



# **CITY COUNCIL REDEVELOPMENT AGENCY AGENDA**

**City of Westminster  
Regular Meeting  
August 24, 2005**

**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 24, 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:**

### SPECIAL PRESENTATIONS:

- A. Certificate of Commendation to be presented to Anastasha Uyemura
- B. Certificate of Recognition to be presented to Pam Narz
- C. Presentation of donation from Senior Center Foundation, Soroptimist International, Employees Community Fund of Boeing California, and the Westminster Police Officer's Association, to the Project SHUE program.
- D. Presentation to the City from the Boys and Girls Club of Westminster

# AGENDA

August 24, 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 Adjourned Regular Meeting of the City Council/Redevelopment Agency of July 22, 2005; and Minutes of the Regular Meeting of the City Council/Redevelopment Agency of July 27, 2005.** (Marian Contreras)

RECOMMENDATION: Approve.

### ROUTINE MATTERS

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

1. Estate of Hoang Tan Bui in the amount of \$40,000,000.00.

RECOMMENDATION: Deny claim 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 **First Amendment to the agreement between the City and James F. McConnell for federal legislative consulting and representation services** (Vicki Morgan)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the first amendment to the agreement with James F. McConnell for federal legislative consulting and representation services, and authorize the City Manager to execute the amendment on behalf of the City.

- 1.5 **(Agency) Junior Lienor's Consent and Subordination Agreement for the 13<sup>th</sup> Street Intergenerational Apartment Project** (Don Anderson)

RECOMMENDATION: Staff recommends that the Chair and Agency Board Members approve the Junior Lienor's Consent and Subordination Agreement for Westminster Housing Partners, L.P., and authorize the Executive Director to execute the agreement on behalf of the Agency.

# AGENDA

August 24, 2005

1. **CONSENT CALENDAR (Continued)**
- 1.6 **Annual Disadvantaged Business Enterprise (DBE) Program and Annual Goal for the Federal Fiscal Year 2005-2006 (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt the DBE Program and approve the DBE goal of 7% for Federally-funded projects for the Federal fiscal year 2005-2006.

## **ORDINANCES (SECOND READING)/RESOLUTIONS**

- 1.7 **Resolution No. 3938 – A Resolution of the Mayor and City Council of the City of Westminster to adopt the National Incident Management System (NIMS) (Andy Hall)**

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 3938 and waive further reading.

- 1.8 **Resolution No. 3940 – A Resolution of the Mayor and City Council of the City of Westminster to apply as lead agency for grant funds for the Westminster Family Resource Center and designating the City Manager to act as authorized representative (Greg Johnson)**

RECOMMENATION: Staff recommends that the Mayor and City Council adopt Resolution No. 3940 and waive further reading.

- 1.9 **Resolution No. 3944 – A Resolution of the Mayor and City Council of the City of Westminster amending Resolution No. 3936 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. 3944 to include 4% increases to the positions inadvertently omitted from Resolution No. 3936 and waive further reading.

# AGENDA

August 24, 2005

## 1. CONSENT CALENDAR (Continued)

### ADMINISTRATIVE ITEMS

#### 1.10 Cooperative Agreement between the Orange County Transportation Authority (OCTA), the City of Westminster and Abrazar, Inc. to provide a senior mobility program for senior transportation (Greg Johnson)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Approve an appropriation in the amount of \$49,574.00 to the Senior Transportation Revenue Account No. 70501-34490; and
- 2) Authorize an appropriation from Senior Transportation Expenditure Account No. 70501-43090 in the amount of \$49,574.00 to Abrazar, Inc.; and
- 3) Authorize the City Manager to execute the agreement on behalf of the City.

#### 1.11 Special Event Permit application from Little Saigon Foundation to hold the Moon Festival on Saturday, September 17, 2005 between the hours of 10:00 a.m. and 8:30 p.m. The event will take place in the Civic Center Sunken Gardens, 8200 Westminster Boulevard; the anticipated attendance is 2,000 people (Greg Johnson)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the Special Event Permit application subject to the conditions attached to the staff report.

### WARRANT REGISTER

#### 1.12 (City Council/Redevelopment Agency) Warrant Register dated August 3 through 16, 2005 (Paul Espinoza)

RECOMMENDATION: Approve.

### INFORMATION AND REPORTS

#### 1.13 Community Development Monthly Activity Report – July 2005 (Don Anderson)

RECOMMENDATION: Receive and file.

**END OF CONSENT CALENDAR**

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# AGENDA

August 24, 2005

## 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 August 17, 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 August 17, 2005.

- 1) 9800 McFadden Avenue; Case No. 2005-29 – Conditional Use Permit/Site Plan/Design Review – proposal to install a new wireless telecommunications facility (WCF), a 50-foot-high monopine with 12 panel antennas, at the existing Southern California Edison substation.
- 2) 5572 Norma Drive, Case No. 2005-38 – Home Business Permit to operate a travel agency in the R1 (Single-Family Residence) district. The applicant proposes to use the residence for administrative office purposes only. No clients would visit the residence.

## 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.

# AGENDA

August 24, 2005

## 4. PUBLIC HEARINGS (Continued)

### 4.1 REVIEW OF THE PLANNING COMMISSION'S APPROVAL OF CASE NO. 2005-27 (TENTATIVE PARCEL MAP, SITE PLAN REVIEW AND DESIGN REVIEW); LOCATION: 14072 GOLDENWEST STREET; APPLICANT: LONG HA (Don Anderson)

Time set for a public hearing to consider the Planning Commission's decision to approve the construction of three residential condominiums on a 9,525-square-foot lot. The required entitlements include a Tentative Parcel Map for condominium purposes, Site Plan Review to assess the proposed site layout, and Design Review to assess the design and overall appearance of the development.

PLANNING COMMISSION RECOMMENDATION: That the Mayor and City Council:

- 1) Uphold the Planning Commission's decision to approve Case No. 2005-27; and
- 2) Adopt Resolution No. 3939 entitled "A Resolution of the Mayor and City Council of the City of Westminster approving Case No. 2005-27 (Tentative Parcel Map, Site Plan Review, Design Review) to allow the construction of three residential condominium units on property located at 14072 Goldenwest Street", and waive further reading.

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

### 5.1 Council/Agency Member Items

### 5.2 Resolution No. 3942 –Establishing an Ad Hoc Police Facility Financing Committee (Council Member Marsh)

RECOMMENDATION: That the Mayor and City Council:

- 1) Adopt Resolution No. 3942 entitled, "A Resolution of the Mayor and City Council of the City of Westminster establishing an Ad Hoc Police Facility Financing Committee", and waive further reading; and
- 2) Appoint members to serve on the Ad Hoc Police Facility Financing Committee, or direct staff to agendize appointment to the committee for a future meeting.

# AGENDA

August 24, 2005

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

### 5.3 Resolution No. 3943 – Establishing a Rose Center Ad Hoc Financing Committee (Council Member Marsh)

RECOMMENDATION: That the Mayor and City Council:

- 1) Adopt Resolution No. 3943 entitled, “A Resolution of the Mayor and City Council of the City of Westminster establishing an Ad Hoc Rose Center Maintenance Committee”, and waive further reading; and
- 2) Appoint members to serve on the Ad Hoc Rose Center Maintenance Committee, or direct staff to agendize appointments to the committee for a future meeting.

## 6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

### 6.1 Westminster Municipal Code Chapter 17.60 – Home Businesses (deferred from the July 13, 2005 meeting) (Don Anderson)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Amend Chapter 17.60 of the Westminster Municipal Code – Home Businesses by: clarifying those uses listed in Tables A and B; deleting all references to the Home Business Committee; requiring all applicants requesting approval of a Level Two business to submit a Conditional Use Permit application, with the applicable fee, for consideration by the Planning Commission at a noticed public hearing; prohibit alcohol, gambling, and livestock-related businesses; delete the reference in Table B to Day Care; and add language that Chapter 17.60 does not pertain to restrict or prohibit home schooling.
- 2) Direct staff to return with an appropriate Ordinance to reflect the directed changes.

### 6.2 Request from Abrazar for conveyance of City-owned property at 7101 Wyoming Street (Don Anderson)

RECOMMENDATION: Staff recommends that the Mayor and City Council direct staff to implement one of the following options:

- 1) Continue leasing the property to Abrazar;
- 2) Enter into a long term multi-year lease agreement;
- 3) Convey ownership of the property to Abrazar with an agreement to be considered by the Mayor and City Council at a later date, which would specify the terms of conveyance.

# AGENDA

August 24, 2005

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

### 6.3 Donation for Trails4All, a non-profit organization (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Approve a budget transfer of \$1,000.00 from General Fund Contingency (Account No. 20000-60904) to Public Works Administration, Special Departmental Expense (Account No. 50000-44020); and
- 2) Authorize a \$1,000.00 donation to the Trails4All organization.

### 6.4 Reorganization of the Building Maintenance Division of the Public Works Department (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Approve the reorganization of the Building Maintenance Division;
- 2) Approve the new job description for a new position, Building Supervisor;
- 3) Transfer \$6,676.80 from Government Building Funds Contingency (Account No. 75500-60904) to Government Building Permanent Salaries (Account No. 75500-40000).

### 6.5 Police radio repairs and maintenance costs for 800 Megahertz Countywide Coordinated Communications System for fiscal year 2005-06 (deferred from the August 10, 2005 meeting) (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.

### 6.6 Request for Proposals (RFP) for medical transportation services for the City (Paul Espinoza)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Direct staff to conduct a formal bid procedure for medical transportation services; and
- 2) Authorize a purchase order with American Medical Response (AMR) for medical transportation services in an amount not to exceed \$363,000 for fiscal year 2005-06.

# AGENDA

August 24, 2005

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

### 6.7 First Amendment to Consulting Services Agreement with Civic Solutions to provide temporary Planning staff services (Don Anderson)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Authorize an appropriation of \$50,000 from the Community Development Fund 285 Undesignated Balance (Account No. 285-00285-71030) to Community Development Administration (Account No. 285-60050-43090); and
- 2) Approve the First Amendment to the Consulting Services Agreement with Civic Solutions in a total amount not to exceed \$65,000, and authorize the City Manager to execute the amendment on behalf of the City.

### 6.8 Schedule a study session meeting on the Rose Center Financial Operating Plan

RECOMMENDATION: That the Mayor and City Council select a date and time for a study session for a follow-up discussion on the Rose Center Financial Operating Plan.

### 6.9 Schedule a town hall meeting for a status report on the proposed I-405 Expansion project

RECOMMENDATION: That the Mayor and City Council select a date and time for a study session for a town hall meeting on the proposed I-405 Expansion project.

## 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 Toastmasters of Westminster for waiver of fees for the use of the Community Services Building (A/B Room) on Saturday, September 24, 2005 between the hours of 8:00 a.m. and 12:00 noon for their Area Speech Contest.

## 8. LEGISLATIVE ITEMS – None

# AGENDA

August 24, 2005

## 9. COMMISSION AND COMMITTEE ITEMS

### 9.1 Request for parking restrictions on Westminster Boulevard at Nevada Street and Nevada Street at California Avenue – T. C. 04-107

TRAFFIC COMMISSION RECOMMENDATION: Staff recommends that the Mayor and City Council approve the recommendation of the Traffic Commission and adopt Resolution No. 3941 entitled, "A Resolution of the Mayor and City Council of the City of Westminster providing for No Parking or Stopping at a certain location on Westminster Boulevard at Nevada Street and on California Avenue at Nevada 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