



City of Costa Mesa Council Agenda

Tuesday, March 15, 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. Request for Rehearing by Council Member Foley of the City Council's February 22, decision regarding the following: Pursuant to subdivision (a) of Section 54956.9 of the California Government Code, a closed session has been scheduled for the City Council to confer with legal counsel, Kimberly Hall Barlow, City Attorney, regarding existing litigation (one case): People v. Fishetti, Case No. CM46167PE.
2. Request for Rehearing by Council Member Foley of the City Council's February 22, decision regarding the following: Pursuant to subdivision (b) (1) of Section 54957 of the California Government Code, a closed session has been scheduled for the City Council to confer with the City's representative, Steve Mandoki, Director of Administrative Services, regarding public employment. Title: Sr. Deputy City Attorney and Paralegal.

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.

RECONVENE REGULAR MEETING

**REGULAR CITY COUNCIL AGENDA
6:30 p.m.**

PLEDGE OF ALLEGIANCE Council Member Bever

**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

PRESENTATION Mayor's Award, Mary Fewel and Karen Shell
Employee of the Month, Bobby Young

**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.

Written Communications

1. Reading Folder.
Recommendation: Receive and process

Minutes

2. Regular meetings of February 7, 2005, and February 22, 2005.
Recommendation: Approve

Warrants

3. Warrant Resolution 2047, funding Payroll No. 504 for \$2,068,450.95, Payroll No. 503A for \$339.69, and City operating expenses for \$518,996.72, including payroll deductions.
Recommendation: Approve
4. Warrant Resolution 2048, funding City operating expenses for \$394,239.84.
Recommendation: Approve

Administrative Actions

5. [Joint Agreement for the Operation, Maintenance, and Financial Management of the 800 MHz Countywide Coordinated Communications System \(800 MHz CCCS\) with the County of Orange, 840 North Eckhoff Street, Suite 104, Orange, the financial obligations being consistent with the partnership Joint Agreement of June 24, 2003.](#)
Recommendation: Approve; authorize Mayor and Clerk to sign

CONSENT CALENDAR—continued

Administrative Actions

6. [Amendment No. 10 to Master Funding Agreement C-95-968 with Orange County Transportation Authority \(OCTA\), which replaces the prior Exhibit A with a revised "Combined Transportation Funding Programs Allocations" list dated December 20, 2004.](#)
Recommendation: Approve; authorize the Mayor and Clerk to sign

7. [Purchase of two 2005 Chevrolet Tahoe two-wheel drive vehicles with Police packages from Woodries Fleet Group, 1247 West Main Street, Alhambra, for \\$60,680.75. The purchase is in conjunction with the County of Los Angeles in order to receive volume discount pricing.](#)
Recommendation: Approve

8. ~~Sole source purchase of Incident Command Post Equipment for 2005 Chevrolet Tahoe from 911 Vehicles, 22349 East La Palma Avenue, Suite 101, Yorba Linda, for \$25,561.81.~~
Recommendation: Withdrawn

9. [Agreement with Data Ticket, Inc., 4600 Campus Drive, Suite 200, Newport Beach, for an amount not to exceed \\$100,000.00, for parking citation processing including data processing, collection of fines, and administrative reviews and hearings, effective through March 31, 2010.](#)
Recommendation: Approve; authorize Mayor and Clerk to sign

10. [Budget Adjustment No. 05-069 for \\$118,000.00 for Storm Drain Emergency Repair Work Projects, to repair damaged public areas utilizing State and Federal Public Assistance Funds under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.](#)
Recommendation: Approve; authorize Mayor and Clerk to sign

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

VI PUBLIC HEARINGS

1. PUBLIC HEARING: [Continued from the meeting of February 22, 2005, an ordinance adopting an Emergency Medical Services \(EMS\) Subscription Program and Restructuring Emergency Medical Services Response Fees, amending Title 7 of the Costa Mesa Municipal Code.](#)
Recommendation: Give first reading to AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING AN EMERGENCY MEDICAL SERVICES (EMS) SUBSCRIPTION PROGRAM AND RESTRUCTURING EMERGENCY MEDICAL SERVICES RESPONSE FEES, to be read by title only and waive further reading

2. PUBLIC HEARING: [Continued from the meeting of February 22, 2005, request from Kim Berry, authorized agent for Cameo Homes, for a one-year extension of time for Planning Application PA-03-31 for a master plan amendment and variance from perimeter open space requirements \(20 feet required; 6 feet proposed\) for the construction of garages along a side property line, located at 550 Paularino Avenue in a Planned Development Residential - High Density \(PDR-HD\) zone. Environmental determination: Exempt.](#)
Recommendation: Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING AN EXTENSION OF TIME FOR PLANNING APPLICATION PA-03-31, to be read by title only and waive further reading

3. PUBLIC HEARING: [Resolution amending the current parkland impact fee in lieu of land dedication requirements for new residential subdivisions within the City of Costa Mesa pursuant to the City's Subdivision provisions \(Article 5 of Chapter XI, Subdivisions, of Title 13 of the Costa Mesa Municipal Code\).](#)
Recommendation: Provide direction to staff on park impact fee adjustments

VII OLD BUSINESS

VIII NEW BUSINESS

1. [Costa Mesa Job Center.](#)
Recommendation: Provide direction to staff

NEW BUSINESS—continued

2. [Westside Revitalization Oversight Committee \(WROC\) Implementation Plan.](#)
Recommendation: Approve plan with the modification of “Recommendation B1” to indicate that it will be an overlay zone with performance standards for live/work, artist lofts, and residential land uses; the modification of Section 3.0, Implementation Schedule, as proposed by staff; and direct staff to proceed with the WROC Implementation Plan, as modified

3. [Trinity Broadcasting Network Conditional Use Permits \(PA-96-19 and PA-98-24\).](#)
Recommendation: Refer to and request the Planning Commission to review, and if appropriate, conduct a public hearing on the conditional use permit currently detailing the operation of Trinity Broadcasting Network

4. Presentation by the Costa Mesa United Foundation.

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