

# **AGENDA**

April 20, 2005

**6:30 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 Police Officers' Association (WPOA).

## **RECESS:**

# **AGENDA**

April 20, 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. Proclamation declaring "Red Hat Society Day, April 25, 2005".
- B. Recognition of Youth in Government Day Participants.
- C. Presentation of mock check for Proposition 12, tree grant money; "Tree City USA" plaque presented by Department of Forestry; Presentation of Proclamation declaring April 30, 2005 as "National Arbor Day" in the City of Westminster.
- D. City Website presentation.
- E. Special Presentation from the Mayor.

# AGENDA

April 20, 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.

### ROUTINE MATTERS

#### 1.1 (City Council) Denial of Claim(s) Against the City from:

1. Thuy-Anh Nguyen in the amount of \$512.13.
2. Amado Castillo in the amount of \$200.00.

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

#### 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 Approval of Third Amendment to Street Sweeping Contract with R.F. Dickson Company, Inc. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the City Council approve the Third Amendment to the Street Sweeping Contract with R.F. Dickson Company, Inc., and that the City Manager be authorized to execute the contract amendment.

#### 1.4 Rejection of Bid for Pre-Cast Concrete or Approved Equal Restroom/Storage Building at Liberty Park (Marwan Youssef)

RECOMMENDATION: Staff recommends that the City Council reject the only bid received for this project.

#### 1.5 Award of Contract for 2004-2005 City-Wide Cape & Slurry Seals Project at Various Locations (Marwan Youssef)

RECOMMENDATION: Staff recommends that the City Council approve the contract with All American Asphalt in an amount of \$383,292.07, and authorize the City Manager to execute the agreement on behalf of the City.

# AGENDA

April 20, 2005

## 1. CONSENT CALENDAR (Continued)

### 1.6 Revised Classification Specification – Senior Animal Control Officer (Pat Corcoran)

RECOMMENDATION: That the City Council approve the amended classification specification for Senior Animal Control Officer.

### 1.7 (Redevelopment Agency) Redevelopment Agency Annual Report (Steve Soto)

RECOMMENDATION: That the City Council receive and file the Redevelopment Agency 2004 Annual Report.

## ORDINANCES (SECOND READING)/RESOLUTIONS

### 1.8 Ordinance No. 2383 - An Ordinance of the City Council of the City of Westminster amending Chapter 8.26, Regulation of Leaf Blowers of the Westminster Municipal Code to regulate powered yard equipment (Mayor Pro Tem Paris)

RECOMMENDATION: That the City Council adopt Ordinance No. 2383 and waive further reading.

## ADMINISTRATIVE ITEMS

### 1.9 Street Pole Banner application from Vietnamese-American Community of Southern California to hang flags on Edison poles on specific streets in Westminster (Penny Loomer)

RECOMMENDATION: Staff recommends that the City Council approve the request to hang flags from April 25, 2005 to May 4, 2005 (10 days) at the following locations:

- a. Bolsa Avenue from Magnolia Avenue to the east boundary of the City (Ward)
- b. South side of Westminster Blvd. from Magnolia Avenue to the east boundary of the City (Bushard)
- c. Magnolia Avenue from Westminster Blvd. to Bolsa Avenue
- d. Brookhurst Street from Hazard Avenue to Margo Lane.

## WARRANT REGISTER

### 1.10 (City Council/Redevelopment Agency) Warrant Register dated March 31, 2005 through April 12, 2005. ( Paul Espinoza)

RECOMMENDATION: Approve.

# AGENDA

April 20, 2005

## 1. CONSENT CALENDAR (Continued)

### INFORMATION AND REPORTS

#### 1.11 Minutes of the Planning Commission meeting held March 9, 2005 (Don Anderson)

RECOMMENDATION: Receive and file.

#### 1.12 Treasurer's Report – February 2005 (Paul Espinoza)

RECOMMENDATION: Receive and file.

### END OF CONSENT CALENDAR

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## 2. 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.

## 3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

### 3.1 The actions of the Planning Commission meeting held on April 13, 2005

RECOMMENDATION: That the City Council determine if they wish to call up any item(s) for review from the Planning Commission meeting of April 13, 2005:

- 1) 9251–9261 Bolsa (Case 2004-64, Area Variance/Site Plan Review/Design Review) for expansion of an existing commercial building by adding a total of 490 sq. ft. to the first and second story mezzanine with no additional parking. The proposal also includes a complete renovation of the exterior of the building.
- 2) 7902 14<sup>th</sup> Street (Case 2005-03, Site Plan Review/Design Review) for remodeling an existing single-family residence and adding three new two-story rental units.

# AGENDA

April 20, 2005

## 4. 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.

### 4.1 Allocation of 2005/2006 Home Investment Partnerships (HOME) and Community Development Block Grant (CDBG) (Don Anderson)

RECOMMENDATION: Staff recommends that the City Council:

- 1) Allocate HOME Program funds in the amount of \$558,377 and Community Development Block Grant (CDBG) funds in the amount of \$1,429,917; and
- 2) Authorize the City Manager to submit the application to the U.S. Department of Housing and Urban Development (HUD) before May 17, 2005.

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

### 5.1 Council/Agency Member Items

# AGENDA

April 20, 2005

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

5.2 **Request for Mayor Rice, on behalf of the City Council, to attend a ceremony in Washington D.C. acknowledging Tony Lam as an outstanding Vietnamese citizen.** (Mayor Rice)

5.3 **Resolution No. 3913 – A Resolution of the City Council of the City of Westminster commemorating the 30<sup>th</sup> Anniversary of the Vietnamese refugees in Westminster.** (Mayor Rice & Mayor Pro Tem Paris)

RECOMMENDATION: That the City Council adopt Resolution No. 3913 and waive further reading.

5.4 **Request to move the City Council meetings from the first and third Wednesdays of the month to the second and fourth Wednesdays of the month.** (Mayor Rice)

## 6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 **Permission to use City property for Westminster Police Officers Association Police Memorial**

RECOMMENDATION: Staff recommends that the City Council approve the land use request by the Westminster Police Officers Association (WPOA) subject to agreed terms and conditions.

6.2 **Award of Agreement for 2005 Fourth of July Fireworks Display** (Penny Loomer)

RECOMMENDATION: Staff recommends that the City Council:

1. Approve an agreement with Pyro-Spectacular in the amount of \$19,000 to conduct the fireworks display at the 2005 Fourth of July celebration, and authorize the City Manager to execute the agreement on behalf of the City; and
2. Approve additional funding for Fiscal Year 2005-2006 in the amount of \$7,000 and transfer from the General Fund Contingency, Account No. 20000-60904 to Account No. 75100-43090 to cover the increase of the fireworks display.

# **AGENDA**

April 20, 2005

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

### **6.3 (City Council/Redevelopment Agency) Consideration of a loan and terms for a \$250,000 loan from the Asian American Senior Citizen Association to remodel and expand its facility at the northeast corner of Hospital Circle and 21<sup>st</sup> Street (Cont. from 4/6/05) (Paul Espinoza)**

RECOMMENDATION: Staff recommends that the City Council/Agency Board determine if it wishes to provide a loan to the Association and if so, provide staff with direction on the loan terms.

## **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 the Girl Scout Council for waiver of fees for the use of the Community Services Building East/West Rooms on Monday, June 6, 2005 at 7:00 p.m. for their Silver Awards Ceremony.

## **8. LEGISLATIVE ITEMS - None**

## **9. COMMISSION AND COMMITTEE ITEMS**

### **9.1 Appointments to Commissions and Committees (Janet Mayfield)**

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

# **AGENDA**

April 20, 2005

10. **COUNCIL/AGENCY ADJOURNMENT** To Monday, April 25, 2005 in the East/West Room of the Community Services Building for the purpose of conducting a Commission and Committee Orientation meeting.