



City of Costa Mesa Council Agenda

TUESDAY, NOVEMBER 21, 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

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 Real Property Negotiators, for the property located 1640 Monrovia Avenue, agency negotiator: Allan Roeder, City Manager; and Nexus Development, pursuant to California Code Section 54956.8.
2. Public Employee Performance Evaluation for City Attorney and City Manager, pursuant to California Code Section 54957.

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 Council Member Gary Monahan

**MOMENT OF SOLEMN
EXPRESSION**

Pastor Dave Manne, Calvary Chapel of Costa Mesa
[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

Employees of the Month – Human Resources, Risk Management Division Staff: Debra Yasui, Risk Administrator; Jim Thyden and Ryan Thomas, Risk Management Analysts; and Natasha Martinez, Benefits Coordinator

Recruitment for the 2007-2009 Orange County Superior Court Grand Jury

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

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. Adjourned Regular Meeting/Study Session of October 10, 2006 and Regular Meeting of November 7, 2006.

Recommendation: Approve

Warrants

3. Warrant Resolution 2135, funding City operating expenses for \$1,099,556.88.

Recommendation: Approve

4. Warrant Resolution 2136, funding Payroll No. 622 for \$2,312,152.73 and Payroll No. 621A for \$2,027.97, and City operating expenses for \$779,613.79 including payroll deductions.

Recommendation: Approve

CONSENT CALENDAR—continued

Administrative Actions

5. [Memorandum of Agreement for Orange Coast River Park \(OCRP\).](#)

Recommendation: Approve

6. [Amended Agreement with the Harbor Soaring Society \(HSS\), Post Office Box 1673, Costa Mesa, for the use of a portion of Fairview Park for flying radio-controlled model aircraft.](#)

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

7. [Award Construction Contract, for the Costa Mesa Senior Center Energy Efficient Roof Coating, Project No. 06-19, to Best Roofing & Waterproofing, Inc. d.b.a. Best Contracting Services, Inc., 19027 South Hamilton Avenue, Gardena, in the amount of \\$84,271.](#)

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

- (a) Budget Adjustment No. 07-033 for \$44,300.

Recommendation: Approve; authorize the Mayor to sign

8. [Completion of Tewinkle Park Athletic Field Complex, Project No. 05-20, by Lehman Construction, Inc., Post Office Box 3569, Tustin.](#)

Recommendation: Accept work; authorize City Clerk to file a Notice of Completion; release retention monies 35 days thereafter; exonerate the cash Labor and Material Bond and the Faithful Performance Bond twelve (12) months thereafter

9. [Completion of Harbor Boulevard at Gisler Avenue Intersection Improvements, Project No. 05-27, by Sequel Contractors, Inc., 13546 Imperial Highway, Santa Fe Springs.](#)

Recommendation: Accept work; authorize City Clerk to file a Notice of Completion; release retention monies 35 days thereafter; exonerate the Labor and Material Bond seven (7) months thereafter; and exonerate the Faithful Performance Bond twelve (12) months thereafter

CONSENT CALENDAR—continued

Administrative Actions

10. [Final Map for Tract No. 16820 located at 654 West 18th Street, Costa Mesa, for a one lot airspace subdivision to facilitate a six-unit common interest condominium development.](#)

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

11. [Recommended allocation of funds for the 2006-2007 Citizens' Option for Public Safety/Supplemental Law Enforcement Services Funds \(COPS/SLESF\) for the purchase of 100 Tasers.](#)

Recommendation: Approve

- (a) Budget Adjustment No. 07-041 for \$55,442.

Recommendation: Approve; authorize the Mayor to sign

12. [Accept a Grant from the Fireman's Fund Heritage Grant Program, for VHF Radios and Digital Voice Recorders, in the amount of \\$7,800.](#)

Recommendation: Approve

- (a) Budget Adjustment No. 07-039 for \$7,800.

Recommendation: Approve; authorize the Mayor to sign

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

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

1. PUBLIC HEARING: Continued from the meeting of October 17, 2006 regarding North Costa Mesa High-Rise Residential Projects in the North Costa Mesa Specific Plan area:
 - a. Final Program Environmental Impact Report (EIR) No. 1052 (SCH #2006011077);
 - b. General Plan Amendment GP-06-02 (Land Use and Noise Elements);
 - c. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING ZONING CODE AMENDMENT CO-06-05 WHICH AMENDS TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING HIGH-RISE RESIDENTIAL DEVELOPMENT IN PLANNED DEVELOPMENT AND TOWN CENTER ZONES;
 - d. North Costa Mesa Specific Plan Amendment SP-06-02;
 - e. Preliminary Master Plan PA-05-53 for Segerstrom Town Center (Site 1);
 - f. Preliminary Master Plan PA-05-52 for OCMA (Site 2);
 - g. Preliminary Master Plan PA-05-47 for Symphony Towers (Site 4);
 - h. Preliminary Master Plan PA-05-50 for Pacific Arts Plaza (Site 5);
 - i. Consideration and action related to Airport Land Use Commission Determination.

Recommendation: These recommendations correspond to the above-described components of the proposed project:

- a. Adopt resolution to certify Final Program EIR No. 1052 (SCH #2006011077).
- b. Adopt resolution to approve General Plan Amendment GP-06-02.
- c. Adopt resolution to approve North Costa Mesa Specific Plan Amendment SP-06-02.
- d. Introduce ordinance for Zoning Code Amendment CO-06-05, read by title only, and waived further reading.
- e. Adopt resolution to approve Preliminary Master Plan PA-05-53 for Segerstrom Town Center.
- f. Adopt resolution to approve Preliminary Master Plan PA-05-52 for Orange County Museum of Art.
- g. Adopt resolution to approve Preliminary Master Plan PA-05-47 for Symphony Towers.
- h. Adopt resolution to approve Preliminary Master Plan PA-05-50 for Pacific Arts Plaza.
- i. Take any necessary action related to the Airport Land Use Commission determination (*see Council supplemental memo*).

PUBLIC HEARINGS—continued

2. [PUBLIC HEARING: Continued from the meeting of October 17, 2006 regarding “The Californian at Town Center” high-rise residential project at 580 Anton Boulevard in the North Costa Mesa Specific Plan area:](#)

Recommendation: Adopt resolution to approve Final Master Plan PA-05-48 and Vesting Tentative Tract Map VT-17017, which includes modification of existing landscape easements from 25 feet to 20 feet along Avenue of the Arts and from 25 feet to 15-20 feet along Anton Boulevard.

3. [PUBLIC HEARING: Continued from the meeting of November 14, 2006 regarding A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ORDERING THE VACATION OF A PORTION OF EL CAMINO DRIVE, MENDOZA DRIVE, AND CORONADO DRIVE ADJACENT TO 1011-1045 EL CAMINO DRIVE AND AT 2805 & 2829 SAN JUAN LANE. \(Public Hearing set by Resolution No. 06-67.\)](#)

Recommendation: Adopt resolution; authorize the Mayor and City Clerk to sign; and Clerk to record Quitclaim Deeds

4. PUBLIC HEARING: [Consideration of an ordinance, review and approval of the permitting regulations and permitting system, and establishment of a permit fee, for the flying of model aircraft at Fairview Park.](#)

- (a) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING CHAPTER II OF TITLE 12 OF THE COSTA MESA MUNICIPAL CODE RELATING TO FLYING OF MODEL AIRCRAFT AT FAIRVIEW PARK.

Recommendation: Introduce ordinance for first reading, read by title only, and waive further reading

5. [PUBLIC HEARING: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING THE CLOSURE IMPACT REPORT PREPARED FOR THE TROPIC TRAILER PORTS MOBILEHOME PARK LOCATED AT 351 WEST BAY STREET, and adopting homeowner relocation measures.](#)

Recommendation: Adopt resolution

VIII OLD BUSINESS

1. [From the meeting of September 5, 2006, Master Plan of Drainage Plan Update: Adjusting new Drainage Impact Fees.](#)
 - (a) [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING A REVISED DRAINAGE FEE FOR THE CITY OF COSTA MESA.](#)

Recommendation: Adopt resolution

IX NEW BUSINESS

1. [2006 Eastside Neighborhood Traffic Study.](#)

Recommendation: Review results and provide direction

X REPORTS

City Attorney: Expense report relative to immigration issues.

City Manager:

XI ADJOURNMENT – Next Regular Council Meeting December 5, 2006.