



City of Costa Mesa Council Agenda Preliminary

Linda Dixon
Mayor

Gary Monahan
Mayor Pro Tem

Karen Robinson
Council Member

City Manager
Allan Roeder

Libby Cowan
Council Member

Chris Steel
Council Member

City Attorney
Jerry Scheer

Development Services Director
Donald Lamm

Director of Public Services
William Morris

Deputy City Clerk
Mary Elliott

COUNCIL MEETS 1ST & 3RD MONDAYS - - 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 Mary Elliott, 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.

May 6, 2002

- I PLEDGE OF ALLEGIANCE Mayor Dixon
- II INVOCATION The Reverend Bill Gartner, Harbor Christian Fellowship
- III ROLL CALL
- IV MINUTES Regular meeting of April 15, 2002
- MOTION To read all resolutions and ordinances by title only
- PRESENTATIONS Employee of the Month, Home Ranch Project Staff
Water Awareness Month Proclamation
- 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(S): Receive and process

Warrants

- 2. Warrant Resolution 1897, funding Payroll 208 for \$1,829,071.80, and City operating expenses for \$525,710.17, including payroll deductions.

RECOMMENDATION(S): Approve

- 3. Warrant Resolution 1898, funding City operating expenses for \$1,782,355.56.

RECOMMENDATION(S): Approve

- 4. Warrant Resolution 1899, funding Payroll 209 for \$1,854,406.66, and City operating expenses for \$479,790.70, including payroll deductions.

RECOMMENDATION(S): Approve

Administrative Actions

CONSENT CALENDAR – continued

5. Award contract for Reconstruction of Santa Ana Avenue (from Santa Isabel Avenue to Monte Vista Avenue), 19th Street (from Orange Avenue to Santa Ana Avenue), and Orange Avenue (from Broadway to 19th Street), Project No. 02-04, to R. J. Noble Company, 15505 East Lincoln Avenue, Orange, for \$641,687.30 (base bid plus all additive bid items).

RECOMMENDATION(S): Approve; authorize Mayor and Clerk to sign

6. Award contract for Closed Circuit Television (CCTV) Project II, Project No. 02-05, to Moore Electrical Contracting, Inc., 463 North Smith Avenue, Corona, for \$282,400.00.

RECOMMENDATION(S): Approve; authorize Mayor and Clerk to sign

- (a) Reject non-responsive bid from F. J. Johnson, Inc.

RECOMMENDATION(S): Approve

7. Completion of Site Walls on Harbor Boulevard (Fair Drive to Princeton Drive), Project No. 01-05, by Construction Systems, Inc., 7500 Topanga Canyon Boulevard, Suite 201, Canoga Park.

RECOMMENDATION(S): Accept work; authorize Clerk to file a Notice of Completion; release retention funds 35 days thereafter; exonerate Labor and Material Bond 7 months thereafter; exonerate Performance Bond 12 months thereafter

8. Agreement No. SA-28-021E with the 32nd District Agricultural Association, for an amount not to exceed \$30,000.00, for the City to provide and coordinate traffic management services during designated interim events at the Orange County Fair and Exposition Center from April 19 through December 31, 2002.

RECOMMENDATION(S): Approve; authorize Police Chief to sign

9. Agreement No. SA-29-02F with the 32nd District Agricultural Association, for an amount not to exceed \$120,000.00, for the City to provide traffic management services at the 2002 Orange County Fair from July 12 through July 28, 2002.

RECOMMENDATION(S): Approve; authorize Police Chief to sign

CONSENT CALENDAR – continued

10. South Coast Air Quality Management (SCAQMD) Rule 2202, On-Road Motor Vehicle Mitigation Options: Air Quality Investment Program - Triennial Compliance Option; and triennial payment to SCAQMD of \$35,337.40.

RECOMMENDATION(S): Approve participation in program, and authorize payment

11. Resolution authorizing the Director of Public Services to certify right-of-way projects receiving Federal funding in fiscal year 2001-2002.

RECOMMENDATION(S): Adopt resolution

12. Final Map and Subdivision Agreement for Tract No. 15991, located at 2087 Garden Lane, to subdivide 2 lots into 6 lots, 5 lots for single-family residential use and 1 lot for access purposes and common open space; the developers are Joe and Stella Cefalia, 1649 Bayside Drive, Corona del Mar.

RECOMMENDATION(S): Approve map, authorize Clerk to sign; approve agreement, authorize Mayor and Clerk to sign

13. Letter of agreement to accept grant funds not to exceed \$5,000.00 from the California Highway Patrol to conduct the "Every 15 Minute Program", a "drinking and driving" educational program for high school students.

RECOMMENDATION(S): Approve; authorize Mayor to sign

- (a) Budget Adjustment No. 02-117 for \$5,000.00.

RECOMMENDATION(S): Approve

14. Sole source purchase of Rainbird Maxicom irrigation controllers and components from United Green Tech, 23372 South Pointe Drive, Laguna Hills, for \$70,653.83.

RECOMMENDATION(S): Approve

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

VII PUBLIC HEARINGS

PUBLIC HEARINGS – continued

1. PUBLIC HEARING: Continued from the meeting of April 15, 2002, an ordinance amending regulations contained in Title 13 of the Costa Mesa Municipal Code relating to street frontage requirements and minimum lot width for residential, commercial, and industrial lots, and minimum lot size requirements of planned development zones. Environmental Determination: Exempt.

RECOMMENDATION(S): The Planning Commission recommends that City Council adopt the proposed requirement for newly subdivided R1 lots to have frontage on a dedicated street; adopt the proposed requirement to increase the minimum lot width and require street frontage for newly subdivided lots in the commercial and industrial zoning districts; and adopt the proposed minimum one-acre development lot size in the planned development zones for projects requesting a rezone; give ordinance first reading

2. PUBLIC HEARING: General Plan Amendment GP-02-01, removing the West 19th Street Transition Area from the General Plan land use map.

RECOMMENDATION(S): Adopt negative declaration, and adopt resolution approving GP-02-01

- (a) An ordinance amending Title 13 of the Costa Mesa Municipal Code removing the Transition Area provisions from the zoning code. (The Transition Area is 854 through 1014 West 19th Street, even numbered properties only).

RECOMMENDATION(S): Give ordinance first reading

VIII OLD BUSINESS

1. From the meeting April 15, 2002, rescind first reading of Ordinance 02-3 regarding the parking of oversized and nonmotorized vehicles throughout the City.

RECOMMENDATION(S): Approve

- (a) Direct staff to prepare an oversized and nonmotorized vehicle ordinance similar to that currently in effect in the City of Newport Beach.

RECOMMENDATION(S): Approve

2. Request from Council Member Cowan for the City Council to reconsider Resolution 02-25, Executive Compensation, adopted on April 15, 2002.

RECOMMENDATION(S): Adopt resolution amending Resolution 02-25

IX NEW BUSINESS

1. Third quarter Community Objectives report for Fiscal Year 2001-02.

RECOMMENDATION(S): Review and approve

2. Part One crime increases for 2001.

RECOMMENDATION(S): Receive and file

3. An ordinance amending Title 12 of the Costa Mesa Municipal Code regarding City parks and the Parks, Recreation Facilities and Parkways Commission.

RECOMMENDATION(S): Give ordinance first reading

4. Business Improvement Area (BIA) reauthorization:

- (a) Annual report for Fiscal Year 2002-2003.

RECOMMENDATION(S): Approve

- (b) Resolution declaring the Intention to levy an annual assessment for Fiscal Year 2002-2003 for a Business Improvement Area covering certain Costa Mesa hotels and motels.

RECOMMENDATION(S): Adopt resolution reauthorizing boundaries for the Assessment District, approving the budget, and setting a public hearing on June 17, 2002, at 6:30 p.m.

NEW BUSINESS – continued

5. Request from "Cruisin for a Cure" for a waiver of \$3,794.50 in fees for the cost of police officers to control the traffic and overflow of parking for their annual event on September 28, 2002, at the Orange County Fairgrounds.

RECOMMENDATION(S): Determine whether to grant the waiver

6. Request from the 2002 Police and Fire Olympic Games for a waiver of the \$100.00 Special Event Permit Fee and the estimated cost of up to \$8,000.00 for Costa Mesa Police services from June 16 through 22, 2002, in several locations including the Orange County Performing Arts Center and the Westin Hotel in Costa Mesa.

RECOMMENDATION(S): Determine whether to grant the waiver

7. General Plan Amendment Screening Requests:

- (a) GPA Screening Request GPS-02-01 from Coralee Newman, Government Solutions, 230 Newport Center Drive, Suite 210, Newport Beach, and Joseph Brown, 19762 MacArthur Boulevard, Suite 150, Irvine, for property at 1626 and 1640 Newport Boulevard.

RECOMMENDATION(S): Deny

7. General Plan Amendment Screening Requests-continued:

- (b) GPS Screening Request GPS-02-02 from Shaheen Sadeghi, 5501 30th Street, Newport Beach, and Marc Kaplan, 11570 Martens River Circle, Fountain Valley, for property at 709 Randolph Avenue.

RECOMMENDATION(S): Accept request for processing

8. Request of the Orange County Regional Airport Authority (OCRAA) for City adoption of a resolution joining litigation challenging Measure W.

X REPORTS

City Attorney

1. Request for Closed Session pursuant to Government Code Sections 54956.9(a) and 54956.9(c) to discuss the following:
 - (a) Paul Wilbur vs. City of Costa Mesa, Lighthouse Community Church, Orange County Superior Court Case No. 01CC137752.
 - (b) Authorize the City Attorney to file a civil lawsuit in Orange County Superior Court seeking to abate a public nuisance occurring on the property of Gary Johnson at 268 Flower Street.
 - (c) Authorize the City Attorney to file a civil lawsuit in Orange County Superior Court seeking to abate a public nuisance occurring on the property of Theodore Tanner at 125 Cabrillo Street.

City Manager

1. Presentation of the fiscal year 2002-2003 City Budget.
2. Request for clarification of the item on Page 11 of the regular meeting of March 4, 2002.

XI COUNCIL MEMBERS REPORTS, COMMENTS, AND SUGGESTIONS

1. Council Member Robinson
2. Council Member Steel
3. Council Member Cowan
4. Mayor Pro Tem Monahan
5. Mayor Dixon

XII ADJOURNMENT