



# City of Costa Mesa Council Agenda

**Tuesday, April 19, 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**      Council Member Foley

**MOMENT OF SOLEMN  
EXPRESSION**

Anne Hogan-Shereshevsky

*[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**                      Mayor's Award, Michael Gilmore and Hunter Golden

**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**

CONSENT CALENDAR—continued

Minutes

2. None.

Warrants

3. Warrant Resolution 2052, funding City operating expenses for \$1,549,597.22.  
**Recommendation: Approve**
4. Warrant Resolution 2053, funding Payroll No. 507 for \$2,048,800.19, Payroll No. 506A for \$1,281.43, and City operating expenses for \$1,765,178.09, including payroll deductions.  
**Recommendation: Approve**

Administrative Actions

5. [Agreement with Michael Balliet Consulting, 26351 Tarrasa Lane, Mission Viejo, in an amount not to exceed \\$48,000.00, to conduct an audit of the City's waste haulers to verify the accuracy of franchise fees remitted to the City and to establish a franchise fee reporting and monitoring system that will enable the City to readily identify an unreported revenue by the waste haulers.](#)  
**Recommendation: Approve; authorize Mayor and Clerk to sign**
  - (a) Budget Adjustment No. 05-082 for \$48,000.00.  
**Recommendation: Approve**
6. [Extension of an agreement with Hank Lloyd Orange County Tennis for operation of the Costa Mesa Tennis Center, 880 Junipero Drive, for the first of two 5-year option terms, and change the effective date of the extension from February 9, 2003 to May 1, 2005.](#)  
**Recommendation: Approve; authorize Mayor and Clerk to sign**
7. [Agreement with the Costa Mesa Senior Corporation for their lease of the Costa Mesa Senior Center building, 695 West 19<sup>th</sup> Street, effective July 1, 2005, for an initial term of five years, with three extension options of five years each.](#)  
**Recommendation: Approve; authorize Mayor and Clerk to sign**
  - (a). Placement of a full-time City Maintenance Services employee at the Costa Mesa Senior Center for facility maintenance.  
**Recommendation: Approve**

CONSENT CALENDAR—continued

Administrative Actions

8. Agreement with Child's Pace, Inc., for use of a portion of the Downtown Recreation Center, 1860 Anaheim Avenue, for one year effective May 1, 2005, with automatic one year renewals, for an annual fee of \$6,000.00, to provide non-profit, State subsidized care for up to 35 children.  
**Recommendation: Approve; authorize Mayor and Clerk to sign**
  
9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, SUPPORTING THE INCLUSION OF THE EXTENSION OF STATE ROUTE 57, ORANGE FREEWAY, FROM ITS CURRENT TERMINUS SOUTHERLY TO I-405 FREEWAY AS AN ALTERNATIVE FOR THE CENTRAL COUNTY CORRIDOR MAJOR INVESTMENT STUDY.  
**Recommendation: Adopt resolution confirming the City's position on possible extension of State Route 57, to be read by title only and waive further reading**
  
10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE VACATION OF A PORTION OF RIGHT-OF-WAY AT 279 EAST 17<sup>TH</sup> STREET BETWEEN ORANGE AVENUE AND SANTA ANA AVENUE.  
**Recommendation: Adopt resolution, setting a public hearing for May 17, 2005, to be read by title only and waive further reading**
  
11. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING THE APPLICATION FOR LAND AND WATER CONSERVATION FUNDS FOR THE FAIRVIEW PARK RESTORATION PROJECT, approving the filing of a grant application with the California Department of Parks and Recreation's Land and Water Conservation Fund Program for improvements at Fairview Park.  
**Recommendation: Adopt resolution, to be read by title only and waive further reading**
  
12. Purchase of six (6) 2005 Police Interceptor Black and White Ford Crown Victoria vehicles, from Clippinger Ford, 2000 Ease Garvey South, West Covina, for \$136,127.82, in accordance with a Police package price agreement with the County of Los Angeles.  
**Recommendation: Approve**
  - (a) Budget Adjustment No. 05-087 for \$45,376.00.  
**Recommendation: Approve**

CONSENT CALENDAR—continued

Administrative Actions

13. Energy Efficient Roof Coating at the Neighborhood Community Center (1845 Park Avenue); Police Substation (567 West 18<sup>th</sup> Street); Lions Park Restroom (570 West 18<sup>th</sup> Street); and Heller Park Restroom (257 East 16<sup>th</sup> Street), Project No. 05-03.
  - (a) Reject all bids.  
**Recommendation: Approve**
  - (b) Authorize staff to re-advertise the project.  
**Recommendation: Approve**
  
14. Job Center follow-up activities, and a Request for Rehearing of the City Council action taken on April 5, 2005.  
**Recommendation: Set for the meeting of May 3, 2005, or an alternate date to be set by Council**
  
15. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING APPLICATION FOR, AND ACCEPTANCE OF FISCAL YEAR 2005-2006 JUSTICE ASSISTANCE GRANT ALLOCATION, authorizing the City Manager or his designee to accept the grant award for the 2005 Justice Assistance Grant (JAG) in the amount of \$34,608.00, and approve allocating the proceeds for the following items: Orange County ProActive Methamphetamine Laboratory Task Force (\$14,000.00); Computer Monitors (\$5,180.00); Tactical Hearing/Communication Headsets (\$10,765.00); and Police Patrol Vehicle Light Bars (\$4,663.00).  
**Recommendation: Adopt resolution, to be read by title only and waive further reading; and approve allocations**
  
16. Agreement with Siemens Building Technology, Inc., Security Systems Division, 10775 Business Center Drive, Cypress, for \$27,542.00, total amount for Phase II of the Camera and Recording System for Costa Mesa Jail.  
**Recommendation: Approve; authorize Mayor and Clerk to sign**
  - (a) Budget Adjustment No. 05-060 for \$21,000.00.  
**Recommendation: Approve**

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

VI PUBLIC HEARINGS

1. [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: Approve one-year extension**
  
2. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ESTABLISHING THE EMERGENCY MEDICAL SERVICES SUBSCRIPTION FEES.](#)  
**Recommendation: Adopt resolution, to be read by title only and waive further reading**
  
3. [PUBLIC HEARING: Appeal of the determination of the Parks and Recreation Commission's approval to prohibit the use of temporary lights on school fields \(Athletic Field Temporary Light Policy\).](#)  
**Recommendation: Uphold, reverse or modify the Parks and Recreation Commission's decision to approve the revised Temporary Portable Lights Policy excluding the use of temporary portable lights at Kaiser school field.**
  
4. [PUBLIC HEARING: 2005-2006 Community Development Block Grant Public Service Grant Allocations.](#)  
**Recommendation: Approve**
  
5. [PUBLIC HEARING: Fiscal Year 2005-2006 funding priorities and reprogramming of funds for Community Development Block Grant \(CDGB\) and Home Investment Partnership Program \(HOME\):](#)
  - (a) Recommended allocation for the Fiscal Year 2005-2006 Community Development Block Grant (CDBG) Application and reallocation of prior years' funds and program income.  
**Recommendation: Approve**
  
  - (b) Recommended allocation for the Fiscal Year 2005-2006 HOME Investment Partnership Grant.  
**Recommendation: Approve**

PUBLIC HEARINGS—continued

- (c) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING FISCAL YEAR 2005-2006 COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP ACT ENTITLEMENT FUNDS APPLICATION SUBMISSION TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, authorizing the City Manager to act as the official representative of the City in order to submit the Annual Action Plan, and all certificates and assurances contained therein, and directing and authorizing the City Manager to act in connection with the submission of the Annual Action Plan, and to provide such additional information as may be required.  
**Recommendation: Adopt resolution, to be read by title only and waive further reading**

6. [PUBLIC HEARING: 2005-2010 Consolidated Plan.](#)

- (a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING FISCAL YEAR 2005-2006 COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP ACT ENTITLEMENT FUNDS APPLICATION AND THE 2005-2010 CONSOLIDATED PLAN SUBMISSION TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, authorizing the City Manager to act as the official representative of the City in order to submit the 2005-2010 Consolidated Plan, and all certificates and assurances contained therein, and directing and authorizing the City Manager to act in connection with the submission of the Consolidated Plan, and to provide such additional information as may be required.  
**Recommendation: Adopt resolution, to be read by title only and waive further reading**

VII OLD BUSINESS

- 1. [From the meeting of April 5, 2005, second reading and adoption of Ordinance 05-4, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING REZONE PETITION R-04-03 CHANGING THE ZONING OF 3333 HYLAND AVENUE FROM MP \(INDUSTRIAL PARK\) TO PDI \(PLANNED DEVELOPMENT INDUSTRIAL\).](#)  
**Recommendation: Adopt Ordinance 05-4, to be read by title only and waive further reading**



OLD BUSINESS—continued

2. [From the meeting of April 5, 2005, second reading and adoption of Ordinance 05-5, AN ORDINANCE OF CITY COUNCIL OF THE CITY OF COSTA MESA CALIFORNIA, ADDING ARTICLE 1 OF CHAPTER II OF TITLE 12 TO THE COSTA MESA MUNICIPAL CODE SETTING REGULATIONS FOR THE USE OF PUBLIC SKATE PARKS.](#)  
**Recommendation: Adopt Ordinance 05-5, to be read by title only and waive further reading**
  
3. [From the meeting of April 5, 2005, second reading and adoption of Ordinance 05-6, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING CHAPTER III OF TITLE 2, DELETING SECTION 2-75, CHAPTER VII OF TITLE 2, AMENDING SECTIONS 2-224 AND 2-224.5 AND CHAPTER IX OF TITLE 2, AMENDING SECTION 2-305 AND 2-309 OF THE COSTA MESA MUNICIPAL CODE, updating various sections of Title 2.](#)  
**Recommendation: Adopt Ordinance 05-6, to be read by title only and waive further reading**
  
4. [From the meeting of April 5, 2005, second reading and adoption of Ordinance 05-3, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING AN EMERGENCY MEDICAL SERVICES SUBSCRIPTION PROGRAM AND RESTRUCTURING EMERGENCY MEDICAL SERVICES RESPONSE FEES. amending Title 7 of the Costa Mesa Municipal Code.](#)  
**Recommendation: Adopt Ordinance 05-3, to be read by title only and waive further reading**
  
5. [From the meeting of April 5, 2005, General Plan Amendment Screening Request GPS-05-01, South Coast Metro Center, located at 475 – 595 \(odd numbers only\) Anton Blvd.](#)  
**Recommendation: Accept for processing**

VIII NEW BUSINESS

1. [Allocation of IKEA Public Project Contribution.](#)  
**Recommendation: Request from IKEA for continuance to the meeting of May3, 2005**

NEW BUSINESS—continued

2. [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:** Request from C. J. Segerstrom and Sons for continuance to the meeting of May 3, 2005
3. [New Year's Eve, December 31, 2005, Fireworks Education and Enforcement Options.](#)  
**Recommendation:** Staff recommends utilizing existing on-duty personnel to handle calls related to illegal fireworks during New Year's Eve celebrations (Option No. 1)
4. [Circle of Service nomination for former Mayor Robert M. Wilson.](#)  
**Recommendation:** Parks and Recreation Commission recommend approval
5. [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:** Adopt resolution, to be read by title only and waive further reading, and approved the recommended tree species: Callery Pear (*Pyrus calleryana*) and Lavender Trumpet Tree (*Tabebuia impetiginosa*)
6. [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
7. [Appointments to Council-appointed standing committees.](#)
  - (a) Child Care and Youth Services Committee.
  - (b) Fairview Friend/Fundraising Committed.
  - (c) Historical Preservation Committee.

NEW BUSINESS—continued

8. [Review of Two City Recreation Division Programs: “Mobile Recreation” and “Mobile Skate Park”.](#)  
**Recommendation:** Determine the continuance of the Mobile Recreation and Mobile Skate Park programs and provide direction regarding the maintenance of funding
  
9. [Resolution supporting participation with Fairview Developmental Center in the establishment of athletic fields for patient and community use.](#)  
**Recommendation:** Determine whether or not to adopt the proposed resolution
  
10. [Request by Costa Mesa United for adoption of a resolution supporting the construction of an Aquatics Complex at Costa Mesa High School and a Stadium at Estancia High School and a commitment of funding by the City of Costa Mesa towards the construction of these facilities subject to budgetary review and approval.](#)  
**Recommendation:** Determine whether or not to adopt the proposed resolution
  
11. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, IMPLEMENTING THE EMS SUBSCRIPTION PROGRAM AND APPROVING THE IMPLEMENTATION AND ADMINISTRATION PLAN.](#)  
**Recommendation:** Adopt resolution, to be read by title only and waive further reading
  
12. [AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 10, CHAPTER XIX OF THE COSTA MESA MUNICIPAL CODE REGARDING SOLICITATION OF EMPLOYMENT, BUSINESS OR CONTRIBUTIONS FROM STREETS AND CERTAIN COMMERCIAL PARKING LOTS.](#)  
**Recommendation:** Adopt urgency ordinance, to be read by title only and waive further reading
  
13. [AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 10, CHAPTER XIX OF THE COSTA MESA MUNICIPAL CODE REGARDING SOLICITATION OF EMPLOYMENT, BUSINESS OR CONTRIBUTIONS FROM STREETS AND CERTAIN COMMERCIAL PARKING LOTS.](#)  
**Recommendation:** Give ordinance first reading, to be read by title only and waive further reading

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