

AGENDA

February 16, 2005

5:30 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 Labor Negotiators pursuant to Government Code Section 54957.6: Designated Representatives: City Manager Vangie Schock and Labor Negotiator Dave Larsen; Employee Organization: Westminster Municipal Employees Association (WMEA);
- 2) Conference with Real Property Negotiator pursuant to Government Code Section 54956.8: Property: Southeast corner of Beach Boulevard and Edinger Avenue; Agency Negotiator: Executive Director Vangie Schock, Assistant Executive Director Don Anderson, and Economic Development Manager Steve Soto; Negotiating Party: Brett Blanchard and Don Robertson; Under Negotiation: Price and Terms of Payment; and
- 3) Pursuant to Government Code Section 54957: Public Employee Performance Evaluation: City Manager.

RECESS:

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February 16, 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: Council Member Marsh

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. Orange County Water District Presentation by Phil Anthony, Director
- B. Orange County Human Relations – Presentation of Annual Report
- C. Presentation of painting to the City by artist Be Ky
- D. Presentation to Westminster youth, Alexander Athougies, participant in the National Young Leaders Conference in Washington D. C.

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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 February 2, 2005.** (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 **Award of Contract to Coast Roof Company for the re-roof of the Corporate Yard Office (deferred from the February 2, 2005 meeting)** (Penny Loomer)

RECOMMENDATION: Staff recommends that the City Council:

- 1) Award a contract to Coast Roof Company in the amount of \$36,958.00 (Account No. 75502-044006) to re-roof the Corporate Yard Office, and authorize the City Manager to execute the contract on behalf of the City; and
- 2) Authorize a contingency of \$3,695.00 for unforeseen problems related to the project.

- 1.4 **AB-939 Integrated Waste Management Goal Attainment Annual Report – 2003** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the City Council receive and file the report.

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1. CONSENT CALENDAR

1.5 **Acceptance of Traffic Safety Mini-Grant, #IN53016, from the State of California Office of Traffic Safety (OTS), California Seat Belt Compliance Campaign May 16, 2005 through June 05, 2005** (Andy Hall)

Staff recommends that the City Council:

- 1) Approve the acceptance of the Office of Traffic Safety, California Seat Belt Compliance Campaign grant;
- 2) Increase the overtime budget \$24,964.00 for Office of Traffic Safety Grant funds, consisting of overtime funds for seatbelt enforcement by officers and for the project's first line supervision; and
- 3) Authorize the Chief of Police, or his designee, to complete the process for receipt of OTS funding.

1.6 **Amendment to "Concrete and Related Street Repairs at Various Locations" Maintenance/Service Agreement with S. Parker Engineering, Inc.** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the City Council approve an amendment to the "Concrete & Related Street Repairs at Various Locations" Maintenance/Service Agreement with S. Parker Engineering, Inc., and that the City Manager be authorized to execute the agreement amendment.

1.7 **Notice of Completion for Work Performed by All American Asphalt for City Wide CTB -03/04 Project at Various Locations – Project No. 18002-034019** (Marwan Youssef)

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.

1.8 **(Agency) Third Amendment to Standby Bond Purchase Agreement (Letter of Credit) for the Westminster Redevelopment Agency, Project No. 1, 1997 Tax Allocation Revenue Refunding Bonds** (Steve Klotzsche)

RECOMMENDATION: Staff recommends that the Agency Board approve the third amendment to the Standby Bond Purchase Agreement.

1.9 **Increase purchase order amount with Adamson's Industries for the purchase of ballistic protective vests** (Andy Hall)

RECOMMENDATION: Staff recommends that the City Council authorize a \$10,000 increase in the purchase order with Adamson's Industries for the purchase of ballistic vests for police officers and support staff assigned to field duties.

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1. CONSENT CALENDAR (Continued)

ORDINANCES (SECOND READING)/RESOLUTIONS

- 1.10 **Ordinance No. 2379 - An Ordinance of the City Council of the City of Westminster amending the Westminster Municipal Code relating to various commissions and committees** (Marian Contreras)

RECOMMENDATION: That the City Council adopt Ordinance No. 2379 and waive further reading.

- 1.11 **Ordinance No. 2380 – An Ordinance of the City Council of the City of Westminster to revise Section 2.68.050 relating to classification of Director of Finance and to add a new Section 2.08.080 relating to appointive duties of the City Manager, to amend Section 2.20.030 regarding the appointment of the Finance Director, all of Title 2 (Administration and Personnel) of the Westminster Municipal Code**

RECOMMENDATION: That the City Council adopt Ordinance No. 2380 and waive further reading.

- 1.12 **Resolution No. 3901 - A Resolution of the City Council of the City of Westminster, California, declaring its Intention to Vacate Right-of-way Related to Parcel Map 2003-197”** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the City Council adopt Resolution No. 3901 which sets a public hearing for March 2, 2005 for the said vacation of right-of-way pursuant to the provisions of Chapter 3, Section 8320 of the Streets and Highways Code of the State of California, and waive further reading.

WARRANT REGISTER

- 1.13 **(City Council/Redevelopment Agency) Warrant Register dated January 26 through February 8, 2005** (Steve Klotzsche)

RECOMMENDATION: Approve.

INFORMATION AND REPORTS

- 1.14 **Minutes of the Planning Commission meeting held January 12, 2005** (Don Anderson)

RECOMMENDATION: Receive and file.

END OF CONSENT CALENDAR

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2. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

2.1 The actions of the Planning Commission meeting held on February 9, 2005

RECOMMENDATION: That the City Council determine if they wish to call up any item(s) for review from the Planning Commission meeting of February 9, 2005:

- 1) 6731 Westminster (Case No. 2004-71, Conditional Use Permit), for the on-site sale and consumption of alcoholic beverages at an existing restaurant known as "The Great Wall".
- 2) 7921 10th Street (Case No. 2004-67, Tentative Parcel Map) for converting two recently constructed detached units to a two-unit condominium ownership.
- 3) 16390 Beach Boulevard (Case No. 2004-73, Design Review), for exterior façade changes to Marie Callender's.

3. PUBLIC HEARINGS - None

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 Resolution No. 3902 – A Resolution of the City Council of the City of Westminster relating to Orange County Victim's Bill of Rights (Mayor Pro Tem Paris)

RECOMMENDATION: That the City Council adopt Resolution No. 3902 and waive further reading.

5.3 Appointments to Westminster's 50th Anniversary Committee (Mayor Rice)

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

5.4 Reconsideration of the name "Westminster Rose Cultural Center" (Mayor Rice)

RECOMMENDATION: That the City Council provide direction to staff.

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 Award of Contract to Vance & Associates Roofing for the re-roof of the Community Services Building (deferred from the February 2, 2005 meeting) (Penny Loomer)

RECOMMENDATION: Staff recommends that the City Council:

- 1) Approve a contract with Vance & Associates Roofing in the amount of \$116,900.00 (Account No. 75502-034004) to re-roof the Community Services Building, and authorize the City Manager to execute the contract on behalf of the City and;
- 2) Authorize a transfer of \$41,790.00 from the Government Building Fund (No. 770) balance to Account No. 75502-034004.

6.2 Preparation of the City's 2005 – 2009 Consolidated Plan and allocation of the 2005 Community Development Block Grant (CDBG) and HOME Program funds (Don Anderson)

RECOMMENDATION: Staff recommends that the City Council schedule a study session between February 28 and March 30, 2005 to hear a presentation on the preparation of the City's 2005–2009 CDBG Consolidated Plan as well as presentations from non-profit agencies and City departments applying for the fiscal year 2005-2006 HOME/CDBG funds.

6.3 Appointment of Members to Mayor's Ad Hoc Zoning Code Update Committee (Mayor Rice)

RECOMMENDATION: Staff recommends that the Mayor Pro Tem and Council Members each appoint one member to the Mayor's Ad Hoc Zoning Code Update Committee.

7. WRITTEN COMMUNICATIONS (Public)

7.1 Waiver of Rental Fees/Community Services Building

RECOMMENDATION: Staff recommends that the City Council take under consideration a request from American Cancer Society for waiver of fees for the use of the Community Services Building East/West Rooms on Tuesday, March 8, 2005 between the hours of 5:30 p.m. and 8:30 p.m. for their 5th Annual American Cancer Society's Relay for Life kick-off.

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7. WRITTEN COMMUNICATIONS (Public)

7.2 Waiver of Rental Fees/Community Services Building

RECOMMENDATION: Staff recommends that the City Council take under consideration a request from the Westminster PONY Baseball for waiver of fees for the use of the Community Services Building East/West Rooms on Sunday, April 10, 2005 between the hours of 8:00 a.m. and 12:00 noon for their pancake breakfast fundraiser.

8. LEGISLATIVE ITEMS

8.1 Resolution No. 3903 - A Resolution of the City Council of the City of Westminster approving the form of and authorizing the execution and delivery of a purchase and sale agreement and related documents with respect to the sale of the City of Westminster's vehicle license fee receivable from the state; and directing and authorizing certain other actions in connection therewith (Steve Klotzsche)

RECOMMENDATION: Staff recommends that the City Council adopt Resolution No. 3903 which authorizes the sale of the City of Westminster's VLF Receivable to California Statewide Communities Development Authority (CSCDA), and waive further reading.

8.2 (City Council/Redevelopment Agency) No Fee Waiver Policy for Westminster Rose Cultural Center (Penny Loomer)

RECOMMENDATION: Staff recommends that the City Council/Agency Board:

- 1) Adopt Resolution No. 171 entitled, "A Resolution of the Westminster Redevelopment Agency establishing a "No Fee Waiver" Policy for the Westminster Rose Cultural Center", and waive further reading; and
- 2) Introduce Ordinance No. 2381 entitled, "An Ordinance of the City Council of the City of Westminster establishing a "No Fee Waiver" Policy for the Westminster Rose Cultural Center", and waive further reading.

9. COMMISSION AND COMMITTEE ITEMS

9.1 Appointments to Commissions and Committees

RECOMMENDATION: Staff recommends that the City Council consider appointments to Commissions and Committees for a two-year term ending November, 2006.

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10. COUNCIL/AGENCY ADJOURNMENT