

**MARGIE L. RICE**  
Mayor

**ANDY QUACH**  
Mayor Pro Tem

**FRANK G. FRY**  
Council Member

**KERMIT MARSH**  
Council Member

**TRI TA**  
Council Member



# **AGENDA**

## **CITY COUNCIL/REDEVELOPMENT AGENCY ADJOURNED REGULAR MEETING**

**April 30, 2008**

**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 30, 2008

**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, QUACH, FRY, MARSH, TA

**PRESENT:**

**ABSENT:**

**SALUTE TO FLAG:** Council Member Ta

**INVOCATION:**

### **SPECIAL PRESENTATIONS:**

- A. Introduction of Youth in Government Day Participants.
- B. Presentation of Grad Night Checks to Westminster High School, La Quinta High School and Ocean View High School.
- C. Recognition of Community Services & Recreation Commissioner, Leo Lopez.

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

NOTE: Any writings or documents provided to a majority of the City Council/Agency Board regarding any item on this agenda is available for public inspection at the public counter at City Hall located at 8200 Westminster Boulevard, Westminster, CA during normal business hours, except such documents that relate to closed session items or which are otherwise exempt from disclosure under applicable law. These writings are also available for review in the public access binder located in the entryway to the Council Chambers.

# AGENDA

April 30, 2008

## 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.

### APPROVAL OF MINUTES

- 1.1 **(City Council/Redevelopment Agency) Minutes of the Regular Meeting of the City Council/Redevelopment Agency of [March 26, 2008](#); Minutes of the Special Meeting of the City Council/Redevelopment Agency/Public Financing Authority of [April 16, 2008](#); and Minutes of the Regular Meeting of the City Council/Redevelopment Agency of [April 23, 2008](#).**  
(Marian Contreras)

RECOMMENDATION: Approve.

### ROUTINE MATTERS

- 1.2 **[Proclamation declaring May, 2008 as ALS Awareness Month \(Lou Gehrig's disease\) in the City of Westminster.](#)**

RECOMMENDATION: Approve.

- 1.3 **[General Plan Annual Progress Report.](#)** (Art Bashmakian)

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

- 1.4 **[Computer Replacement Program – Desktop Computers.](#)** (James McAuliffe)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order in the amount of \$81,000 to Hewlett-Packard for the purchase of 61 desktop computers.

# AGENDA

April 30, 2008

## 1. CONSENT CALENDAR (Continued)

### 1.5 Award of Contract for Replacement of Police Vehicle Mobile Data Computers. (James McAuliffe)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve a purchase order in an amount not to exceed \$211,280.00 to RoboVu, LLC for the purchase of 34 Mobile Data Computers for police patrol vehicles.

### 1.6 Acceptance of Final Parcel Map No. 2006-255 for 6312 California Avenue. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council accept Final Parcel Map No. 2006-255 and authorize the City Clerk to sign and seal the map.

### 1.7 Award of Contract for Women's Employee Restroom Remodel at City Hall Building – Project No. 75502-087503. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council award a contract to the low qualified and responsive bidder, Thomco Construction, Inc. in the amount of \$ 29,772.00; reject all other bids; and authorize the City Manager to execute the contract on behalf of the City.

## ORDINANCES (SECOND READING)/RESOLUTIONS

### 1.8 Ordinance No. 2430 (2<sup>nd</sup> Reading) - An Ordinance of the Mayor and City Council of the City of Westminster to amend Sections 9.38.010 through 9.38.090 of Title 9 (Public Peace, Morals and Welfare) of the Westminster Municipal Code, relating to Graffiti. (Vicki Morgan)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Ordinance No. 2430 and waive further reading.

## ADMINISTRATIVE ITEMS

### 1.9 Special Event Permit application from the American Cancer Society to hold the Westminster American Cancer Society Relay for Life event beginning August 8, 2008 through August 10, 2008 (includes set up and clean up times). The event will take place in the Civic Center Sunken Gardens, 8200 Westminster Boulevard. Applicant estimates the attendance will be 500 people throughout the event. (Greg Johnson)

RECOMMENDATION: Staff recommends that the Mayor and City Council waive the \$100 Special Event Permit fee and approve the Special Event Permit application subject to the conditions attached to the staff report.

# AGENDA

April 30, 2008

## 1. CONSENT CALENDAR (Continued)

- 1.10 Special Event Permit application from Circus Vargas to hold a circus beginning May 13, 2008 through May 27, 2008 (includes set up and clean up days). The Circus will be open to the public May 15, 2008 through May 26, 2008. The Circus will take place at the Westminster Mall parking lot between Macy's and JC Penney's. Applicant estimates the attendance will be 500 people per performance. (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.

- 1.11 Special Event Permit application from the South Vietnamese Marines Association to hold a Memorial Ceremony on Saturday, June 21, 2008 between the hours of 4:00 p.m. and 9:30 p.m. (includes set up and clean up times). The event will take place at Sid Goldstein Freedom Park, 14180 All American Way. Applicant estimates the attendance will be 500 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

- 1.12 (City Council/Redevelopment Agency) Warrant Register dated April 2 through April 22, 2008. (Paul Espinoza)

RECOMMENDATION: Approve.

### INFORMATION AND REPORTS

- 1.13 Minutes of the Youth Committee meeting held on January 9, 2008. (Greg Johnson)

RECOMMENDATION: Receive and file.

- 1.14 Minutes of the Cultural Arts Commission meeting held on March 6, 2008. (Greg Johnson)

RECOMMENDATION: Receive and file.

- 1.15 Minutes of the Planning Commission meeting held March 19, 2008. (Don Anderson)

RECOMMENDATION: Receive and file.

# AGENDA

April 30, 2008

## 1. CONSENT CALENDAR (Continued)

### 1.16 Community Development Monthly Activity Report – March 2008 (Don Anderson)

RECOMMENDATION: Receive and file.

## END OF CONSENT CALENDAR

\* \* \* \* \*

## 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 April 16, 2008

RECOMMENDATION: That the City Council determine if they wish to call up any items for review from the Planning Commission meeting of April 16, 2008.

- 1) Case 2007-80 Variance, Site Plan Review, and Design Review. Development of a 7,500 square foot, two-story commercial building at 8201 Westminster Boulevard.
- 2) Case 2008-09 Design Review. Exterior architectural modifications to an existing Kentucky Fried Chicken (KFC) restaurant at the Westhaven Shopping Center at 15553 Brookhurst Street.
- 3) Case 2008-21 General Plan Conformity regarding the sale of abandoned will sites at 9031 and 9021 Oasis Avenue.
- 4) Case 2008-23 General Plan Conformity regarding improvements to the Westminster Channel (C04) by Orange County Flood Control District.
- 5) Case 2008-07 Zoning Review involving the placement of two temporary trailer buildings for classrooms at the 1<sup>st</sup> Presbyterian Church of Orange County located at 8500 Bolsa Avenue.

# AGENDA

April 30, 2008

## 4. PUBLIC HEARINGS – None.

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

### 5.1 Council/Agency Member Items

### 5.2 AB 1234 Reports

## 6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

### 6.1 Appeal of Police Permit Revocation for Beach Girls Bar Located at 15549 Beach Boulevard. (Continued from the April 9, 2008 meeting). (Andy Hall)

RECOMMENDATION: Staff recommends that the Mayor and City Council deny the appeal of the Police Permit Revocation for Beach Girls Bar located at 15549 Beach Boulevard.

### 6.2 Transfer of Funds Seized Under the Department of Justice Asset Forfeiture Program to Supplement the Purchase of Safety Equipment. (Andy Hall)

RECOMMENDATION: Staff recommends that the Mayor and City Council increase the Police Local Seizure fiscal year 2007-08 budget by \$138,400 and authorize the transfer of funds from the Police Local Seizure Undesignated Unreserved Fund to Safety Equipment in the amount of \$138,400.

### 6.3 Review of Case No. 2006-59 Conditional Use Permit and Variance for property located at 9741-9743 Bolsa Avenue – Six month review of business operations. (Art Bashmakian)

RECOMMENDATION: Staff recommends that the Mayor and City Council receive and file this report. Staff will return to City Council with an update following a Planning Commission action on Case No. 2008-02.

### 6.4 Change Order with Sequel Contractors, Inc. and Notice of Completion for work performed for 11<sup>th</sup>, 13<sup>th</sup>, 15<sup>th</sup>, and 15<sup>th</sup> Street Alley Street Improvements – Project No. 16510-051600 and 16510-071604. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Authorize an increase of \$5,235.05 to Purchase Order No. 4391 to Sequel Contractors, Inc.; and
- 2) Accept the subject project and authorize the City Clerk to file a Notice of Completion with the County Recorder's Office.

# AGENDA

April 30, 2008

## 6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR (Continued)

### 6.5 Award of Professional Services Agreement for Orange County Transportation Authority's (OCTA) Go Local Program to provide Transit Needs Assessment Services to the Cities of Westminster, Huntington Beach, Fountain Valley, and Stanton. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Approve a revenue increase in the amount of \$400,000 to the fiscal year 2007-08 Measure M budget for the OCTA – Go Local for the initial assessment for Metrolink connection;
- 2) Approve the transfer of \$400,000 to the Measure M Capital Improvement Project Account – Go Local Metrolink Study; and
- 3) Award a Professional Services Agreement to The Solis Group in the amount of \$385,000 to conduct the Transit Needs Assessment Study as part of the OCTA “Go Local Program”, and authorize the City Manager to execute the agreement on behalf of the City.

## 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 21, 2008 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 FY 2006-07; and
- 2) Approve a budget transfer of \$2,500 from the General Fund Contingency Account to the Community Promotions Special Departmental Expenses Account.

# AGENDA

April 30, 2008

## 7. WRITTEN COMMUNICATIONS (Continued)

- 7.2 Request from Westminster Relay for Life to “paint the town purple” on Thursday, May 1<sup>st</sup>. The request is that a purple ribbon be tied on each tree and posting of a Relay For Life poster on every other tree on the north and south side of Westminster Boulevard in front of the Civic Center and the east and west side of All American Way, including the light towers in front of the Rose Center. The purpose is to celebrate cancer survivorship and bring attention to the Westminster Relay for Life Event to be held at the City Hall Sunken Gardens on August 9 and 10, 2008.

## 8. LEGISLATIVE ITEMS

- 8.1 Case No. 2007-87. Review of Ordinance 2429, Amendment to Title 17 (Land Use Ordinance) of the Westminster Municipal Code to require applicants to post a public hearing notice at the site to which a hearing pertains. (Art Bashmakian)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Ordinance 2429 entitled, “An Ordinance of the Mayor and City Council of the City of Westminster amending Title 17 (Land Use Ordinance) of the Westminster Municipal Code to amend Section 17.05.020 Public hearing-Notice-Posting to require applicants to post public hearing notices at the site to which a hearing pertains”, and waive further reading.

## 9. COMMISSION AND COMMITTEE ITEMS – None.

10. **COUNCIL/AGENCY ADJOURNMENT:** To Tuesday, May 13, 2008 at 6:00 p.m. in the Council Chambers, 8200 Westminster Boulevard, Westminster, California for the purpose of reviewing the preliminary budget for fiscal years 2008-09 and 2009-10, and to discuss City/Agency business.

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