

**CITY COUNCIL  
REDEVELOPMENT AGENCY  
AGENDA**

City of Westminster  
Regular Meeting  
January 21, 2004

6:00 p.m. – Council Conference Room

7:00 p.m. – Council Chambers

8200 Westminster Boulevard  
Westminster, California 92683

**MARGIE L. RICE  
MAYOR**

**ANDY QUACH  
Mayor Pro Tem**

**FRANK G. FRY  
Council Member**

**KERMIT MARSH  
Council Member**

**RUSSELL C. PARIS  
Council Member**

**AMERICANS WITH DISABILITIES ACT:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk, (714) 898-3311. Notification of 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 I)

## **GENERAL INFORMATION**

### **MEETINGS**

Regular Meetings of the City Council/Redevelopment Agency are held the first and third Wednesday of each month at the hour of 6:00 p.m. (5:00 p.m. if deemed necessary) for Closed Session matters, if required. **The public session of the meeting shall commence at 7:00 p.m.** or as soon thereafter as possible. Adjourned Regular Meetings (Study Sessions) are tentatively held on the Monday following the first Wednesday of the month at 6:00 p.m.

### **AGENDA INFORMATION**

The agenda contains a brief general description of each item to be considered. Agendas are available at the entryway of the Council Chambers. Supporting documentation to each agenda item is available in the entryway for public review.

\* \* \* \* \*

### **PUBLIC COMMENTS**

Pursuant to Government Code Section 54954.3, members of the public may address the City Council/Redevelopment Agency/Public Financing Authority during each item on the agenda as called. Oral Communications is held after the Public Hearing portion of the agenda and provides the public an opportunity to address any items of interest **not on the agenda** that are within the subject matter jurisdiction. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

**To address the City Council/Redevelopment Agency on any matter**, complete a "Request to Speak" form located at the entrance to the Council Chambers. Present the form to the City Clerk prior to being heard by the City Council. When speaking, please face the City Council and state your name and address for the record.

### **AGENDA ON THE INTERNET:**

The Agenda is available at <http://www.ci.westminster.ca.us>. The agenda can be accessed on the internet on the Friday before the meeting on Wednesday.

### **TELEVISED MEETING SCHEDULE**

Regular City Council/Agency meetings are broadcast live on Westminster Cable Channel 3 and REBROADCAST on Monday and Friday at 11:00 a.m.; Tuesday, Wednesday and Thursday at 7:00 p.m.; Wednesday at 12 noon; and Saturday and Sunday at 6:00 p.m.

# **AGENDA**

January 21, 2004

**6:00 P.M.**

## **CLOSED SESSION**

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY DURING ANY ITEM TO BE CONSIDERED IN CLOSED SESSION.

### **CALL TO ORDER:**

### **ROLL CALL**

PRESENT:

ABSENT:

### **CLOSED SESSION:**

The City Council/Redevelopment Agency will recess to a Closed Session for the following purposes:

- 1) Conference with Legal Counsel pursuant to Government Code Section 54956.9(a), Existing Litigation: John M. Farrell and Marilyn Farrell v. City of Westminster.

### **RECESS:**

# **AGENDA**

January 21, 2004

**7:00 P.M.**

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY OR PUBLIC FINANCING AUTHORITY DURING EACH ITEM ON THE AGENDA AS CALLED.

The City Council/Redevelopment Agency of the City of Westminster will regularly convene in joint session for the purpose of considering the following City Council/Redevelopment Agency Agenda items. The Westminster Public Financing Authority is also an agency on which Council serves as members. This Agency may also have items scheduled.

## **RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING**

**ROLL CALL:** RICE, QUACH, FRY, MARSH, PARIS

**PRESENT:**

**ABSENT:**

**SALUTE TO FLAG:** Mayor Pro Tem Quach

**INVOCATION:**

### **REPORT OUT OF CLOSED SESSION:**

The City Attorney shall determine if any actions taken by the City Council/Redevelopment Agency in Closed Session shall require a reporting on those actions as required by law (Government Code 54957.1(a) (3) (B)).

### **SPECIAL PRESENTATIONS:**

A. Presentation of "Pride of Westminster" award.

# AGENDA

January 21, 2004

## 1. CONSENT CALENDAR

*All matters listed under the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless Members of the City Council/Redevelopment Agency/Public Financing Authority, the public, or staff request specific items be removed from the Consent Calendar for separate action or discussion.*

### ROUTINE MATTERS

- 1.1 (City Council/Redevelopment Agency) Waive reading in full of all ordinances and resolutions under consideration, and approve and adopt same by reading title only.**

RECOMMENDATION: Approve.

- 1.2 Approve contract for rubber surfacing at Sigler and Hoover Parks (Diana Dobbert)**

RECOMMENDATION: That the City Council award a contract to Robertson Industries in the amount of \$75,109.68 and authorize the Interim City Manager to execute the agreement on behalf of the City.

- 1.3 Acceptance of a Vehicle Donation (Andy Hall)**

RECOMMENDATION: That the City Council accept the donation of a Chevrolet Passenger Van from the Los Angeles Metropolitan Transportation Authority (LAMTA) to replace the current Police Explorer Van Unit No. 935.

### ADMINISTRATIVE ITEMS

### ORDINANCES (SECOND READING)/RESOLUTIONS

- 1.4 Resolution No. 3822 entitled, "A Resolution of the City Council of the City of Westminster adopting the City of Westminster Emergency Management Plan and approving submittal of the Westminster Emergency Management Plan to the State of California Office of Emergency Services by February 2, 2004". (Penny Loomer)**

RECOMMENDATION: That the City Council adopt Resolution No. 3822 and waive further reading.

### WARRANT REGISTER

- 1.5 (City Council/Redevelopment Agency) Warrant Register dated December 25, 2003 through January 15, 2004. (Sheri Peasley)**

RECOMMENDATION: Approve.

# AGENDA

January 21, 2004

## 1. CONSENT CALENDAR (Continued)

### INFORMATION AND REPORTS

- 1.6 Minutes of the Community Services & Recreation Commission meeting held November 11, 2003 (Diana Dobbert)

RECOMMENDATION: Receive and file.

- 1.7 Minutes of the Cultural Arts Commission meetings held November 6, 2003, December 4, 2003 and January 1, 2004 (Diana Dobbert)

RECOMMENDATION: Receive and file.

- 1.8 Minutes of the Youth Committee meeting held November 14, 2003 (Diana Dobbert)

RECOMMENDATION: Receive and file.

- 1.9 Minutes of the Planning Commission study session held January 7, 2004 (Don Anderson)

RECOMMENDATION: Receive and file.

- 1.10 Community Development Monthly Activity Report – December 2003 (Don Anderson)

RECOMMENDATION: Receive and file.

**END OF CONSENT CALENDAR**

\* \* \* \* \*

# AGENDA

January 21, 2004

## 2. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

### 2.1 The actions of the Planning Commission meeting held on January 14, 2004

RECOMMENDATION: That the City Council determine if they wish to call up any item(s) for review from the Planning Commission meeting of January 14, 2004:

- 1) 13942 Cedar Street (Case No. 2003-56: Zone Change/General Plan Amendment/Area Variance/Site Plan) for construction of a 3-unit apartment.
- 2) 6777 Westminster Boulevard (Case No. 2003-75: Conditional Use Permit) for establishment of a new fitness center within the existing Westminster Center.
- 3) 8112 18<sup>th</sup> Street (Case No.2003 – 72: Site Plan/Design Review) for construction of a 3-unit apartment.

## 3. PUBLIC HEARINGS

**ADDRESSING THE CITY COUNCIL DURING PUBLIC HEARINGS:** After the public hearing is opened, persons speaking in favor will be heard first, followed by those persons speaking in opposition; and then persons speaking in rebuttal. Only those persons who have spoken in favor will be permitted to speak in rebuttal.

If a spokesperson is designated to speak in favor or in opposition, that spokesperson will have twelve (12) minutes to speak. Thereafter, each person speaking in favor or in opposition will have three (3) minutes to speak. The total time for speaking in favor or in opposition shall not exceed 30 minutes. Those persons speaking in rebuttal will have three minutes each, or a total of 20 minutes for rebuttal. The City Council may use its discretion to allow a speaker to exceed the time limits.

**NOTE:** If a challenge is made by any party in court from actions arising out of a public hearing, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered at the public hearing or prior thereto.

# AGENDA

January 21, 2004

## 3.1 PLANNING CASE NO. 2003-73 (ZONE CHANGES AND NEGATIVE DECLARATION 03-12); CITY INITIATED

Time set for a public hearing to consider Case No. 2003-73, part of the General Plan Consistency Project (GPCP), pertaining to Negative Declaration 03-12 and a zone change from PF, "Public Facilities," to P/SP, "Public/Semi-Public," for sites 1-14 and 17-29 and a zone change from PF, "Public Facilities," and M1, "Light Industrial" to P/SP, "Public/Semi-Public," for Site 15 (Midway Sanitation District building) for 28 sites as follows:

Site 1	Eastwood Elementary School	13552 University Ave.
Site 2	Sequoia Elementary School	5900 Iroquois Rd.
Site 3	OCFA Station No.65 /City Storage	6061 Hefley St.
Site 4	Finley Elementary School	13521 Edwards St.
Site 5	Johnson Middle School	13603 Edwards St.
Site 6	Fryberger Elementary School	6952 Hood Dr.
Site 7	California Highway Patrol	13200 Goldenwest St.
Site 8	Post Office	13761 Goldenwest St.
Site 9	Schmitt Elementary School	7200 Trask Ave.
Site 10	Westminster High School	14325 Goldenwest St.
Site 11	Willmore Elementary School	7122 Maple St.
Site 12	Department of Motor Vehicles	13700 Hoover St.
Site 13	Webber Elementary School	14142 Hoover St.
Site 14	Westminster School District Hdqtrs	14142 Cedarwood St.
Site 15	Midway City Sanitation District	14451 Cedarwood Ave.
Site 17	Land Elementary School	15151 Temple St.
Site 18	Well Site (Reservoir #1 Well)	8211 23rd St.
Site 19	Warner Middle School	14171 Newland St.
Site 20	Hayden Elementary School	14782 Eden St.
Site 21	DeMille Elementary School	15400 Van Buren St.
Site 22	Starview Elementary School	8411 Worthy Dr.
Site 23	Westmont Elementary School	8251 Heil Ave.
Site 24	Carrillo Elementary School	15270 Bushard St.
Site 25	McGarvin Intermediate School	9802 Bishop Pl.
Site 26	Marshall Elementary School	15791 Bushard St.
Site 27	Post Elementary School	14641 Ward St.
Site 28	Anthony Elementary School	15320 Pickford St.
Site 29	La Quinta High School	10372 McFadden Ave.

PLANNING COMMISSION RECOMMENDATION: That the City Council: 1) Adopt Negative Declaration 03-12 finding that there are no significant adverse environmental impacts associated with this project; and 2) Introduce Ordinance No. 2370 (First Reading) entitled, " An Ordinance of the City Council of the City of Westminster amending the Westminster Municipal Code by amending Section 17.06.070 thereof to provide for change of zoning (Case 2003-73) for 28 sites per Sectional District Maps: 1-5-11, 2-5-11, 3-5-11, 4-5-11, 8-5-10, 10-5-11, 11-5-11, 12-5-11, 13-5-11 14-5-11, 17-5-10, 18-5-10 and 24-5-11" and waive further reading.

# AGENDA

January 21, 2004

## 4. ORAL COMMUNICATIONS

At this time members of the public may address the City Council/Redevelopment Agency regarding any items of interest not on the agenda that are within the subject matter jurisdiction of the City Council. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

## 5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

### 5.1 Council/Agency Member Items

## 6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

### 6.1 Study Session for the 2004 Community Development Block Grant (CDBG) and Home Programs Funds (Don Anderson)

RECOMMENDATION: That the City Council schedule a date between January 26, 2004 and February 12, 2004 to hear presentations from non-profit agencies and City departments applying for subject funding.

### 6.2 Award of Contract for Median Island Improvements for Bolsa Avenue from Magnolia to Ward Street (Brad Fowler)

RECOMMENDATION: That the City Council:

- 1) Approve a budget amendment in the amount of \$720,000.00 to increase Account No. 18002-034005 for the HES federal Grant; and
- 2) Award the contract to the low qualified bidder, Nativ Engineering, Inc., in the amount of \$1,795,349.56; that all other bids be rejected; and authorize the Interim City Manager to execute the contract on behalf of the City.

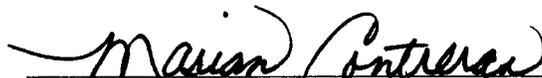
## 7. WRITTEN COMMUNICATIONS (Public) – None

## 8. LEGISLATIVE ITEMS – None

## 9. COMMISSION AND COMMITTEE ITEMS – None

## 10. COUNCIL/AGENCY ADJOURNMENT: In memory of David Do, former Youth Committee Member

DECLARATION: This agenda was posted on the Bulletin Board outside of the Council Chambers, where completely accessible to the public, at least 72 hours in advance of the City Council/Redevelopment Agency meeting.

  
Marian Contreras, City Clerk/Agency Secretary