



City of Costa Mesa Council Agenda

TUESDAY, APRIL 17, 2007

Allan Mansoor
Mayor

Linda Dixon
Council Member

Eric Bever
Mayor Pro Tem

Katrina Foley
Council Member

Wendy Leece
Council Member

City Attorney
Kimberly Hall Barlow

City Manager
Allan Roeder

Development Services Director
Donald Lamm

Public Services Director
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 CITY COUNCIL MEETINGS: Except by majority vote of the City Council to continue, meetings shall conclude at midnight. If there is unfinished business on the Agenda, those items will be continued to the next regularly scheduled City Council meeting, pursuant to 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, the City Council will recess to Conference Room 1B for Closed Session. Please note that if there are not any closed session items listed, City Council will convene at its regular meeting time of 6:00 p.m.

I ROLL CALL

- II PUBLIC COMMENTS** 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. Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation, one case, pursuant to Government Code Section 54956.9(b)(1).
2. CONFERENCE WITH LABOR NEGOTIATORS pursuant to California Government Code Section 54957.6: Agency designated representatives: Allan Roeder, City Manager and Steve Mandoki, Administrative Services Director, Employee organizations: Costa Mesa City Employee Association (CMCEA), Costa Mesa Firefighters Association (CMFA), Costa Mesa Police Officers Association (CMPOA), and Costa Mesa Police Management Association (CMPMA), Confidential Employees.

RECESS TO STUDY SESSION:

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

RECONVENE REGULAR MEETING

REGULAR CITY COUNCIL AGENDA

6:00 p.m.

PLEDGE OF ALLEGIANCE Mayor Allan Mansoor

MOMENT OF SOLEMN EXPRESSION Reverend Doctor Karen Stoyanoff, Orange Coast Unitarian Universalist 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

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:

- **YELLOW FORM IS FOR PUBLIC COMMENTS – TOPICS NOT ON THE AGENDA.**
- **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 (3) minutes each to address any item within the City 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 City Council Members.

V COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS

1. Mayor Pro Tem Eric Bever
2. Council Member Wendy Leece

3. Mayor Allan Mansoor
4. Council Member Katrina Foley
5. Council Member Linda Dixon

VI **CONSENT CALENDAR:** All matters listed under the Consent Calendar are considered to be routine and will be acted upon in one motion. There will be no separate discussion of these items unless members of the City Council, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar for discussion. Items removed from the Consent Calendar will be discussed and voted upon immediately following City 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 to be addressed.

CONSENT CALENDAR ITEM NOS. 1 THROUGH 12.

Written Communications

1. Reading Folder.

Recommendation: Receive and process

Minutes

2. Corrected Regular Meeting of February 6, 2007 and Adjourned Regular Meeting/Study Session of March 13, 2007.

Recommendation: Approve

Warrants

3. Warrant Resolution 2156, funding Payroll No. 706 for \$2,343,837 and Payroll No. 705A for \$21,397.20, and City operating expenses for \$879,665.50 including payroll deductions.

Recommendation: Approve

4. Warrant Resolution 2157, funding City operating expenses for \$1,275,352.32.

Recommendation: Approve

Administrative Actions

5. [Agreement with C.J. Segerstrom & Sons, granting access rights to portions of their property for the construction staging area for the Fairview/I-405 Widening Project, Harbor/I-405 Improvement Project and Susan Street Exit Ramp Project.](#)

Recommendation: Approve; authorize City Manager and/or City Attorney to make minor revisions to the License Agreement based on final discussions with C.J. Segerstrom; authorize the Mayor and Clerk to sign; authorize the City Attorney and City Manager to prepare and execute agreements with Contractors for the use of the construction staging area per terms

6. [Agreement between the Costa Mesa Police Department and the 32nd District Agricultural Association, to provide traffic management services for all designated Interim Events of the Orange County Fair and Exposition Center, beginning April 1, 2007 through December 31, 2007, in the amount of \\$50,000.](#)

Attachment 1: [City of Costa Mesa Request For Police Service](#)

Attachment 2: [State of California Standard Agreement](#)

Recommendation: Approve; authorize the City Manager to sign

7. Request from Fire Engineer Godshall for Leave of Absence until September 29, 2007.

Recommendation: Approve

8. [A report on Interim Ordinance No. 07-6, Placing a Moratorium on the approval of any subdivisions, Use Permits, Variances, or any other applicable entitlement which would allow for existing Industrially zoned parcels to be subdivided into Industrial Condominiums in the City of Costa Mesa.](#)

Recommendation: Receive and file; and setting the date of hearing for May 1, 2007 for a possible time extension

CONSENT CALENDAR—continued

Administrative Actions

- 9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF FUNDS TO ACCOMMODATE CITY'S ELECTRICAL SERVICE UPGRADE; at 1701 Golf Course Drive, from TMobile.

Recommendation: Adopt resolution

- 10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AGREEING WITH THE REQUEST OF THE STATE OF CALIFORNIA TO RELINQUISH THE RIGHT-OF-WAY FOR THAT PORTION OF BRISTOL STREET AND RED HILL AVENUE ON STATE ROUTE 73.

Recommendation: Adopt resolution

- (a) Cooperative Agreement, with the State of California Department of Transportation (Caltrans), for relinquishment of a portion of Bristol Street and Red Hill Avenue.

Recommendation: Approve; authorize the Mayor and City Clerk to sign

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

Recommendation: Adopt resolution

- 12. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVAL OF THE GENERAL PLAN AMENDMENT GP-07-01 WHICH AMENDS THE CIRCULATION ELEMENT OF THE 2000 GENERAL PLAN TO REDESIGNATE GISLER AVENUE AND GISLER BRIDGE OVER THE SANTA ANA RIVER FROM SECONDARY ARTERIAL TO RIGHT-OF-WAY RESERVE STATUS.

Recommendation: Adopt resolution

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

VII PUBLIC HEARINGS - 7:00 p.m. (Resolution No. 05-55)

1. [PUBLIC HEARING: Appeal of the Planning Commission's denial of Planning Application PA-07-04, for The Saywitz Company, to allow a common interest development conversion of four apartment units to condominiums with a variance from private open space requirements for two second-floor balconies \(10 ft. minimum dimension required; 5 ft.-10 in. and 8 ft.-6 in. minimum dimensions proposed\), located at 679 W. 18th Street, in an R3 \(Multiple Family Residential\) zone. Environmental determination: exempt.](#)

Recommendation: Adopt resolution to uphold, reverse or modify Planning Commission's decision

VIII OLD BUSINESS

1. [From the meeting of April 3, 2007, second reading and adoption of Ordinance No. 07-7, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REZONING 2089 AND 2099 HARBOR BOULEVARD AND 511 HAMILTON STREET FROM C2 \(GENERAL COMMERCIAL\) TO PDC \(PLANNED DEVELOPMENT COMMERCIAL\) BY ADOPTION OF REZONE PETITION R-07-01.](#)

Recommendation: Adopt Ordinance No. 07-7, to be read by title only, and waive further reading

2. [From the meeting of January 2, 2007, Gang Initiative: Enforcement, Suppression, Intervention and Prevention Strategies.](#)

Recommendation: Formally endorse the Police Department's "Gang Initiative" as outlined in the staff report; Award Request for Proposal No. 1105 for Gang Intervention Services to the Newport Mesa Unified School District in the amount of \$65,000 for a period of one year; and authorize the Mayor and Clerk to sign; refer the proposed Truancy Ordinance to a future City Council Study Session

IX NEW BUSINESS

1. [Urban Master Plan Screening requests within the Westside Urban Plan area for the following:](#)

(a) UMP-07-01 for 2068/2070 Maple Avenue, in the Mesa West Residential Ownership Urban Plan area.

Recommendation: Provide comments

(b) UMP-07-02 for 635 W. 17th Street/1695 Superior Avenue in the 19 West Urban Plan area.

Recommendation: Provide comments

2. [Request For Fee Waiver of Permit Fees and Deposits For Construction Of The Veterans Memorial](#)

Recommendation: To approve or deny waiving of all permit fees and deposits associated with the construction of the Veterans Memorial

3. Athletic Field Master Planning

Recommendation: Adopt resolution requesting the support and participation of the Newport Mesa Unified School District in the development of master plans for athletic fields at Costa Mesa High School, Davis School and TeWinkle/California School

X REPORTS

City Attorney:

City Manager:

XI ADJOURNMENT – Next Regular City Council Meeting May 1, 2007.