

**CITY COUNCIL/
REDEVELOPMENT AGENCY
AGENDA**

City of Westminster
Regular Meeting
June 28, 2006

6:30 p.m. – Council Conference Room
7:00 p.m. – Council Chambers

8200 Westminster Boulevard
Westminster, California 92683

**MARGIE L. RICE
MAYOR**

**FRANK G. FRY
Mayor Pro Tem**

**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 28, 2006

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 Representative: Interim City Manager Andy Hall; Employee Organization: Management/Administrative/Confidential Employees

RECESS:

AGENDA

June 28, 2006

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, 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. Chamber of Commerce Quarterly Report and Report on Upcoming Events
- B. Recognition of artwork and reports done by 3rd and 4th graders on the subject of trees and their benefit to the City
- C. Resolution of Commendation to Beverly Rosen
- D. Orange County Transportation Authority (OCTA) presentation to City for Transportation Enhancement Activity (TEA) funds in the amount of \$1 million

AGENDA

June 28, 2006

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 Meetings of the City Council/Redevelopment Agency of May 17, 2006 and May 18, 2006.** (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 **Approval of Specific Terms of the West County Regional SWAT Protocol (continued from the May 17, 2006 meeting)** (Ron Coopman)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize the Chief of Police to participate in and execute the West County SWAT Protocol (Protocol) and approve paragraphs 7 and 8 of the Protocol entitled "Liability" and "Workers Compensations and Other City Benefits".

- 1.4 **Renewal of Contract with California Shopping Cart Retrieval Corporation (CSCRC), a Sole Service Provider, in the Amount of \$36,000 for Retrieval of Stray Shopping Carts** (Vicki Morgan)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the contract with California Shopping Cart Retrieval Corporation (CSCRC), a sole service provider, in the amount of \$36,000 for the period of July 1, 2006 through June 30, 2007, and authorize the Interim City Manager to execute the contract on behalf of the City.

AGENDA

June 28, 2006

1. CONSENT CALENDAR (Continued)

1.5 Amendment No. 5 to Contractual Services Agreement with W.G. Zimmerman Engineering, Inc., to provide temporary engineering services (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve Amendment No. 5 to the contractual professional services agreement with W.G. Zimmerman Engineering, Inc., in an amount not to exceed \$62,400.00, extending the contract for a period up to six months, and authorize the Interim City Manager to execute the amendment on behalf of the City.

1.6 U. S. Environmental Protection Agency (EPA) Grant #XP-96965901-0 Agreement for Water Infrastructure, Water Quality Improvement, and Storm Drain Storm Water Clean Up (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the U. S. EPA Grant #XP-96965901-0 in the amount of \$626,300.00, and authorize the Public Works Director to execute the agreement on behalf of the City.

1.7 Final Seven Year Capital Improvement Program (CIP) for the Measure M and Congestion Management Programs (2006/07) (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).

1.8 Option Year Renewal for Procurement of Asphalt (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize renewal of the subject contract with Vulcan Materials for an additional year, exercising the fourth year renewal option.

AGENDA

June 28, 2006

1. CONSENT CALENDAR (Continued)

1.9 Authorization to Increase/Decrease the Purchase orders for Various Contracts for the Construction of the Westminster Rose Center (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize the increase/decrease to the purchase orders for various contracts for the construction of the Westminster Rose Center as follows:

BID #	DESCRIPTION	PRIME CONTRACTOR	INCREASE <DECREASE>
1	Earthwork / Grading	So. Cal Grading	\$16,292
2	Prestressed Piles	Meeks Construction	\$395
3	Landscape	Nature Tech	\$9,965
4	Concrete	UDC	\$71,024
5	Masonry	Industrial Masonry	\$16,948
6	Structural Steel	McMahon	\$76,884
7	Architectural Woodwork	Day Star Industries	\$28,661
8	Roofing / Waterproofing	Best Roofing	\$9,776
9	Sheet Metal	Crowner	\$13,604
10	Glass and Glazing	Padua Glass	\$15,271
11	Framing & Drywall	Best Interiors	\$43,473
12	Acoustical Ceiling	Hutchinson	<\$4,996>
13	Stone & Ceramic Flooring	KJ Carpet	\$4,700
14	Stage Flooring	Fitness Standard	<\$2,000>
15	Carpet / VCT	Spectra	\$2,681
16	Painting / Wallcovering	Western Painting	<\$3,846>
17	Specialties	Inland	\$7,302
17A	Operable Partitions	Partition Specialties	0
18	Food Service	Trimark Regal	\$8,192
19	Theatrical Rigging	LVH Entertainment	\$7,851
20	Elevator	Snowden Electric	0
21	Fire Protection	Ability Fire Protection	<\$7,200>
22	Plumbing	HPS Mechanical	<\$10,192>
23	H.V.A.C.	Refrigerated Air	\$21,462
24	Electrical	Snowden Electric	\$127,382
25	Final Clean-Up	MNZ Janitorial	\$1,592

AGENDA

June 28, 2006

1. CONSENT CALENDAR (Continued)

1.10 Purchase of Computer Equipment for Rose Center (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve a purchase order in the amount of \$56,557.66 to CDW-G Company for computer equipment to be used at the Rose Center.

ORDINANCES (SECOND READING)/RESOLUTIONS

1.11 Resolution No. 4019 - A Resolution of the Mayor and 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 Mayor and City Council adopt Resolution No. 4019 and waive further reading.

WARRANT REGISTER

1.12 (City Council/Redevelopment Agency) Warrant Register dated June 7 through June 20, 2006 (Paul Espinoza)

RECOMMENDATION: Approve.

INFORMATION AND REPORTS

1.13 Minutes of the Planning Commission meeting held June 7, 2006 (Don Anderson)

RECOMMENDATION: Receive and file.

1.14 Minutes of the Youth Committee meeting held on April 19, 2006 (Greg Johnson)

RECOMMENDATION: Receive and file.

1.15 Community Development Department Monthly Report – May 2006 (Don Anderson)

RECOMMENDATION: Receive and file.

END OF CONSENT CALENDAR

AGENDA

June 28, 2006

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 June 21, 2006.

RECOMMENDATION: That the City Council determine if they wish to call up any item(s) for review from the Planning Commission meeting of June 21, 2006.

- 1) Case 2006-46, temporary display of large helium balloons for a temporary used car sales event in the parking area of the Westminster Mall.
- 2) Case 2006-17, (CUP), sale of beer and wine for off-site consumption at a new mini-market within the G.Q. De Plaza at 14022 Edwards Street.
- 3) Case 2006-28, (CUP, DR) construction and operation of a wireless facility on an existing 150-foot tall Southern California Edison transmission tower located west of Hoover Street and bounded on the north by Westminster Boulevard and on the south by Main Street.
- 4) Case 2006-29, (CUP, DR) construction and operation of a wireless facility on an existing 120-foot tall Southern California Edison transmission tower located north of Universe Avenue and south of a flood control channel.

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

June 28, 2006

4, PUBLIC HEARINGS (Continued)

4.1 CASE 2006-03 (SITE PLAN REVIEW AND DESIGN REVIEW); 9062 BOLSA AVENUE; APPLICANT: MR. YONG PARK, AUTHORIZED AGENT FOR MR. BOB NGYUEN, HOA BINH PLAZA LLC, PROPERTY OWNER OF RECORD

Time set for a public hearing to consider the construction of a 1,800 - square foot addition to an existing retail building, and to remodel the exterior of the retail building on a 81,972- square foot lot. The required entitlements include Site Plan Review to assess the proposed site layout, and Design Review to assess the design and overall appearance of the development.

RECOMMENDATION: The Planning Commission recommends that the Mayor and City Council adopt Resolution No. 4016 entitled "A Resolution of the Mayor and City Council of the City of Westminster approving Case No. 2006-03 pertaining to a Site Plan Review and Design Review for an 1,800-square foot addition to and exterior remodeling of an existing retail center located at 9062 Bolsa Avenue", and waive further reading

4.2 CASE 2006-12 (CONDITIONAL USE PERMIT, DESIGN REVIEW, VARIANCE); 9421 EDINGER AVENUE; APPLICANT: MR. PAUL GERST, SEQUOIA DEPLOYMENT SERVICES INC., AUTHORIZED AGENT FOR T-MOBILE, THE WIRELESS OPERATOR, AND WESTVIEW VOCATIONAL SERVICES, PROPERTY OWNER OF RECORD

Time set for a public hearing to consider the construction of and operation of an unmanned communication facility. The required entitlements include a Conditional Use Permit, Design Review, and Variance to allow the establishment and operation of a wireless communications facility.

RECOMMENDATION: The Planning Commission recommends that the Mayor and City Council adopt Resolution No. 4017 entitled "A Resolution of the Mayor and City Council of the City of Westminster approving Case No. 2006-12 pertaining to a Conditional Use Permit, Design Review, and Variance for a wireless communication facility to be located at 9421 Edinger Avenue", and waive further reading.

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items/AB 1234 Reports

AGENDA

June 28, 2006

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 (Agency) Agreement with the Westminster Chamber of Commerce (Don Anderson)

RECOMMENDATION: Staff recommends that the Chair and Agency Board approve the agreement with the Westminster Chamber of Commerce in the amount of \$32,135.58 for fiscal year 2006-2007 and authorize the Chair to execute the agreement on behalf of the Agency.

6.2 Conceptual Design Presentation by David Volz Design – Sigler Park Water Spray Playground (Greg Johnson)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the architect's conceptual design of the Sigler Park Water Spray Playground.

6.3 Establishment of an Ad-Hoc Committee to review current development standards for all residential zoning districts (Art Bashmakian)

RECOMMENDATION: Staff recommends that the Mayor and City Council establish an Ad Hoc Committee and appoint members.

6.4 Zone Text Amendment to eliminate the City's requirement for subtracting common driveways from apartment and condominium developments, for the purpose of determining allowed density (Art Bashmakian)

RECOMMENDATION: Staff recommends that the Mayor and City Council direct staff to prepare a Zone Text Amendment.

7. WRITTEN COMMUNICATIONS (Public) – None

8. LEGISLATIVE ITEMS – None

AGENDA

June 28, 2006

9. COMMISSION AND COMMITTEE ITEMS

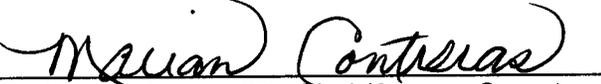
9.1 Youth Committee Appointments

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Consider appointment of eight (8) current Youth Committee Members (listed on page 2 of staff report) to serve as regular members for a term to expire on June 30, 2007; and
- 2) Select two Council Members to participate in an interview process of the thirteen (13) new applicants (listed on page 2 of staff report).

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