



# **CITY COUNCIL REDEVELOPMENT AGENCY AGENDA**

City of Westminster  
Regular Meeting  
August 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 second and fourth 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**

August 10, 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(b): Anticipated Litigation (two potential cases); 1) re. the Claim from the Estate of Hoang Tan Bui; and 2) the Asian American Senior Citizens' Association; and
- 2) Conference with Legal Counsel pursuant to Government Code Section 54956.9; Existing Litigation: Scott Center vs. City of Westminster.

### **RECESS:**

# **AGENDA**

August 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:** 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 - None**

# AGENDA

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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 July 13, 2005, and Minutes of the Adjourned Regular Meeting of the City Council/Redevelopment Agency of July 25, 2005.** (Marian Contreras)

RECOMMENDATION: Approve.

### ROUTINE MATTERS

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

1. Larry Hemming in an unknown amount.
2. Dolores Searle in an unknown amount.

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 **Final Seven Year Capital Improvement Program (CIP) for the Measure M and Congestion Management Programs (2005/06)** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council review the Final Seven Year Capital Improvement Program for the Measure M and Congestion Management Programs (CMP), and authorize its submittal to the Orange County Transportation Authority (OCTA)

- 1.5 **Purchase of Seven Black and White Patrol Cars for fiscal year 2005-06** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the City Council authorize a purchase order to Villa Ford in the amount of \$160,231.33 for the purchase of seven new patrol cars.

# AGENDA

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## 1. CONSENT CALENDAR (Continued)

### 1.6 Police radio repairs and maintenance costs for 800 Megahertz Countywide Coordinated Communications System for fiscal year 2005-06 (Andy Hall)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order be issued to the Orange County Sheriff's Department Communication Division in an amount not to exceed \$25,000 for police radio repairs and maintenance.

### 1.7 Agreement Amendment for Workers' Compensation Claims Administration Services (Pat Corcoran)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve an amendment to the agreement with Hazelrigg Risk Management Services, Inc., for the period July 1, 2005 through June 30, 2008, at an annual cost of \$56,126, and authorize the City Manager to execute the agreement amendment on behalf of the City.

### 1.8 Extension of contractual services agreement with Melad & Associates to provide plan check and inspection services for fiscal year 2005-06 (Soroosh Rahbari)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order in an amount not to exceed \$90,000 to Melad & Associates.

## ORDINANCES (SECOND READING)/RESOLUTIONS

### 1.9 Ordinance No. 2389 - An Ordinance of the Mayor and City Council of the City of Westminster amending the Westminster Municipal Code relating to various Boards, Commissions and Committees (Marian Contreras)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Ordinance No. 2389 and waiver further reading.

### 1.10 Resolution No. 3936 - A Resolution of the Mayor and City Council of the City of Westminster providing for a compensation plan for the Management/Administrative/Confidential employees of the City of Westminster. (Pat Corcoran)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 3936 and waive further reading.

# AGENDA

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## 1. CONSENT CALENDAR (Continued)

### ADMINISTRATIVE ITEMS

- 1.11 Administrative approval of fee waiver for the Department of the Treasury Internal Revenue Services for the use of East and West rooms to host an E-File Seminar on Wednesday, August 31, 2005 from 7:00 am – 5:00 pm. (Greg Johnson)

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

### WARRANT REGISTER

- 1.12 (City Council/Redevelopment Agency) Warrant Register dated July 20 through August 2, 2005 (Paul Espinoza)

RECOMMENDATION: Approve.

### INFORMATION AND REPORTS

- 1.13 Minutes of the Planning Commission meeting held July 6, 2005 (Soroosh Rahbari)

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.

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## 3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

### 3.1 The actions of the Planning Commission meeting held on August 3, 2005 (Soroosh Rahbari)

RECOMMENDATION: That the City Council determine if they wish to call up any item(s) for review from the Planning Commission meeting of August 3, 2005.

- 1) 5440 Garden Grove Boulevard (Continued from 6/22/05) Case No. 2005-28 – Modification of Variance for an Existing Sign on Property - proposal to retrofit an existing electronic message board pylon sign.
- 2) 7601 23<sup>rd</sup> Street Case No. 2005-16 – Zone Change, Tentative Parcel Map, Site Plan Review, and Design Review for Property - proposal to change the zoning from industrial to residential to allow the construction of three residential condominiums on a 12,774-square-foot lot.

## 4. PUBLIC HEARINGS – None

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

### 5.1 Council/Agency Member Items

5.2 Request from Supervisor Lou Correa for the Mayor and City Council to send a letter to the State Legislature in support of Assembly Concurrent Resolution (ACR) 70, to designate a portion of State Route 39 (Beach Blvd.) in honor of Westminster Police Officer Steve Phillips (Mayor Rice/Mayor Pro Tem Paris)

5.3 Request to have the Financial Review Committee review the overall expenses and financial position of the City (Council Member Marsh)

5.4 Review of Ad Hoc Financing Committee (Council Member Marsh)

5.5 Monthly expense reimbursement for Mayor and Council Members (Mayor Rice)

RECOMMENDATION: That the Mayor and City Council take under consideration the adoption of Resolution No. 3937 entitled, "A Resolution of the Mayor and City Council of the City of Westminster regarding monthly expense reimbursement", and waive further reading, and/or provide direction to staff.

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## 6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

### 6.1 Reallocation of 1998, 2001, and 2002 Community Development Block Grant (CDBG) funding (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council reallocate \$35,148 from three old Capital Improvement projects to an ongoing street reconstruction project for the area bounded by Westminster, Beach, Hazard, and Cedarwood.

### 6.2 Water Rate Update Study (Marwan Youssef)

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

### 6.3 Appropriation of funds for expenses incurred with mailing of I-405 Freeway Expansion letter (Paul Espinoza)

RECOMMENDATION: Staff recommends that the City Council approve an appropriation of \$7,800 from the General Fund Contingency (Account No. 20000-60904) to the Finance Administration Postage (Account No. 21000-44010) for the expenses incurred with the I-405 Freeway Expansion letter.

### 6.4 Presentation of the City's new water bill (Paul Espinoza)

RECOMMENDATION: Staff recommends that the City Council review the new City of Westminster water bill.

### 6.5 Request from League of California Cities Designation for the Mayor and City Council to designate a voting delegate and alternate for the 2005 League Annual Conference, October 6-8, 2005

RECOMMENDATION: Staff recommends that the Mayor and City Council appoint a voting delegate and alternate, and direct the City Clerk to forward the Voting Delegate Form to the League of California Cities.

### 6.6 Purchase and Installation of Theater Seating for Westminster Rose Center located on All American Way (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve an agreement with American Seating for the purchase and installation of theater seating for the Westminster Rose Center in the amount of \$105,183.12, and authorize the City Manager to execute the agreement on behalf of the City.

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## 7. WRITTEN COMMUNICATIONS (Public)

### 7.1 Request from Abrazar, Inc. to have the City of Westminster Fleet Division perform maintenance & repair of Abrazar, Inc. vehicles

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the request made by Abrazar, Inc. to have City staff perform maintenance for their vehicles.

### 7.2 Waiver of Rental Fees/Community Services Building

RECOMMENDATION: Staff recommends that the Mayor and City Council take under consideration a request from Kiwanis Club of Westminster for waiver of fees for the use of the Community Services Building East/West Room on Friday, September 16, 2005 from 4 p.m. to 9 p.m. for their Installation and Awards Banquet, and on Saturday, October 29, 2005 from 2 p. m. to 8 p.m. for a Fish Fry.

### 7.3 Waiver of Rental Fees/Community Services Building

RECOMMENDATION: Staff recommends that the Mayor and City Council take under consideration a request from Strong Tower Worship Center for waiver of fees for the use of the Community Services Building East/West Room on Friday, September 2, 2005 from 3 p.m. to 10 p.m. to host a birthday celebration.

## 8. LEGISLATIVE ITEMS

### 8.1 Resolution fixing the employers contribution under the Public Employees' Medical and Hospital Care Act (PEMHCA). (Pat Corcoran)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Appropriate \$14,000 from the Employee Benefit Fund (Account No. 740-14306-91002) to fund the retroactive increase for medical benefits; and
- 2) Adopt Resolution No. 3935 entitled, "A Resolution of the Mayor and City Council of the City of Westminster fixing the employer's contribution under the Public Employees' Medical and Hospital Care Act (PEMHCA), and waive further reading.

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## 9. COMMISSION AND COMMITTEE ITEMS

### 9.1 Youth Committee Appointments

RECOMMENDATION: Based upon applicant interviews conducted by Mayor Rice and Council Member Fry, it is recommended that the Mayor and City Council appoint 2 regular members and 4 alternate members (selecting in the order of 1<sup>st</sup> through 4<sup>th</sup> alternates) to serve on the City's Youth Committee, for terms to expire on June 30, 2006.

### 9.2 Appointment to the Community Services and Recreation Commission (Mayor Pro Tem Paris Appointee)

RECOMMENDATION: Staff recommends that the Mayor and City Council consider an appointment to the Community Services and Recreation Commission for a term to expire November, 2006.

### 10. COUNCIL/AGENCY ADJOURNMENT: To Wednesday, August 22nd at 6:00 p.m. in the Council Chambers, 8200 Westminster Boulevard, Westminster, CA for the purpose of a presentation from the Public Cable Television Authority (PCTA).

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