



City of Costa Mesa Council Agenda

TUESDAY, NOVEMBER 1, 2005

Allan Mansoor
Mayor

Gary Monahan
Mayor Pro Tem

Linda Dixon
Council Member

Katrina Foley
Council Member

Eric Bever
Council Member

City Attorney
Kimberly Hall Barlow

City Manager
Allan Roeder

Development Services Director
Donald Lamm

Director of Public Services
William Morris

Deputy City Clerk
Julie Folcik

Council Chambers, 77 Fair Drive
5:00 p.m. – Closed Session and 6:00 P.M. – Council Meeting

TIME LIMIT FOR COUNCIL MEETINGS – except by majority vote of the Council to continue, Council meetings shall conclude at midnight. If there is unfinished business on the Agenda, these items will be continued to the next regularly scheduled council meeting (Resolution No. 05-8).

Welcome to the City Council Meeting

Your attendance at this public meeting is valued and appreciated.

The following City codes, guidelines, and reminders are provided for your information:

1. In accordance with Costa Mesa Municipal Code, Sec. 2-64 (1): No person in the audience shall “engage in disorderly, disruptive, disturbing, delaying or boisterous conduct including but not limited to, handclapping, stomping of feet, whistling, making noise, use of profane language or obscene gestures, yelling or similar demonstrations, which may disrupt the peace and good order of the Council proceedings.”
2. All cell phones and pagers are to be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to respond to a page or to conduct a phone conversation.
3. In accordance with City Council Policy 000-11, and among other requirements, any video submitted for display at a public meeting must have been previously reviewed by staff to verify appropriateness for general audiences. A copy of this policy is available at City Hall during normal office hours.
4. Please use the podiums on either side of the dais to speak to the City Council. Direct all verbal communications, requests, and/or questions to the mayor.

- 5. Any written communications, pictures, etc., to be provided to the Council should be directed to the Deputy City Clerk. Any exhibits to be displayed on the overhead screen may be given to the appropriate staff member.

NOTE : 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) 754-5225. 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].

CLOSED SESSION
5:00 p.m.

At the conclusion of the Public Comment, Council will adjourn to Conference Room 1B for meeting in closed session. Please note that if there are not any closed session items listed, Council will convene at its regular meeting time of 6:00 p.m.

- I ROLL CALL

- II PUBLIC COMMENT Members of the public are welcome to address the City Council only on those items listed on the Closed Session agenda. Each member of the public will be given three (3) minutes to speak.

- III CLOSED SESSION: None Scheduled

RECESS TO STUDY SESSION:
*The Council will recess to/convene an **Agenda Review Study Session** beginning at **5:30 p.m.** in Conference Room 1-A of City Hall. The public is welcome to attend and offer comment.*

Pursuant to Resolution No. 05-8, each member of the public will be given an opportunity to speak for one (1) minute on study session agenda items. A maximum overall time of 10 minutes will be permitted for public comment. Note that no action may be taken by the Council prior to the 6:00 p.m. meeting.

RECONVENE REGULAR MEETING
REGULAR CITY COUNCIL AGENDA
6:00 p.m.

PLEDGE OF ALLEGIANCE Council Member Bever

**MOMENT OF SOLEMN
EXPRESSION**

[Per Council Policy 000-12, these presentations are made by community volunteers stating their own views. The Council disclaims any intent to endorse or sponsor the views of any speaker. Interested presenters, please contact the City Clerk's office.]

ROLL CALL

CLOSED SESSION REPORT

PROCLAMATION Floyd Levin, Lyricist of “Costa Mesa USA”

SPEAKERS: PLEASE PRINT YOUR NAME AND ADDRESS (Optional) ON THE SPEAKER FORM(S) AND PRESENT TO THE DEPUTY CITY CLERK PRIOR TO THE ITEM .

PLEASE NOTE:

- **THE YELLOW FORM IS FOR PUBLIC COMMENTS – TOPICS NOT ON THE AGENDA.**
- **THE GREEN FORM IS FOR AGENDA ITEMS (PLEASE FILL OUT FOR EACH AGENDA ITEM YOU WISH TO ADDRESS)**

IV 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.

V COUNCIL MEMBERS REPORTS, COMMENTS, AND SUGGESTIONS

1. Council Member Eric Bever

2. Mayor Pro Tem Gary Monahan

COUNCIL MEMBERS REPORTS, COMMENTS, AND SUGGESTIONS —continued

3. Mayor Allan Mansoor
4. Council Member Katrina Foley
5. Council Member Linda Dixon

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, city in which they reside, and item number.

Written Communications

1. Reading Folder.
Recommendation: Receive and process

Minutes

2. Regular meeting of October 18, 2005.

Warrants

3. Warrant Resolution 2080, funding City operating expenses for \$780,334.58.
Recommendation: Approve
4. Warrant Resolution 2081 funding Payroll No. 521 for \$2,330,998.99 and Payroll No. 520A for \$639.69, and City operating expenses for \$739,178.89, including payroll deductions.
Recommendation: Approve

CONSENT CALENDAR—continued

Administrative Actions

5. [Completion of Gisler Avenue Bike Trail, Project No. 05-07, by All American Asphalt, Post Office Box 2229, Corona.](#)
Recommendation: Accept work; authorize Clerk to file a Notice of Completion; release retention funds 35 days thereafter; exonerate the Labor and Material Bond 7 months thereafter; exonerate Performance Bond 12 months thereafter

6. [Grant from Federal Emergency Management Agency \(FEMA\), for \\$90,384.00, for Fire Department operations and purchase of wellness equipment.](#)
Recommendation: Accept grant
 - (a) Budget Adjustment No. 06-023 for \$90,384.00, to appropriate grant funds to the Fire Department operating budget.
Recommendation: Approve

7. [Final Tract Map for Tract No. 16801, located at 250 East Baker Street, Costa Mesa, for office condominium purposes.](#)
Recommendation: Approve map; authorize City Engineer and Clerk to sign

8. [Amendment No. 11 to Cooperative Agreement No. C-95-968 with the Orange County Transportation Authority \(OCTA\), to update Exhibit A, Combined Transportation Funding Programs \(CTFP\) Allocations – open projects.](#)
Recommendation: Approve; authorize the Mayor and Clerk to sign

9. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR GRANT FUNDS FROM THE TIRE-DERIVED PRODUCT GRANT PROGRAM, for a rubberized playground surface for the Tot Lot Improvement Project at Tewinkle Park.](#)
Recommendation: Adopt resolution

CONSENT CALENDAR—continued

Administrative Actions

10. [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, CERTIFYING THAT COSTA MESA HAS THE RESOURCES TO FUND THE PROJECTS SUBMITTED FOR INCLUSION IN THE FY 2005-2006 – 2010-2011 TRANSPORTATION IMPROVEMENT PROGRAM AND AFFIRMING ITS COMMITMENT TO IMPLEMENT ALL OF THE PROJECTS SUBMITTED IN THE PROGRAM, of the 2006 Regional Transportation Improvement Program \(RTIP\).](#)
Recommendation: Adopt resolution

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

VII PUBLIC HEARINGS – 7:00 P.M. (Resolution 05-55)

1. [PUBLIC HEARING: Continued from the meeting of October 18, 2004, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING OPERATION OF OUTDOOR COMMUNICATION SYSTEMS BY COMMERCIAL AND INDUSTRIAL USES.](#)
Recommendation: Withdraw the ordinance from any further City Council consideration

2. [PUBLIC HEARING: Continued from the meeting of October 18, 2005, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 20 OF THE COSTA MESA MUNICIPAL CODE REGARDING THE USE OF TEMPORARY FENCING ON VACANT PROPERTIES.](#)
Recommendation: Give ordinance first reading, to be read by title only and waive further reading

3. [PUBLIC HEARING: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REZONING 124 MELODY LANE FROM R2-HD \(MULTIPLE-FAMILY RESIDENTIAL, HIGH DENSITY\) TO R3 \(MULTIPLE-FAMILY RESIDENTIAL\) BY ADOPTION OF REZONE PETITION R-05-02, for Jon Jenkins.](#)
Recommendation: Give ordinance first reading, to be read by title only and waive further reading

VIII OLD BUSINESS

1. [From the meeting of October 18, 2005, second reading and adoption of Ordinance No. 05-14, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING THE MASTER PLAN REVIEW PROCESS IN PLANNED DEVELOPMENT ZONES.](#)
Recommendation: Give ordinance second reading, to be read by title only and waive further reading
2. Continued from the meeting of October 18, 2005, appointment of Mayor Pro Tem.

IX NEW BUSINESS

1. [General Plan Screening Request GPS-05-07 for 605 Town Center Drive to amend the description of the Cultural Arts Center land use designation to include residential land uses and reflect a site-specific trip budget, floor area ratio, and density for the vacant museum/art academy site.](#)
Recommendation: Accept for processing
2. [Consideration of an Encroachment Permit for use of the public-right-of-way at 548 Bernard Street.](#)
Recommendation: Deny request, and direct that all existing encroachments be removed within thirty (30) days
3. [Proposed Huntington Beach Seawater Desalination Plant.](#)
Recommendation: Give direction to staff on future steps of project
4. [Resolution requesting the County of Orange's support of the Children's Health Initiative.](#)
Recommendation: Consider whether to adopt resolution
5. [Resolution supporting the Association of California Water Agencies Board's *No Time To Waste: A Blueprint For California Water.*](#)
Recommendation: Consider whether to adopt resolution

X REPORTS

City Attorney

City Manager

XI ADJOURNMENT - Adjourn to Tuesday, November 15, 2005