



CITY COUNCIL REDEVELOPMENT AGENCY AGENDA

**City of Westminster
Regular Meeting
September 14, 2005**

**5:30 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

September 14, 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 purpose:

- 1) Pursuant to Government Code Section 54957: Public Employee Performance Evaluation: City Manager.

RECESS:

AGENDA

September 14, 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: Mayor Pro Tem Paris

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 Boy Scout Danny Nguyen for his Eagle Scout Project

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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 August 10, 2005, Minutes of the Adjourned Regular Meeting of the City Council/Redevelopment Agency of August 22, 2005; and Minutes of the Regular Meeting of the City Council/Redevelopment Agency of August 24, 2005 (Marian Contreras)**

RECOMMENDATION: Approve.

ROUTINE MATTERS

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

1. David Parks in the amount of \$10,000.00
2. Lewis Rosenberg in an unknown amount.
3. Sharlene Posey in the amount of \$94.52

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 **Proclamation declaring September 17 through 23, 2004 as "Constitution Week" in the City of Westminster**

RECOMMENDATION: Approve.

- 1.5 **Planned Expenditure of State Law Enforcement Subvented Funds (SLESF), Fiscal Year 2005-06 (Andy Hall)**

RECOMMENDATION: Staff recommends that the Mayor and City Council accept the planned expenditure of State Law Enforcement Subvented Funds in the amount of approximately \$130,000 for fiscal year 2005-06 for the funding offset of one police sergeant position at the police department.

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1. CONSENT CALENDAR (Continued)

- 1.6 **Annual maintenance contract for police department dispatching and records management, and Alliance PD Central software updates and maintenance for FY 2005-06 (Andy Hall)**

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order be issued to the Cyrun Corporation, a sole source vendor, for police department dispatching and records management, and Alliance PD Central software updates and maintenance in an amount not to exceed \$40,000.

- 1.7 **Option year renewal of contract for municipal parking citation processing, payment, and adjudication services for FY 2005-06 (Andy Hall)**

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order be issued to Turbo Data Systems, Inc. for police department parking citation process services, exercising the first option year renewal of the contract in an amount not to exceed \$32,000.

- 1.8 **Award of Contract for street improvements on 19th Street from Beach Boulevard to Monroe Street; 20th Street from Beach Boulevard to cul-de-sac east of Jefferson Street; 21st Street from Beach Boulevard to Monroe Street; and 22nd Street from Beach Boulevard to Monroe Street (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the contract with All American Asphalt in the amount of \$963,149.00, and authorize the City Manager to execute the contract on behalf of the City.

- 1.9 **Amendment to the Joint Powers Agreement (JPA) for the West Orange County Water Board (Marwan Youssef)**

RECOMMENDATION: Staff recommends the Mayor and City Council approve the amendment to the West Orange County Water Board JPA, and authorize the Mayor to execute the amendment on behalf of the City.

- 1.10 **Award of Contract for resurfacing three tennis courts and one basketball court at Bolsa Chica Park, and six tennis courts at Park West Park (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the contract with Taylor Tennis Courts, Inc. for the above project in the amount of \$22,900.00, and authorize the City Manager to execute the contract on behalf of the City.

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1. CONSENT CALENDAR (Continued)

1.11 Purchase of one Front End Wheel Loader/Tractor (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order to Quinn Shepherd Caterpillar in the amount of \$130,016.54 (tax included) for the purchase of one Front End Wheel Loader/Tractor.

1.12 Rejection of Bid for Westminster Rose Center – Bid Package No. 17 – Specialties (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council reject the one bid received for Bid Package No. 17, Specialties, and authorize the City Clerk to rebid the toilet partitions/accessories and projection screen.

1.13 Annual Disadvantaged Business Enterprise (DBE) Program and Annual Goal for the Federal Fiscal Year 2005-06 (deferred from the August 24, 2005 meeting) (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 2005-06.

1.14 (Agency) Junior Lienor's Consent and Subordination Agreement for the 13th Street Intergenerational Apartment Project (deferred from the August 24, 2005 meeting) (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.

WARRANT REGISTER

1.15 (City Council/Redevelopment Agency) Warrant Register dated August 10 through 30, 2005 (Paul Espinoza)

RECOMMENDATION: Approve.

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1. CONSENT CALENDAR (Continued)

INFORMATION AND REPORTS

1.16 Minutes of the Planning Commission meeting held August 3, 2005 (Don Anderson)

RECOMMENDATION: Receive and file.

1.17 Minutes of the Traffic Commission meeting held August 9, 2005 (Marwan Youssef)

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

RECOMMENDATION: That the City Council determine if they wish to call up any item(s) for review from the Planning Commission meeting of September 7, 2005:

- 1) 5952 Westminster Blvd. (Case 2005-34, Conditional Use Permit) modification of Conditional Use Permit to change ABC license type
- 2) 6312 Garden Grove Blvd. (Case 2005-39, Variance) for sign area

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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. PUBLIC HEARINGS (Continued)

4.1 2004-2005 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) (Don Anderson)

Time set for a public hearing to receive comments on and approve the 2004-2005 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) Program and the HOME Investment Partnerships Act Program (HOME)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Approve the 2004-2005 CAPER for the Community Development Block Grant (CDBG) Program and the HOME Investment Partnerships Act Program (HOME); and
- 2) Authorize the City Manager to transmit the report to the U.S. Department of Housing and Urban Development (HUD) on September 29, 2005.

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

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6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 Donation for Trails4All, a non-profit organization (deferred from the August 24, 2005 meeting) (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Approve a budget transfer of \$1,000 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.

6.2 Ambulance billing services for the City (Paul Espinoza)

RECOMMENDATION: Staff recommends that the Mayor and City Council either:

- 1) Direct staff to conduct a formal bid procedure for ambulance billing services and authorize a purchase order with Chupan Medical Computer Services (CMCS) in an amount not to exceed \$135,000 for the fiscal year 2005-06; or
- 2) Waive the formal bid procedure and authorize a purchase order with CMCS for ambulance billing services in an amount not to exceed \$135,000 for the fiscal year 2005-06.

6.3 Schedule a study session meeting on the Rose Center Financial Operating Plan (deferred from the August 24, 2005 meeting)

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.

6.4 Selection of a date and time for a study session for discussion of potential budget cuts for Fiscal Year 2005-06

RECOMMENDATION: That the Mayor and City Council select a date and time for a study session for discussion of potential budget cuts for FY 2005-06.

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7. WRITTEN COMMUNICATIONS (Public)

- 7.1 Consideration of request from the Little Saigon Foundation to reduce the required insurance limits for a Special Event Permit 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; the anticipated attendance is 2,000 people.

RECOMMENDATION: Staff recommends that the Mayor and City Council take under consideration a request from the Little Saigon Foundation to reduce the required insurance limits.

- 7.2 Special Event Permit application from Westminster Foursquare Church to hold their annual Classic Car Show on Saturday, October 8, 2005 between the hours of 11:00 a.m. and 3:00 p.m. The event will take place at the Westminster Foursquare Church located at 8091 22nd Street, Westminster. The anticipated attendance is 500 people

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Take under consideration the request from Westminster Foursquare Church to waive the \$100 Special Event Permit fee; and
- 2) Approve the Special Event Permit application subject to the conditions attached to the staff report.

8. LEGISLATIVE ITEMS – None

9. COMMISSION AND COMMITTEE ITEMS

9.1 Construction of an interactive aquatic play area at Sigler Park

COMMUNITY SERVICES AND RECREATION COMMISSION
RECOMMENDATION: That the Mayor and City Council:

- 1) Approve allocating \$709,000 in State Park Bond (Murray-Hayden) funding for the design and construction of an interactive aquatic play area at Sigler Park; and
- 2) Direct staff to distribute a Request for Proposals for design services.

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.

for: Janet Mayfield, Asst. City Clerk
Marian Contreras, City Clerk/Agency Secretary