

\*Agenda has been amended to reflect Item No. 3.1 has been withdrawn. (v.2)

\*Closed Session – Add Urgency Item No. 5 (v.3)

\*Regular Meeting – Add Legislative Item 6.3 (v. 3)

**TRI TA**  
Mayor

**CHI CHARLIE NGUYEN**  
Vice Mayor

**TAI DO**  
Council Member

**CARLOS MANZO**  
Council Member, District 2

**KIMBERLY HO**  
Council Member, District 3



## **AMENDED AGENDA**

**CITY COUNCIL/SUCCESSOR AGENCY TO THE  
WESTMINSTER REDEVELOPMENT AGENCY**

**REGULAR MEETING**

**DECEMBER 8, 2021**

**CLOSED SESSION - 5:00 p.m. | OPEN SESSION - 7:00 p.m.**

**Public Access Via Teleconference/Web Conference Only**

**8200 WESTMINSTER BOULEVARD  
WESTMINSTER, CALIFORNIA 92683**

In an effort to protect public health and prevent the spread of coronavirus (COVID-19), the City of Westminster encourages the public to view this City Council meeting on television or online. The Council Chambers will be closed to adhere to guidelines for practicing safe social distancing and within the guidelines for gatherings.

If you need special assistance to participate in this meeting, including interpretation, please contact the City Clerk's office at (714) 548-3237. 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)

Documents provided to a majority of the City Council regarding any item on this agenda are available for public inspection on the City's website at [www.westminster-ca.gov](http://www.westminster-ca.gov).

# AMENDED AGENDA

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## **SPECIAL NOTICE REGARDING CORONAVIRUS (COVID-19) AND ATTENDANCE AT PUBLIC MEETINGS**

On March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On September 17, 2021, Governor Newsom signed AB 361 related to the Brown Act and remote meetings during the state of emergency. AB 361 allows local agencies to continue to conduct remote or “Zoom” meetings during a declared State of Emergency. The City Council adopted Resolution No. 5067 on September 22, 2021, determining as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees. The City Council shall make this determination every 30 days. Pursuant to AB 361, please be advised that some or all of the Westminster City Council Members will participate in meetings via teleconference/web conference.

### **MEETINGS**

Regular meetings of the City Council 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.

### **AGENDA INFORMATION**

The agenda contains a brief general description of each item to be considered. The agenda and supporting documentation are available for public review no later than 72 hours prior to the meeting. The agenda can be accessed on the City's web site at [www.westminster-ca.gov](http://www.westminster-ca.gov). Live video streaming of regular meetings and an archive of agendas and minutes are also available on the City's website. Visit [https://westminsterca.granicus.com/ViewPublisher.php?view\\_id=2](https://westminsterca.granicus.com/ViewPublisher.php?view_id=2) to subscribe to agenda notifications.

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

**IN AN EFFORT TO PROTECT PUBLIC HEALTH AND PREVENT THE SPREAD OF COVID-19, IN LIEU OF ATTENDING THE MEETING, MEMBERS OF THE PUBLIC MAY VIEW THE MEETING LIVE IN ONE OF THE FOLLOWING WAYS:**

- [City of Westminster YouTube Channel](#)
- [City of Westminster Streaming Video Online](#)
- Westminster WTV: Spectrum Channel 3, Frontier FiOS Channel 42, and AT&T U-Verse Channel 99
- Zoom (see instructions on next page)

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**To view the meeting via Zoom, please visit:** <https://us02web.zoom.us/j/86024921123>

- Or iPhone one-tap :
  - US: +16699009128,,86024921123# or +13462487799,,86024921123#
- Or Telephone:
  - Dial(for higher quality, dial a number based on your current location):
    - US: +1 669 900 9128 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592
    - Webinar ID: 860 2492 1123
- International numbers available: <https://us02web.zoom.us/j/86024921123>

## **MEMBERS OF THE PUBLIC WHO WISH TO ADDRESS THE CITY COUNCIL MAY SUBMIT COMMENTS IN WRITING UP TO 24 HOURS PRIOR TO THE MEETING:**

- E-mail your comments to [eComments@westminster-ca.gov](mailto:eComments@westminster-ca.gov).
- Comments received via e-mail will be provided to the City Council and be reflected in the minutes, and will be read in full or in summary during Oral Communications or Public Hearings (if applicable).
- Profanity, obscenity, or discriminatory language will not be read.
- Your comments will become part of the official meeting record. You must provide your full name, but please do not provide any other personal information (i.e. phone numbers, addresses, etc.) that you do not want to be published.

## **IN LIEU OF WRITTEN COMMENTS, MEMBERS OF THE PUBLIC WHO WISH TO VERBALLY ADDRESS THE CITY COUNCIL DURING ORAL COMMUNICATIONS MAY SPEAK VIA ZOOM IN ONE OF TWO WAYS:**

### **• TO REQUEST TO SPEAK IN ADVANCE:**

- E-mail your request to speak at the meeting along with your name to [eComments@westminster-ca.gov](mailto:eComments@westminster-ca.gov).
- Make sure you are logged into Zoom prior to the start of Oral Communications or Public Hearings (if applicable).
- Those who request to speak in advance will be called first and in the order in which the requests were received by the City Clerk's Office.
- When your name is called, the City Clerk will enable your microphone and you must press the "unmute" button to unmute yourself. If calling from a telephone or cell phone, press \*6 on your dial pad to mute and unmute.
- Please state your name and city of residence for the record.
- Your microphone will be muted if you begin to use profane, obscene, or discriminatory language.

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- **TO SPEAK WITHOUT AN ADVANCED REQUEST:**

- Speakers who have already submitted an e-Comment (see previous page) will not be permitted to speak during Oral Communications or Public Hearings (if applicable).
- Speakers must attend the Council meeting via Zoom in order to speak to the Council.
- The City Clerk will announce the start of Oral Communications or comments for the Public Hearing item and ask speakers to press the “Raise Your Hand” button.
- When your name is called, the City Clerk will enable your microphone and you must press the “unmute” button to unmute yourself. If calling from a telephone or cell phone, press \*6 on your dial pad to mute and unmute.
- Please state your name and city of residence for the record.
- Your microphone will be muted if you begin to use profane, obscene, or discriminatory language.

Except as specifically provided by law for closed sessions, all meetings of the City Council Agency shall be open and public. Agendas for the City Council meetings provide the public an opportunity to directly address the City Council on items of interest to the public that are within the subject matter jurisdiction of the City Council on any agenda items. NO action may be taken on items not listed on the agenda unless authorized by law.

## **WEBSITE/TELEVISED MEETING SCHEDULE**

Regular City Council meetings are broadcast live on Westminster Cable Channel 3 and REBROADCAST on Monday at 5:00 p.m., Wednesday at 7:00 p.m., Friday at 7:00 a.m. and Sunday at 8:30 a.m. The City's website ([www.westminster-ca.gov](http://www.westminster-ca.gov)) provides information about viewing live and archived City Council meetings. If you have internet access, you can follow the meeting live with a video stream on your computer. You will also have access to an archive of recent City Council meeting agendas, videos and minutes.

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# AMENDED AGENDA

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## 5:00 P.M. CLOSED SESSION

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

### CALL TO ORDER:

**ROLL CALL:** TA, NGUYEN, DO, HO, MANZO

PRESENT:

ABSENT:

### CLOSED SESSION:

The City Council will recess to a Closed Session for the following purpose:

- 1) Conference with Legal Counsel pursuant to Government Code Section 54956.9(d)(2): Potential Litigation (two cases).
- 2) Conference with Legal Counsel pursuant to Government Code Section 54956.9(d)(4): Initiation of Litigation (13900 Monroe Street): Recovery of Land.
- 3) Conference with Legal Counsel pursuant to Government Code Section 54956.9(d)(4): Initiation of Litigation (13900 Monroe Street): Recovery of Maintenance Costs.
- 4) Pursuant to Government Code Section 54957: Public Employee Performance Evaluation: Title: City Attorney.

### **Request from Staff to add Closed Session Urgency Item.**

### **Addition of Urgency Item No. 5 - Pending City Council approval.**

- 5) Conference with Legal Counsel pursuant to Government Code Section 54956.9(d)(1): Existing Litigation (one case): City of Westminster, et al v. Purdue Pharma L.P., et al; USDC, Northern District of California (Case No. 19-cv-02325-JST, transferred to USDC, Northern District of Ohio, MDL No. 2).

### RECESS:

**AMENDED AGENDA**

December 8, 2021

**7:00 P.M.**

**RECONVENE CITY COUNCIL/SUCCESSOR AGENCY TO THE WESTMINSTER REDEVELOPMENT AGENCY MEETING:**

**CALL TO ORDER:**

**ROLL CALL:** TA, NGUYEN, DO, HO, MANZO

PRESENT:

ABSENT:

**SALUTE TO FLAG:** Mayor Ta

**INVOCATION:**

**CITY ATTORNEY/CLOSED SESSION REPORT**

**EX PARTE COMMUNICATIONS**

**CITY CLERK REPORT**

A) COVID-19 Updates.

**CITY MANAGER REPORT**

**1. SPECIAL PRESENTATIONS**

**2. ORAL COMMUNICATIONS**

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

PLEASE SEE PAGES 2-3 FOR INSTRUCTIONS ON HOW TO SPEAK VIA ZOOM OR HOW TO SUBMIT YOUR COMMENTS TO BE READ DURING ORAL COMMUNICATIONS.

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# AMENDED AGENDA

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## 3. 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 OR STAFF REQUEST THAT SPECIFIC ITEMS BE REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE ACTION OR DISCUSSION.

### MINUTES

#### ~~3.1 Minutes of the Regular Meeting of the Westminster City Council/Successor Agency on November 10, 2021 and November 24, 2021.~~

~~RECOMMENDATION: Approve the minutes as presented.~~

### ROUTINE MATTERS

#### 3.2 Resolution Approving the Annual Measure M2 Expenditure Report for Fiscal Year 2020-2021.

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt a Resolution entitled, "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WESTMINSTER CONCERNING THE MEASURE M2 EXPENDITURE REPORT FOR THE CITY OF WESTMINSTER FOR THE FISCAL YEAR ENDING JUNE 30, 2021."

#### 3.3 Resolution to Approve the Filing of a Project Application(s) to the State Department of Parks and Recreation for the Mendez Freedom Trail.

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt a Resolution entitled, "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WESTMINSTER APPROVING APPLICATION(S) FOR SPECIFIED GRANT FUNDS."

### WARRANT REGISTER

#### 3.4 Warrant Register (City Council/Successor Agency) dated November 4, 2021 through December 1, 2021.

RECOMMENDATION: Receive and file.

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## REPORTS

### 3.5 Treasurer's Report - October 2021.

RECOMMENDATION: Receive and file.

### 3.6 Review of City Property Land Sale Transactions from 2006 to Current.

- Late Communication – Rec'd 12/08/2021

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

## END OF CONSENT CALENDAR

## 4. PUBLIC HEARINGS

**DUE TO COVID-19 RESTRICTIONS, CHANGES HAVE BEEN MADE TO THE PUBLIC HEARING PROCESS IN ORDER TO ENSURE MEMBERS OF THE PUBLIC MAY PARTICIPATE REMOTELY.**

**MEMBERS OF THE PUBLIC WHO WISH TO ADDRESS THE CITY COUNCIL MAY SUBMIT COMMENTS IN WRITING UP TO 24 HOURS PRIOR TO THE MEETING:**

- E-mail your comments to [eComments@westminster-ca.gov](mailto:eComments@westminster-ca.gov).
- Speakers dialing in must make an advance request to speak in order for the City Clerk to identify the speaker and phone number.

**IN LIEU OF WRITTEN COMMENTS, MEMBERS OF THE PUBLIC WHO WISH TO VERBALLY ADDRESS THE CITY COUNCIL DURING THE PUBLIC HEARING MAY SPEAK VIA ZOOM IN ONE OF TWO WAYS:**

- **TO REQUEST TO SPEAK IN ADVANCE:**
  - E-mail your request to speak at the meeting along with your name to [eComments@westminster-ca.gov](mailto:eComments@westminster-ca.gov).
- **TO SPEAK WITHOUT AN ADVANCED REQUEST:**
  - The Mayor will open the public hearing and the City Clerk will ask speakers to press the "Raise Your Hand" button.

**PLEASE SEE PAGES 2-3 FOR FULL INSTRUCTIONS ON HOW TO SPEAK VIA ZOOM OR HOW TO SUBMIT YOUR COMMENTS TO BE READ DURING THE PUBLIC HEARING. SPEAKERS DURING PUBLIC HEARING COMMENTS WILL EACH HAVE FIVE (5) MINUTES TO SPEAK ON EACH PUBLIC HEARING ITEM.**



# AMENDED AGENDA

December 8, 2021

## 4.1 Public Hearing to Receive Input from the Community Regarding the Redistricting Process.

- Staff Report
- Mayor and City Council Questions for Staff
- Public Comments/[E-Comments](#)
- Mayor and Council Member Discussion
- Council Action

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- A) Receive the staff report on the redistricting process and permissible criteria to be considered to evaluate district boundaries; and
- B) Conduct a Public Hearing (No. 2) to receive public input.

## 4.2 Public Hearing and Resolution to Determine and Declare a Public Nuisance and Conduct Weed Abatement For Fall 2021.

- Staff Report
- Mayor and City Council Questions for Staff
- Public Comments
- Mayor and Council Member Discussion
- Council Action

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- A) Overrule any objections received at the subject Public Hearing for the abatement of the weeds; and
- B) Adopt a Resolution 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 INTERIM CITY MANAGER TO HAVE SAID WEEDS DESTROYED AND TO HAVE RUBBISH AND REFUSE REMOVED AS REQUIRED BY LAW."

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# AMENDED AGENDA

December 8, 2021

## 5. REGULAR BUSINESS

### 5.1 [Approve a Resolution to Update the Part Time Salary Schedule - January 1, 2022.](#)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt a Resolution entitled, "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WESTMINSTER PROVIDING FOR A COMPENSATION PLAN FOR PART-TIME EMPLOYEES OF THE CITY OF WESTMINSTER."

### 5.2 [Enforcement Authority Agreement with Midway City Sanitary District and Proposed Amendment to Municipal Code Title 8 \(Comprehensive Waste Management\), Chapter 16, to Reference Midway City Sanitary District Ordinance 71 Regarding Implementation of SB 1383.](#)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- A) Authorize the Interim City Manager to execute an agreement with Midway City Sanitary District (MCSD), contingent on the approval of MCSD's Board;
- B) Authorize the Interim City Manager to approve modifications to such agreement, subject to the review and approval of the City Attorney; and
- C) Introduce an Ordinance for first reading entitled, "AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WESTMINSTER AMENDING TITLE 8, CHAPTER 16 OF THE MUNICIPAL CODE RELATING TO COMPREHENSIVE WASTE MANAGEMENT PROGRAM AND ADOPT BY REFERENCE MIDWAY CITY SANITARY DISTRICT'S SOLID WASTE REGULATIONS," read by title only and waive further reading.

### 5.3 [Approval of Revisions to the Public Cable Television Authority \(PCTA\) Joint Powers Agreement.](#)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- A) Approve the revisions to the Public Cable Television Authority Joint Powers Agreement; and
- B) Authorize the Interim City Manager to execute the agreement.

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# AMENDED AGENDA

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## 5.4 Council Consideration of Censure of Vice Mayor Chi Charlie Nguyen for Unacceptable Conduct.

RECOMMENDATION: Staff recommends that the Mayor and City Council convene the proceeding and take any action it deems appropriate, including adopting a Resolution entitled "RESOLUTION OF THE MAYOR AND CITY COUNCIL OF WESTMINSTER CENSURING VICE MAYOR CHI CHARLIE NGUYEN FOR UNACCEPTABLE CONDUCT."

## 6. LEGISLATIVE ITEMS

### 6.1 Continued from the November 10, 2021 Meeting: Introduce and Conduct First Reading of Public Official and Employee Interactions Ordinance Amending the Westminster Municipal Code Chapter 2.04.

RECOMMENDATION: Staff recommends that the Mayor and City Council to introduce an Ordinance for first reading entitled, "AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WESTMINSTER ADDING SECTION 2.04.130 (PUBLIC OFFICIAL AND EMPLOYEE INTERACTIONS) TO CHAPTER 2.04 (CITY COUNCIL) TO TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE WESTMINSTER MUNICIPAL CODE, REGARDING PUBLIC OFFICIAL AND EMPLOYEE INTERACTIONS," read by title only and waive further reading.

### 6.2 Continued from the November 10, 2021 Meeting: Resolution Approving Code of Ethics and Conduct for Elected and Appointed Officials.

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt a Resolution entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WESTMINSTER ADOPTING CITY OF WESTMINSTER CODE OF ETHICS AND CONDUCT FOR ELECTED AND APPOINTED OFFICIALS."

***Request from Staff to add New Agenda Item.***

***Addition of Urgency Item No. 6.3 - Pending City Council approval.***

### 6.3 Resolution Requesting the California Citizens Redistricting Commission to Keep all of the Cities Constituting Little Saigon, Including Westminster, together with the City of Huntington Beach in Assembly, State Senate and Congressional Districts.

***RECOMMENDATION: Staff recommends that the Mayor and City Council adopt a Resolution entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WESTMINSTER REQUESTING THE CALIFORNIA CITIZENS REDISTRICTING COMMISSION KEEP ALL OF THE CITIES CONSTITUTING LITTLE SAIGON, INCLUDING WESTMINSTER, TOGETHER WITH THE CITY OF HUNTINGTON BEACH IN ASSEMBLY, STATE SENATE AND CONGRESSIONAL DISTRICTS."***

# AMENDED AGENDA

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## 7. COMMISSION AND COMMITTEE ITEMS

### 7.1 Consideration of Removal of Weston Seid from the Planning Commission and Oversight Board.

RECOMMENDATION: Staff recommends that the Mayor and City Council consider the request to remove Weston Seid from the Planning Commission and Oversight Committee and approve or deny the request.

### 7.2 Proposal to Reconsider the Formation, Duties, and Responsibilities of the Monuments and Memorials Committee.

RECOMMENDATION: Staff recommends that the Mayor and City Council reconsider the formation of the Monuments and Memorials Committee and provide direction regarding the duties and responsibilities of the committee.

### 7.3 Appointment of Vice Mayor.

RECOMMENDATION: Staff recommends that the Mayor and City Council appoint a Vice Mayor.

## 8. COMMENTS FROM CITY COUNCIL/AGENCY MEMBERS (Including AB 1234 Report when required)

## 9. COUNCIL ADJOURNMENT

*Regular Meeting of December 22, 2021 has been canceled.*

**Next Regular Meeting will be held Wednesday, January 12, 2022 at 7:00 p.m.**

DECLARATION: This agenda was posted on the Bulletin Board outside of the Council Chambers, where completely accessible to the public; and online, at least 72 hours in advance of the City Council Meeting.

/s/Lucie Colombo, CMC, Interim City Clerk