



**CITY COUNCIL/
REDEVELOPMENT AGENCY
AGENDA**

City of Westminster
Regular Meeting
October 25, 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

October 25, 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 Representatives: Interim City Manager Andy Hall, Director of Personnel/Risk Management Pat Corcoran and Finance Director Paul Espinoza; Employee Organization: Westminster Police Officers' Association (WPOA);

RECESS:

AGENDA

October 25, 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: Council Member Marsh

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. Introduction of Shirley Vaughn, Principal at Westminster High School
- B. SR-22 Presentation by Orange County Transportation Authority
- C. Westminster Chamber of Commerce – Report on Upcoming Events

AGENDA

October 25, 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 Regular Meetings of the City Council/Redevelopment Agency of September 13, 2006 and October 11, 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 **Notice of Completion for work performed by All American Asphalt, Inc., for All American Way and 16th Street Improvement Project (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council accept the subject project and authorize the City Clerk to file a Notice of Completion with the County Recorder's Office.

- 1.4 **Issuance of Request for Proposals for Project Management Services for New Police Facility (Mitch Waller)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the issuance of a Request for Proposals for Project Management services for the new Police Facility.

AGENDA

October 25, 2006

1. CONSENT CALENDAR (Continued)

1.5 Interim City Manager's Compensation (Dick Jones)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Authorize compensating the Interim City Manager for his services so long as he continues to perform the services and responsibilities of Interim City Manager at the rate of \$16,667.00 per month inclusive of the Continuous Meritorious Service (CMS) entitlement he has a right to receive, effective December 1, 2006; and
- 2) Acknowledge and approve that any funds he has received as the Interim City Manager while serving in the capacity as Interim City Manager for CMS above his base salary shall be deemed additional compensation through and including November 30, 2006.

(SECOND READING) ORDINANCES/RESOLUTIONS

1.6 Resolution No. 4044 - A Resolution of the Mayor and City Council of the City of Westminster adopting the Orange County Regional Water and Wastewater Multi-Hazard Mitigation Plan (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4044, subject to incorporation of comments, if any, by the State Office of Emergency Services (OES) and the Federal Emergency Management Agency (FEMA), and waive further reading.

ADMINISTRATIVE ITEMS

1.7 Special Event Permit application from Little Saigon Foundation to hold the 14th Annual Christmas Wish Program on Saturday, December 23, 2006 between the hours of 6:00 a.m. and 1:30 p.m. (includes set up and clean up times). 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.

AGENDA

October 25, 2006

1. CONSENT CALENDAR (Continued)

- 1.8 Special Event Permit application from Vietnamese Alliance to Combat Trafficking (VietACT) to hold an Evening of Awareness: Fighting Human Trafficking Program on Saturday, December 9, 2006 between the hours of 3:00 p.m. and 9:00 p.m. (includes set up and clean up times). The event will take place in the Civic Center Sunken Gardens, 8200 Westminster Boulevard; the anticipated attendance is 250 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

- 1.9 (City Council/Redevelopment Agency) Warrant Register dated October 4 through 17, 2006 (Paul Espinoza)

RECOMMENDATION: Approve.

INFORMATION AND REPORTS

- 1.10 Minutes of the Planning Commission meeting held September 20, 2006 (Don Anderson)

RECOMMENDATION: Receive and file.

- 1.11 Minutes of the Traffic Commission meeting held on October 3, 2006 (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.

AGENDA

October 25, 2006

3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

3.1 The actions of the Planning Commission meeting held on October 18, 2006

RECOMMENDATION: That the City Council determine if they wish to call up any item(s) for review from the Planning Commission meeting of October 18, 2006.

- 1) Case 2006-24 - Variance, Conditional Use Permit, Site Plan Review, Design Review to allow the construction and operation of a 2,754-square foot 7-Eleven Market with off-sale beer and wine, less than required rear and interior side setbacks, and a CITGO self-service gasoline station beneath a 1,886-square foot canopy. Location: 13982 Bolsa Chica Road.
- 2) Case 2006-61 - Conditional Use Permit to serve alcoholic beverages for on-site consumption (Type 47 alcohol license) in conjunction with an existing restaurant (Jasmine Thai); Location: 9477 Bolsa Avenue.
- 3) Case 2006-88 - Appeal of Staff's Decision to Planning Commission pertaining to equipment screening and utility connections for a soil remediation unit. Location: 8481 Westminster Boulevard (northwest corner of Westminster Boulevard and Newland Street).

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

October 25, 2006

4. PUBLIC HEARINGS (Continued)

4.1 CASE NO. 2006-72 (ZONE CHANGE) AND ACCOMPANYING NEGATIVE DECLARATION; LOCATION: 9282 BOLSA AVENUE, 15022 MORAN STREET AND 15054 MORAN STREET (SOUTHEAST CORNER OF BOLSA AVENUE AND MORAN STREET); APPLICANT: CITY OF WESTMINSTER

RECOMMENDATION: The Planning Commission recommends that the Mayor and City Council:

- 1) Adopt the negative declaration pertaining to Case 2006-72; and
- 2) Introduce Ordinance 2406 entitled, "An Ordinance of the Mayor and City Council of the City of Westminster amending Sectional District Map 18-5-10 of Municipal Code Section 17.06.070 to change the zoning district designation for three adjoining parcels located at the southeast corner of Bolsa Avenue and Moran Street from CM (Commercial-Industrial) to C2 (General Business)", and waive further reading.

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

5.2 AB 1234 Reports – None

5.3 Endorse, Oppose, or Remain Neutral on Proposition 90 – Government Acquisition, Regulation of Private Property. Initiative Constitutional Amendment. (Council Member Marsh)

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 Official Staff Travel Reimbursement Policy (Tami Piscotty)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4045 entitled, "A Resolution of the Mayor and City Council of the City of Westminster adopting the Official Staff Travel Reimbursement Policy", and waive further reading.

AGENDA

October 25, 2006

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.2 Median Monument Signs for the Civic Center (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council select one of the design alternatives and authorize staff to construct the signs as part of the Westminster Boulevard Median Project.

7. WRITTEN COMMUNICATIONS (Public) – None

8. LEGISLATIVE ITEMS - None

9. COMMISSION AND COMMITTEE ITEMS - None

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