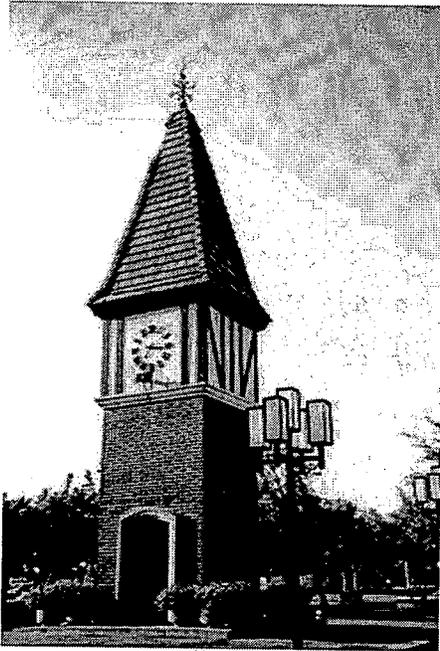


Original Packet
103-04
(04)



**CITY COUNCIL
REDEVELOPMENT AGENCY
AGENDA**

City of Westminster
Regular Meeting
July 7, 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.

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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

July 7, 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(b): Anticipated Litigation (two potential cases); and
- 2) Conference with Labor Negotiators pursuant to Government Code Section 54957.6: Agency Designated Representatives: City Manager Vangie Schock and Director of Personnel and Risk Management Pat Corcoran; Employee Organization: Westminster Municipal Employees' Association (WMEA).
- 3) Pursuant to Government Code Section 54957: Public Employee Performance Evaluation: City Manager.

RECESS:

AGENDA

July 7, 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 Fry

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. Recognition of Rod Vickers, Southern California Edison Company
- B. Recognition of Vince Petronzio, Westminster Chamber of Commerce "Angel of the Year" recipient.
- C. Recognition of former Westminster Fire Chief, Mel Ingram (deceased).

AGENDA

July 7, 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 June 7, 2004. (Marian Contreras)

RECOMMENDATION: Staff recommends approval.

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: Staff recommends approval.

1.3 Notice of Completion for the installation of the playground equipment at Hoover and Sigler Parks (Diana Dobbert)

RECOMMENDATION: Staff recommends 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.

1.4 Notice of Completion for the installation of rubber surfacing for the new playground equipment at Hoover and Sigler Parks (Diana Dobbert)

RECOMMENDATION: Staff recommends 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.

1.5 Award of Contract to Galls/Uniform Center for Police Uniforms (Andy Hall)

RECOMMENDATION: Staff recommends that the City Council authorize a purchase order to Galls/Uniform Center in the amount of \$38,000 for the second year option renewal of a three-year contract for police and animal control uniforms for FY 2004-2005.

AGENDA

July 7, 2004

1. CONSENT CALENDAR (Continued)

1.6 Award of Bid for Procurement of Pipeline Materials for FY 2004-2005 (Brad Fowler)

RECOMMENDATION: Staff recommends that the City Council approve the award of a renewable supply agreement to the low qualified bidder in the amount of \$45,900.00 to C. Wells Pipeline Materials, for FY 2004-2005; that all other bids be rejected; and that the City Manager be authorized to execute the agreement.

1.7 Option year renewal for Procurement of Asphalt for FY 2004-2005 (Brad Fowler)

RECOMMENDATION: Staff recommends that the City Council renew the subject annual supply contract with Vulcan Materials for an additional option year.

1.8 Award of Bid for the Procurement of Resilient Wedge Valves and Grip Rings for FY 2004-2005 (Brad Fowler)

RECOMMENDATION: Staff recommends that the City Council approve the award of a renewable supply agreement to the low qualified bidder in the amount of \$15,000.00 to Ferguson Water Works, for the fiscal year 2004-2005; that all other bids be rejected; and that the City Manager be authorized to execute the agreement.

1.9 Award of Bid for the Purchase of Wet Barrel Hydrant Heads and Accessories for FY 2004-2005 (Brad Fowler)

RECOMMENDATION: Staff recommends that the City Council approve the award of a renewable supply agreement to the low qualified bidder in the amount of \$115,000.00 to Hughes Supply, dba Marden Susco, for the fiscal year 2004-2005; that all other bids be rejected; and that the City Manager be authorized to execute the agreement.

ORDINANCES (SECOND READING)/RESOLUTIONS

1.10 (City) Resolution No. 3852 – A Resolution of the City Council of the City of Westminster authorizing official signatures on behalf of the City for safekeeping City property and authorizing facsimile signatures for instrument of payment. (Sheri Peasley)

RECOMMENDATION: Staff recommends that the City Council adopt Resolution No. 3852 and waive further reading.

1.11 (Agency) Resolution No. 168 – A Resolution of the Westminster Redevelopment Agency authorizing official signatures on behalf of the Agency for safekeeping Agency property and authorizing facsimile signatures for instrument of payment. (Sheri Peasley)

RECOMMENDATION: Staff recommends that the Agency Board adopt Resolution No. 168 and waive further reading.

AGENDA

July 7, 2004

1. CONSENT CALENDAR (Continued)

- 1.12 **Resolution No. 3853 – A Resolution of the City Council of the City of Westminster, rescinding Resolution No. 3849 and providing for a Compensation Plan for Part-time Employees of the City of Westminster. (Pat Corcoran)**

RECOMMENDATION: Staff recommends that the City Council adopt Resolution No. 3853 adding a salary range for the Senior Outreach Worker/Case Worker to the Part Time Salary Resolution and waive further reading.

ADMINISTRATIVE ITEMS

- 1.13 **(Agency) Agreement with the Westminster Chamber of Commerce. (Steve Soto)**

RECOMMENDATION: Staff recommends that the Agency Board approve an agreement with the Westminster Chamber of Commerce for Fiscal Year 2004-2005 to provide City promotional services, and authorize the Chair to execute it in the amount of \$26,559.00.

WARRANT REGISTER

- 1.14 **(City Council/Redevelopment Agency) Warrant Register dated June 12 through June 25, 2004. (Sheri Peasley)**

RECOMMENDATION: Staff recommends approval.

INFORMATION AND REPORTS

- 1.15 **Minutes of the Planning Commission meeting held June 9, 2004 (Don Anderson)**

RECOMMENDATION: Staff recommends to receive and file.

- 1.16 **Minutes of the Commission on Aging meetings held April 12, 2004 and May 10, 2004. (Diana Dobbert)**

RECOMMENDATION: Staff recommends to receive and file.

- 1.17 **Minutes of the Traffic Commission meeting held June 1, 2004. (Brad Fowler)**

RECOMMENDATION: Staff recommends to receive and file.

END OF CONSENT CALENDAR

AGENDA

July 7, 2004

2. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

2.1 The actions of the Planning Commission meeting held on June 23, 2004 (Don Anderson)

RECOMMENDATION: Staff recommends that the City Council determine if they wish to call up any item(s) for review from the Planning Commission meeting of June 23, 2004.

- 1) 6731 Westminster Boulevard (Case No. 2004-25, Modification to C-980) requesting for extension of business hours at an existing restaurant (Pura Vida Costarican Cuisine).

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 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 REVIEW OF PLANNING COMMISSION'S APPROVAL OF CASE NO. 2004-23 (CONDITIONAL USE PERMIT); LOCATION: 15562 BROOKHURST STREET; APPLICANT: MINH T. TRAN

Time set for a public hearing to review the Planning Commission's decision to approve a Conditional Use Permit for the sale of beer and wine for on-site consumption incidental to "Hue Rendezvous", an existing restaurant located at 15562 Brookhurst Street.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends that the City Council upholds the Planning Commission's decision to approve Case No. 2004-23; and adopt Resolution No. 3850 entitled "A Resolution of the City Council of the City of Westminster approving Case No. 2004-23 (Conditional Use Permit) pertaining to the sale of beer and wine for on-site consumption located at 15562 Brookhurst Street," and waive further reading.

AGENDA

July 7, 2004

3. PUBLIC HEARINGS (Continued)

3.2 CASE 2004-11 ZONE CHANGE/LOT LINE ADJUSTMENT/ CONDITIONAL USE PERMIT/ SITE PLAN REVIEW/ DESIGN REVIEW/ AND CERTIFICATION OF MITIGATED NEGATIVE DECLARATION (MND 04-02); LOCATION: 13621 AND 13631 BEACH BOULEVARD; APPLICANT: VINCENT HO LE, PROPERTY AND BUSINESS OWNER

Time set for a public hearing to consider a request for a rezoning of two residential parcels from C1-PD, "Local Business-Planned Development" District to C2-PD, "General Business- Planned Development" District, a Conditional Use Permit to operate a used auto dealership facility, a Site Plan Review, and a Design Review. The proposed auto dealership building includes a two-story office and display building and a 756 square foot one-story light auto servicing building. Proposed hours of operation are from 9 a.m. to 7 p.m. Monday through Sunday.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends that the City Council:

- 1) Certify Mitigated Negative Declaration MND 04-02 with modification to Mitigation Measure No. 5 as recommended by the Planning Commission;
- 2) Adopt Resolution No. 3851 entitled "A Resolution of the City Council of the City of Westminster approving Case 2004-11, and Mitigated Negative Declaration MND 04-02 pertaining to a Zone Change, Lot Line Adjustment, Conditional Use Permit, Site Plan Review and Design Review for property located at 13621 and 13631 Beach Boulevard; and waive further reading; and
- 3) Introduce Ordinance 2373 entitled "An Ordinance of the City Council of City of Westminster amending the Westminster Municipal Code by amending Section 17.06.070 thereof to provide for change of zoning for two parcels of land located at 13621 and 13631 Beach Boulevard, both parcels approximately 750 feet from the intersection of Trask Avenue and Beach Boulevard per Sectional District Map: 2-5-11" and waive further reading.

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

AGENDA

July 7, 2004

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 Relocation of Information Systems (Penny Loomer)

RECOMMENDATION: Staff recommends that That the City Council allocate \$15,500 from Information Systems contingency fund for the relocation of Information Systems to the Community Services building.

6.2 (Agency) Request for Subordination of approved Agency loan for 76-unit affordable senior apartment project on property at 7521 Wyoming Street (Don Anderson)

RECOMMENDATION: Staff recommends that the Agency Board:

1. Make the finding that without subordination of its loan, permanent financing of this project would not be possible; and
2. Approve the Subordination Agreements with:
 - (a) Hoover Housing Partners Limited Partnership, and
 - (b) County of Orange and Hoover Housing Partners Limited Partnership.

6.3 Issuance of City Credit Card (Sheri Peasley)

RECOMMENDATION: Staff recommends that the City Council approve the issuance of one City Visa credit card to be issued in the City Manager's name and authorize the City Treasurer to execute the agreement.

6.4 Request to reschedule the July 21, 2004 Regular City Council/Agency Meeting to July 28, 2004. (Vangie Schock)

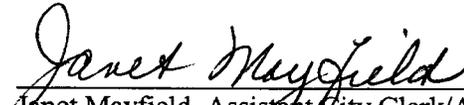
7. WRITTEN COMMUNICATIONS (Public) – None

8. LEGISLATIVE ITEMS - None

9. COMMISSION AND COMMITTEE ITEMS - None

10. COUNCIL/AGENCY ADJOURNMENT: (In memory of Mel Ingram)

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.


Janet Mayfield, Assistant City Clerk/Acting Agency
Secretary