

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 REGULAR MEETING

May 14, 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.

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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.

CONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

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

PRESENT:

ABSENT:

SALUTE TO FLAG: City Attorney

INVOCATION:

SPECIAL PRESENTATIONS:

- A. [Recognition of Community Services & Recreation Commissioner, Leo Lopez.](#)
- B. Presentation of "Tree City USA" plaque and "Tree Growth" award to the City by the California Department of Forestry and update from Tree Education Committee on Arbor Day activities.
- C. Update from Police Department on Emergency Preparedness Efforts.

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

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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.

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 April 9, 2008 and Minutes of the Adjourned Regular Meeting of the City Council/Redevelopment Agency of April 22, 2008.** (Marian Contreras)

RECOMMENDATION: Approve.

ROUTINE MATTERS

- 1.2 **Selection of Consultant for Design Services of Storm Drain Project on 10th Street between Beach Boulevard and Cedarwood Street, Cedarwood Street between 10th Street and Hazard Avenue, and Hazard Avenue from Cedarwood Street to Hoover Street.** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council award a Professional Services Agreement to W.G. Zimmerman Engineering, Inc. to perform the subject work in an amount not to exceed \$113,008.51 and authorize the City Manager to execute the agreement on behalf of the City.

- 1.3 **Purchase of Two Black and White Patrol Cars.** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize the purchase of two black and white patrol cars in the amount of \$46,154.00 from Theodore Robbins Ford.

- 1.4 **Adoption of the Updated City Standard Plans and Policies.** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt the updated standard plans and policies for the City of Westminster.

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1. CONSENT CALENDAR (Continued)

1.5 Award of Contract for Drinking Fountain Replacement at City Parks and Civic Center. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council award a contract to the low qualified and responsive bidder, California Building Evaluation in the amount of \$130,410; reject all other bids; and authorize the City Manager to execute the contract on behalf of the City.

1.6 Purchase of One (1) Animal Control Truck – Unit No. 936. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize the purchase of One (1) Animal Control Truck in the amount of \$45,268.75 from Theodore Robbins Ford.

1.7 Contract change orders for Sigler Park Water Spray Playground Project. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve contract change orders in the amount of \$46,123.50 to Micon Construction, Inc. for the Sigler Park Water Spray Playground.

1.8 Increase Contractual Agreement for Plan Check and Inspection Services. (Soroosh Rahbari)

RECOMMENDATION: Staff recommends that the Mayor and the City Council authorize an increase of \$27,300 to the purchase order with Melad & Associates for plan check and inspection services.

ORDINANCES (SECOND READING)/RESOLUTIONS

1.9 Resolution No. 4149 – A Resolution of the Mayor and City Council of the City of Westminster revoking the Police Permit for a bar with a General Alcoholic Beverage License (California Sports Lounge LLC DBA Beach Girls) at 15549 Beach Boulevard. (Andy Hall)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4149.

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1. CONSENT CALENDAR (Continued)

ADMINISTRATIVE ITEMS

1.10 Agreement between the Orange County Board of Supervisors and the City of Westminster to accept funds for a memorial in Russell C. Paris Park. (Greg Johnson)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Accept the allocation of \$10,000 from the Orange County Board of Supervisors and authorize the City Manager to execute the County agreement on behalf of the City; and
- 2) Direct the City Manager to develop a plan for the proposed memorial.

WARRANT REGISTER

1.11 (City Council/Redevelopment Agency) Warrant Register dated April 23 through May 6, 2008. (Paul Espinoza)

RECOMMENDATION: Approve.

INFORMATION AND REPORTS

1.12 Minutes of the Traffic Commission Meeting of March 25, 2008. (Marwan Youssef)

RECOMMENDATION: Receive and file.

1.13 Treasurer's Report – March 2008. (Paul Espinoza)

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 May 7, 2008.

RECOMMENDATION: That the City Council determine if they wish to call up any items for review from the Planning Commission meeting of May 7, 2008.

- 1) Case No. 2008-20 Variance and Code Interpretation. Variance for required parking spaces and code interpretation for design standards related to can signs. 9060-9122 Bolsa Avenue (Hanoi Plaza)
- 2) Case No. 2006-107 Time Extension Request. A 12-month extension is requested on a previous approval for Case Number 2006-107. 14231 Alta Street.
- 3) Case No. 2008-12 Temporary Site Plan. Request for a temporary sales event in the parking lot area of the Westminster Mall. 1025 Westminster Mall Road.
- 4) Case No. 2008-35 Design Review. Request for a design review to modify and redesign three entrances to the Westminster Mall. 1025 Westminster Mall Road.

4. PUBLIC HEARINGS – None

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

5.2 AB 1234 Reports

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6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

- 6.1 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 (Continued from April 30, 2008 meeting).** (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.

- 6.2 Study Session Meeting Dates for Review of the Schematic Design for the New City/Chamber of Commerce Building.** (Soroosh Rahbari)

RECOMMENDATION: Staff recommends that the Mayor and the City Council hold a study session on Monday, June 2, 2008, at 6:00 p.m., to review the progress in the design of the City/Chamber of Commerce building located at the corner of Beach Boulevard and Hazard Avenue.

7. WRITTEN COMMUNICATIONS (Public) – None

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. (Deferred from April 30, 2008 meeting)** (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

- 9.1 Establishment of Engineering and Traffic Surveys for All American Way from Westminster Boulevard to 13th Street, and 13th Street from Beach Boulevard to All American Way, T.C. 73-100.** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the recommendation of the Traffic Commission to approve the Engineering and Traffic Surveys for All American Way between Westminster Boulevard and 13th Street and 13th Street between Beach Boulevard and All American Way.

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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