

MARGIE L. RICE
Mayor

KERMIT MARSH
Mayor Pro Tem

FRANK G. FRY
Council Member

ANDY QUACH
Council Member

TRI TA
Council Member



AGENDA

CITY COUNCIL/REDEVELOPMENT AGENCY REGULAR MEETING

MARCH 28, 2007

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

8200 WESTMINSTER BOULEVARD
WESTMINSTER, CALIFORNIA 92683

If you need special assistance to participate in this meeting, please contact the City Clerk's office at (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 American Disabilities Act Title II)

AGENDA 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.

While in the City Council Chamber, please *turn off* all cellular phones and pagers.

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.

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.

PUBLIC USE OF COUNCIL CHAMBER EQUIPMENT

All computer presentations must be e-mailed or provided on a CD-ROM to the City Clerk at least 48 hours prior to the meeting. Items to be displayed on the overhead projector must be submitted to the City Clerk for review prior to use of the equipment.

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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 Legal Counsel pursuant to Government Code Section 54956.9(b): Anticipated Litigation (one potential case) re. Ambulance Transportation Services.

RECESS:

AGENDA

March 28, 2007

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, MARSH, FRY, QUACH, TA

PRESENT:

ABSENT:

SALUTE TO FLAG: Council Member Ta

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. Certificates of Commendation to PTA Reflections Contest Winners
- B. Proclamation declaring April, 2007 as DMV/Donate Life California Month
- C. Presentation from Rose Center Foundation President, Franklyn Soldo and Rose Center Theater Executive Director, Tim Nelson.

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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 February 28, 2007.** (Marian Contreras)

RECOMMENDATION: Approve.

ROUTINE MATTERS

- 1.2 **Proclamation Declaring April, 2007 as "Fair Housing Month" in the City of Westminster.** (Marian Contreras)

RECOMMENDATION: Approve.

- 1.3 **Fourth Year Payment for Microsoft Software License.** (James McAuliffe)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve a purchase order in the amount of \$90,209.97 to Compucom Systems Inc. for the fourth (4th) year payment for Microsoft Software Licenses.

- 1.4 **Award of Transcription Services Contract.** (Ron Coopman)

RECOMMENDATION: Staff recommends that the Mayor and City Council award a services contract to Huntington Court Reporters & Transcription, Inc. for fiscal year 2007-08 in an amount not to exceed \$18,000.

- 1.5 **Increase in Purchase Order for Legal Services for the City.** (Chris Birch)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve an increase to the purchase order with Ferguson, Praet & Sherman in the amount of \$15,000.

- 1.6 **Rejection of Bid for Security Management System.** (Tami Piscotty)

RECOMMENDATION: Staff recommends that the Mayor and City Council reject the bid received for a Security Management System.

AGENDA

March 28, 2007

1. **CONSENT CALENDAR (Continued)**
- 1.7 **AB-939 Integrated Waste Management Goal Attainment Annual Report – CY 2005.** (Marwan Youssef)

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

RESOLUTIONS

- 1.8 **Resolution No. 4073 - A Resolution of the Mayor and City Council of the City of Westminster Adopting the Intention to Approve an Amendment to the Contract with the California Public Employees' Retirement System (To Provide Section 21574 (Fourth Level of 1959 Survivor Benefits) for local police members only.** (Chris Birch)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4073 and waive further reading.

- 1.9 **Resolution No. 4074 - A Resolution of the Mayor and City Council of the City of Westminster Providing for No Stopping or Standing on the North and South Sides of Bolsa Avenue from Magnolia Street to Ward Street.** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4074 and waive further reading.

- 1.10 **Resolution No. 4075 - A Resolution of the Mayor and City Council of the City of Westminster Supporting the Orange County Water District and Orange County Sanitation District Groundwater Replenishment System.** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4075 and waive further reading.

AGENDA

March 28, 2007

1. CONSENT CALENDAR (Continued)

1.11 (City/Redevelopment Agency) Use of Property Tax Increment Funds for Financing the Demolition and Construction of a Public Owned Building, Pursuant to California Health and Safety Code Section 33445. (Don Anderson)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4076 entitled, "A Resolution of the Mayor and City Council of the City of Westminster making certain findings in connection with the Westminster Redevelopment Agency's use of property tax increment funds for financing the demolition and construction of a public owned building pursuant to California Health and Safety Code Section 33445", and waive further reading.

RECOMMENDATION: Staff recommends that the Chair and Agency Board adopt Resolution No. 181 entitled, A Resolution of the Westminster Redevelopment Agency approving the Agency's use of property tax increment funds for financing the demolition and construction of a public owned building pursuant to California Health and Safety Code Section 33445", and waive further reading.

1.12 (Agency) Resolution No. 182 – A Resolution of the Westminster Redevelopment Agency Authorizing Official Signatures on Behalf of the Agency for Safekeeping Agency Property and Authorizing Facsimile Signatures for Instrument of Payment. (Paul Espinoza)

RECOMMENDATION: Staff recommends that the Chair and Agency Board adopt Resolution No. 182 and waive further reading.

1.13 Resolution No. 4079 – A Resolution of the Mayor and City Council of the City of Westminster Authorizing Official Signatures on Behalf of the City for Safekeeping City Property and Authorizing Facsimile Signatures for Instrument of Payment. (Paul Espinoza)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4079 and waive further reading.

WARRANT REGISTER

1.14 (City Council/Redevelopment Agency) Warrant Register dated March 7 through 20, 2007. (Paul Espinoza)

RECOMMENDATION: Approve.

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1. CONSENT CALENDAR (Continued)

INFORMATION AND REPORTS

- 1.15 **Minutes of the Planning Commission Meeting held February 21, 2007.**
(Don Anderson)

RECOMMENDATION: Receive and file.

- 1.16 **Treasurer's Report – February 2007** (Paul Espinoza)

RECOMMENDATION: Receive and file.

- 1.17 **Minutes of the Cultural Arts Commission meeting held February 1, 2007.**
(Greg Johnson)

RECOMMENDATION: Receive and file.

- 1.18 **Minutes of the Community Services and Recreation Commission meeting held January 10, 2007.** (Greg Johnson)

RECOMMENDATION: Receive and file.

- 1.19 **Minutes of the Traffic Commission meeting held March 6, 2007.**
(Marwan Youssef)

RECOMMENDATION: Receive and file.

END OF CONSENT CALENDAR

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 – None.

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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.

4.1 ALLOCATION OF FY 2007-2008 HOME INVESTMENT PARTNERSHIPS (HOME) AND COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND REALLOCATION OF HOME FUNDS FROM PRIOR FISCAL YEARS 2001, 2002 AND 2005 AND CDBG FUNDS FROM PRIOR FISCAL YEARS 2002, 2004 AND 2005. (Kathy Johnston)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Allocate FY 2007 HOME funds in the amount of \$522,281 and CDBG funds in the amount of \$1,278,889 as per the 2007 Allocation spreadsheets (attached to the staff report), contingent upon the successful completion of the environmental process;
- 2) Authorize the City Manager to submit the application to the U.S. Department of Housing and Urban Development (HUD) before May 15, 2007; and
- 3) Reallocate prior year federal funds as per the Reallocation spreadsheets (attached to the staff report), contingent upon the successful completion of the environmental process.

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5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

- 5.2 **AB 1234 Reports** – Report on Mayor Rice and Council Member Ta's trip to Washington D.C., March 19 – 21, 2007.

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

- 6.1 **Select Date for a Budget Study Session for Fiscal Year 2007-08**
(Paul Espinoza)

RECOMMENDATION: Staff recommends that the Mayor and City Council select *Wednesday, May 16, 2007* as the date for a study session to review the fiscal year 2007-08 budget. Suggested alternative dates for the study session are *Monday, May 7, 2007* or *Tuesday, May 29, 2007*.

7. WRITTEN COMMUNICATIONS (Public) – None

8. LEGISLATIVE ITEMS

- 8.1 **(First Reading) Ordinance No. 2411 - Establishing Fees for State Franchised Video Service Providers.** (Greg Johnson)

RECOMMENDATION: Staff recommends that the Mayor and the City Council introduce Ordinance No. 2411 entitled, "An Ordinance of the Mayor and City Council of the City of Westminster establishing fees for State franchised video service providers", and waive further reading.

- 8.2 **(First Reading) Ordinance No. 2410 – Amending the Westminster Municipal Code to Extend the Tree Education Committee For An Additional Five Years** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council introduce Ordinance No. 2410 entitled, "An Ordinance of the Mayor and City Council of the City of Westminster to Amend Section 12.12.170 of Title 12 (Streets, Sidewalks and Public Places) of the Westminster Municipal Code", and waive further reading.

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9. COMMISSION AND COMMITTEE ITEMS

9.1 Appointments to the City's Tree Education Committee (Marian Contreras)

RECOMMENDATION: Staff recommends that the Mayor and City Council nominate members to serve on the City's Tree Education Committee.

9.2 Appointments to the City's Energy Committee (Marian Contreras)

RECOMMENDATION: Staff recommends that the Mayor and City Council nominate members to serve on the City's Energy Committee.

9.3 Appointments to City Commissions and Committees (Marian Contreras)

RECOMMENDATION: Staff recommends that the Mayor and City Council consider appointments to the following Committees and Commissions for a two-year term ending November, 2008: (Mayor Pro Tem Marsh/Council Member Fry appointees)

Cultural Arts Commission	Mayor Pro Tem Marsh (1) Reg. (1) Alt. Council Member Fry (1) Alt.
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Financial Review Committee	Council Member Fry (1)
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9.4 Request for a Loading/Unloading Zone on the East Side of Hoover Street North of Hazard Avenue in Front of 14382 Hoover Street – T.C. 06-106 (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the recommendation of the Traffic Commission and adopt Resolution No. 4070 entitled, "A Resolution of the Mayor and City Council of the City of Westminster providing for a loading/unloading zone on the east side of Hoover Street, north of Hazard Avenue in front of 14382 Hoover Street", and waive further reading.

9.5 Request for Parking Restrictions on the North Side of Kiowa Road at the Alley East of Edwards Street – T.C. 90-106 (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the recommendation of the Traffic Commission and adopt Resolution No. 4071 entitled, "A Resolution of the Mayor and City Council of the City of Westminster providing for no stopping or parking on the north side of Kiowa Road at the Alley east of Edwards Street", and waive further reading.

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9. COMMISSION AND COMMITTEE ITEMS (Continued)

9.6 Request for Parking Restrictions at the Intersection of Baylor Drive and Webber Place – T.C. 77-116 (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the recommendation of the Traffic Commission and adopt Resolution No. 4072 entitled, "A Resolution of the Mayor and City Council of the City of Westminster providing for no stopping or parking at the intersection of Baylor Drive and Webber Place", and waive further reading.

10. COUNCIL/AGENCY ADJOURNMENT: In memory of the 30th Anniversary of the Tenerife Aviation Accident in the Canary Islands.

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