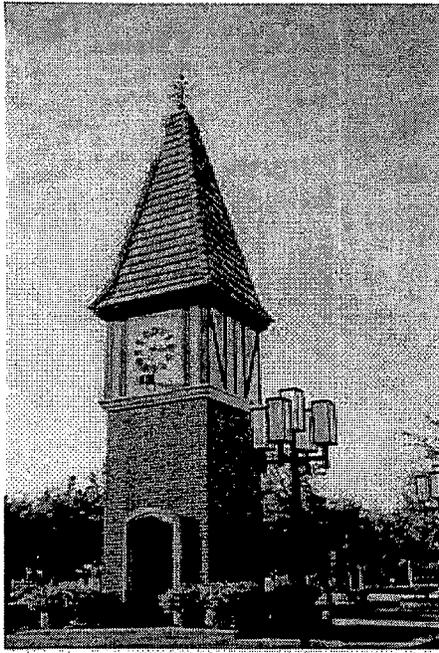


Original Packet



**CITY COUNCIL
REDEVELOPMENT AGENCY
AGENDA**

**City of Westminster
Adjourned Regular Meeting
January 10, 2005**

**6:00 p.m. – Council Conference Room
7:00 p.m. – Council Chambers**

**8200 Westminster Boulevard
Westminster, California 92683**

**MARGIE L. RICE
MAYOR**

**RUSSELL C. PARIS
Mayor Pro Tem**

**FRANK G. FRY
Council Member**

**KERMIT MARSH
Council Member**

**ANDY QUACH
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 10, 2005

6:00 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.

CALL TO ORDER:

ROLL CALL

PRESENT:

ABSENT:

*Add to Filings
545-000
54805-09
Police/Memorial
Permanent*

1. Police Memorial Update (Andy Hall)

RECOMMENDATION: Receive and file. ~~116-02? or~~

~~805-01~~

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 Labor Negotiators pursuant to Government Code Section 54957.6: Designated Representatives: City Manager Vangie Schock and Labor Negotiator Dave Larsen; Employee Organization: Westminster Police Officers' Association (WPOA);
- 2) Conference with Legal Counsel pursuant to Government Code Section 54956.9; Existing Litigation: Janice Foley vs. City of Westminster and John Foley vs. City of Westminster; and
- 3) Pursuant to Government Code Section 54957: Public Employment: Finance Director;

AGENDA

January 10, 2005

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, PARIS, FRY, MARSH, QUACH

PRESENT:

ABSENT:

SALUTE TO FLAG: Mayor Pro Tem Paris

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 to the family of Sergeant Quoc B. Tran who was killed in Iraq on November 7, 2004.
- B. Recognition of Chairman H. R. P. DeAlwis, Bentota Pradeshiya Saba, Bentota, Sri Lanka
- C. Proclamation to Interval House in recognition of their 25th Anniversary

115-00

115-00

115-00

AGENDA

January 10, 2005

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 Regular Meeting of the City Council/Redevelopment Agency of December 1, 2004; Minutes of the Adjourned Regular Meeting of the City Council/Redevelopment Agency of December 6, 2004; and Minutes of the City Council Redevelopment Agency Regular Meetings of December 15, 2004 and January 5, 2005.**
(Marian Contreras)

RECOMMENDATION: Approve.

ROUTINE MATTERS

- 1.2 **(City Council) Denial of Claims(s) Against the City from:**

1. Janice Foley in an unknown amount.
2. John Foley in an unknown amount.
3. Mary Howey in the amount of \$5,500,000.00.
4. Hung Nguyen in an unknown amount.
5. Cathy Nguyen in an unknown amount.
6. Tim Karanick in the amount of \$989.50.

RECOMMENDATION: Deny claim(s) filed against the City.

- 1.3 **(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.

- 1.4 **Consulting Services Agreement for preparation of the City's Comprehensive Zoning Code Update (Don Anderson)** 502-03

RECOMMENDATION: Staff recommends that the Council approve a Consulting Services Agreement with Cotton/Bridges/Associates to prepare the City's Comprehensive Zoning Code Update, and authorize the City Manager to execute the agreement on behalf of the City.

AGENDA

January 10, 2005

1. **CONSENT CALENDAR (Continued)**
- 1.5 **Award of Contract to Team Econolite for the Maintenance of Traffic Signals and Appurtenances, Traffic Signal Interconnect, Flashing Beacons, Illuminated Street Name Signs, Safety Lights, and CCTV/Video Detection Equipments (Marwan Youssef)** *502-20*

RECOMMENDATION: Staff recommends that the City Council approve a contract with Team Econolite in the amount of \$265,926.00 (Account No. 55005-43090) for the subject services, and authorize the City Manager to execute the contract on behalf of the City.

- 1.6 **Amendment No. 2 to Consulting Services Agreement with MDG Associates Inc. to prepare the City's Five-Year Consolidated Plan/Action Plan. (Don Anderson)** *502-13*

RECOMMENDATION: Staff recommends that the City Council approve Amendment No. 2 to the consulting services agreement with MDG Associates Inc. in an amount not to exceed \$24,910.00 to add the additional duty of preparing the City's Five-Year Consolidated Plan/Action Plan, and authorize the City Manager to execute the amendment on behalf of the City.

WARRANT REGISTER

- 1.7 **(City Council/Redevelopment Agency) Warrant Register dated December 8 through December 21, 2004. (Steve Klotzsche)** *105-09*

RECOMMENDATION: Approve.

INFORMATION AND REPORTS

- 1.8 **Minutes of the Planning Commission meeting held November 10, 2004 and November 17, 2004 (Don Anderson)** *104-11*

RECOMMENDATION: Receive and file.

- 1.9 **Community Development Monthly Activity Report – November 2004 (Don Anderson)** *216-01 (05)*

RECOMMENDATION: Receive and file.

- 1.10 **(City/Agency) Treasurer's Report – October and November 2004 (Steve Klotzsche)** *105-08*

RECOMMENDATION: Receive and file.

AGENDA

January 10, 2005

- 1. **CONSENT CALENDAR (Continued)**
- 1.11 **Minutes of the Traffic Commission meeting held on December 7, 2004**
(Marwan Youssef) 104-12

RECOMMENDATION: Receive and file.

END OF CONSENT CALENDAR

- 2. **COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW – None**

- 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.

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January 10, 2005

3. PUBLIC HEARINGS (Continued)

3.1 REVIEW OF PLANNING COMMISSION'S APPROVAL OF CASE NO. 2004-56 (CONDITIONAL USE PERMIT); LOCATION: 6172 & 6182 GARDEN GROVE BOULEVARD; APPLICANT: STEVE CARROLL (Don Anderson) *201-00* *CN 2004-56*

Time set for a public hearing to review the Planning Commission's decision to approve a conditional use permit allowing the operation of a motorcycle dealership and a motorcycle servicing business.

RECOMMENDATION: The Planning Commission recommends that the City Council:

- 1) Uphold the Planning Commission's decision to approve Case No. 2004-56; and
- 2) Adopt Resolution No. 3894 entitled "A Resolution of the City Council of the City of Westminster approving Case No. 2004-56 (Conditional Use Permit) to allow the operation of a motorcycle dealership and a motorcycle servicing business at 6172 and 6182 Garden Grove Boulevard," 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

5.2 Request for Letter of Support to the California Council on Base Retention (Mayor Pro Tem Paris) *201-02 ?* *103-09*

RECOMMENDATION: That the City Council take under consideration a request from the City of Cypress requesting 1) a Letter of Support to the California Council on Base Retention; and 2) consideration of a request from the State of California, in concert with the League of Cities, for cities to sign a compact asking the Department of Defense (DOD) to not close any bases in California.

AGENDA

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5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS (Continued)

5.3 Review of Planning Commission's approval of Case No. 2004-68 (Modification to Design Review DR-344); Location: 7382-7392 Westminster Boulevard; Applicant: Charles J. Ponti (Mayor Rice)

201-00
CN 2004-68

RECOMMENDATION: The Planning Commission recommends that the City Council:

- 1) Uphold the Planning Commission's decision to approve Case No. 2004-68; and
- 2) Adopt Resolution No. 3895 entitled "A Resolution of the City Council of the City of Westminster approving Case No. 2004-68 (Modification to Design Review) pertaining to the installation of a fence and two rolling gates at a car rental business located at 7382-7392 Westminster Boulevard," and waive further reading.

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 Award of Contract for City Website Redesign (Penny Loomer/James McAuliffe)

502-03

RECOMMENDATION: Staff recommends that the City Council:

- 1) Approve a professional services contract and software license agreement in an amount not to exceed \$58,850 with Civica Software; and
- 2) Authorize a transfer of \$11,150 from Seizure Funds Account No. 34100-47024 to the Web Development Account No. 14502-034203.

6.2 First Amendment to Agreement between the County of Orange and Westminster Family Resource Center for the provision of services promoting safe and stable families for fiscal year 2004-2005 (Diana Dobbert)

502-15

RECOMMENDATION: Staff recommends that the City Council:

- 1) Approve the First Amendment to Agreement #FEH0904 with the County of Orange to enhance and expand services at the Family Resource Center, and authorize the City Manager to execute the contract on behalf of the City; and
- 2) Appropriate the grant funding by authorizing a budget adjustment in the amount of \$66,481.00 to the Family Resource Center Program No. 71800; and
- 3) Approve an increase to Purchase Order No. 110264 with the Boys and Girls Club in the amount of \$11,270.00; Purchase Order No. 001254 with Interval House in the amount of \$13,109.00; and Purchase Order No. 001259 with Western Youth Services in the amount of \$17,805.00.

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

- 6.3 Amendment to an agreement between the City of Westminster and the Asian American Senior Citizens Association to use their property located at 220 Hospital Circle for collateral of a property improvement loan. (Don Anderson)

Suggestions on where to file report? 502-01

RECOMMENDATION: Staff recommends that the City Council approve the agreement amendment; authorize the City Manager to execute the agreement amendment on behalf of the City; and direct the City Clerk to record the agreement amendment with the County Recorder's office.

- 6.4 Youth in Government Date (Diana Dobbert) *701-04*

RECOMMENDATION: Staff recommends that the City Council approve Wednesday, March 2, 2005 or Wednesday, April 6, 2005 for the annual Youth in Government Day program.

- 6.5 Consideration of cancellation or selection of alternative Council/Agency meeting date(s) for the January 19, 2005 and March 16, 2005 regular meetings. (Marian Contreras) *103-08*

RECOMMENDATION: Staff recommends that the City Council/Agency Board take under consideration either canceling or rescheduling the Wednesday, January 19, 2005 and Wednesday, March 16, 2005 meeting dates.

- 6.6 Sponsorship and assistance of the Rose Center Foundation in their fundraising activities. (Richard Jones) *104-23 of new number? 112-04*

RECOMMENDATION: That the City Council hereby agrees to co-sponsor the Mayor's Inaugural Ball along with the Rose Center Foundation (formerly Friends of the Abbey) and agrees that staff support may be utilized in the future to assist the Rose Center Foundation in their fundraising efforts to support the development of the Rose Cultural Center.

7. WRITTEN COMMUNICATIONS (Public)

- 7.1 Request from Midway City Sanitary District for a reduction of permit fees for Sewer Line Construction along 13th Street by the Midway City Sanitary District. *105-07 112-14*

RECOMMENDATION: That the City Council consider the reduction in permit fees for the construction of a sewer line by Mike Prlich for the Midway City Sanitary District.

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8. LEGISLATIVE ITEMS

- 8.1 **Resolution in support of efforts to keep the name "Anaheim Angels"**
(Mayor Rice) *103-12*

RECOMMENDATION: That the City Council consider adoption of Resolution No. 3893 entitled, "A Resolution of the City Council of the City of Westminster supporting the City of Anaheim's efforts to keep the name "Anaheim Angels" as the name of the Anaheim Angels", and waive further reading.

9. COMMISSION AND COMMITTEE ITEMS

- 9.1 **Waiver of garage sale permit and fee** *105-07 701-01*

COMMUNITY SERVICES AND RECREATION COMMISSION
RECOMMENDATION: That the City Council waive the fee and permit process for garage sales during "Keep America Beautiful Week", beginning Monday, April 18 through Sunday, April 24, 2005.

- 9.2 **Resolution No. 3889 - A Resolution of the City Council of the City of Westminster providing for No Parking or Stopping on the East Side of Moran Street North of Bolsa Avenue - T.C. 80-113** *608-02*

TRAFFIC COMMISSION RECOMMENDATION: That the City Council adopt Resolution No. 3889 approving the request for red curb on Moran Street North of Bolsa Avenue, and waive further reading.

- 9.3 **Resolution No. 3892 - A Resolution of the City Council of the City of Westminster providing for an extension of the No Parking or Stopping Restrictions on 21st Street at Hospital Circle - T.C. 98-100** *608-02*

TRAFFIC COMMISSION RECOMMENDATION: That the City Council adopt Resolution No. 3892 for the extension of parking restrictions on 21st Street at Hospital Circle, and waive further reading.

- 9.4 **Resolution No. 3890 - A Resolution of the City Council of the City of Westminster rescinding a portion of Resolution No. 2687 which provides for parking restrictions on the East side of Suffolk Street South of Charing Cross Road - T. C. 75-123** *608-02*

TRAFFIC COMMISSION RECOMMENDATION: That the City Council adopt Resolution No. 3890 that provides for additional parking on Charing Cross Road (Westminster Village), and waive further reading.

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9. COMMISSION AND COMMITTEE ITEMS (Continued)

- 9.5 Resolution No. 3891 - A Resolution of the City Council of the City of Westminster providing for the installation of Disabled Parking Restrictions at 7931 15th Street - T.C. 77-142 *608-02*

TRAFFIC COMMISSION RECOMMENDATION: That the City Council adopt Resolution No. 3891 that provides for the installation of on-street disabled parking restriction at 7931 15th Street, and waive further reading.

10. COUNCIL/AGENCY ADJOURNMENT

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