



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 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.

SEPTEMBER 2, 2003

- I PLEDGE OF ALLEGIANCE Council Member Scheafer
- II INVOCATION Chaplain Lloyd Sellers, Hoag Memorial Hospital Presbyterian
- III ROLL CALL
- IV MINUTES
- MOTION To read all ordinances and resolutions by title only
- PRESENTATION 2003 Mayor's Cup Tournament Outstanding Sportsmanship and Performance Recognition for Costa Mesa National and American Little League All Star Teams
Employee of the Month, Amy Kuchta

- 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 1967, funding Payroll No. 317 for \$2,008,589.54, Payroll No. 316A for \$323.80, and City operating expenses for \$655,801.44, including payroll deductions.
Recommendation: Approve
3. Warrant Resolution 1968, funding City operating expenses for \$719,313.87.
Recommendation: Approve

Administrative Actions

4. [Amendment No. 7 to Orange County Transportation Authority Master Funding Agreement C-95-968, deleting prior Exhibit A in its entirety and substituting a revised "Combined Transportation Funding Programs Allocations" list dated July 25, 2003.](#)
Recommendation: Approve; authorize Mayor and Clerk to sign

CONSENT CALENDAR—continued

Administrative Actions

5. [Resolution setting the tax rate per centum and levying a tax upon all property within the City of Costa Mesa which is taxable to meet the City's obligation under the 1974 Open Space Bond Issue for fiscal year 2003-2004.](#)
Recommendation: Adopt resolution

6. [Construction of Material Bin Covers at the City of Costa Mesa Corporation Yard, 2310 Placentia Avenue, Project No. 03-16:](#)
 - (a) Award contract to Key Construction, 10891 Magnolia Avenue, Suite 5, Anaheim, for \$73,000.00 (base bid plus both additive bid items).
Recommendation: Approve; authorize Mayor and Clerk to sign

 - (b) Budget Adjustment No. 04-006 for \$85,000.00.
Recommendation: Approve

7. [Request for a 90-day extension of City Attorney Jerry Scheer's leave of absence without pay, through November 16, 2003.](#)
Recommendation: Approve

8. [Resolution authorizing refinancing of an existing lease, the execution and delivery of a lease with option to purchase between the City and Municipal Finance Corporation, and authorizing and directing certain actions in connection therewith.](#)
Recommendation: Adopt resolution

9. [Resolution authorizing the issuance and sale by the Redevelopment Agency of the City of Costa Mesa of its Downtown Redevelopment Project 2003 Tax Allocation Refunding Bonds in principal amount not to exceed \\$8,000,000.00, for the purpose of refinancing the Redevelopment Agency's 1993 Tax Allocation Refunding Bonds, and making certain determinations relating thereto.](#)
Recommendation: Adopt resolution

CONSENT CALENDAR—continued

Administrative Actions

10. [Resolution authorizing the execution and delivery of documents relating to the sale and delivery of not to exceed \\$15,000,000.00 Refunding Certificates of Participation, Series 2003 \(Public Facilities Project\), for the purpose of refinancing the Costa Mesa Public Financing Authority 1993 Lease Revenue Refunding Bonds, and authorizing certain documents and directing certain actions in connection therewith.](#)
Recommendation: Adopt resolution

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

VII PUBLIC HEARINGS

ADJOURN CITY COUNCIL MEETING; CONVENE SPECIAL JOINT MEETING OF THE CITY COUNCIL/REDEVELOPMENT AGENCY

ROLL CALL

1. [PUBLIC HEARING: Continued from the meeting of August 4, 2003, reconsideration of the April 14, 2003, Special Joint Meeting of the City Council and Redevelopment Agency decision regarding 1901 Newport Plaza Residences Project located at 1901 Newport Boulevard, for Dave Eadie, Rutter Development, authorized agent for property owner Kennedy/Rutter Development, for a 161-unit residential condominium project in the Planned Development Commercial \(PDC\) Zone. Environmental Determination: Final EIR No. 1050.](#)
Recommendation: Take no action on the pending applications, and remove them from the City Council/Redevelopment Agency agenda
 - (a) Certification of Final EIR No. 1050.
 - (b) General Plan Amendment GP-02-04 and Title 13 amendments for a site-specific floor area ratio (FAR) for the commercial component (0.35 FAR allowed; 0.70 FAR proposed), for a site-specific density for the residential component (20 du/ac allowed; 45 du/ac, proposed), and for the proposed 5-level parking structure [applies to General Plan] (4-stories allowed; 5-stories proposed).

PUBLIC HEARINGS—continued

- (c) Final Master Plan approval PA-02-11 for the proposed mixed-use project and variance from residential parking requirements (455 residential parking spaces required; 415 residential parking spaces proposed).
- (d) Inclusionary Housing Plan for the 1901 Newport Plaza Residences project.
- (e) Amendment to the 1999-2004 Implementation Plan for the Downtown Redevelopment Plan to include Inclusionary Housing Provisions [Redevelopment Agency action item].

**ADJOURN SPECIAL JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING;
RECONVENE CITY COUNCIL MEETING**

VIII OLD BUSINESS

1. [From the meeting of August 18, 2003, second reading and adoption of Ordinance 03-8, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING RESIDENTIAL DEVELOPMENT STANDARDS AND REVIEW PROCEDURES.](#)
Recommendation: Adopt Ordinance 03-8
2. [Continued from the meeting of August 18, 2003, Revised Council Policy 300-1 incorporating the recommended plan changes to the Retired Employees' Medical Program, effective August 19, 2003.](#)
Recommendation: Approve
3. [Continued from the meeting of August 18, 2003, Annual Review No. 1 and first amendment to Segerstrom Home Ranch Development Agreement \(DA-00-01\). The Planning Commission recommends:](#)
 - (a) Determine that the applicant and City have demonstrated good faith and compliance with the terms and conditions of Development Agreement DA-00-01.
Recommendation: Approve
 - (b) Ordinance adopting the first amendment to Development Agreement No. DA-00-01 for the Home Ranch Project
Recommendation: Give ordinance first reading

OLD BUSINESS—continued

4. [Continued from the meeting of August 18, 2003, Park Encroachments at Fairview Park.](#)
Recommendation: Determine whether or not it is appropriate to sell, lease, or permit use of a portion of Fairview Park, north of the Fairview storm channel and west of Placentia Avenue, to residents adjacent to this area on the south side of Swan Drive: if determined inappropriate, direct staff to bring back the draft Citywide Council Policy for consideration at a future Council meeting; and if sale, lease, or permitting of the property is deemed appropriate, consider staff recommendations as outlined in the agenda report

IX NEW BUSINESS

1. [Resolution removing “resident only” parking on Texas Circle.](#)
Recommendation: Adopt resolution
2. [Traffic Impact Fee Ad Hoc Committee:](#)
Recommendation: Chose one of the following options; and approve appointment of Bruce Garlich as the Planning Commission representative
 - (a). Include two at-large members and delete the specific requirement for at least one Homeowners Association (HOA) representative; or
 - (b). Include three at-large members (with at least one being an HOA representative), and direct staff to continue to advertise for an HOA representative.
3. [Request from Mayor Monahan for City Council review of a request by Mr. and Mrs. Don Carles for removal of a parkway tree located at 3106 Yellowstone Drive.](#)
Recommendation: Provide direction to staff
4. [Request from Council Member Scheafer for City Council review of a request by Mr. and Mrs. John Weatherwax regarding conditions of approval for removal of a parkway tree located at 1830 Oriole Drive.](#)
Recommendation: Provide direction to staff

NEW BUSINESS—continued

5. [City Council discussion of a report by the Acting City Attorney regarding provision of legal services and a report by the City Manager regarding the position of Assistant City Manager.](#)
Recommendation: Provide direction to staff

X REPORTS

City Attorney

1. Pursuant to Section 54956.9(a) 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 the case of Rutter Development Corporation v. the City of Costa Mesa, Orange County Superior Court Case No. 03CC09792.

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

