Whittier, in connection with Encroachment Permits PS03-00021 and PS03-00051.](#)
Recommendation: Accept work; exonerate bonds

9. [Completion of Street Improvements associated with the construction of a commercial building located at 655 Anton Boulevard, by Hathaway Dinwiddie Construction Company, 1145 Wilshire Boulevard, Unit 200, Los Angeles, in connection with Encroachment Permit PS03-00444.](#)
Recommendation: Accept work; exonerate bonds

CONSENT CALENDAR—continued

Administrative Actions

10. [Resolution authorizing application for, and the acceptance of grant funds from the California Office of Traffic Safety for the “Remove the Aggressive and Impaired Driver” \(RAID\) Program, in the amount of \\$468,178.00](#)
Recommendation: Adopt Resolution
 - (a) Budget Adjustment No. 05-031 for \$468,178.00.
Recommendation: Approve

11. [Resolution authorizing records destruction for the Police Department of the City of Costa Mesa, pursuant to Ordinance No. 75-60.](#)
Recommendation: Adopt resolution

-----END OF CONSENT CALENDAR-----
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VII PUBLIC HEARINGS

1. [CONTINUED PUBLIC HEARING: Continued hearing from the meeting of October 18, 2004, Appeal by Council Member Libby Cowan of the Planning Commission’s denial of Conditional Use Permit PA-04-14 for Stan Sax, authorized agent for John Saunders and Doug Morehead, to allow a restaurant to serve alcoholic beverages after 11 p.m. \(2 a.m. proposed for Fridays and Saturdays\), to allow live entertainment/dancing within 200 feet of a residential use, and to allow off-site parking at 2801 Bristol Street for a restaurant, located at 2831 Bristol Street in a CL Zone \(Commercial Limited District\). Environmental determination: exempt.](#)
Recommendation: Receive and File

2. [PUBLIC HEARING: Consideration of the consolidation of the Access Appeals Board and the Building, Fire and Housing Board of Appeals, establishing member composition and eligibility; and a proposed ordinance amending the Costa Mesa Municipal Code Section 5-3, of Title 5, Chapter 1 regarding “Appeals” from determinations and orders by the Building Official and Fire Marshal to the “Appeals Board”.](#)
Recommendation: Adopt Resolution; Give ordinance first reading; and direct staff to commence with recruitment.

VIII OLD BUSINESS

1. [From the meeting of August 16, 2004, Resolution designating “resident only” permit parking on Columbia Drive, Wake Forest Road, Amherst Place, Tulane Place, Dartmouth Place, Rutgers Drive, and Fordham Drive.](#)
 - (a) Defer request for “resident only” parking and direct staff to implement Phase 1, of the recommended phased plan, in each of the Areas (as designated in staff report).
Recommendation: Approve
 - (b) Direct Staff to include funding in the proposed Fiscal Year 2005-2006 budget for Phase 3 in Area 1 and Phase 2 in Area 2, if needed.
Recommendation: Approve
 - (c) Direct staff to re-evaluate and report back to the City Council the need for “resident only” parking on Cornell Drive if parking strategies within different phases prove successful.
Recommendation: Approve

2. [From the meeting of November 1, 2004, second reading and adoption of Ordinance No. 04-12, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA ADOPTING A SOLID WASTE HAULING FRANCHISE FEE, amending the Costa Mesa Municipal Code Chapter IV of Title 8.](#)
Recommendation: Adopt Ordinance 04-12
 - (a) Resolution adopting a Solid Waste Hauling Franchise Fee and related computation and collection procedures.
Recommendation: Adopt resolution

IX NEW BUSINESS

1. [Memoranda of Understanding and Salary Adjustments for City Employees and the City Council.](#)
 - (a) Memoranda of Understanding between the City of Costa Mesa and the Costa Mesa Firefighters Association (CMFA), Costa Mesa Employees Association (CMCEA), Costa Mesa Police Management Association (CMPMA), and the Costa Mesa Police Association (CMPA) for new three (3) year agreements from 2004-2005.
Recommendation: Adopt respective MOUs.

NEW BUSINESS - Continued

- (b) Resolutions revising the salary ranges for job classifications represented by the Costa Mesa Firefighters Association (CMFA), Costa Mesa Employees Association (CMCEA), Costa Mesa Police Management Association (CMPMA), and the Costa Mesa Police Association (CMPA), to reflect the established labor marketplace pursuant to the 2004-2007 Memorandum of Understanding (MOU); and for all non-represented job classifications.

Recommendation: Adopt respective Resolutions

- (i) Resolution revising the salary ranges for job classifications represented by the Costa Mesa Firefighters Association (CMFA) to reflect the established labor marketplace pursuant to the 2004-2007 Memorandum of Understanding (MOU).
 - (ii) Resolution revising the salary ranges for job classifications represented by the Costa Mesa City Employees Association (CMCEA) to reflect the established labor marketplace pursuant to the 2004-2007 Memorandum of Understanding (MOU).
 - (iii) Resolution revising the salary ranges for job classifications represented by the Costa Mesa Police Management Association (CMPMA) to reflect the established labor marketplace pursuant to the 2004-2007 Memorandum of Understanding (MOU).
 - (iv) Resolution revising the salary ranges for job classifications represented by the Costa Mesa City Police Association (CMPA) to reflect the established labor marketplace pursuant to the 2004-2007 Memorandum of Understanding (MOU).
 - (v) Resolution adjusting the rates of pay for executive management classifications and employees to reflect the established marketplace.
 - (vi) Resolution adjusting the rates of pay for part-time classifications and employees to reflect the established marketplace.
- (c) Proposed Ordinance increasing the salaries of the Council Members.
Recommendation: Give ordinance first reading

NEW BUSINESS – Continued

- (d) Budget Adjustment No. 05-032 for \$1,876,300.00.

Recommendation: Approve

- (e) [Approve agendizing for the Council meeting of December 6, 2004, a resolution to provide a designated period in order to grant two years additional service credit for selected local miscellaneous members of the California Public Employees Retirement System \(CalPERS\).](#)

Recommendation: Approve consideration at the December 6, 2004, meeting.

X REPORTS

City Attorney

City Manager

XI COUNCIL MEMBERS REPORTS, COMMENTS, AND SUGGESTIONS

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

XII ADJOURNMENT