



City of Costa Mesa Council Agenda

Tuesday, May 17, 2005

Allan Mansoor
Mayor

Gary Monahan
Mayor Pro Tem

Linda Dixon
Council Member

Katrina Foley
Council Member

Eric Bever
Council Member

City Attorney
Kimberly Hall Barlow

City Manager
Allan Roeder

Development Services Director
Donald Lamm

Director of Public Services
William Morris

Deputy City Clerk
Julie Folcik

Council Chambers, 77 Fair Drive
5:00 p.m. – Closed Session and 6:30 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 Deputy 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 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].

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 6:30 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. None Scheduled.

RECESS TO STUDY SESSION:

*The Council will recess to/convene 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 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 6:30 p.m. meeting.

CONVENE REGULAR MEETING

REGULAR CITY COUNCIL AGENDA

6:30 p.m.

PLEDGE OF ALLEGIANCE Mayor Pro Tem Monahan

MOMENT OF SOLEMN EXPRESSION

[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 None

PRESENTATION Employees of the Month -
Kirk Dominic, Captain Fire Department
Dan Mudra, Engineer, Fire Department
Chris Holmes, Firefighter/Paramedic
Rich Merritt, Firefighter/Paramedic
Pam Howland, Communications Officer
Derek Hembree, Communications Officer
Lynda Jenkins, Finance Department

**SPEAKERS: PLEASE PRINT YOUR NAME AND ADDRESS (Optional) ON THE YELLOW FORM
LOCATED AT THE PODIUM AND PRESENT IT TO THE DEPUTY CITY CLERK.**

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 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.

CONSENT CALENDAR—continued

Written Communications

1. Reading Folder.
Recommendation: Receive and process

Minutes

2. None.

Warrants

3. Warrant Resolution 2056, funding City operating expenses for \$1,337,414.51.
Recommendation: Approve
4. Warrant Resolution 2057, funding Payroll No. 509 for \$2,031,909.96, Payroll No. 508A for \$1,779.68, and City operating expenses for \$1,701,737.40, including payroll deductions.
Recommendation: Approve

Administrative Actions

5. [Agreement with Overland, Pacific and Cutler, Inc., 24422 Avenida de la Carlota, Suite 275, Laguna Hills, in an amount not to exceed \\$51,400.00, for right-of-way appraisal and acquisition services for improvements on Harbor Boulevard between Gisler Avenue and Sunflower Avenue.](#)
Recommendation: Approve; authorize Mayor and Clerk to sign
6. [Hold Harmless agreement with the Orange County Performing Arts Center and the South Coast Repertory, Inc. for the vacated portion of Town Center Drive between Park Center and Avenue of the Arts, pursuant to Development Agreements for Segerstrom Town Center \(DA-00-02\) and the Segerstrom Center for the Performing Arts \(DA-00-03\).](#)
Recommendation: Approve; authorize Mayor and Clerk to sign
7. [Final Map for Tract No. 16574, located at 726 W. Wilson Street, to subdivide one \(1\) lot for condominium purposes \(16 air space condominiums\).](#)
Recommendation: Approve map, authorize City Engineer and Clerk to sign

8. ~~A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING THE STREETScape AND MEDIAN DEVELOPMENT STANDARDS, amending Section 6.03 of the Streetscape and Median Development Standards to designate two accent street trees for the section of Fairview Road, from the San Diego Freeway to Newport Blvd.~~

Recommendation: Withdrawn

9. ~~A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING THE STREETScape AND MEDIAN DEVELOPMENT STANDARDS, to incorporate the priority list for the landscaping of parkway and neighborhood entryways into Section 8, Development of Arterial Street Walls and Neighborhood Entryways.~~

Recommendation: Withdrawn

10. [Fiscal Year 2004-2005 Third Quarter Community Objectives Update.](#)

Recommendation: Receive and file

11. [Santa Ana River Crossing Study \(SARX\) Supplemental Environment Impact Report Memorandum of Understanding \(MOU\) with the Orange County Transportation Authority \(OCTA\); and the City of Fountain Valley for a Supplemental Environmental Impact Report \(EIR\) for Garfield Avenue/Gisler Avenue bridge over the Santa Ana River.](#)

Recommendation: Approve; authorize Mayor and Clerk to sign

- (a) Authorize transfer of \$100,000.00 in Growth Management Area (GMA) funds allocated by OCTA to the City of Costa Mesa for the Supplemental EIR.

Recommendation: Approve

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

1. [PUBLIC HEARING: Continued from the meeting of April 19, 2005, an appeal of the determination of the Parks and Recreation Commission's approval of the revised Temporary Portable Lights Policy, excluding the use of temporary lights at Kaiser school field.](#)

Recommendation: Uphold, reverse or modify the Parks and Recreation Commission's decision

2. [PUBLIC HEARING: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, FINDING AND DETERMINING THE POPULATION DENSITY STANDARD FOR SINGLE- AND MULTIPLE-FAMILY DWELLING UNITS, AND AMENDING THE CURRENT PARK IMPACT FEE FOR NEW RESIDENTIAL SUBDIVISIONS WITHIN THE CITY OF COSTA MESA.](#)

Recommendation: Adopt resolution, to be read by title only and waive further reading

3. [PUBLIC HEARING: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ORDERING THE VACATION OF EXCESS RIGHT-OF-WAY AT 279 EAST 17TH STREET.](#)

Recommendation: Adopt resolution, to be read by title only and waive further reading; and authorize Mayor and Deputy City Clerk to sign Quitclaim Deed No. 3528

- (a) Easement Agreement for the dedication of a 9-foot portion of property located at 211 East 17th Street for the purpose of a right-of-way lane on Orange Avenue at East 17th Street.

Recommendation: Approve; authorize Mayor and Clerk to sign

VII OLD BUSINESS

1. [From the meeting of April 19, 2005, request for President Bush that the Federal Government strictly enforce laws on illegal immigration.](#)

Recommendation: Decide whether to send correspondence requesting that laws against illegal immigration be enforced and California's borders be protected

OLD BUSINESS – Continued

2. [From the meeting of May 3, 2005, recommendations for use of \\$200,000.00 in funds from the Segerstrom Home Ranch Development Agreement originally designated for the relocation and renovation of the Huscroft House.](#)
Recommendation: Provide direction on the use of \$200,000 in funds from the Segerstrom Home Ranch Development Agreement originally allocated for the relocation and renovation of the Huscroft House

3. [From the meeting of May 3, 2005, allocation of IKEA Public Project Contribution.](#)
Recommendation: Specify how the IKEA \$350,000.00 contribution is to be allocated, subject to the consent of the contributor

VIII NEW BUSINESS

1. [“Resident Only” parking restriction qualification factors and revision of the “City Council Guidelines for Consideration of Installation or Removal of Resident Only Permit Parking.”](#)
Recommendation: Approve; direct staff to modify guidelines

2. [Request for "RESIDENT ONLY" Parking Restriction On Manistee Drive Between Paularino Avenue And Pierpont Drive.](#)
Recommendation: Deny the request for the implementation of a "Resident Only" parking restriction on Manistee Drive between Paularino Avenue and Pierpont Drive as the parking conditions do not meet the minimum threshold identified in the City Council adopted guidelines; or
 - (a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DESIGNATING PERMIT PARKING ON WEST AND NORTH SIDES OF MANISTEE DRIVE BETWEEN PAULARINO AVENUE AND PIERPONT DRIVE.
Recommendation: Adopt Resolution to be read by title only and waive further reading

 - (b) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DESIGNATING PERMIT PARKING ON MANISTEE DRIVE BETWEEN PAULARINO AVENUE AND PIERPONT DRIVE.

Recommendation: Adopt Resolution, to be read by title only and waive further reading

NEW BUSINESS – Continued

3. [Request from Thrifty Payless Inc., 233 East 17th Street to 211 East 17th Street, for a finding of public convenience or necessity for a premise-to-premise transfer of an existing type 21 \(off-sale general\) ABC license for Rite Aid.](#)
Recommendation: Make the necessary finding of public convenience or necessity.

IX REPORTS

City Attorney

City Manager

X 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

XI ADJOURNMENT