



City of Costa Mesa Council Agenda

Allan Mansoor
Mayor

Gary Monahan
Mayor Pro Tem

Katrina Foley
Council Member

City Attorney
Kimberly Hall Barlow

Linda Dixon
Council Member

Eric Bever
Council Member

City Manager
Allan Roeder

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) 754-5225. 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]. 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.

FEBRUARY 22, 2005

- I PLEDGE OF ALLEGIANCE Mayor Mansoor
- II MOMENT OF SOLEMN EXPRESSION Dr. Dennis Short, Harbor Christian 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
- MOTION To read all ordinances and resolutions by title only

- 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 2044, funding City operating expenses for \$1,964,153.98.
Recommendation: Approve
3. Warrant Resolution 2045, funding Payroll No. 503 for \$2,018,356.01, Payroll No. 502A for negative \$2,582.71, and City operating expenses for \$1,161,326.85, including payroll deductions.
Recommendation: Approve

Administrative Actions

4. [Agreement with the City of Santa Ana for FY 2004-2005 Urban Areas Security Initiative \(UASI\), to reimburse training costs for approved, terrorism related, Office of Domestic Preparedness and Office of Homeland Security training: \\$20,779.00 for the Costa Mesa Police Department, and \\$13,174.00 for the Costa Mesa Fire Department.](#)
Recommendation: Approve; authorize City Manager to sign

CONSENT CALENDAR—continued

Administrative Actions

5. [Telecommunications Services for Local, Long Distance, and Internet Connectivity:](#)
 - (a) Three-year “Express Agreement for Private Line Services” with Pacific Bell Telephone Company, dba SBC California, 200 Center Street Promenade, Anaheim.
Recommendation: Approve; authorize City Manager to sign
 - (b) Three-year “Long Distance Voice and PRI Agreement HVCP II Plus” with SBC Global Services, Inc., One SBC Plaza, Dallas, Texas.
Recommendation: Approve; authorize City Manager to sign
 - (c) Letter of Agency and Letter of Authorization for access and transfer of existing service.
Recommendation: Approve; authorize City Manager to sign

6. [Completion of Construction of Fire Command Training Structure, 2300 Placentia Avenue, Project No. 04-21, by WRG Fire Training Simulation Systems, Inc., 13780 Galbreath, Building C, Sherwood, Oregon.](#)
Recommendation: Accept work; authorize Clerk to file a Notice of Completion; release retention funds 35 days thereafter; exonerate the Labor and Material Bond 7 months thereafter; exonerate Performance Bond 6 months thereafter

7. [2004-2005 Second Quarter Community Objectives Update.](#)
Recommendation: Receive and file

8. [Purchase of Microsoft Windows 2003 server and exchange licensing for eleven servers and 375 computers from CompuCom Systems Inc., 10415 Old Placerville Road, Suite 235, Sacramento, for \\$32,152.75, to comply with the rules and guidelines from Microsoft and the Software Protection Agency, and includes a fee of \\$744.84 \(1.21 percent\) to the State of California for use of the California Multiple Award Schedule.](#)
Recommendation: Approve

CONSENT CALENDAR—continued

Administrative Actions

9. Budget Adjustment No. 05-064 for \$24,500.00 to appropriate funds for the following Police Department projects/purchases: Juvenile Holding Room and Arsenal retrofits (\$12,550.00); Jail Rest Room retrofit (\$2,210.00); purchase of an ergonomic workstation replacement for the Police Records Administrator's office (\$4,530.00); and purchase or ergonomic workstation replacement for the Technical Services Commander (\$5,210.00). This appropriation is offset by monies cleared from the Property and Evidence Bureau which have been deposited into the General Fund revenue.

Recommendation: Approve; authorize City Manager to sign

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

Recommendation: Adopt resolution

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

VII PUBLIC HEARINGS

1. PUBLIC HEARING: Continued from the meeting of January 18, 2005, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING AN EMERGENCY MEDICAL SERVICES (EMS) SUBSCRIPTION PROGRAM AND RESTRUCTURING EMERGENCY MEDICAL SERVICES RESPONSE FEES, amending Title 7 of the Costa Mesa Municipal Code.

Recommendation: Continue to the meeting of March 15, 2005

2. PUBLIC HEARING: Request from Kim Berry, authorized agent for Cameo Homes, for a one-year extension of time for Planning Application PA-03-31 for a master plan amendment and variance from perimeter open space requirements (20 feet required; 6 feet proposed) for the construction of garages along a side property line, located at 550 Paularino Avenue in a Planned Development Residential - High Density (PDR-HD) zone. Environmental determination: Exempt.

Recommendation: Approve one-year extension

PUBLIC HEARINGS—continued

3. PUBLIC HEARING: Appeal of the Planning Commission's denial of Conditional Use Permit PA-04-33 for John DeFrenza, authorized agent for D'Alessio Investments, for a proposed 4,245 sq. ft. restaurant/lounge within 200 feet of residential property to be opened until 2 a.m., 7 days a week, located at 1777 Newport Blvd. in a General Business District (C2) zone with off-site valet parking at 1764 Anaheim Avenue in an Multi-Family Residential District High Density (R2-HD) zone, and 640 W. 17th Street in a General Business District (C2) zone. Environmental determination: exempt.
Recommendation: Adopt resolution to Uphold, Reverse or Modify the Planning Commission's decision

4. PUBLIC HEARING: Appeal from the Planning Commission's approval of Planning Application PA-04-41 for Johnny Lu/Loft 18 LLC, to construct a 6-unit, common-interest development (airspace condominiums) with minor modifications for a 4 ft. (5 ft. required) side setback and a 12 ft. wide (16 ft. required) common driveway, located at 654 W. 18th Street in an Multi-Family Residential High Residential (R2-HD) zone. Environmental determination: exempt.
Recommendation: Adopt resolution to Uphold, Reverse or Modify the Planning Commission's decision

5. PUBLIC HEARING: General Plan Amendment GP-04-03 and Rezone R-04-05 for Fairview Developmental Center located at 2501 Harbor Boulevard, to change the land use designation from High Density Residential to Public/Institutional and a rezone from PDR-HD (Planned Development Residential-High Density) to I&R (Institutional and Recreational) on approximately 6.5 acres. Environmental determination: Negative declaration.
 - (a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT GP-04-03, WHICH AMENDS THE LAND USE DESIGNATION FROM HIGH DENSITY RESIDENTIAL TO PUBLIC/INSTITUTIONAL FOR A PORTION OF 2501 HARBOR BOULEVARD, and approving the initial study and negative declaration.
Recommendation: Adopt resolution

 - (b) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REZONING 5 ACRES FROM PLANNED DEVELOPMENT RESIDENTIAL-HIGH DENSITY TO INSTITUTIONAL AND RECREATIONAL BY ADOPTION OF REZONE PETITION R-04-05 FOR A PORTION OF 2501 HARBOR BOULEVARD.
Recommendation: Give ordinance first reading

PUBLIC HEARINGS—continued

6. PUBLIC HEARING: Request for a “Resident Only” permit parking restriction on Walnut Avenue between Orange Avenue and Westminster Avenue, and A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DESIGNATING PERMIT PARKING ON WALNUT AVENUE BETWEEN ORANGE AVENUE AND WESTMINSTER AVENUE.
Recommendation: Consider implementation of permit parking restriction; if approved, adopt resolution

7. PUBLIC HEARING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE, TO AMEND EXISTING DEFINITIONS RELATING TO “MANUFACTURED HOUSING”, “MOBILEHOME”, “MOBILEHOME PARK”, AND “MOBILEHOME PARK CONVERSION PERMIT” AND TO ADD A DEFINITION FOR “MOBILEHOME LOT”.
Recommendation: Give ordinance first reading

VIII OLD BUSINESS

1. From the meeting of February 7, 2005, second reading and adoption of Ordinance 05-2, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING THE ZONING CODE TO MODIFY THE LAND USE MATRIX, PUBLIC NOTICE REQUIREMENTS, AND VARIOUS PERMIT PROCESSES.
Recommendation: Adopt Ordinance 05-2

2. From the meeting of February 7, 2005, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, CONCERNING COUNCIL MEETING ORDER OF BUSINESS AND SCHEDULING AND RESCINDING RESOLUTION NO. 01-47 AND RESOLUTION NO. 89-126, with the new schedule effective as of March 1, 2005.
Recommendation: Adopt resolution

IX NEW BUSINESS

X REPORTS

City Attorney

1. Pursuant to subdivision (a) of Section 54956.9 of the California Government Code, a closed session has been scheduled for the City Council to confer with legal counsel, Kimberly Hall Barlow, City Attorney, regarding existing litigation (one case): People v. Fishetti, Case No. CM46167PE.
2. Pursuant to subdivision (b) (1) of Section 54957 of the California Government Code, a closed session has been scheduled for the City Council to confer with the City's representative, Steve Mandoki, Director of Administrative Services, regarding public employment. Title: Sr. Deputy City Attorney and Paralegal.
3. Pursuant to Subdivision (a) of Section 54956.9 of the California Government Code, a closed session has been scheduled for the City Council to confer with legal counsel, Kimberly Hall Barlow, City Attorney, regarding existing litigation in two (2) cases: Brandt Development Ltd. v. City of Costa Mesa (Case No. 03CC05315 Orange County Superior Court) and City of Costa Mesa v. Lindeman (Case No. 03CC13307 Orange County Superior Court).
4. Pursuant to subdivision (c) of Section 54956.9 of the California Government Code, a closed session has been scheduled for the City Council to confer with the legal counsel regarding matters involving anticipated litigation - possible initiation of two (2) potential cases.

City Manager

XI COUNCIL MEMBERS REPORTS, COMMENTS, AND SUGGESTIONS

1. Council Member Katrina Foley
2. Council Member Linda Dixon
3. Council Member Eric Bever
4. Mayor Pro Tem Gary Monahan
5. Mayor Allan Mansoor

XII ADJOURNMENT