

**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**

**AUGUST 22, 2007**

**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**

August 22, 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.

**ROLL CALL:** RICE, MARSH, FRY, QUACH, TA

PRESENT:  
ABSENT:

**SALUTE TO FLAG:** Council Member Ta

**INVOCATION:**

**SPECIAL PRESENTATIONS:**

- A. Presentation by Robert Carolan, Chairman, Law & Order Commission to Sergeant Darin Upstill for being awarded the Award of Valor, Runner-Up for the State of California at the American Legion Department Convention in Palm Springs.
- B. Presentation of Artwork to the City from Kim Chi.

**REPORT FROM CITY CLERK ON LATE COMMUNICATION ITEMS**

# AGENDA

August 22, 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.

COMPLETE THE ATTACHED GREEN FORM AND GIVE TO THE CITY CLERK PRIOR TO THE CONSENT CALENDAR PORTION OF THE AGENDA. WHEN YOUR NAME IS CALLED, PLEASE STEP TO THE PODIUM AT THAT TIME AND STATE YOUR NAME AND ADDRESS FOR THE RECORD.

### ROUTINE MATTERS

#### 1.1 **Claims Against the City** (Chris Birch)

RECOMMENDATION: Staff recommends the Mayor and City Council deny claims against the City from:

- a) Mark and Gordon Lawrence in the amount of \$300,000. (\$150,000 each).

#### 1.2 **Proclamation declaring the month of September as National Alcohol and Drug Addiction Recovery Month.**

RECOMMENDATION: Approve.

#### 1.3 **Planned Expenditure of State Law Enforcement Subvented Funds (SLESF) Fiscal Year 2007-2008** (Andrew 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 the fiscal year 2007-08 for the funding offset of one police sergeant position at the police department.

#### 1.4 **License Agreement for Year One (1) of a Two (2) Year License for Software of View Oblique Aerial Images.** (James McAuliffe)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve a License Agreement in the amount of \$10,000 with Pictometry International Corporation for year one (1) of a two (2) year license for software to view oblique aerial images.

# AGENDA

August 22, 2007

## 1. CONSENT CALENDAR (Continued)

### 1.5 **Renewal of Contract for Retrieval of Stray Shopping Cart Services.** (Vicki Morgan)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the contract renewal with California Shopping Cart Retrieval Corporation (CSCRC), a sole service provider, in the amount of \$36,000 for the period of July 1, 2007 through June 30, 2008.

### 1.6 **Award of Bid for Purchase of Brass Pipeline Materials for the Installation, Repair, and Maintenance of the City's Water System** (Jeff Howell)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order to Yo Fire Supply in an amount not to exceed \$35,000 for a renewable supply bid for the purchase of brass pipeline materials for fiscal year 2007-08, and reject all other bids.

### 1.7 **Award of Bid for Purchase of Miscellaneous Pipeline Materials for the Installation, Repair and Maintenance of the City's Water System** (Jeff Howell)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order to Yo Fire Supply in an amount not to exceed \$25,000 for a renewable supply bid for the purchase of miscellaneous pipeline materials for fiscal year 2007-08, and reject all other bids.

### 1.8 **Notice of Completion for work performed by All American Asphalt, Inc., for CTB 04-05-06 Street Improvements Project at various locations** (Jeff Howell)

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.

### 1.9 **Extension of Contractual Services Agreement for Plan Check and Inspection Services for Fiscal Year 2007-08.** (Soroosh Rahbari)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the extension of the contractual services agreement with Melad & Associates and authorize a purchase order in an amount not to exceed \$60,000 to provide services for fiscal year 2007-08.

# AGENDA

August 22, 2007

## 1. CONSENT CALENDAR (Continued)

### 1.10 Purchase Order to Electronic Risk Consultants (ERC) for FY 2007-08 (Paul Espinoza)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order to ERC in the amount of \$22,091.49 to underwrite maintenance of electronic equipment located throughout the City.

### 1.11 Increase to Purchase Order with Gladwell Governmental Services, Inc. for Records Management Consulting Services. (Marian Contreras)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize an increase to the purchase order with Gladwell Governmental Services, Inc. in the amount of \$1,920 to provide records management consulting services.

## ADMINISTRATIVE ITEMS

### 1.12 Fee Waiver request from Reverend Charles Wilkins, Senior Pastor of the Greater Grace Church of Deliverance for use of the Craft room in the Community Services building to hold a meeting on September 5, 2007. (Diana Dobbert)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the fee waiver request as outlined in the fee waiver policy for use of City facilities by Community Groups/Non-Profit Organizations.

## WARRANT REGISTER

### 1.13 (City Council/Redevelopment Agency) Warrant Register dated August 2 through August 14, 2007. (Paul Espinoza)

RECOMMENDATION: Approve.

## INFORMATION AND REPORTS

### 1.14 Minutes of the Planning Commission meeting held July 18, 2007 (Don Anderson)

RECOMMENDATION: Receive and file.

### 1.15 Minutes of the Energy Committee meeting held July 31, 2007 (Don Anderson)

RECOMMENDATION: Approve.

# AGENDA

August 22, 2007

## 1. CONSENT CALENDAR (Continued)

### 1.16 Community Development Monthly Activity Report – July 2007 (Don Anderson)

RECOMMENDATION: Receive and file.

#### END OF CONSENT CALENDAR

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## 2. ORAL COMMUNICATIONS

THIS IS THE TIME OF THE MEETING THAT 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/AGENCY BOARD. COMMENTS SHALL BE LIMITED TO THREE MINUTES PER SPEAKER.

COMPLETE THE ATTACHED **GREEN** FORM AND GIVE IT TO THE CITY CLERK. WHEN YOUR NAME IS CALLED, PLEASE STEP TO THE PODIUM AT THAT TIME AND STATE YOUR NAME AND ADDRESS FOR THE RECORD.

## 3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

### 3.1 The actions of the Planning Commission meeting held on August 15, 2007

RECOMMENDATION: That the City Council determine if they wish to call up any items for review from the Planning Commission meeting of August 15, 2007

- 1) Case 2007-15 Variance, Conditional Use Permit, Site Plan Review and Design Review to allow the development of a new veterinary hospital. Location 7122 Garden Grove Boulevard
- 2) Case 2007-42 Tentative Parcel Map, Site Plan Review, Design Review, and Variance to allow the development of a residential duplex condominium. Location 7341 Texas Street.

# AGENDA

August 22, 2007

## 4. PUBLIC HEARINGS

ANYONE WISHING TO SPEAK ON AN OPEN PUBLIC HEARING IS REQUESTED TO COMPLETE THE ATTACHED PINK FORM AND GIVE IT TO THE CITY CLERK. WHEN YOUR NAME IS CALLED, PLEASE STEP TO THE PODIUM AT THAT TIME AND STATE YOUR NAME AND ADDRESS FOR THE RECORD.

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. SPOKESPERSON(S) DESIGNATED TO SPEAK IN FAVOR OR IN OPPOSITION WILL HAVE TWELVE (12) MINUTES TO SPEAK. THEREAFTER, EACH PERSON SPEAKING IN FAVOR OR IN OPPOSITION WILL HAVE THREE (3) MINUTES. 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. 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 WEED ABATEMENT COST REPORT – FALL 2006 AND SPRING 2007 (Jeff Howell)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Receive and confirm the cost report;
- 2) Adopt Resolution No. 4100 entitled, "A Resolution of the Mayor and City Council of the City of Westminster confirming report of cost of weed abatement, Fall 2006 and Spring 2007 on lots within the City of Westminster", and waive further reading; and
- 3) Authorize the City Clerk to submit the report to the County Assessor and County Tax Collector.

# AGENDA

August 22, 2007

## 4. PUBLIC HEARINGS (Continued)

### 4.2 REPORT ON CITY OF WESTMINSTER WATER DIVISION PUBLIC HEALTH GOALS FOR DRINKING WATER (Scott Miller)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the required City of Westminster 2007 Report on Water Quality Relative to Public Health Goals.

## 5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

### 5.1 Council/Agency Member Items

### 5.2 AB 1234 Reports – None

### 5.3 Consideration of donation to the Westminster Police Memorial (Mayor Rice)

## 6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

### 6.1 Go Local Grant Funding Opportunity (Tami Piscotty)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Authorize the submission of a grant application to the Orange County Transportation Authority (OCTA) as part of its Go Local Program to study transit opportunities that link to Metrolink, specifically using either Beach Boulevard or Brookhurst Street; and
- 2) Authorize City staff to work with the OCTA to return with a Cooperative Agreement for this Study.

## 7. WRITTEN COMMUNICATIONS (Public) - None

## 8. LEGISLATIVE ITEMS – None

# AGENDA

August 22, 2007

## 9. COMMISSION AND COMMITTEE ITEMS

### 9.1 Applications for California Energy Commission Technical Assistance (Soroosh Rahbari)

RECOMMENDATION: The City of Westminster Energy Committee recommends that the Mayor and City Council:

- 1) Adopt Resolution No. 4104 entitled, "A Resolution of the Mayor and City Council of the City of Westminster to participate in the California Energy Commission Energy Partnership Program and to apply for Technical Assistance", and
- 2) Authorize the City Manager to execute the Technical Assistance applications for four projects to the California Energy Commission on behalf of the City. The four projects are the Council Chamber, Senior Center, proposed City-Chamber of Commerce Building, and the proposed Police Facility.

### 9.2 Appointment to the Planning Commission (Council Member Ta Appointee)

RECOMMENDATION: Staff recommends that the Mayor and City Council appoint a member to serve on the Planning Commission for a term to expire in November, 2008.

### 9.3 Appointment of Alternate Members to the City's Energy Committee (Mayor Pro Tem Marsh and Council Members Fry, Quach and Ta Appointees)

RECOMMENDATION: Staff recommends that the City Council appoint alternate members to serve on the City's Energy Committee.

### 9.4 Appointment of Alternate Member to the Cultural Arts Commission (Council Member Ta Appointee)

RECOMMENDATION: Staff recommends that the Mayor and City Council appoint an alternate member to serve on the Cultural Arts Commission for a term ending in November, 2008.

## 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*

Marian Contreras, City Clerk/Agency Secretary