



City of Costa Mesa Council Agenda

TUESDAY, FEBRUARY 7, 2006

Allan Mansoor
Mayor

Gary Monahan
Council Member

Eric Bever
Mayor Pro Tem

Katrina Foley
Council Member

Linda Dixon
Council Member

City Attorney
Kimberly Hall Barlow

City Manager
Allan Roeder

Development Services Director
Donald Lamm

Director of Public Services
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 COUNCIL MEETINGS – except by majority vote of the Council to continue, Council meetings shall conclude at midnight. If there is unfinished business on the Agenda, these items will be continued to the next regularly scheduled council meeting (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, Council will adjourn to Conference Room 1B for meeting in closed session. Please note that if there are not any closed session items listed, Council will convene at its regular meeting time of 6:00 p.m.

I ROLL CALL

- II PUBLIC COMMENT 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:

1. Bristol Street Mini-Storage
 - (a) Conference with real property negotiators pursuant to California Government Code Section 54956.8 for property at 1100 Bristol Street, Costa Mesa, California. Agency Negotiator: Allan Roeder. Negotiating Parties: Bristol Street Mini-Storage LLC (Lee Jamieson) and County of Orange (Herb Nakasone).
 - (b) Conference with legal counsel – anticipated litigation. Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 of the California Government Code, one case, Bristol Street Mini-Storage.

2. Conference with legal counsel – anticipated litigation. Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 of the California Government Code – two cases.

RECESS TO STUDY SESSION:

*The Council will recess to/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 10 minutes will be permitted for public comment. Note that no action may be taken by the Council prior to the 6:00 p.m. meeting.

RECONVENE REGULAR MEETING

**REGULAR CITY COUNCIL AGENDA
6:00 p.m.**

PLEDGE OF ALLEGIANCE Mayor Pro Tem Bever

**MOMENT OF SOLEMN
EXPRESSION**

Pastor Mark Wiley, Mesa Verde United Methodist Church
[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 Mayor's Award – Don Schoendorfer, PhD, Founder and President, The Free Wheelchair Mission

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:

- THE YELLOW FORM IS FOR PUBLIC COMMENTS – TOPICS NOT ON THE AGENDA.
- THE 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 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.
- V COUNCIL MEMBERS REPORTS, COMMENTS, AND SUGGESTIONS
1. Mayor Allan Mansoor
 2. Council Member Katrina Foley
 3. Council Member Linda Dixon
 4. Mayor Pro Tem Eric Bever
 5. Council Member Gary Monahan
- 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, city in which they reside, and item number.

Written Communications

1. Reading Folder.

Recommendation: Receive and process

Minutes

2. Regular meeting of January 03, 2006 and January 17, 2006

Recommendation: Approve

Warrants

3. Warrant Resolution 2093, funding Payroll No. 601 for \$2,246,301.13 and Payroll No. 526A for \$33,562.78, and City operating expenses for \$704,720.74, including payroll deductions.

Recommendation: Approve

4. Warrant Resolution 2094, funding City operating expenses for \$896,279.55

Recommendation: Approve

5. Warrant Resolution 2095, funding Payroll No. 602 for \$2,157,179.52 and Payroll No. 601A for \$ 2,996.57, and City operating expenses for \$ 881,013.89, including payroll deductions.

Recommendation: Approve

Administrative Action

6. [Award of \\$500.00 to a private citizen who reported gang-related graffiti.](#)

Recommendation: Approve pursuant to Costa Mesa Municipal Code Section 11-147

7. [A RESOLUTION OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING ZONING APPLICATION ZA-05-77 FOR THE PACIFIC MEDICAL PLAZA FINAL MASTER PLAN LOCATED AT 1640 NEWPORT BOULEVARD.](#)

Recommendation: Adopt resolution

8. [Approve Cooperative Agreement No. 12-529 with the State of California Department of Transportation \(Caltrans\) for design of landscape improvements at Bristol Street/1-405 and Avenue of the Arts offramp at an estimated cost of \\$80,000.00.](#)

Recommendation: Approve; authorize Mayor and City Clerk to sign

9. [Final Map For Tract No. 16070, located At 2100 Canyon Drive, Costa Mesa; for the sub-division of two \(2\) lots into eighteen \(18\) lots for single residential use and two \(2\) lots for common use.](#)

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

10. [A RESOLUTION 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 – 7:00 p.m. (Resolution No. 05-55)

1. [PUBLIC HEARING: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE VACATION OF EXCESS RIGHT-OF-WAY AT 297 OGLE STREET \(SANTA ANA AVENUE SIDE\).](#)

Recommendation: Adopt resolution; authorize Mayor and Clerk to sign Quitclaim Deed No. 3588

2. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING, AUTHORIZING AND DIRECTING EXECUTION OF AN AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT RELATING TO THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY.](#)

Recommendation: Adopt resolution, authorize Mayor and Clerk to sign

3. PUBLIC HEARING: Resolution approving a proposed plan of financing providing for the issuance by the California Statewide Communities Development Authority of multifamily housing revenue bonds in one or more series issued from time to time, including bonds issued to refund such revenue bonds in one or more series from time to time, and at no time to exceed \$5,000,000 in outstanding aggregate principal amount, to finance the acquisition, construction and development of a 36-unit multifamily rental housing project, located at 2031 Orange Avenue, Costa Mesa, California, and generally known as St. John's Manor Apartment (the "Project"). The Project will be owned and operated by St. John's Manor, LP, or related entities.

- (a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING THE ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY.

Recommendation: Adopt resolution

4. PUBLIC HEARING: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ESTABLISHING AND ADOPTING SCHEDULES OF RATES, FEES, AND CHARGES, FOR FISCAL YEAR 2005-2006 FOR SERVICES PROVIDED BY THE CITY OF COSTA MESA.

Recommendation: Adopt resolution

VIII OLD BUSINESS

1. From the meeting of January 17, 2006, second reading and adoption of Ordinance 06-2, AN ORDINANCE OF THE CITY OF COSTA MESA, CALIFORNIA AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING INCIDENTAL RETAIL SALES IN INDUSTRIAL ZONES. ENVIRONMENTAL DETERMINATION: EXEMPT

Recommendation: Adopt Ordinance No. 06-2, to be read by title only and waive further reading

2. [From the meeting of January 17, 2006, second reading and adoption of Ordinance 06-3, AN ORDINANCE OF THE CITY OF COSTA MESA, CALIFORNIA AMENDING TITLE 9, CHAPTER II, ARTICLE 8 OF THE COSTA MESA MUNICIPAL CODE AND ADOPTION OF A RESOLUTION TO ESTABLISH A “CLEAN-UP” FEE.](#)

Recommendation: Adopt Ordinance 06-3, to be read by title only and waive further reading.

- (a) [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ESTABLISHING A FIREWORKS “CLEAN-UP” FEE FOR FIREWORK SALES; for a \\$100.00 fee to reimburse the City for costs of cleaning City streets, public right-of-way, City Parks and open space after the 4th of July celebration has concluded.](#)

Recommendation: Adopt resolution

IX NEW BUSINESS

1. [“Measure M” program reauthorization update presented by Orange County Transportation Authority \(OCTA\).](#)

X REPORTS

City Attorney

City Manager

XI ADJOURNMENT - Adjourn to Tuesday, February 21, 2006