

**MARGIE L. RICE**  
Mayor

**TRITA**  
Mayor Pro Tem

**FRANK G. FRY**  
Council Member

**ANDY QUACH**  
Council Member

**TYLER DIEP**  
Council Member



## **AGENDA**

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

**March 2, 2009**

**6:00 p.m. – 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 and is available on the City's web site at: <http://www.ci.westminster.ca.us>.

### **ATTENDANCE AND PARTICIPATION BY THE PUBLIC**

Except as specifically provided by law for closed sessions, all meetings of the City Council/Redevelopment Agency shall be open and public. Every agenda for regular meetings of the City Council/Redevelopment Agency provides the public an opportunity to directly address the City Council/Agency Board on items of interest to the public that are within the subject matter jurisdiction of the City Council or on any agenda items. NO action may be taken on items not listed on the agenda unless authorized by law. Unless otherwise extended by the City Council/Agency Board, the amount of time for each individual speaker shall not exceed five (5) minutes.

### **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**

March 2, 2009

**6:00 P.M.**  
**CLOSED SESSION**

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY PRIOR TO ANY ITEM TO BE CONSIDERED IN CLOSED SESSION.

## **CALL TO ORDER:**

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

**PRESENT:**

**ABSENT:**

## **CLOSED SESSION:**

The City Council/Redevelopment Agency will recess to a Closed Session for the following purposes:

- 1) Pursuant to Government Code Section 54957: Public Employment: City Manager.

## **RECESS:**

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

March 2, 2009

7:00 P.M.

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, TA, FRY, QUACH, DIEP

**PRESENT:**

**ABSENT:**

**SALUTE TO FLAG:** Mayor Pro Tem 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)).

## 1. ORAL COMMUNICATIONS

THIS IS THE TIME OF THE MEETING THAT MEMBERS OF THE PUBLIC MAY ADDRESS THE CITY COUNCIL/REDEVELOPMENT AGENCY REGARDING ANY ITEMS ON THE AGENDA OR NON-AGENDA ITEMS THAT ARE WITHIN THE SUBJECT MATTER JURISDICTION. EXCEPT PUBLIC HEARING ITEMS. MEMBERS OF THE PUBLIC WISHING TO ADDRESS PUBLIC HEARING ITEMS SHALL DO SO AT THE TIME OF THE PUBLIC HEARING. UNLESS OTHERWISE EXTENDED BY A MAJORITY VOTE OF THE CITY COUNCIL/AGENCY BOARD, COMMENTS SHALL BE LIMITED TO FIVE (5) MINUTES PER SPEAKER.

ANY PERSON WISHING TO ADDRESS THE CITY COUNCIL/AGENCY BOARD SHOULD COMPLETE A GREEN SPEAKER SLIP THAT IS PROVIDED AT THE ENTRANCE TO THE COUNCIL CHAMBERS AND SUBMIT THE CARD TO THE CITY CLERK/SECRETARY. WHEN YOUR NAME IS CALLED, PLEASE STEP TO THE PODIUM AT THAT TIME AND STATE YOUR NAME AND CITY OF RESIDENCE FOR THE RECORD.

## SPECIAL PRESENTATIONS:

- A. Presentation from Orange County Transportation Authority (OCTA) on the I-405/605 West County Connectors Project and I-405 Improvement Project.

## REPORT FROM CITY CLERK ON LATE COMMUNICATION ITEMS

# AGENDA

March 2, 2009

## 2. CONSENT CALENDAR

ALL MATTERS LISTED UNDER THE CONSENT CALENDAR ARE CONSIDERED ROUTINE AND MAY BE APPROVED BY A SINGLE MOTION FOLLOWED BY A ROLL CALL VOTE. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS MEMBERS OF THE CITY COUNCIL/REDEVELOPMENT AGENCY BOARD OR STAFF REQUEST THAT SPECIFIC ITEMS BE REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE ACTION OR DISCUSSION.

### APPROVAL OF MINUTES

- 2.1 **(City Council/Redevelopment Agency) Minutes of the Adjourned Regular Meeting of the City Council/Redevelopment Agency of February 23, 2009.** (Marian Contreras)

RECOMMENDATION: Approve.

### ROUTINE MATTERS

- 2.2 **Energy Leadership Partnership between Southern California Edison and the City of Westminster.** (Doug McIsaac)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Adopt Resolution No. 4215 entitled "A Resolution of the Mayor and City Council of the City of Westminster Declaring Support for an Energy Partnership between the Southern California Edison and the City of Westminster."
- 2) Authorize the City Manager to execute an agreement between the City of Westminster and Southern California Edison as an interim agreement for Bridge-Funding until the Utilities Commission program for 2009-2011 is ready for adoption by the Orange County Cities Energy Efficiency Partnership.

- 2.3 **Authorization to add Harold Place improvements from Graham Street to Hammon Place to the current contract for City-Wide Reconstruction and 10<sup>th</sup> Street Improvements – Project No. CTB 07-09.** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a change order in the amount of \$60,000 to RJ Noble Company for street repairs on Harold Place from Graham Street to Hammon Place.

- 2.4 **Purchase of Two Police Patrol Cars.** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the purchase of two Police Patrol Cars in the amount of \$46,154.00 from Theodore Robins Ford.

# AGENDA

March 2, 2009

## 2. CONSENT CALENDAR (Continued)

### ORDINANCES (SECOND READING)/RESOLUTIONS

- 2.5 (City) Resolution No. 4207 - A Resolution of the Mayor and City Council of the City of Westminster upholding the Planning Commission's approval of a conditional use permit, site plan and design review of a billboard at 6491 Maple Avenue (Assessor's Parcel Number: 195-292-10); Applicant: Wealthy Ventures Inc. DBA Avant Outdoor Advertising; Property Owner: YSI XXVI L.P. and approving an associated billboard placement agreement. (Art Bashmakian)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4207.

(Agency) Resolution No. 202 - A Resolution of the Westminster Redevelopment Agency granting consent for the placement of the proposed billboard within the boundaries of the Redevelopment Project, pursuant to the State of California, Department of Transportation's requirement that the Redevelopment Agency approve and certify such location (Assessor's Parcel Number: 195-292-10) (Case No. 2008-19)

RECOMMENDATION: Staff recommends that the Chair and Agency Board adopt Resolution No. 202.

### WARRANT REGISTER

- 2.6 (City Council/Redevelopment Agency) Warrant Register dated February 18 through 24, 2009. (Paul Espinoza)

RECOMMENDATION: Approve.

### INFORMATION AND REPORTS

- 2.7 Minutes of the Planning Commission meeting held February 4, 2009. (Doug McIsaac)

RECOMMENDATION: Receive and file.

- 2.8 Treasurer's Report – January 2009. (Paul Espinoza)

RECOMMENDATION: Receive and file.

- 2.9 Minutes of the Traffic Commission meeting held January 27, 2009. (Marwan Youssef)

RECOMMENDATION: Receive and file.

**END OF CONSENT CALENDAR**

# AGENDA

March 2, 2009

3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW - None

4. PUBLIC HEARINGS – None.

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

5.2 AB 1234 Reports

5.3 Request to consider an alternative date for the April 8, 2009 Regular Council Meeting. (Council Member Quach)

RECOMMENDATION: That the Mayor and City Council provide direction to staff.

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 (City/Agency) Mid-Year Budget Review (Paul Espinoza)

RECOMMENDATION: Staff recommends that the Mayor/Chair and City Council/Agency Board:

- a. Receive the Mid-year Budget Review for Fiscal Year 2008-09;
- b. Review staff recommendations;
- c. Review the recommendation regarding the eighth year tax increment funding allocation for the Infrastructure Revitalization Plan (IRP); and
- d. Direct staff to agendize approval of the IRP allocations and supplemental requests at the City Council/Agency meeting of March 25, 2009.

# AGENDA

March 2, 2009

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

### 6.2 (City/Agency) Agreement for Program and Construction Management for the New Police Facility. (Andy Hall)

RECOMMENDATION: Staff recommends that the Mayor and City Council, upon confirmation of the bond sale:

- 1) Approve the Program Management Agreement inclusive of the Guaranteed Maximum Price (GMP) in an amount not to exceed \$54,352,000.00; and authorize the City Manager to execute the agreement on behalf of the City; and
- 2) Authorize Griffin Structures, Inc. to manage the completion of permitting, bidding and construction of the new police facility on behalf of the City; and
- 3) Approve an appropriation in the amount of \$61,473,000.00 from the Infrastructure Redevelopment Project to the Capital Improvement Fund – Police Facility Construction (CIP Project).

## 7. WRITTEN COMMUNICATIONS (Public) – None.

### 7.1 Request from the Vietnamese-American Community of Southern California to coordinate the installation of the Vietnamese Heritage Flags and American Flags in Westminster. (Greg Johnson)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the group's request to install the flags on Southern California Edison street light poles from April 25, 2009 to May 4, 2009.

## 8. LEGISLATIVE ITEMS – None.

## 9. COMMISSION AND COMMITTEE ITEMS – None

## 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