



# City of Costa Mesa Council Agenda

**TUESDAY, JANUARY 17, 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** Council Member Monahan

**MOMENT OF SOLEMN  
EXPRESSION**

Pastor Mark Wiley, Mesa Verde United Methodist Church  
*[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**

Mayor's Award - Sgt. Keith Davis, CMPD Patrol Operations  
8<sup>th</sup> Annual Sister-City Education Exchange  
Mesa Consolidated Water District President –  
Paul Shoenberger

**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:**

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

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 January 3, 2006.  
**Recommendation: Approve**

Warrants

3. Warrant Resolution 2091, funding Payroll No. 526 for \$2,318,057.88 and Payroll No. 525A for \$960.24, and City operating expenses for \$441,451.65, including payroll deductions.  
**Recommendation: Approve**
4. Warrant Resolution 2092, funding City operating expenses for \$1,075,661.97  
**Recommendation: Approve**

Claims

5. Claim from Steve Metzger & Jennifer Stalder (alleges intersection design caused traffic accident)  
**Recommendation: Reject**

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

VII PUBLIC HEARINGS

1. [PUBLIC HEARING: Master Plan Amendment ZA-05-77 for Peter Buffa, authorized agent for Joseph G. Brown, requesting relief from Pacific Medical Plaza master plan \(PA-02-36\) condition of approval regarding architectural treatment on the parking structure's easterly elevation \(facing Orange Avenue\) and requesting relief from mitigation measures related to the parking structure that require elimination of openings on the structure's easterly elevation and on a portion of its north and south elevations, construction of a 6-foot 6-inch high parapet wall on its top level, and a limitation on the parking structure light standards' height, located at 1640 Newport Boulevard in a PDC zone. Environmental determination: Final Environmental Impact Report No. 1051.](#)  
**Recommendation: Adopt resolution denying Zoning Application 05-77**
  
2. [PUBLIC HEARING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING INCIDENTAL RETAIL SALES IN INDUSTRIAL ZONES. ENVIRONMENTAL DETERMINATION: EXEMPT.](#)  
**Recommendation: Give ordinance first reading, to be read by title only and waive further reading**

VIII OLD BUSINESS

1. [From the meeting of December 6, 2005, Newport Mesa Unified School District \(NMUSD\) Joint Use Agreement.](#)  
**Recommendation: Parks and Recreation Commission and staff recommend approval for a five-year term, with an additional consecutive five-year term; and authorize the Mayor and Clerk to sign**
  
2. [Continued from the meeting of January 3, 2006, second reading and adoption of Ordinance No. 06-1, 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: Adopt Ordinance No. 06-1, to be read by title only and waive further reading**

IX NEW BUSINESS

1. [AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 9, CHAPTER II, ARTICLE 8 OF THE COSTA MESA MUNICIPAL CODE AND PROPOSED AMENDMENTS TO CITY COUNCIL POLICY 400-2 REGARDING THE SALE OF FIREWORKS.](#)

**Recommendation: Give ordinance first reading, to be read by title only and waive further reading; adopt revisions to City Council Policy 400-2**

2. [Master Plan of Bikeways \(MPB\) review.](#)

**Recommendation: Provide direction to staff**

X REPORTS

[City Attorney](#)

[City Manager](#)

XI ADJOURNMENT - Adjourn to Tuesday, February 7, 2006