



# City of Costa Mesa Council Agenda

## TUESDAY, MAY 6, 2008

**Eric R. Bever**  
Mayor

**Linda W. Dixon**  
Council Member

**Allan R. Mansoor**  
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  
Peter Naghavi

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 of 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:

No Closed Session scheduled.

**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. 07-80, each member of the public will be given an opportunity to speak for two (2) minutes on Study Session agenda items. A maximum overall time of (15) 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 Eric R. 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**

**PRESENTATIONS** Water Awareness Month Proclamation  
Relay for Life Proclamation  
“About our City” Video Presentation

**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 (3) minute per speaker time limit may be extended for good cause by the Mayor, or by majority vote of City Council Members. Questions and comments made by public speakers may be addressed by Council during Council Comments.

V **COUNCIL MEMBERS' REPORTS, COMMENTS, AND SUGGESTIONS**

1. Mayor Pro Tem Allan Mansoor
2. Council Member Katrina Foley
3. Council Member Linda Dixon

4. Mayor Eric Bever
5. Council Member Wendy Leece

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 11.**

Written Communications

1. Reading Folder.

**Recommendation: Receive and process**

Minutes

2. Special Meeting of April 22, 2008; and Regular Meeting of April 15, 2008.

**Recommendation: Approve**

Warrants

3. Warrant Resolution 2210, funding City operating expenses for \$2,988,078.97.

**Recommendation: Approve**

CONSENT CALENDAR—continued

Warrants

4. Warrant Resolution 2211, funding Payroll No. 808 for \$2,750,012.36, and Payroll No. 807A for \$1,268.84 and City operating expenses for \$1,145,729.55 including payroll deductions.

**Recommendation: Approve**

5. Warrant Resolution 2212, funding City operating expenses for \$1,849,758.16.

**Recommendation: Approve**

Administrative Actions

6. [Contract Change Order with Roadway Engineering & Contracting, Inc., 8861-A Jurupa Road, Riverside, for Bus Turnout Improvements on Wilson Street between Fairview Road and Harbor Boulevard, City Project No. 07-20, in the amount of \\$40,030.](#)

**Recommendation: Approve; and authorize the City Manager and City Clerk to sign**

7. [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, 2008 through March 31, 2009, in the amount of \\$50,000.](#)

**Recommendation: Approve; and authorize the City Manager or his designee to sign**

8. [Authorize refund of cash deposit in the amount of \\$8,792 to Oliver Mahon Asphalt \(Contractor\), 182 Wells Place, Costa Mesa, in connection with Encroachment Permit No. PS07-00772 for street improvements located at 843 W. 17<sup>th</sup> Street.](#)

**Recommendation: Approve**

CONSENT CALENDAR—continued

Administrative Actions

9. [Completion of Roadway Rehabilitation of East 17<sup>th</sup> Street from 150 Feet East of Santa Ana Avenue to Irvine Avenue – Federal Project No. STPL – 5312 \(049\), City Project No. 07-14, by R.J. Noble Company, 15505 E. Lincoln Avenue, Orange.](#)

**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 six (6) months thereafter

10. [Completion of Construction of the Susan Street Offramp \(405 Offramp between Fairview Road and Harbor Boulevard\), City Project No. 07-16, by Powell Constructors, 8555 Banana Avenue, Fontana.](#)

**Recommendation:** Accept work; authorize City Clerk to file a Notice of Completion; release retention monies 35 days thereafter; exonerate the Labor and Material Bond six (6) months thereafter; and exonerate the Faithful Performance Bond twelve (12) months thereafter

11. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING RECORDS DESTRUCTION FOR THE ADMINISTRATION DIVISION OF THE POLICE DEPARTMENT OF THE CITY OF COSTA MESA, PURSUANT TO ORDINANCE NO. 75-60.](#)

**Recommendation:** Adopt resolution

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

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

1. [PUBLIC HEARING: Review of the Planning Commission’s determination for Planning Application PA-08-07, for Laura Dunbar, authorized agent for Danny Dunbar, for construction of a two-story second dwelling unit with a minor design review for 91% second-to-first floor ratio \(80% maximum recommended\); administrative adjustments for 3-ft. side setback \(5 ft. required\); and 6 ft. and 7 ft. building separations \(10 ft. required\), with minor modifications to retain an existing driveway and to extend a nonconforming side setback of the existing front unit with a new closet, located at 242 Ogle Street, in an R2-HD \(Multiple-Family Residential District, High Density\) zone. Environmental determination: exempt.](#)

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

2. [PUBLIC HEARING: Specific Plan SP-08-01, for David Wilson, authorized agent for South Coast Plaza, to amend the North Costa Mesa Specific Plan and Theater and Arts District Plan by modifying several pages of text in the Theater and Arts District Plan, located east of Bristol Street, south of Sunflower Avenue, west of Avenue of the Arts, and north of Interstate 405, in a TC \(Town Center District\) zone. Environmental determination: exempt.](#)

**Recommendation: Adopt resolution amending the Theater and Arts District Plan as recommended by the Planning Commission**

3. [PUBLIC HEARING: 2008-2009 Community Development Block Grant Public Service Grant Allocations.](#)

**Recommendation: Approve**

4. [PUBLIC HEARING: Fiscal Year 2008-2009 Funding Priorities for Community Development Block Grant \(CDGB\) and Home Investment Partnership Program \(HOME\).](#)

- (a) Recommended allocation for the Fiscal Year 2008-2009 Community Development Block Grant (CDBG) Application.

**Recommendation: Approve**

PUBLIC HEARINGS – continued

- (b) Recommended allocation for the Fiscal Year 2008-2009 HOME Investment Partnership Grant.

**Recommendation: Approve**

- (c) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING FISCAL YEAR 2008-2009 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**

## VIII OLD BUSINESS

### 1. [Joann Street Bike Trail.](#)

- (a) Type of fencing for the south side of Joann Street Bike Trail.

**Recommendation: Approve as recommended by the Parks and Recreation Commission**

- (b) Consider recommendation to move up the construction of landscape and irrigation improvements on the west side of Harbor Boulevard from north of 2299 Harbor Boulevard to Fair Drive from its current ranking on the priority list.

**Recommendation: Approve as recommended by the Parks and Recreation Commission**

OLD BUSINESS – continued



2. [Fireworks Regulation and Education Strategies](#)

**Recommendation:** Determine strategies to be implemented; direct staff to return with a budget adjustment sufficient to provide the necessary funding to implement the strategies adopted (funding to be provided via Fund Balance or identified reductions in General Fund Operating Budget).

IX NEW BUSINESS

1. [Veterans preferences for Housing and Community Development Programs.](#)

**Recommendation:** Direct staff to modify the Housing and Community Development program policies and procedures to provide preferences to U.S. Veterans and their families

2. [Business Improvement Area \(BIA\) Reauthorization:](#)

(a) Annual report for the Business Improvement Area (BIA) for Fiscal Year 2008-2009.

**Recommendation:** Approve

(b) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AN ANNUAL ASSESSMENT FOR FISCAL YEAR 2008-2009 FOR A BUSINESS IMPROVEMENT AREA COVERING CERTAIN COSTA MESA HOTELS AND MOTELS AND SETTING THE TIME AND PLACE FOR A PUBLIC HEARING ON PROPOSAL.

**Recommendation:** Adopt resolution reauthorizing the BIA Assessment District boundaries; approval of the BIA Budget; and setting the Public Hearing date for June 17, 2008 at 7:00 p.m.

NEW BUSINESS – continued

3. [Request by the Planning Commission for review of Single-Family Residential Parking Requirements.](#)

**Recommendation:** Direct staff to further study parking standards in the single-family residential neighborhoods and prepare Zoning Code amendment alternatives for consideration by Planning Commission and City Council

X REPORTS

City Attorney:

City Manager:

- XI ADJOURNMENT – Adjourn to May 13, 2008, 4:30 p.m., for a Study Session. Next Regular City Council Meeting May 20, 2008.