



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.

October 18, 2004

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| I | PLEDGE OF ALLEGIANCE | Council Member Steel |
| II | MOMENT OF SOLEMN EXPRESSION | Reverend Dick George, Mesa Verde United Methodist Church
[Per Council Policy 000-12, these presentations are made by community volunteers stating their own views. Interested presenters, please contact the City Clerk's office.] |
| III | ROLL CALL | |
| IV | MINUTES | Regular meeting of October 4, 2004 |
| | MOTION | To read all ordinances and resolutions by title only |
| | PRESENTATION | Arts and Humanities Month Proclamation
Target Stores Criminal Justice LE Grant Presentation to the Police Department |

- 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 2026, funding City operating expenses for \$720,914.25.
Recommendation: Approve
3. Warrant Resolution 2027, funding Payroll No. 421 for \$1,908,845.50, Payroll No. 420A for \$4,605.09, and City operating expenses for \$1,540,332.56, including payroll deductions.
Recommendation: Approve

Administrative Actions

4. [Award Bid Item No. 1076, Purchase of Two New 2005 Ford F-250 4x2 Series Trucks with Royal Utility Service Bodies, to Villa Ford, 2550 N. Tustin Avenue, Orange, for the \\$56,633.38 \(net price\), net price includes a ten percent discount of \\$6,292.60 for payment within 30 days.](#)
Recommendation: Approve

CONSENT CALENDAR—continued

Administrative Actions

5. [Award Contract for Construction of Fire Command Training Structure, 2300 Placentia Avenue, Project No. 04-21, to WRG Fire Training Simulation Systems, Inc, 13780 Galbreath, Building C, Sherwood, Oregon, for \\$376,825.00 \(base bid only\).](#)
Recommendation: Approve; Authorize Mayor and Clerk to sign
 - (a) Budget Adjustment No. 05-021 for \$26,825.00.
Recommendation: Approve

6. [Award Contract for Construction of Signal/CCTV Cable Communications Project, Project No. 04-22, to Moore Electrical Contracting, Inc., 463 North Smith Avenue, Corona, for \\$500,070.00.](#)
Recommendation: Approve; Authorize Mayor and Clerk to sign
 - (a) Budget Adjustment No. 05-020 for \$150,000.00.
Recommendation: Approve

7. [Award Contract for Construction of Sound Walls, Retaining Walls, and Slope Improvements along the West Side of Fairview Road and South of Southbound I-405 Freeway Offramp, Project No. 04-23, to Pima Corporation DBA Advanced Construction, 2001 S. Barrington Avenue, Suite 204, Los Angeles, for \\$427,616.00 \(base bid only\).](#)
Recommendation: Approve; Authorize Mayor and Clerk to sign

8. [Agreement with S. Gordin Structural Design and Engineering Services \(SGE\), 15351 Normandie Avenue, Irvine, for Professional Engineering Services for the Design of Abutments and Approaching Structures for a Pre-Fabricated Steel Bridge over Placentia Avenue at Fairview Park, in the amount not to exceed \\$51,386.00.](#)
Recommendation: Approve; Authorize Mayor and Clerk to sign

9. [Resolution Authorizing the Sole Source Purchase of the Server and E-mail Upgrade, from Hewlett Packard, 1421 South Manhattan Avenue, Fullerton, in an amount not to exceed \\$100,000.00.](#)
Recommendation: Adopt Resolution

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

VII PUBLIC HEARINGS

1. CONTINUED PUBLIC HEARING: [Continued hearing from the meeting of September 7, 2004, appeal from Jack Sakzlyan of the Planning Commission's decision to deny Conditional Use Permit PA-04-21 for Daniel C. Carlton, Attorney, authorized agent for Carl Reinhart/El Camino Partners, to modify an existing conditional use permit for a former gasoline service station to discontinue sales of gasoline to become solely an auto repair facility, located at 1045 El Camino Drive in an R2-MD \(Medium Density, Multi-family Residential\) zone. Environmental determination: Exempt.](#)
Recommendation: Adopt Resolution to uphold, reverse or modify Planning Commission 's decision

2. PUBLIC HEARING: [Appeal by Council Member Libby Cowan of the Planning Commission's denial of Conditional Use Permit PA-04-14 for Stan Sax, authorized agent for John Saunders and Doug Morehead, to allow a restaurant to serve alcoholic beverages after 11 p.m. \(2 a.m. proposed for Fridays and Saturdays\), to allow live entertainment/dancing within 200 feet of a residential use, and to allow off-site parking at 2801 Bristol Street for a restaurant, located at 2831 Bristol Street in a CL Zone \(Commercial Limited District\). Environmental determination: exempt.](#)
Recommendation: Adopt Resolution to uphold, reverse or modify Planning Commission 's decision

3. PUBLIC HEARING: Pacific Medical Plaza, for Cora Newman/Government Solutions, authorized agent for Joseph Brown, for the conversion of two existing trailer parks to allow the construction of a 76,500 square-foot, 4-story medical office building, with a 3-level parking structure, located at 1626/1640 Newport Blvd. Environmental Determination: Final EIR No. 1051.
 - (a) [Resolution certifying Final Environmental Impact Report \(EIR\) No. 1051 \(SCH#2003071089\) for the Pacific Medical Plaza.](#)
Recommendation: Adopt Resolution

 - (b) [Resolution adopting General Plan Amendment GP-02-06 for a site-specific Floor Area Ratio \(FAR\) for a moderate traffic generating land use \(0.30 FAR allowed; 0.40 FAR maximum proposed\).](#)
Recommendation: Adopt Resolution

 - (c) Draft ordinance adopting Rezone Petition R-02-03, for rezoning of the property from C2 (General Business District) to PDC (Planned Development Commercial).
Recommendation: Give ordinance first reading

PUBLIC HEARING—continued

- (d) [Resolution approving Mobile Home Park Conversion Permit PA-02-37, to convert two existing trailer parks, El Nido and Snug Harbor Village, to a medical office land use.](#)
Recommendation: Adopt Resolution
 - (e) [Resolution approving Master Plan Amendment PA-02-36, for the construction of a 4-story, 76,500 square-foot, medical office building and a 3-level parking structure on 4.4 acres.](#)
Recommendation: Adopt Resolution subject to the findings contained in Exhibit “A”, Exhibit “B” and the mitigation measure monitoring program in Exhibit “C”
4. PUBLIC HEARING: [A planned development for Mark Korando of Habitat for Humanity of Orange County \(General Plan Amendment GP-03-03, Rezone Petition R-03-01, Planning Applications PA-03-59 and PA-04-40, and Tentative Tract Map T-16502\), for an eight-unit, single-family residential, common-interest development. The 1.49-acre project site consists of two parcels: 1.12-acre commercial parcel at 2300 Harbor Boulevard and 0.37 residential parcel located at 380 W. Wilson. Access to the project site is proposed at the western terminus of Wake Forest Road. Environmental determination: Mitigated Negative Declaration.](#)
- (a) Resolution adopting mitigated negative declaration and mitigation monitoring program and approving General Plan Amendment GP-03-03.
Recommendation: Adopt Resolution
 - (b) Draft Ordinance adopting Rezone Petition R-03-01 to change the zoning from Shopping Center (C1-S) and Multi-Family Residential District (R3), to Planned Development Residential-Low Density (PDR-LD).
Recommendation: Give Ordinance first reading
 - (c) [Planning Applications PA-03-59 and PA-04-40 to create a residential common interest development consisting of five 1-story and three 2-story single-family detached homes and to amend the Harbor Center Master Plan’s conditions of approval to reflect opening at Wake Forest Road for site access](#)
Recommendation: Adopt Resolution to deny Final Master Plan PA-03-59 and Planning Application PA-04-40.
 - (d) Tentative Tract Map T-16502.
Recommendation: Adopt Resolution to deny Tentative Tract Map T-16502

PUBLIC HEARING—continued

5. PUBLIC HEARING: [Proposed Ordinance amending Title 13 of the Costa Mesa Municipal Code to establish additional zoning regulations for motor vehicle retail sales businesses and outdoor communication systems operated by commercial and industrial uses. Environmental Determination: Exempt.](#)
Recommendation: Continue hearing to October 17, 2005, and direct staff to re-notice and publish notice prior to continued hearing.

VIII OLD BUSINESS

1. [From the meeting of October 4, 2004, second reading adoption of Ordinance 04-11, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING THE USE OF TEMPORARY SIGNS FOR CITY-SPONSORED EVENTS ON PUBLIC PROPERTY AND BANNERS ON PUBLIC BASEBALL AND SOFTBALL FIELDS.](#)
Recommendation: Adopt Ordinance 04-11
2. [From the meeting of October 4, 2004, second reading adoption of Ordinance 04-12, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA ADOPTING A SOLID WASTE HAULING FRANCHISE FEE, amending the Costa Mesa Municipal Code Chapter IV of Title 8.](#)
Recommendation: Continue to November 1, 2004, and direct staff to prepare revised ordinance for first reading.

IX NEW BUSINESS

1. [Appointments to Child Care and Youth Services Committee; Cultural Arts Committee; Fairview Friends/Fundraising Committee; Historical Preservation Committee; and the Human Relations Committee.](#)
Recommendation: Make reappointments and appointments
2. [Agreement with the Law Offices of Jones and Mayer, 3777 N. Harbor Boulevard, Fullerton, for contract legal services for the City, effective November 1, 2004.](#)
Recommendation: Approve; Authorize City Manager and Clerk to sign
 - (a) Appointment of Kimberly Hall Barlow of the Law Offices of Jones and Mayer as City Attorney, effective November 1, 2004.
Recommendation: Approve Appointment

X REPORTS

City Attorney

1. Pursuant to Subdivision (a) of Section 54956.9 of the California Government Code, a closed session has been scheduled for the City Council to confer with legal counsel, Tom Wood, Acting City Attorney, regarding existing litigation in one (1) case: Builders Steel, Inc. v. City of Costa Mesa, etc. (Case No. 02CC12137 Orange County Superior Court).

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