



# City of Costa Mesa Council Agenda

**Chris Steel**  
Mayor Pro Tem

**Libby Cowan**  
Council Member

City Manager  
Allan Roeder

**Gary Monahan**  
Council Member

**Allan Mansoor**  
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 1<sup>ST</sup> & 3<sup>RD</sup> 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 21, 2003**

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|-----|----------------------|--|
| I   | PLEDGE OF ALLEGIANCE | Council Member Cowan   |
| II  | INVOCATION           | Mr. Robert Krattli, First Church of Christ Scientist   |
| III | ROLL CALL            |  |
| IV  | MINUTES              | Regular meeting of April 7, 2003   |
|     | MOTION               | To read all ordinances and resolutions by title only   |
|     | PRESENTATIONS        | Awards for Excellence from the California Society of Municipal Finance Officers (CSMFO) to the Finance Department<br><br>Distinguished Budget Presentation Award from the Government Finance Officers Association of the United States and Canada (GFOA) to the Finance 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 1948, funding City operating expenses for \$1,065,137.09.  
**Recommendation: Approve**
3. Warrant Resolution 1949, funding Payroll 308 for \$1,984,774.11, Payroll 307A for \$2,783.56, and City operating expenses for \$1,089,805.87, including payroll deductions.  
**Recommendation: Approve**

Administrative Actions

4. Resolution authorizing records destruction for the Police Department of the City of Costa Mesa, pursuant to Ordinance No. 75-60.  
**Recommendation: Adopt resolution**

CONSENT CALENDAR – continued

Administrative Actions

5. Resolution approving the submittal of the Joann Street Bike Trail Project under the Orange County Transportation Authority's (OCTA) Transportation Enhancement Activities (TEA) Program for Fiscal Year 2003-2004 and Fiscal Year 2004-2005.  
**Recommendation: Adopt resolution**
  
6. Resolution approving submittal of an application for the California Beverage Container Recycling and Litter Reduction Grant for Fiscal Year 2003-2004.  
**Recommendation: Adopt resolution**
  
7. License agreement with Signs of Support, Inc. (SOS, Inc.), 5421 Campus Drive, PMB 369, Irvine, to install advertising signs on designated, non-emergency vehicles owned by the City.  
**Recommendation: Approve; authorize Mayor and Clerk to sign**
  
8. Resolution authorizing the Director of Public Services to certify Right-of-Way projects receiving Federal funding through the Arterial Highway Rehabilitation Program (AHRP).  
**Recommendation: Adopt resolution**
  
9. Completion of Downtown Recreation Center, 1860 Anaheim Avenue, Project No. 99-16, by Old Hickory Construction, Inc., Post Office Box 1508, Rancho Cucamonga.  
**Recommendation: 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**
  
10. Amendment to current agreement for CCTV Expansion Project, Project No. 01-09, with F.J. Johnson, Inc., 3000 East Coronado Street, Anaheim.  
**Recommendation: Approve; authorize Mayor and Clerk to sign**

CONSENT CALENDAR - continued

Administrative Actions

- 11. Award contract for Rehabilitation of Whittier Avenue (from 17<sup>th</sup> Street to 19<sup>th</sup> Street), Project No. 03-03, to All American Asphalt, Post Office Box 2229, Corona, for \$676,652.15 (base bid plus all additive bid items).  
**Recommendation: Approve; authorize Mayor and Clerk to sign**

- 12. Completion of street improvements at 657 Victoria Street by R. Herrera, 2569 Robinhood Place, Orange, in connection with Encroachment Permit No. PS02-00571 and PS03-00026.  
**Recommendation: Accept work; refund cash deposit of \$6,810.00**

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

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VII PUBLIC HEARINGS

- 1. PUBLIC HEARING: Application from Council Member Mansoor appealing the Planning Commission’s approval of Minor Conditional Use Permit ZA-03-11 for Shelly Leonard, authorized agent for Bill Keeler, to allow serving of alcoholic beverages after 11 p.m. (1:30 a.m. requested), to re-establish a bar (formerly Irma’s), and to deviate from shared parking requirements due to offset hours of operation, located at 820 West 19<sup>th</sup> Street in a C1 (Commercial Uses) zone. Environmental Determination: Exempt.

**Recommendation: Adopt resolution to uphold, reverse, or modify Planning Commission decision**

- 2. PUBLIC HEARING: Application from John B. Casoria, authorized agent for Trinity Christian Center, appealing the Planning Commission’s continuance of Minor Conditional Use Permit ZA-02-75 to conduct a portion of religious church services and television programming, and similar related uses, outside the building, located at 3180 Bear Street in an AP (Administrative and Professional) zone. Environmental Determination: Exempt.

**Recommendation: Adopt resolution to uphold, reverse, or modify Planning Commission decision or refer matter back to Planning Commission with direction**

PUBLIC HEARINGS – continued

3. PUBLIC HEARING: Proposed zoning overlay for residential Tract 1154, which is generally bounded by East 19<sup>th</sup> Street on the north, Irvine Avenue on the east, East 18<sup>th</sup> Street on the south, and Tustin Avenue on the west. Environmental Determination: Exempt.  
**Recommendation: Deny proposed zoning overlay and special zoning regulation Tract 1154**
4. PUBLIC HEARING: Amendment to the Residential Design Guidelines to include view preservation guidelines and procedures.  
**Recommendation: Adopt resolution amending the Residential Design Guidelines to include view preservation guidelines and procedures**

VIII OLD BUSINESS

1. Declaring vacancy for the position of Council Member of the City of Costa Mesa, and the filling of the un-expired term through December 2004.  
**Recommendation: Receive and consider letters of interest for filling vacancy for the position of the City Council Member for the remainder of the un-expired term through December 2004; Adopt resolution declaring the vacancy and the appointment of a Council Member to fill the un-expired term on the City Council**
2. From the meeting of October 21, 2002, Downtown and Eastside Transportation Ad Hoc Committee – Status Report #2.  
**Recommendation: Receive and file**
3. From the meeting of April 14, 2003, second reading and adoption of Ordinance 03-3: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING A SITE-SPECIFIC FLOOR AREA RATIO AND SITE-SPECIFIC RESIDENTIAL DENSITY FOR THE 1901 NEWPORT PLAZA PROJECT IN THE PLANNED DEVELOPMENT COMMERCIAL (PDC) ZONE.  
**Recommendation: Adopt Ordinance 03-3**

IX NEW BUSINESS

1. Review of California TeWinkle Schools Athletic Field Use.  
**Recommendation: Direct staff to continue permitting field use at California/TeWinkle Schools**
  
2. Request from Henry's Marketplace, 3030 Harbor Blvd., Suite D, for a public convenience or necessity finding for the issuance of a person-to-person transfer of an existing Type 21 (off-sale general) ABC license (to replace the recently approved Type 20 (off-sale beer and wine ABC license)).  
**Recommendation: Make the necessary finding of public convenience or necessity**

X REPORTS

City Attorney

1. A request for a closed session pursuant to Section 54956.9(a) of the California Government Code to be held to confer with legal counsel, Tom Wood, Acting City Attorney, regarding existing litigation concerning Environmental Protection Agency claim regarding the Omega Superfund site. Case name: USEPA Unilateral Administrative Order 95-15.
  
2. A request for a closed session pursuant to Section 54956.9(a) of the California Government Code to be held to confer with legal counsel, Tom Wood, Acting City Attorney, regarding existing litigation. Case name: Carmona v. Costa Mesa, No. 03-55227 (USCt.App.)

City Manager

XI COUNCIL MEMBERS REPORTS, COMMENTS, AND SUGGESTIONS

1. Council Member Mansoor
  
2. Council Member Cowan
  
3. Council Member Monahan

4. Mayor Pro Tem Steel

XII ADJOURNMENT