

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

APRIL 25, 2007

6:00 – 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.

AGENDA

April 25, 2007

6:00 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: City Manager Ray Silver and Interim Director of Personnel/Risk Management Chris Birch; Employee Organization: Westminster Municipal Employees Association (WMEA)

RECESS:

AGENDA

April 25, 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: 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 Presentation of a plaque from Ben Wong, League of California Cities to the City for receiving the Helen Putnam Award of Excellence
- B. Proclamation declaring May 6-12, 2007 as Building Safety Week in the City
- C. Presentation of check by Interval House to the City
- D. Presentation of Electrical Award for Excellence at the Rose Center

AGENDA

April 25, 2007

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.

ROUTINE MATTERS

1.1 **Proclamation declaring May 7, 2007 as World AIDS Orphans Day in the City of Westminster.**

RECOMMENDATION: Approve.

1.2 **Computer Replacement Program – Purchase of Desktop Computers.** (James McAuliffe)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve a purchase order in the amount of \$46,000 to Gateway for the purchase of 35 desktop computers.

1.3 **Notice of Completion for Work Performed by A.J. Fistes for Exterior Painting of Selected Areas at the Westminster Civic Center – Project No. 75502-024007, and Authorization to Increase the Purchase Order.** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Increase the purchase order with A. J. Fistes by \$600.00 for additional miscellaneous painting in the Civic Center areas; and
- 2) Accept the subject project and authorize the City Clerk to file a Notice of Completion with the County Recorder's Office.

1.4 **Award of Contract for a Renewable Maintenance/Service Agreement for Striping at Various Locations.** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council award a contract to the low qualified bidder, California Traffic Maintenance in the amount of \$52,766.05; that all other bids be rejected; and authorize the City Manager to execute the contract on behalf of the City.

AGENDA

April 25, 2007

1. CONSENT CALENDAR (Continued)

1.5 Award of a Renewable Bid for Procurement of Cold Water Meters/Positive Displacement 5/8"-2" with Touch Read Pad for FY 2006-2007. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order to Hersey-Meters in the amount of \$553,157.81 for the procurement of Cold Water Meters/Positive Displacement 5/8"-2" with Touch Read Pad.

1.6 Increase in Purchase Order for Range Ammunition. (Andrew Hall)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a \$7,150 increase in the purchase order with Dooley Enterprises, Inc. for the purchase of range ammunition used for firearm qualification.

1.7 Award of Bid for Production of 50th Anniversary Police Uniform Badges for FY 2007-2008. (Andrew Hall)

RECOMMENDATION: Staff recommends the Mayor and City Council authorize a purchase order be issued to V & V Manufacturing in an amount not to exceed \$22,000 for the production of 50th Anniversary police uniform badges.

1.8 Renewal of Contract for Police and Animal Control Uniforms for FY 2007-2008. (Andrew Hall)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order to Galls Inc. in the amount of \$40,000 for the second year option renewal of a three year contract for police and animal control uniforms.

1.9 Increase to Purchase Order for Police Related Blood Test Services for FY 2006-2007.(Andrew Hall)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize an increase to the purchase order with California Forensic Phlebotomy, Inc. in the amount of \$10,000 for police related blood test services.

AGENDA

April 25, 2007

1. CONSENT CALENDAR (Continued)

1.10 Renewal of Contract for Police Related Blood Test Services for FY 2007-2008. (Andrew Hall)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order to be issued to California Forensic Phlebotomy, Inc. in an amount not to exceed \$40,000 for police related blood tests services.

1.11 Renewal of Contract for 800 MHz Radio Maintenance for FY 2007-2008. (Andrew Hall)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order with the Orange County Sheriffs' Department Communication Division in an amount not to exceed \$30,000 for the second year option renewal of a three year contract for radio repair services.

1.12 Third Option Year Renewal of Contract for Municipal Parking Citation Processing, Payment and Adjudication Services. (Andrew Hall)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order in an amount not to exceed \$38,000 to Turbo Data Systems, Inc. for Police Department parking citation processing, payment and adjudication services.

ADMINISTRATIVE ITEMS

1.13 Special Event Permit application from Blessed Sacrament Church to hold their annual procession honoring the Blessed Mother on Sunday, May 6, 2007 between the hours of 1:00 p.m. until 3:00 p.m. The event will take place on Olive Street, from Hazard Avenue to Blessed Sacrament Church, near Westminster Boulevard. Applicant estimates the attendance will be 250 people. (Greg Johnson)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Waive the \$100.00 Special Event Permit fee; and
- 2) Approve the Special Event Permit application subject to the conditions attached to the staff report.

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April 25, 2007

1. CONSENT CALENDAR (Continued)

- 1.14 Special Event Permit application from Blessed Sacrament Church to hold its Annual Festival on May 18, 2007 from 5:00 p.m. until 11:00 p.m., May 19, 2007 from 12:00 noon until 11:00 p.m. and May 20, 2007 from 12:00 noon until 10:00 p.m. The church is located at 14072 Olive Street, Westminster. Applicant estimates the attendance will be 3,000-5,000 participants. The applicant has requested that a special bingo permit in conjunction with their annual Parish Festival be granted, so bingo can be played during the Festival on Saturday, May 19th and Sunday, May 20th from 2:00 p.m. until 8:00 p.m. (Greg Johnson)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Waive the \$100 Special Event Permit fee; and
- 2) Approve the Special Event Permit application subject to the conditions attached to the staff report.

WARRANT REGISTER

- 1.15 (City Council/Redevelopment Agency) Warrant Register dated April 4 through 17, 2007. (Paul Espinoza)

RECOMMENDATION: Approve.

INFORMATION AND REPORTS

- 1.16 Minutes of the Planning Commission meeting held March 7, 2007. (Don Anderson)

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.

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3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

3.1 The actions of the Planning Commission meeting held on April 18, 2007

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

- 1) Case No. 2006-87 (Continued from 4/4/2007) Conditional Use Permit for an ABC type 41 license in conjunction with an existing restaurant. Location: 14541 Brookhurst Street, Suites B5 and B6. (Café Luc Huyen Cam).
- 2) Case No. 2006-106 Variance request to install a 300 square foot north-facing wall sign. Location: 13031 Goldenwest Street. (Harley-Davidson of Westminster).
- 3) Case No. 2007-02 Conditional Use Permit for an ABC type 41 license in conjunction with an existing restaurant. Location: 15430 Brookhurst Street. (Cajun Corner).
- 4) Case No. 2007-13 Conditional Use Permit for an ABC type 41 license in conjunction with an existing restaurant. Location: 15440 Beach Boulevard, #118. (West Coast Seafood Buffet).
- 5) Case No. 2006-75 Site Plan and Design Review for new 8,755 square-foot apartment development consisting of 4 units on an 11,475 square-foot lot. Location: 7822-7844 14th 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.

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April 25, 2007

4. PUBLIC HEARINGS (Continued)

- 4.1 APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF CASE NO. 2006-49 (TENTATIVE PARCEL MAP, SITE PLAN REVIEW, AND DESIGN REVIEW); LOCATION: 14241 PACIFIC AVENUE; APPLICANT: BON HOANG, AUTHORIZED AGENT FOR ALAN LEE, PROPERTY OWNER OF RECORD; APPELLANT: ALAN LEE, PROPERTY OWNER OF RECORD (Continued from the April 11, 2007 Meeting. (Chris Wong)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4078 entitled, "A Resolution of the Mayor and City Council of the City of Westminster upholding the Planning Commission's decision to approve Case No. 2006-49 pertaining to a Tentative Parcel Map, Site Plan Review, and Design Review for a new condominium development consisting of three units located at 14241 Pacific Avenue", and waive further reading.

4.2 WEED ABATEMENT – SPRING, 2007 (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Overrule any objections received for the abatement of the weeds, and
- 2) Adopt Resolution No. 4080 entitled, "A Resolution of the Mayor and City Council of the City of Westminster determining and declaring that certain weeds are growing upon certain streets, sidewalks, parkways, and private property in the City of Westminster, and rubbish and refuse have been deposited upon sidewalks, parkways and private property in the City, and that the same are a public nuisance; ordering and directing the City Manager to have said weeds destroyed and to have rubbish and refuse removed as required by law", and waive further reading.

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

5.2 AB 1234 Reports - None

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6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 Purchase of Equipment for the Police Department with Funds Seized Under the Department of Justice Asset Forfeiture Program. (Andrew Hall)

RECOMMENDATION: Staff recommends that the Mayor and City Council increase the Police Seizure DOJ FY 2006-2007 budget by \$127,500, and authorize the transfer of funds from the Police Seizure DOJ Undesignated Unreserved Fund Balance to the Safety Equipment Account in the amount of \$127,500 to purchase safety/tactical equipment for the Police Department.

6.2 Award of Bid for Procurement and Installation of 23 Light Bars and Siren Systems for the Police Department. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve a budget transfer in the amount of \$78,714.91 from the Public Works Motor Pool Undesignated Unreserved Fund Balance Account to the Safety Equipment Account and authorize a purchase order to Hi Standard in the amount of \$78,714.91 for the procurement and installation of 23 Light Bars and Siren Systems for the Police Department.

6.3 Award of Contract for a Renewable Maintenance/Service Agreement for Parks, Medians, Overpasses, and Related Landscape Services at Various Locations. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Authorize a budget adjustment in the amount of \$130,045.88 from the General Fund to Account No. 53000-43090; and
- 2) Approve the award of contract to the low qualified bidder, Midori Gardens in the amount of \$366,758.88 and authorize the City Manager to execute the contract on behalf of the City.

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7. WRITTEN COMMUNICATIONS (Public)

7.1 Request from The Rose Center Foundation for Financial Assistance from the City in the Amount of \$2,500 to Help Defray Expenses for the Mayor's Ball to be held on Saturday, June 23, 2007 at the Westminster Rose Center.

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Approve the request from the Rose Center Foundation for financial assistance with the Mayor's Ball, in the amount of \$2,500. This is the same amount that was approved by the Mayor and City Council in FY 2005-06; and
- 2) Approve a budget transfer of \$2,500 from the General Fund Contingency Account to the Community Promotions Special Departmental Expenses Account.

8. LEGISLATIVE ITEMS

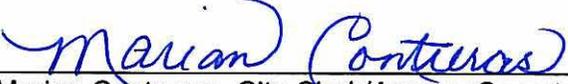
8.1 Ordinance No. 2412 (First Reading) Authorizing the Execution of an Amendment to the Contract with the California Public Employees' Retirement System to Provide Section 21574 (Fourth Level of 1959 Survivor Benefits) for Local Police Members Only.

RECOMMENDATION: Staff recommends that the Mayor and City Council introduce Ordinance No. 2412 entitled, "An Ordinance of the Mayor and City Council of the City of Westminster authorizing an amendment to the contract between the City Council of the City of Westminster and the Board of Administration of the California Public Employees' Retirement System", and waive further reading.

9. COMMISSION AND COMMITTEE ITEMS – None

10. COUNCIL/AGENCY ADJOURNMENT: To Thursday, April 26, 2007 at 6:00 p.m. at the Westminster Rose Center, 14140 All American Way, Westminster, California for the purpose of conducting the Board, Commission and Commission Orientation Meeting.

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