

CITY COUNCIL/REDEVELOPMENT AGENCY
MINUTES OF A REGULAR MEETING

WESTMINSTER, CALIFORNIA
June 16, 2004

The City Council of the City of Westminster, California convened on June 16, 2004 at 6:00 p.m. in a Regular Meeting in the Council Conference Room, 8200 Westminster Blvd., Westminster, California.

7:00 P.M.

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

ROLL CALL:

PRESENT: RICE, QUACH, FRY, MARSH, PARIS
ABSENT: NONE

SALUTE TO FLAG: Council Member Paris

INVOCATION: Mayor Rice

Mayor Rice gave a brief introductory biography of the new City Manager, Vangie Schock, and welcomed her to the City of Westminster.

SPECIAL PRESENTATIONS:

- A. Police Chief Hall conducted the Department Promotion Ceremony for Sergeant Dan Schoonmaker. His wife Debbie pinned on his badge, and he recited the promotional oath, reaffirming his commitment. Mayor Rice and the Council Members congratulated Sergeant Schoonmaker and his family. Also, the Mayor and Council Members congratulated Chief Hall for receiving the "Ambassador for Peace" award from the Orange County Violence Prevention Coalition. Chief Hall stated that he accepted the award on behalf of the Westminster Police Department.
- B. Mayor Rice and the Council Members presented a Resolution of Commendation to Jerome Catlin from Midway City for his volunteerism. Supervisor Chuck Smith also presented a commendation to Mr. Catlin, recognizing his military service in the Korean War. Supervisor Smith also presented Mr. Catlin with a commendation from Lou Correa from the State Assembly. (115-00)
- C. Brad Fowler, Public Works Director, presented Certificates of Recognition to participants of Arbor Day tree planting activities. Mr. Fowler said that 85 trees were planted.
- D. Westminster Chamber past-President Mickey Morrissey and Bill Brown, current President, presented the Chamber of Commerce Annual Report and report on upcoming events.

1. CONSENT CALENDAR**APPROVAL OF MINUTES****1.1 (City Council/Redevelopment Agency) Minutes of the Adjourned Regular Meeting of the City Council/Redevelopment Agency of May 18, 2004.**

ACTION: Approved.

ROUTINE MATTERS**1.2 (City Council/Redevelopment Agency) Waive reading in full of all ordinances and resolutions under consideration, and approve and adopt same by reading title only.**

ACTION: Approved.

1.3 Award of Contract for Installation of Prestressed Concrete Piles for the Westminster Community Cultural Center (502-10)

ACTION: The City Council approved the award of contract to the low qualified bidder in the amount of \$413,930.00 to John S. Meek Company, Inc., all other bids were rejected; and the City Manager was authorized to execute the contract on behalf of the City.

1.4 Renewal for purchase of Gasoline and Diesel Fuel for FY 2004-05 (502-16)

ACTION: The City Council authorized a purchase order for Fiscal Year 2004-05 with the low qualified bidder, Petro Diamond, for an additional year, in an amount not to exceed \$265,000.00.

1.5 Renewal of Professional Services Contract with Hugo Morales, Video/Audio Engineer, for FY 2004-05 (502-13)

ACTION: The City Council approved the contract with Hugo Morales in an amount not to exceed \$20,000.00 and authorized the City Manager to execute the contract on behalf of the City.

1.6 Classification Specification – Senior Center Outreach Worker/Case Manager, Part Time (110-04)

ACTION: The City Council approved the classification specification for Senior Center Outreach Worker/Case Manager, Part Time.

1.7 Purchase Order for Reimbursement of Orange County Probation Department Personnel Cost for FY 2004-05 (502-15)

ACTION: The City Council approved a purchase order in an amount not to exceed \$35,000.00 for reimbursement of salary and benefits for the Orange County Probation Department personnel.

1.8 Renewal of police related blood test services with California Forensic Phlebotomy, Inc. for FY 2004-05 (502-03)

ACTION: The City Council approved a purchase order to be issued to California Forensic Phlebotomy, Inc. (CFP) for police related blood tests, in an amount not to exceed \$24,000.00.

1.9 Renewal of Annual Maintenance Contract with Cyrun Corporation for FY 2004-05 (502-03)

ACTION: The City Council approved a purchase order to be issued to Cyrun Corporation for Alliance PD Central for software updates and maintenance in an amount not to exceed \$40,000.00 from Account No. 31000-44080.

1.10 Renewal of Annual Maintenance Agreement with Liberty IMS for FY 2004-05 (502-12)

ACTION: The City Council approved renewal of the LibertyNet Software Subscription and Support Agreement from Liberty IMS for their digital image management software updates and maintenance in the amount of \$15,519.00 from Account No. 31000-44080.

1.11 Purchase Additional Licenses for i2 Analysis Software via Domestic Violence Grant (502-09)

ACTION: The City Council approved the purchase of additional software licenses for i2 analysis software from i2 Inc. as a sole source vendor, in an amount not to exceed \$25,015.00 from Account No. 39930-47024.

ORDINANCES (SECOND READING)/RESOLUTIONS

1.12 Resolution No. 3849 - A Resolution of the City Council of the City of Westminster rescinding Resolution No. 3705 and providing for a Compensation Plan for Part-Time Employees of the City of Westminster (110-02)

ACTION: The City Council adopted Resolution No. 3849 which provides for a salary increase for Project SHUE Sr. Assistant I and II and Site Manager, and waived further reading.

WARRANT REGISTER

1.13 (City Council/Redevelopment Agency) Warrant Register dated May 29 through June 11, 2004 (105-09)

ACTION: Approved.

INFORMATION AND REPORTS

1.14 Minutes of the Planning Commission meeting held May 26, 2004 (104-11)

ACTION: Received and filed.

1.15 Community Development Department Monthly Activity Report – May 2004 (216-01)

ACTION: Received and filed.

1.16 Financial Review Committee meeting held March 04, 2004 (104-08)

ACTION: Received and filed.

1.17 Financial Review Committee meeting held May 13, 2004 (104-08)

ACTION: Received and filed.

Motion was made by Council Member Fry, and seconded by Council Member Paris, to approve the Consent Calendar. The motion was carried by a 5-0 vote.

END OF CONSENT CALENDAR

2. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

2.1 The actions of the Planning Commission meeting held on June 9, 2004

The Building Official reviewed the actions of the Planning Commission meeting of June 9, 2004:

- 1) 9372 Westminster (Case No. 2004-25 Conditional Use Permit) for serving beer and wine at an existing restaurant (Nguyen Thuy Restaurant).
- 2) 15081 Beach Boulevard (Modification of CUP C-1000) for changing the existing restaurant to a banquet facility, extending business hours and modifying entertainment restrictions (Castles Restaurant).

Council Member Marsh requested that Case 2004-25 (Conditional Use Permit) for the property located at 9372 Westminster Blvd. be reviewed by the City Council.

Motion was made by Mayor Pro Tem Quach, and seconded by Council Member Paris, to receive and file the report of actions of the June 9, 2004 Planning Commission meeting. The motion was carried by a 5-0 vote.

3. PUBLIC HEARING**3.1 REALLOCATION OF UNCOMMITTED HOME FUNDS UNDER THE FIRST-TIME HOMEBUYER PROGRAM (109-02)**

Time set for a public hearing to discuss the reallocation of uncommitted 2001 and 2002 HOME Investment Partnership (HOME) funds to another eligible HOME housing activity.

The Planning Director stated that the HOME funds need to be reallocated by July 31, 2004. She announced that HUD approved the increase price for single family homes, which is now set at \$416,100; and condominiums, now set at \$342,000.

Mayor Rice asked if HUD put those housing prices in writing, to which the Planning Director said they were in writing from HUD.

MAYOR RICE OPENED THE PUBLIC HEARING AND ASKED IF THERE WERE ANY PERSONS WISHING TO SPEAK IN FAVOR OF THE ITEM.

Darrell Nolta, resident of Westminster, spoke in favor of this item.

SEEING THERE WAS NO ONE WISHING TO SPEAK IN OPPOSITION TO THE ITEM, MAYOR RICE CLOSED THE PUBLIC HEARING.

Motion was made by Mayor Rice, and seconded by Council Member Fry, to:

- 1) Reallocate the uncommitted funds (\$370,493.00) from 2001-02 and 2002-03 HOME Funds to provide financial assistance for the construction of a multi-unit condominium at 13931 Cedar Avenue, a property owned by the Westminster Redevelopment Agency, for sale to qualified low-income first-time homebuyers (not to exceed 80% of median income); and
- 2) Direct staff to send a Request for Proposal to interested developers, including non-profit organizations, for development of the said condominium.

The motion was carried by a 5-0 vote.

4. ORAL COMMUNICATIONS

Phil Hodgetts, resident of Westminster and member of the Energy Committee, spoke regarding saving energy in schools.

Darrell Nolta, resident of Westminster, stated that a number of people believe that a recently adopted resolution instituted a Communist-free zone in Westminster, as reflected in recent newspaper articles. He suggested that the

City honor individuals who stand up to the Communist government in Vietnam when it violates human rights.

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

Council Member Paris commended the Police Department for apprehending the hit-and-run driver who killed the 13 year old boy.

Mayor Pro Tem Quach stated that he does not believe the writers of the newspaper articles have actually read the two resolutions from either Westminster or Garden Grove, which are lawful resolutions. He agreed that more needs to be done and he liked Mr. Nolta's idea.

Council Member Marsh commended Mr. Nolta in his efforts to monitor the County's use of the voting machine. He stated that the City will miss Paul Parker. Regarding the resolution adopted regarding the Communists' visits, he agreed that once people read the resolution they have a different opinion. He also commended the policies of President Reagan when it came to criticism of Communism. He wished everyone a Happy Fathers Day.

Council Member Fry welcomed the new City Manager to the City. He reminded the property owners that they should have received a ballot to increase the fee for Vector Control; he urged citizens to vote for the increase.

Mayor Rice announced that the wife of Fireman Ron Murphy had passed away, Delores "Dee" Murphy. She requested that staff send flowers to the funeral. She distributed flyers for the Mayor's Ball on June 26th. She stated that the death of President Ronald Reagan was a great loss.

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 Resolution No. 3848 - Memorandum of Understanding between the City of Westminster and the Westminster Police Officers Association (110-02)

The Personnel Director stated that the proposed resolution is presented by the negotiating team and will be in effect from July 1, 2003 to June 30, 2006.

Motion was made by Council Member Marsh, and seconded by Council Member Fry, to:

- 1) Adopt Resolution No. 3848 entitled "A Resolution of the City Council of the City of Westminster providing for a Compensation Plan for Employees represented by the Westminster Police Officers' Association" to be effective July 1, 2003 and expiring on June 30, 2006;

- 2) Authorize a transfer of \$33,000.00 from Fund No. 740 (General Benefits Fund) to Fund No. 100 (General Fund); and
- 3) Approve a budget amendment of \$33,000.00 to Account No. 31000-40062 (General Police Services).

Darrell Nolta, resident of Westminster, spoke in support, however, he expressed concern with police staffing.

The motion was carried by the following vote:

AYES: RICE, QUACH, FRY, MARSH, PARIS
NOES: NONE
ABSENT: NONE

6.2 Appropriation of Traffic Impact Fee Funds for Phase 4 of the Traffic Congestion Monitoring Project (105-12)

Motion was made by Council Member Paris, and seconded by Mayor Pro Tem Quach, to:

- 1) Approve the appropriation of \$222,161.00 to Project No. 55026-042600 to be reimbursed by Orange County Transportation Authority (OCTA), for FY 2003-04; and
- 2) Approve the appropriation of \$57,376.00 from the Traffic Impact Fee Fund balance to Project No. 55031-043100 for Phase 4 of the Traffic Congestion Monitoring project for FY 2003-04 fund match.

Darrell Nolta, resident of Westminster, spoke about the congestion at Bolsa and Brookhurst, however, he is also concerned about surveillance and traffic citations.

Council Member Marsh stated that the City is only using the cameras to gather data as a safety factor and not to issue traffic citations.

The motion was carried by a 5-0 vote.

6.3 (Redevelopment Agency) Conveyance of Agency property at 13931 Cedar Street (402-28)

Motion was made by Agency Member Fry, and seconded by Agency Vice Chair Quach, to convey its property, at no cost, to a developer [to be selected by the Agency Board and City Council through the Request for Proposal (RFP) process] at a later date. The motion was carried by a 5-0 vote.

6.4 Appointment to Public Cable Television Authority (PCTA) Board of Directors (103-03)

Motion was made by Mayor Rice, and seconded by Council Member Marsh, to appoint Council Member Fry to serve as the second director on the PCTA Board of Directors representing the City of Westminster. The motion was carried by a 5-0 vote.

7. WRITTEN COMMUNICATIONS (Public)**7.1 Waiver of Rental Fees/Community Services Building (702-06)**

Mayor Rice requested staff come back with a resolution regarding a no fee-waiver policy for anyone wishing to use rooms in the new Community Cultural Center.

Motion was made by Council Member Paris, and seconded by Council Member Marsh, to approve a request from Westview Services, Inc. for waiver of fees for the use of the Community Services Building (East/West Room) on Wednesday, December 22, 2004 between the hours of 9 a.m. to 2 p.m. for a holiday party. The motion was carried by a 5-0 vote.

7.2 Waiver of Rental Fees/Community Services Building (702-06)

Motion was made by Council Member Marsh, and seconded by Mayor Pro Tem Quach, to approve a request from Friends of the Abbey Centre for waiver of fees for the use of the Community Services Building (East/West Room) on Thursday, October 14, 2004 between the hours of 6:30 p.m. to 10:00 p.m. for their Annual Meeting and Community Appreciation Night. The motion was carried by a 5-0 vote.

8. LEGISLATIVE ITEMS**8.1 Resolutions pertaining to the November 2, 2004 General Municipal Election (302-00)**

Motion was made by Council Member Fry, and seconded by Council Member Paris, to adopt the following resolutions:

- 1) Resolution No. 3844 entitled, "A Resolution of the City Council of the City of Westminster, California, calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 2, 2004, for the election of certain officers as required by the provisions of the laws of the State of California relating to General Law cities", and waive further reading;

- 2) Resolution No. 3845 entitled, "A Resolution of the City Council of the City of Westminster, California, adopting regulations for candidates for elective office pertaining to candidates statements submitted to the voters at an election to be held on Tuesday, November 2, 2004", and waive further reading; and
- 3) Resolution No. 3846 entitled, "A Resolution of the City Council of the City of Westminster, California, requesting the Board of Supervisors of the County of Orange to consolidate a General Municipal Election to be held on Tuesday, November 2, 2004 with the Statewide General Election to be held on that date pursuant to Section 10403 of the Elections Code", and waive further reading.

Darrell Nolta, resident of Westminster, addressed the problems of the electronic voting system for conducting a recount, if necessary.

The motion was carried by the following vote:

AYES: RICE, QUACH, FRY, MARSH, PARIS
 NOES: NONE
 ABSENT: NONE

9. COMMISSION AND COMMITTEE ITEMS

9.1 Resolution No. 3847 – Parking Restrictions on South Side of Bolsa Frontage Road, from Purdy Street to the East End of Bolsa Frontage Road - T.C. 79-116 (608-02)

Council Member Fry stated that it would make more sense to restrict parking on the north side of Bolsa Frontage Road rather than the south side.

Motion was made by Council Member Paris, and seconded by Mayor Pro Tem Quach, to approve the recommendation of the Traffic Commission and adopt Resolution No. 3847 entitled, "A Resolution of the City Council of the City of Westminster providing for No Parking or Stopping on the South side of Bolsa Frontage Road from Purdy Street to East End of Bolsa Frontage Road", and waive further reading. The motion was carried by the following vote:

AYES: RICE, QUACH, FRY, MARSH, PARIS
 NOES: NONE
 ABSENT: NONE

9.2 Resignation of Agripino Toro from the Cultural Arts Commission (Mayor Rice Appointee) (104-06)

Motion was made by Council Member Marsh, and seconded by Council Member Fry, to accept with regrets, the resignation of Agripino Toro from the Cultural Arts Commission effective June 28, 2004, and direct staff to prepare a letter of appreciation for the time served. The motion was carried by a 5-0 vote.

Mayor Rice requested that staff advertise the vacancy for the position on the Cultural Arts Commission.

9.3 Youth Committee appointments for a term ending June 30, 2005 (104-17)

Motion was made by Council Member Fry, and seconded by Mayor Pro Tem Quach, to reappoint the five (5) current Youth Committee Members (listed on page 2 of staff report) for a term to expire on June 30, 2005. The motion was carried by a 5-0 vote.

Motion was made by Council Member Marsh, and seconded by Council Member Paris, to appoint Mayor Rice and Council Member Fry to participate in an interview process of the new Youth Committee applicants and alternate members (listed on page 2 of staff report), to fill the four (4) regular member and four (4) alternate member positions that will become vacant on June 30, 2004. The motion was carried by a 5-0 vote.

9.4 Suggested Names for New Cultural Arts Center (702-02)

Mayor Rice stated she was not happy with the recommendations that were presented for naming the new Cultural Arts Center. She suggested the name, the "All America Community Center".

Council Member Marsh suggested the name, the "Ronald Wilson Reagan Westminster Community Center". Mayor Rice said she preferred that the center not be named after any person.

Sondra Evans, Council Liaison, stated that the contest to name the center had rules that there would be three winners who would receive prizes at the Mayor's Ball, but there was a provision in the rules that the Council could reject all suggestions. She recommended that the item be continued.

Motion was made by Council Member Fry, and seconded by Mayor Pro Tem Quach, to continue the item, suggesting names for the Cultural Arts Center to a future City Council meeting. The motion was carried by a 5-0 vote.

10. **COUNCIL/AGENCY ADJOURNMENT:** At 8:45 p.m., Mayor/Chair Rice adjourned the meeting.



Janet Mayfield, Assistant City Clerk/
Acting Agency Secretary

