



# City of Costa Mesa Council Agenda

**Gary Monahan**  
Mayor

**Chris Steel**  
Mayor Pro Tem

**Allan Mansoor**  
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 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.

**JUNE 2, 2003**

- |     |                      |  |
|-----|----------------------|--|
| I   | PLEDGE OF ALLEGIANCE | Mayor Monahan  |
| II  | INVOCATION           | The Reverend Barbara Stewart, St. John the Divine Episcopal Church |
| III | ROLL CALL            |  |
| IV  | MINUTES              |  |
|     | MOTION               | To read all ordinances and resolutions by title only               |
|     | PRESENTATION         | Mayor's Award, Cindy Lightner<br>Employee of the Month, Thanh Bui  |

- 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 1954, funding City operating expenses for \$934,209.10.  
**Recommendation: Approve**
3. Warrant Resolution 1955, funding Payroll No. 311 for \$1,983,824.94, Payroll No. 310A for minus \$380.34, and City operating expenses for \$919,453.48, including payroll deductions.  
**Recommendation: Approve**

Administrative Actions

4. [Resolution requesting the Public Employees Retirement System to allow the employment of Ron Molendyk, Fairview Park Plan Administrator, beyond the 960-hour limit of employment so he may assume the duties of Park Project Manager for a limited duration.](#)  
**Recommendation: Adopt resolution**

CONSENT CALENDAR—continued

Administrative Actions

5. [Costa Mesa Senior Center:](#)
  - (a) Extend the contract with the Costa Mesa Senior Corporation for the operation of the Senior Center for one year, with one optional one-year renewal.  
**Recommendation: Approve; authorize Mayor to sign**
  - (b) Direct staff to continue to study the feasibility of alternate service delivery options for programming and operations of the Senior Center.  
**Recommendation: Approve**
  
6. [Purchase of software licenses from CompuCom, 10415 Old Placerville, Suite 235, Sacramento, for \\$114,111.52, to comply with Software Protection Agency \(SPA\) and Microsoft rules and guidelines.](#)  
**Recommendation: Approve; authorize City Manager to sign purchase orders**
  
7. [Newport Boulevard/Victoria Street Improvement, Project No. 03-09:](#)
  - (a) Waive minor irregularities in the bid submitted by Palp, Inc., dba Excel Paving Company.  
**Recommendation: Approve**
  - (b) Award contract to Palp, Inc., dba Excel Paving Company, 2230 Lemon Avenue, Long Beach, for \$255,519.92.  
**Recommendation: Approve; authorize Mayor and Clerk to sign**
  
8. [Cooperative Agreement No. C-3-0209 with the Orange County Transportation Authority \(OCTA\) supporting Preliminary Engineering of the Centerline Light Rail System.](#)  
**Recommendation: Approve; authorize Mayor, City Manager, and Clerk to sign**

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

VII PUBLIC HEARINGS

1. PUBLIC HEARING: [General Plan Amendment GP-03-01 and the 2003 Local Implementation Plan for the National Pollutant Discharge Elimination System \(NPDES\). Environmental Determination: Exempt.](#)  
**Recommendation:** Adopt General Plan Amendment GP-03-01 and authorize submission of the Draft Local Implementation Plan for adoption by the Santa Ana Regional Water Quality Board

VIII OLD BUSINESS

1. [From the meeting of May 5, 2003, Shopping Cart ordinance.](#)  
**Recommendation:** Review ordinance regulating abandoned shopping carts and alternatives to ordinance; select version for approval and first reading
2. [From the meeting of May 19, 2003, Request for Rehearing from Council Member Mansoor and a Request for Rehearing from Costa Mesa Citizens for Responsible Growth, regarding the City Council's approval at the Special Joint Meeting of the City Council and Redevelopment Agency on April 14, 2003, of the Kennedy/Rutter Development, a 161 unit residential condominium project at 1901 Newport Boulevard, including Final Environmental Impact Report No. 1050; General Plan Amendment GP-02-04; an ordinance amending Title 13 of the Costa Mesa Municipal Code; Final Master Plan PA-02-11; and the inclusionary housing plan.](#)  
**Recommendation:** Determine whether there is sufficient new information to warrant a rehearing
3. [From the meeting of May 5, 2003, Fiscal Year 2003-2004 Budget Development Strategies.](#)  
**Recommendation:** Provide direction to staff
4. [Request for Rehearing from Council Member Cowan of the decision of the City Council at its regular meeting of May 5, 2003, to oppose the award of the contract for Site Improvements for the Hamilton Street Community Gardens, 523 Hamilton Street.](#)  
**Recommendation:** Approve the request to rehear the application to use 523 Hamilton Street as a community garden; direct staff to notify in writing all properties in the area, as well as all parties who previously showed interest in this property, of the rehearing date and time

OLD BUSINESS—continued

5. [From the meeting of May 19, 2003, second reading and adoption of Ordinance 03-4, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING REVIEW REQUIREMENTS FOR ACCESSORY APARTMENTS.](#)  
**Recommendation: Adopt Ordinance 03-4**
  
6. [From the meeting of May 19, 2003, second reading and adoption of Ordinance 03-5, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING SECTION 13-73 OF THE COSTA MESA MUNICIPAL CODE TO EXEMPT TEMPORARY RECEPTACLES USED FOR THE COLLECTION OF RECYCLABLE PRODUCTS.](#)  
**Recommendation: Adopt Ordinance 03-5**

IX NEW BUSINESS

1. [Appointments to the Advisory Committee of Teens \(ACT\); Child Care and Youth Services Committee; Cultural Arts Committee; Fairview Friend/Fundraising Committee; Historical Preservation Committee; and Human Relations Committee.](#)  
**Recommendation: Make reappointments and fill vacancies**
  
2. [Ordinance amending Title 2 of the Costa Mesa Municipal Code regarding the regulation of at-will employees.](#)  
**Recommendation: Give ordinance first reading**
  - (a) Revisions to Council Policy 300-2 regarding auto allowance provisions for executive management staff.  
**Recommendation: Approve**
  
3. [Resolution agreeing to a property tax distribution to the City of Newport Beach for the proposed Bay Knolls reorganization.](#)  
**Recommendation: Adopt resolution**

X REPORTS

City Attorney

1. Request for 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 of one case. Case name: Costa Mesa v. Manion, No. 01CC16624 (OCSC).

City Manager

XI COUNCIL MEMBERS REPORTS, COMMENTS, AND SUGGESTIONS

1. Council Member Scheafer
2. Council Member Mansoor
3. Council Member Cowan
4. Mayor Pro Tem Steel
5. Mayor Monahan

XII ADJOURNMENT