



City of Costa Mesa Council Agenda

Gary Monahan
Mayor

Allan Mansoor
Mayor Pro Tem

Chris Steel
Council Member

City Manager
Allan Roeder

Libby Cowan
Council Member

Mike Scheafer
Council Member

Acting City Attorney
Tom Wood

Development Services Director
Donald Lamm

Director of Public Services
William Morris

Deputy City Clerk
Julie Folcik

COUNCIL MEETS 1ST & 3RD MONDAYS - 6:30 PM - 77 Fair Drive

SPEAKERS: PLEASE PRINT YOUR NAME AND ADDRESS ON THE YELLOW CARDS AT THE PODIUM.

COUNCIL POLICY 000-4 - TIME LIMIT FOR COUNCIL MEETINGS - Except for extenuating circumstances, Council meetings shall conclude at midnight. If there is unfinished business on the Agenda, these items will be continued to a future council meeting.

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) 754-5223. 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]. The Council meets for 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. No action may be taken by the Council prior to the 6:30 p.m. meeting.

APRIL 19, 2004

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| I | PLEDGE OF ALLEGIANCE | Council Member Scheafer |
| II | MOMENT OF SOLEMN EXPRESSION | Pastor Bill Gartner, Harbor Christian Fellowship
[Per Council Policy 000-12, these presentations are made by community volunteers stating their own views. Interested presenters please contact City Clerk's Office.] |
| III | ROLL CALL | |
| IV | MINUTES | Regular meeting of April 5, 2004 |
| | MOTION | To read all ordinances and resolutions by title only |
| | PRESENTATION | "Jim Ellis Day" Proclamation |
| | PROCLAMATIONS | Financial Literacy Month
Orange County Fair 25 th Annual Youth Expo, April 30-May 2
Fair Housing Month
National Donate a Life Month
Financial Literacy Month |

- V 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.
- 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, address, and item number.

Written Communications

1. [Reading Folder.](#)
Recommendation: Receive and process

Warrants

2. Warrant Resolution 2000, funding City operating expenses for \$1,061,881.57.
Recommendation: Approve
3. Warrant Resolution 2001, funding Payroll No. 408 for \$1,929,440.26, Payroll No. 407A for \$514.99, and City operating expenses for \$688,906.26.
Recommendation: Approve

Administrative Actions

4. [Completion of street improvements at 2777 Bristol Street by Hedley Construction & Management, Inc., 3981 Airway Avenue, Costa Mesa, in connection with Encroachment Permit Number PS03-00028 \(DR-01-10\).](#)
Recommendation: Accept work, exonerate bonds

CONSENT CALENDAR—continued

Administrative Actions

5. Agreement No. SA-25-04IE with the 32nd District Agricultural Association, 88 Fair Drive, Costa Mesa, for an amount not to exceed \$50,000.00, for the City to provide and coordinate traffic management services during designated interim events at the Orange County Fair and Exposition Center from April 1, 2004 through December 31, 2004.
Recommendation: Approve; authorize Police Chief to sign

6. Agreement No. SA-24-04F with the 32nd District Agricultural Association, 88 Fair Drive, Costa Mesa, for an amount not to exceed \$150,000.00, for the City to provide traffic management services at the Orange County Fair and Exposition Center for the 2004 Orange County Fair from July 9, through August 1, 2004.
Recommendation: Approve; authorize Police Chief to sign

7. Amendment to the agreement with West Coast Arborists, Inc., 2200 East Via Burton Street, Anaheim, to extend the agreement for a period of ten (10) years beginning on April 1, 2004, through March 31, 2014, provided that cost increase requests remain within the annual Consumer Price Index (CPI) limits.
Recommendation: Approve; authorize Mayor and Clerk to sign

8. Development Agreement DA-03-07, for Kerry Madden, authorized agent for the Orange County Performing Arts Center and South Coast Repertory Theatre, for the annual review of the Segerstrom Center for the Arts Development Agreement (DA-00-03), generally located east of Park Center Drive, and west of the Avenue of the Arts, between Sunflower Avenue and Anton Boulevard. Environmental Determination: Exempt.
Recommendation: Determine and find that the Orange County Performing Arts Center and South Coast Repertory Theatre have demonstrated good faith compliance with the terms and conditions of the agreement; and delegate future annual reviews of this Development Agreement to the Planning Commission

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

VII PUBLIC HEARINGS

1. [PUBLIC HEARING: An ordinance for the City Council of the City of Costa Mesa, amending the Zoning Code to establish special zoning regulations for Motor Vehicle Retail Sales Businesses. Environmental Determination: Exempt.](#)
Recommendation: Give ordinance first reading

2. [PUBLIC HEARING: 2004-2005 Community Development Block Grant Public Service Grant Allocations.](#)
Recommendation: Approve

3. [PUBLIC HEARING: Fiscal Year 2004-2005 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 2004-2005 Community Development Block Grant (CDBG) Application and reallocation of prior years' funds and program income.
Recommendation: Approve

 - (b) Recommended allocation for the Fiscal Year 2004-2005 HOME Investment Partnership Grant.
Recommendation: Approve

 - (c) Authorize staff to send out Request for Proposals (RFP) for a new affordable housing project to utilize the \$954,572.00 available in HOME and Redevelopment Low/Mod funds; and provide direction to staff on the type of housing projects to be solicited (general or targeted).
Recommendation: Provide direction to staff

 - (d) Resolution 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

PUBLIC HEARINGS—continued

4. [PUBLIC HEARING: Amend the 2003-2004 Action Plan in order to increase Community Development Block Grant \(CDBG\) funding for the Hamilton Street Rehabilitation Project.](#)
Recommendation: Approve
 - (a) Budget Adjustment No. 04-075 for \$385,420.00 from the Gas Tax Fund and \$289,487.00 from the CDBG fund.
Recommendation: Approve; authorize staff to advertise the Hamilton Street Rehabilitation Project for construction

VIII OLD BUSINESS

IX NEW BUSINESS

1. [Appointments to Child Care and Youth Services Committee; Cultural Arts Committee; Fairview Friend/Fundraising Committee; Historical Preservation Committee; and Investment Oversight Committee.](#)
Recommendation: Make reappointments and fill vacancies
2. [Request for waiver of Traffic Impact Fees for the Renee and Henry Segerstrom Concert Hall.](#)
Recommendation: Deny the request for waiver
3. [Request from Beers 2 You, 1954 Placentia Avenue, Unit 105, for a finding of public convenience or necessity for an original Type 20 Alcoholic Beverage Control \(ABC\) License \(off-sale beer and wine\) for proposed retail sales of gift baskets through the Internet.](#)
Recommendation: Make the necessary finding of public convenience or necessity
4. [Request from Council Member Scheafer for consideration of proposed changes in City regulation of fireworks.](#)

X REPORTS

City Attorney

City Manager

XI COUNCIL MEMBERS REPORTS, COMMENTS, AND SUGGESTIONS

1. Council Member Scheafer

2. Council Member Steel

3. Council Member Cowan

4. Mayor Pro Tem Mansoor

5. Mayor Monahan

XII ADJOURNMENT