



# City of Costa Mesa Council Agenda

## TUESDAY, JANUARY 3, 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

Director of Public Services  
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 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 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, 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 6:00 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:      None Scheduled

**RECESS TO STUDY SESSION:**

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

**RECONVENE REGULAR MEETING**  
**REGULAR CITY COUNCIL AGENDA**  
**6:00 p.m.**

**PLEDGE OF ALLEGIANCE** Mayor Mansoor

**MOMENT OF SOLEMN  
EXPRESSION**

Chaplin Lloyd Sellers, Hoag Memorial Hospital Presbyterian  
*[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**

**SPEAKERS: PLEASE PRINT YOUR NAME AND ADDRESS (Optional) ON THE SPEAKER FORM(S) AND PRESENT TO THE DEPUTY CITY CLERK PRIOR TO THE ITEM .**

**PLEASE NOTE:**

- **THE YELLOW FORM IS FOR PUBLIC COMMENTS – TOPICS NOT ON THE AGENDA.**
- **THE 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 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 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 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 meeting of December 6, 2005.  
**Recommendation: Approve**

Warrants

3. Warrant Resolution 2087, funding Payroll No. 524 for \$2,313,062.46, and Payroll No. 523A for \$310.62, and City operating expenses for \$586,507.63, including payroll deductions.  
**Recommendation: Approve**
4. Warrant Resolution 2088, funding City operating expenses for \$1,191,874.16.  
**Recommendation: Approve**
5. Warrant Resolution 2089, funding Payroll No. 525 for \$2,316,090.01, and Payroll No. 524A for \$5,905.69, and City operating expenses for \$1,154,368.68, including payroll deductions.  
**Recommendation: Approve**

CONSENT CALENDAR—continued

6. Warrant Resolution 2090, funding City operating expenses for \$1,171,26.45.  
**Recommendation: Approve**

Administrative Actions

7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING THE ORANGE COUNTY TRANSPORTION AUTHORITY COMMUTER BIKEWAYS STRATEGIC PLAN AS THE CITY'S BICYCLE TRANSPORTATION PLAN TO MAINTAIN ELIGIBILITY FOR FUNDING UNDER THE BICYCLE TRANSPORTATION ACCOUNT PROGRAM.  
**Recommendation: Adopt resolution**
  
8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REVOKING ITS DELEGATION OF AUTHORITY AND ASSIGNMENT OF RESPONSIBILITY TO MAKE CERTAIN DETERMINATIONS AND RELATING TO DISABILITY RETIREMENTS UNDER THE PUBLIC EMPLOYEES RETIREMENT LAW, dissolving the present Disability Retirement Committee (the "Committee") and revoking the City Manager's power to hear appeals, and directing that all appeal hearings be conducted by an Administrative Law Judge who will then make a recommendation for City Council's consideration and action.  
**Recommendation: Adopt resolution**
  
9. Completion of Soundwalls, Retaining Walls, and Slope Improvements along the West Side of Fairview Road and South of the Southbound I-405 Freeway Off ramp – Project No. 04-23, by Pima Corporation d.b.a. Advanced Construction, 2001 S. Barrington Avenue, Suite 204, Los Angeles.  
**Recommendation: Accept work; authorize City Clerk to file a Notice of Completion; release retention funds 35 days thereafter; exonerate the Labor and Material Bond 7 months thereafter; exonerate Performance Bond 12 months thereafter**

10. [Purchase of two 2006 BMW Police Motorcycles from Long Beach BMW, 2996 Cherry Avenue, Long Beach, for \\$33,489.40 \(price includes: the cost of the two motorcycles per the Costa Mesa Police Department's specifications, delivery and freight costs, sales tax, and a tire tax of \\$7.00 per motorcycle\).](#)  
**Recommendation: Approve**
  
11. [Purchase of a New 2006 Ford F550 Chassis with a 40-Foot aerial lift from Don Kott Ford, 21212 Avalon Boulevard, Carson, for \\$94,371.27.](#)  
**Recommendation: Approve**
  
12. [Agreement with Harris & Associates, 34 Executive Park, Suite 150, Irvine, for Construction Management of the Police Facility Expansion and Renovation Project: in an amount not to exceed \\$1,716,748.](#)  
**Recommendation: Approve; authorize Mayor and Clerk to sign**
  - (a) Budget Adjustment No 06-033 for \$1,716.748.00  
**Recommendation: Approve**
  
13. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE VACATION OF EXCESS RIGHT-OF-WAY AT 297 OGLE STREET \(SANTA ANA AVENUE SIDE\), setting a public hearing for February 7, 2006.](#)  
**Recommendation: Adopt Resolution**
  
14. [Agreement with South Coast Plaza for street improvements on Sunflower Avenue, Anton Boulevard, Bristol Street, Park Center Drive, and Avenue of the Arts, within the Theatre and Arts District \(TAD\).](#)  
**Recommendation: Approve; authorize Mayor and Clerk to sign**
  - (a) Resolution requesting the Orange County Board of Supervisors and the Orange County Transportation Authority (OCTA) to provide funding in the amount of \$3 million for the improvement of street pavement and related sidewalks, and medians, within the public right-of-way surrounding the Theatre and Arts District.  
**Recommendation: Adopt Resolution**

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

VII PUBLIC HEARINGS – 7:00 P.M. (Resolution 05-55)

1. PUBLIC HEARING: Appeal of the Planning Commission's denial of Planning Applications PA-05-24 for Mark Rodriguez, authorized agent for Mendez Automotive Services, for a conditional use permit to demolish an existing gas station, convenience store, and auto service building in order to allow the construction of a new gas station with a convenience store and a car wash tunnel, with variances from street setback landscape requirements (20 feet required; 10 feet proposed along Bristol Street and 15 feet proposed along Paularino Avenue), for property located at 3048 Bristol Street in a C1 zone. Environmental determination: Mitigated Negative Declaration.  
**Recommendation: Adopt resolution to uphold, reverse or modify Planning Commission's decision**

VIII OLD BUSINESS

1. From the meeting of December 6, 2005, second reading and adoption of Ordinance 05-17, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA REZONING A PARCEL OF LAND FROM PLANNED DEVELOPMENT RESIDENTIAL-HIGH DENSITY (PDR-HD) AND INSTITUTIONAL & RECREATIONAL (I & R) TO PLANNED DEVELOPMENT RESIDENTIAL-MEDIUM DENSITY (PDR-MD) BY ADOPTION OF REZONE PETITION R-05-01 FOR 2501 HARBOR BOULEVARD.  
**Recommendation: Adopt Ordinance 05-17; read by title only and waive further reading**
2. From the meeting of December 6, 2005, second reading and adoption of Ordinance 05-18, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REZONING A PARCEL OF LAND FROM R3 (MULTIPLE FAMILY RESIDENTIAL) TO C1-S (SHOPPING CENTER DISTRICT) BY ADOPTION OF REZONE PETITION R-05-03 FOR 380 WEST WILSON STREET.  
**Recommendation: Adopt Ordinance 05-18; read by title only and waive further reading**
3. Continued from the meeting of December 6, 2005, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING CHAPTER IX OF TITLE 2 OF THE COSTA MESA MUNICIPAL CODE RELATING TO APPEAL, REHEARING AND REVIEW PROCEDURES.  
**Recommendation: Give ordinance first reading, to be read by title only and waive further reading**

4. [Continued from the meeting of December 6, 2005, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING AMENDMENTS TO THE STREETScape AND MEDIAN DEVELOPMENT STANDARDS, AND THE LANDSCAPE AND SIGN GUIDELINES FOR THE NEWPORT BOULEVARD SPECIFIC PLAN, amending:](#)

**Recommendation: Adopt resolution**

- (a) The Streetscape and Median Development Standards: Section 2.02 and Section 6.03 to designate the proposed plant palette for Newport Boulevard between Industrial Way and Bristol Street; and Section 7.0, Streetscape Corridor Furniture Coordination, to identify the Carpinteria Street Light.
- (b) The Newport Boulevard Streetscape Study/Landscape and Sign Guidelines, Section 2, to designate the proposed parkway and median plant palette for Newport Boulevard between 19<sup>th</sup> Street and Bristol Street.

IX NEW BUSINESS

X REPORTS

City Attorney

City Manager

XI ADJOURNMENT - Adjourn to Tuesday, January 17, 2006