



City of Costa Mesa Council Agenda

Gary Monahan
Mayor

Linda Dixon
Council Member

Eric Bever
Council Member

City Manager
Allan Roeder

Allan Mansoor
Mayor Pro Tem

Katrina Foley
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.

JANUARY 3, 2005

- I PLEDGE OF ALLEGIANCE Council Member Eric Bever
- II MOMENT OF SOLEMN EXPRESSION [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
- PRESENTATION Child Care and Youth Services Committee Presentation, Gladys Green and Ingrid Anderson
Employee of the Month, Hilda Venturis

V Election of Mayor and Mayor Pro Tem.

- (a) Nominations for Mayor.
- (b) Nominations for Mayor Pro Tem.

VI 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.

VII 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 2035, funding Payroll No. 425 for \$2,469,080.99, Payroll No. 424A for negative \$487.09, and City operating expenses for \$1,208,618.96, including payroll deductions.
Recommendation: Approve
3. Warrant Resolution 2036, funding City operating expenses for \$2,389,783.41.
Recommendation: Approve

CONSENT CALENDAR—continued

Warrants

4. Warrant Resolution 2037, funding Payroll No. 426 for \$2,106,157.32, Payroll No. 425A for \$1,200.92, and City operating expenses for \$603,112.66, including payroll deductions.
Recommendation: Approve

5. Warrant Resolution 2038, funding City operating expenses for \$1,092,603.88.
Recommendation: Approve

Administrative Actions

6. [Development Agreement DA-04-05 for George Sakioka, authorized agent for Roy K. Sakioka and Sons/Marjack/RTS-Sunflower/Iscina-Sunflower/Sakioka Farms, for an annual review of Sakioka Farms Development Agreement DA-99-02 for Sakioka Lots 1 and 2 located at 14850 Sunflower Avenue. Environmental determination: exempt.](#)
Recommendation: Determine and find that the Sakiokas have demonstrated good faith compliance with the terms and conditions of Development Agreement DA-99-02, and approve the following amendments to the periodic review process: (a) delegate future periodic reviews to the Planning Commission; (b) allow formal periodic review to be conducted every two years; and (c) conduct separate reviews for individual parcels due to separate ownerships

7. [Final Map and Subdivision Agreement for Tract No. 16526, located at 2455 Irvine Avenue, to subdivide one lot into eight, consisting of six dwelling unit lots and two lots for common purposes.](#)
Recommendation: Approve map, authorize City Engineer and Clerk to sign; approve agreement, authorize Mayor and Clerk to sign

8. [Costa Mesa Redevelopment Agency 2004 Annual Report.](#)
Recommendation: Receive and file

CONSENT CALENDAR—continued

Administrative Actions

9. [Extension of agreement with Hank Lloyd's Orange County Tennis \(HLOCT\), 880 Junipero Drive, Costa Mesa, for five years \(the first of two five-year options\), to operate the Costa Mesa Tennis Center \(same address\), with revenues to the City of \\$1,000.00 or 10 percent of the gross amount received from court rental use and 5 percent of the gross amount received from pro shop sales, whichever is greater.](#)
Recommendation: Approve; authorize Mayor and Clerk to sign

10. [Award Bid Item No. 1077, Purchase of One New 2005 Ford F-350 Cut-away Chassis with Custom Built Enclosed Utility Body, to Fairway Ford, 1275 Yorba Linda Blvd., Placentia, for \\$37,723.28.](#)
Recommendation: Approve

11. [Award contract for Missing Link Sidewalk, Project No. 04-25, to Damon Construction Company, 8851 Watson Street, Cypress, for \\$135,240.00, to complete a path of travel along sidewalks at various locations on 20th Street.](#)
Recommendation: Approve; authorize Mayor and Clerk to sign

12. [Award contract for Fairview Park Multipurpose Trail, Project No. 04-24, to Sol Construction, Inc., 19497 Hebron Court, Riverside, for \\$261,174.00 \(base bid only\).](#)
Recommendation: Approve; authorize Mayor and Clerk to sign
 - (a) Budget Adjustment No. 05-042 for \$84,400.00.
Recommendation: Approve

13. [Completion of Carpet Replacement at the Neighborhood Community Center, 1845 Park Avenue, Project No. 04-15, by The Invironmentalists Commercial Services Company, d.b.a. The Invironmentalists, 1355 South Acacia Avenue, Fullerton.](#)
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

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

VIII PUBLIC HEARINGS

IX OLD BUSINESS

1. [From the meeting of December 6, 2004, second reading and adoption of Ordinance No. 04-16, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADDING SECTION 2-15 TO THE COSTA MESA MUNICIPAL CODE PERTAINING TO RESTRICTIONS FOR USE OF THE CITY SEAL AND PENALTIES FOR MISUSE THEREOF.](#)
Recommendation: Adopt Ordinance 04-16

2. [From the Special Meeting of December 13, 2004, second reading and adoption of Ordinance No. 04-17, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLES 2, 12, AND 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING CITY COUNCIL APPOINTMENT OF COMMISSIONS, BOARD, AND COMMITTEES.](#)
Recommendation: Adopt Ordinance 04-17

X NEW BUSINESS

1. [Commission appointment process and selection.](#)
Recommendation: Establish a procedure for appointment of Planning Commission and Parks and Recreation Commission members

2. [Eastside Annexation Area 7 Policy Direction.](#)
Recommendation: Give direction to staff regarding annexation of the following areas to either Costa Mesa or Newport Beach: West Santa Ana Heights, the Santa Ana Country Club, and the area south of Mesa Drive

3. [Draft Ordinance : AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA AMENDING TITLE 2 SECTION 2-68\(d\) AND \(e\) OF THE COSTA MESA MUNICIPAL CODE REGARDING COUNCIL MEMBERS CONFLICT OF INTEREST AND THE CITY ATTORNEY OPINIONS REGARDING CONFLICT OF THE INTEREST, as it relates to the conduct of a Council Member with a conflict and conflict opinions issued by the City Attorney.](#)
Recommendation: Give ordinance first reading

XI 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 the legal counsel regarding existing litigation: Carmona v. City of Costa Mesa, et al, Case No. SA CV-00-1215AHS (MLGx).
2. Pursuant to Section 54956.9(a) of the California Government Code, a closed session has been scheduled for the City Council to confer with the legal counsel regarding existing litigation: City of Costa Mesa v. Nishamura, Case No. 04CC07196.

City Manager

XII 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 Allan Mansoor
5. Mayor Gary Monahan

XIII ADJOURNMENT