

**CITY COUNCIL/
REDEVELOPMENT AGENCY/
PUBLIC FINANCING AUTHORITY
AGENDA**

**City of Westminster
Adjourned Regular Meeting
June 8, 2005**

Notice is given that this meeting will be conducted simultaneously through teleconferencing at two different locations pursuant to Government Code Section 54953(b)(1). A quorum of the City Council/Redevelopment Agency/Financing Authority will be present at the Civic Center location listed below. Mayor Pro Tem Russell C. Paris will be present at the second location as follows: 15561 Eden Street, Westminster, California, which shall be accessible to the public

**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.

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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 Consent Calendar 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

June 8, 2005

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;
Existing Litigation: Scott Center vs. City of Westminster; and
- 2) Pursuant to Government Code Section 54957: Public Employee Performance
Evaluation: City Manager.

RECESS:

AGENDA

June 8, 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: City Attorney

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 recipients of the Golden Torch Awards presented by the Vietnamese American National Gala (VANG) in Washington D. C. on May 2, 2005.
- B. Chamber of Commerce Quarterly Report and Report on Upcoming Events
- C. Joint recognition with Municipal Water District of Orange County (MWDOC) of Star View Elementary School students that participated in this year's "Water is Life" Poster/Slogan Contest and their teachers.

AGENDA

June 8, 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 May 4, 2005; Minutes of the Adjourned Regular Meeting of the City Council/Redevelopment Agency of May 17, 2005; Minutes of the Regular Meeting of the City Council/Redevelopment Agency of May 18, 2005; and Minutes of the Regular Meeting of the City Council/Redevelopment Agency of June 1, 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 for the repairs to Sigler Park Community Building (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the City Council:

- 1) Waive the formal bid process; and
- 2) Approve a contract in the amount of \$15,675.33 to Ameristar Restoration, Inc. for repairs to the Sigler Park Community Building, and authorize the City Manager to execute the contract on behalf of the City.

- 1.4 **Notice of Completion for work performed by Schultz Mechanical Contractors, Inc., for Storm Drain Repair at 13462 Barney Street (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.

AGENDA

June 8, 2005

1. CONSENT CALENDAR (Continued)

1.5 Amendment No. 1 to Contractual Services Agreement with W.G. Zimmerman to provide temporary engineering services (Marwan Youssef)

RECOMMENDATION: Staff recommends that the City Council approve Amendment No. 1 to the contractual professional services agreement with W.G. Zimmerman, Inc., in an amount not to exceed \$20,000.00, extending the contract for a period not to exceed two months.

1.6 Notice of Completion for work performed by Nativ Engineering, Inc. for Median Island Improvements for Bolsa Avenue from Magnolia Street to Ward Street – Project No. 18002-034005 and 18002-044002, Federal Project No. STPLH-5338(029) (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.

ORDINANCES (SECOND READING)/RESOLUTIONS

1.7 Resolution No. 3917 - A Resolution of the City Council of the City of Westminster concerning the Status of the Circulation Element for the City of Westminster (Marwan Youssef)

RECOMMENDATION: Staff recommends that the City Council adopt Resolution No. 3917 and waive further reading.

ADMINISTRATIVE ITEMS

1.8 Administrative approval of fee waiver for Orange County Transportation Authority for the use of East/West Rooms to host a public open house for the San Diego (I-405) Freeway Major Investment Study on Tuesday, May 17, 2005 from 3:00 – 7:00 p.m. (Penny Loomer)

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

WARRANT REGISTER

1.9 (City Council/Redevelopment Agency) Warrant Register dated May 11 through 31, 2005 (Paul Espinoza)

RECOMMENDATION: Approve.

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June 8, 2005

1. CONSENT CALENDAR (Continued)

INFORMATION AND REPORTS

1.10 Community Development Monthly Activity Report – April, 2005 (Don Anderson)

RECOMMENDATION: Receive and file.

1.11 Minutes of the Traffic Commission meeting held May 3, 2005 (Marwan Youssef)

RECOMMENDATION: Receive and file.

END OF CONSENT CALENDAR

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 May 25, 2005 (Don Anderson)

RECOMMENDATION: That the City Council determine if they wish to call up any item(s) for review from the Planning Commission meeting of May 25, 2005:

- 1) 9030 Bolsa Avenue (Variance, Case No. 2005-13) for legalizing two can signs on an architectural tower element in a commercial center.
- 2) 8144-8155 13 Street (Variance, Case No. 2005-19) for installation of two monument signs.

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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 Adoption and appropriation of the Revised Budget for the 2005-06 Fiscal Year (Paul Espinoza)

Time set for a joint public hearing of the Westminster City Council, Redevelopment Agency, and Public Financing Authority on the Proposed Revised City of Westminster Operating Budget and the Capital Improvement Programs for the Fiscal Year 2005-2006; the proposed revised Westminster Redevelopment Agency Operating Budget and Capital Improvements Programs for the Fiscal Year 2005-2006; and the proposed revised Public Financing Authority Operating Budget for the Fiscal Year 2005-2006. In addition to adopting the Revised Fiscal Year 2005-2006 Budget, the City Council will adopt its appropriations limit. (Paul Espinoza)

RECOMMENDATION: Staff recommends that the City Council adopt:

- 1) RESOLUTION NO. 3918 entitled, "A Resolution of the City Council of the City of Westminster adopting and appropriating the revised budget for the 2005-06 fiscal year " and waive further reading;
- 2) RESOLUTION NO. 3919 entitled, "A Resolution of the City Council of the City of Westminster establishing the Article XIII B Appropriations Limit for the 2005-06 fiscal year" and waive further reading.

Continued →

AGENDA

June 8, 2005

4. PUBLIC HEARINGS (Continued)

4.1 Adoption and appropriation of the Revised Budget for the 2005-06 Fiscal Year (Continued)

RECOMMENDATION: Staff recommends that the Public Financing Authority adopt:

- 1) RESOLUTION NO. 25 entitled, "A Resolution of the Westminster Public Financing Authority adopting and appropriating the City of Westminster revised budget for the 2005-06 fiscal year " and waive further reading.

RECOMMENDATION: Staff recommends that the Westminster Redevelopment Agency adopt:

- 1) RESOLUTION NO. 176 entitled, "A Resolution of the Westminster Redevelopment Agency adopting and appropriating the revised budget for the 2005-06 fiscal year " and waive further reading.

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

5.2 Resolution No. 3923 – A Resolution of the City Council of the City of Westminster opposing eminent domain proceedings for the purpose of the I-405 expansion. (Council Member Quach)

RECOMMENDATION: That the City Council adopt Resolution No. 3923 and waive further reading.

5.3 Review of Westminster Municipal Code Chapter 17.60 – Home Businesses (Mayor Rice)

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6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 Approval of Purchase Orders for the Contractual Joint Venture Agreement with the County of Orange to provide services for the Family Resource Center for fiscal year 2005-06 (Penny Loomer)

RECOMMENDATION: Staff recommends that the City Council:

- 1) Authorize a purchase order for counseling and case management services to Western Youth Services in the amount of \$35,074.00; and
- 2) Authorize a purchase order for domestic violence, intervention/education and counseling services to Interval House in the amount of \$17,595.00.

6.2 Replacement of Air Conditioning Unit for the Community Services Building, East/West Room (Marwan Youssef)

RECOMMENDATION: Staff recommends that the City Council:

- 1) Approve waiving the formal bid process;
- 2) Approve the transfer of \$30,000.00 from the Government Buildings Fund 770, Budget Contingency Reserve, to Government Buildings Account No. 75500-43090; and
- 3) Approve an increase to Purchase Order No. 783 with Koltemp Refrigeration Co., Inc. from \$34,000.00 to \$64,000.00 for a new replacement air conditioning unit.

6.3 Reorganization of the Community Services Department

RECOMMENDATION: Staff recommends that the City Council approve the reorganization of the Community Services Department.

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 Team of Advocates for Special Kids (TASK) for waiver of fees for the use of the Community Services Building Craft Room on Saturday, June 18, 2005 from 10:00 a.m. to 12:30 p.m. for a Vietnamese parents' support group meeting.

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7. WRITTEN COMMUNICATIONS (Public) (Continued)

7.2 Waiver of Rental Fees/Community Services Building

RECOMMENDATION: Staff recommends that the City Council take under consideration a request from Westview Services, Inc., a non-profit agency, for waiver of fees for the use of the A/B Rooms on Tuesday, June 21, 2005 from 5:00 p.m. to 8:00 p.m. for a parenting open house.

8. LEGISLATIVE ITEMS

8.1 Resolution No. 3920 – A Resolution of the City Council of the City of Westminster providing for a compensation plan for employees represented by the Westminster Police Officers' Association (Pat Corcoran)

RECOMMENDATION: Staff recommends that the City Council adopt Resolution No. 3920 and waive further reading.

8.2 Resolution No. 3921 – A Resolution of the City Council of the City of Westminster providing for a compensation plan for employees represented by the Westminster Municipal Employees' Union Local 1734 (Pat Corcoran)

RECOMMENDATION: Staff recommends that the City Council adopt Resolution No. 3921 and waive further reading.

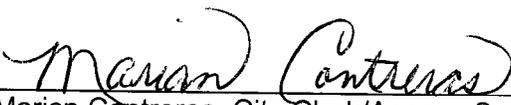
8.3 Resolution No. 3922 – A Resolution of the City Council of the City of Westminster amending Resolution No. 3744 providing for a compensation plan for the Management/Administrative/Confidential employees of the City of Westminster by adjusting the salary range for Police Captain's. (Pat Corcoran)

RECOMMENDATION: Staff recommends that the City Council adopt Resolution No. 3922 and waive further reading.

9. COMMISSION AND COMMITTEE ITEMS - None

10. COUNCIL/AGENCY ADJOURNMENT: To Thursday, June 9, 2005 at 7:00 p.m. in the Community Services Building (East/West Rooms) for the purpose of discussing Orange County Transportation Authority's (OCTA's) proposed expansion of the I-405.

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