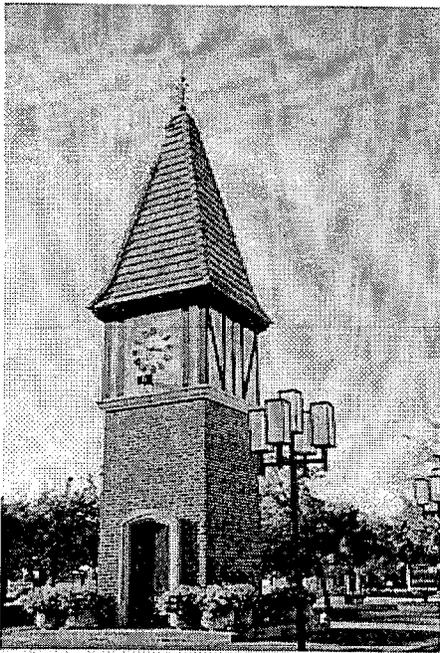


*Original Packet*



**CITY COUNCIL  
REDEVELOPMENT AGENCY  
AGENDA**

City of Westminster  
Regular Meeting  
February 4, 2004

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**

February 4, 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:** Council Member Paris

**INVOCATION:**

**SPECIAL PRESENTATIONS:**

A. Annual Police Department Merit Awards for 2004

# AGENDA

February 4, 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.*

### APPROVAL OF MINUTES

- 1.1 **(City Council/Redevelopment Agency) Minutes of the Adjourned Regular Meeting of the City Council/Redevelopment Agency of January 12, 2004 and Minutes of the Regular Meeting of the City Council/Redevelopment Agency of January 21, 2004.**  
(Marian Contreras)

RECOMMENDATION: Approve.

### ROUTINE MATTERS

- 1.2 **(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.

- 1.3 **Classification Specification – Public Information Clerk - Part Time** (Pat Corcoran)

RECOMMENDATION: That the City Council approve the classification specification for Public Information Clerk - Part Time.

- 1.4 **New Classification Specification – Records Clerk** (Pat Corcoran)

RECOMMENDATION: That the City Council approve the classification specification for Records Clerk at a salary range of \$2,597 - \$3,424 per month.

- 1.5 **Notice of Completion for work completed by Pavement Coatings Company for 2003-04 City-Wide Slurry and Cape Seals, Project No. CAPE-03-04** (Brad Fowler)

RECOMMENDATION: That the City Council accept the subject project and authorize the City Clerk to file a Notice of Completion with the County Recorder's Office.

- 1.6 **AB-939 Integrated Waste Management Goal Attainment Annual Report – CY 2002**  
(Brad Fowler)

RECOMMENDATION: Receive and file.

# AGENDA

February 4, 2004

## 1. CONSENT CALENDAR (Continued)

### 1.7 Increase the Purchase Order for Koltemp Refrigeration, Inc. for HVAC repairs. (Penny Loomer)

RECOMMENDATION: That the City Council approve the increase of the purchase order from \$15,000 to \$25,000 for repairs of HVAC equipment for the remainder of Fiscal Year 2003-04.

## ORDINANCES (SECOND READING)/RESOLUTIONS

### 1.8 Ordinance No. 2370 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". (Don Anderson)

RECOMMENDATION: That the City Council adopt Ordinance No. 2370 and waive further reading.

## WARRANT REGISTER

### 1.9 (City Council/Redevelopment Agency) Warrant Register dated January 16 through 29, 2004 (Sheri Peasley)

RECOMMENDATION: Approve.

## INFORMATION AND REPORTS

### 1.10 Minutes of the Financial Review Committee meeting held on December 4, 2003 (Sheri Peasley)

RECOMMENDATION: Receive and file.

### 1.11 Minutes of the Planning Commission meeting held on January 14, 2004 (Don Anderson)

RECOMMENDATION: Receive and file.

### 1.12 Minutes of the Traffic Commission meeting held on January 6, 2004 (Brad Fowler)

RECOMMENDATION: Receive and file.

**END OF CONSENT CALENDAR**

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# AGENDA

February 4, 2004

## 2. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

### 2.1 The actions of the Planning Commission meeting held on January 28, 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 28, 2004:

- 1) 549 Westminster Mall (Site Plan/Design Review/Conditional Use Permit/Area Variance) for construction of a new freestanding restaurant at the Westminster Mall. This restaurant will have a full service bar serving alcoholic beverages (Conditional Use Permit). In addition, an Area Variance is also requested to allow four wall signs.

## 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.

### 3.1 **CASE 2003-56 - GENERAL PLAN AMENDMENT, ZONE CHANGE, SITE PLAN, DESIGN REVIEW, AREA VARIANCE, AFFORDABLE HOUSING DENSITY BONUS AND DEVELOPMENT INCENTIVE, AND CERTIFICATION OF MITIGATED NEGATIVE DECLARATION (MND 03-12); LOCATION: 13942 CEDAR STREET; APPLICANT; NALDO CABANILLAS, A REPRESENTATIVE OF SHELTER FOR THE HOMELESS (Don Anderson)**

Time set for a public hearing to consider a request for approval of a General Plan Amendment changing the land use designation of the site from Commercial-Low Intensity to Residential-High (15-25 du/ac); rezone the site from C-2 (General Business) to R-5 (Multiple Units, 19-24 units per acre), Site Plan and Design Review for the construction of a three-unit, two-story apartment building, an Area Variance for a second story side yard setback, a 25% Affordable Housing Density Bonus, an Affordable Housing Development Incentive allowing a parking space in the front yard setback and a Mitigated Negative Declaration (MND 03-13)

# AGENDA

February 4, 2004

## 3. PUBLIC HEARINGS (Continued)

PLANNING COMMISSION RECOMMENDATION: That the City Council:

1. Certify Mitigated Negative Declaration MND 03-13; and
2. Adopt Resolution No. 3823 entitled, "A Resolution of the City Council of the City of Westminster approving Case 2003-56 (General Plan Amendment/ Zone Change/ Site Plan/ Design Review/ Area Variance/ Affordable Housing Density Bonus and Development Incentive)", and waive further reading;
3. Introduce Ordinance 2371 entitled, "An Ordinance of the City Council of City of Westminster rezoning the property at 13942 Cedar Street from C-2, "General Business" to R-5, "Multiple Units, 19-24 units per acre", and waive further reading; and
4. Instruct staff to prepare a land use study for the legal non-conforming commercially zoned parcels north of Westminster Boulevard, east of Goldenwest Street and west of Olive Street.

## 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 Consideration of Contract Renewal with State Legislative Consultant (Penny Loomer)

RECOMMENDATION: That the City Council review the agreement for State Legislative Consultation Services with Emanuels Jones & Associates and provide direction to staff.

# AGENDA

February 4, 2004

## 6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR (Continued)

### 6.2 Renewal of Agreement for Federal Legislative Consultant (Brad Fowler)

RECOMMENDATION: That the City Council:

- 1) Approve the appropriation of \$16,000.00 from General Fund Contingency to Account No. 11600-43090 for the remainder of FY 2003-04;
- 2) Approve a renewal to the agreement in the amount of \$48,000.00 to James F. McConnell and authorize the Interim City Manager to execute on behalf of the City; and
- 3) Approve the Federal Legislative priorities for Federal FY 2005 (attached to the Staff Report).

### 6.3 Award of Contract for Police Building and Parking Needs Assessment Cost Study (Brad Fowler)

RECOMMENDATION: That the City Council:

- 1) Approve the appropriation of \$70,000.00 from Account No. 18002-044003 (Westminster Boulevard Median Phase 3) to Account No. 18002-044008 (Police Building and Parking Study); and
- 2) Award a contract to DMJM Design/Roth & Sheppard in the amount of \$64,900 and authorize the Interim City Manager to execute the contract on behalf of the City.

## 7. WRITTEN COMMUNICATIONS (Public)

### 7.1 Waiver of Rental Fees/Community Services Building

RECOMMENDATION: That the City Council take under consideration a request from the Westminster Senior Center Foundation for permission to use the East/West Rooms and Room 5 of the Community Services Building on April 3, 2004 from 8:00 a.m. to 4:00 p.m. to have an Information Fair for senior and their families.

### 7.2 (Redevelopment Agency) Street Improvement Projects Affecting Midway City Sanitary District (MCSD) Manholes

RECOMMENDATION: That the Agency Board take under consideration a request from Midway City Sanitary District that Redevelopment Agency funds from the Infrastructure Revitalization Plan (IRP) be utilized to bring to grade manholes that are affected by street repair projects throughout the City.

# AGENDA

February 4, 2004

8. LEGISLATIVE ITEMS - None

9. COMMISSION AND COMMITTEE ITEMS

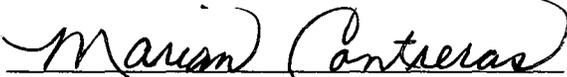
9.1 Appointment of Youth Committee Member and Designation of Alternate Members

RECOMMENDATION: That the City Council:

- 1) Appoint an alternate member to fill the regular member vacancy on the Youth Committee, for a term to expire June 30, 2004; and
- 2) Designate the three remaining alternate members as first, second and third alternate, thereby creating an order in which they would be requested to serve in the absence of a regular member.

10. **COUNCIL/AGENCY ADJOURNMENT:** To Monday, February 9, 2004 at 6:00 p.m. in the Council Chambers, 8200 Westminster Boulevard, Westminster, for the purpose of holding a study session to discuss City/Agency business.

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