

"Approved by the City Council/Redevelopment Agency Board on April 19, 2006."

CITY COUNCIL/REDEVELOPMENT AGENCY
MINUTES OF THE REGULAR MEETING

WESTMINSTER, CALIFORNIA
March 8, 2006

The City Council/Agency Board of the City of Westminster, California convened on March 8, 2006 at 6:06 p.m. in a Regular Meeting in the Council Conference Room, 8200 Westminster Boulevard, Westminster, California.

6:00 P.M.
CLOSED SESSION

CALL TO ORDER:

ROLL CALL

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

URGENT ITEM – CLOSED SESSION

A motion was made by Council Member Marsh, seconded by Council Member Quach, and approved unanimously, to bring an urgent matter on to the agenda, to be discussed in Closed Session, as the matter arose subsequent to the posting of the agenda, and requires immediate attention.

CLOSED SESSION:

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

- 1) Conference with Real Property Negotiators pursuant to Government Code Section 54956.8: Property: 6312 California Avenue; City Negotiators: City Manager Vangie Schock and Director of Public Works/City Engineer Marwan Youssef; Negotiating party: Tina Tran; Under Negotiation: Price and Terms of Payment

OPEN SESSION:

The Mayor and City Council convened in the Council Conference Room in open session at 6:17 p.m. Discussion ensued relative to the contractual financial obligation of the Vietnam War Memorial Committee to cover utilities and maintenance costs for the Vietnam War Memorial at Freedom Park, in exchange for receiving priority use of Freedom Park, the location of the Vietnam War Memorial. It was noted that two invoices that were due on January 4, 2006 are now delinquent, and an additional amount will be due to the City on April 30, 2006. It was noted that in addition to the Vietnam War Memorial Committee, another group has requested use of Freedom Park on April 29, 2006. The Director of Public Works/City Engineer explained in detail the charges to the Vietnam War Memorial Committee. The Mayor and Council sought direction from Mayor Pro Tem Fry (a member of the Vietnam War Memorial Committee)

on how the Committee desires to handle this matter. Mayor Pro Tem Fry said he will discuss the matter with the three other committee members.

The Mayor and City Council reconvened in the Council Conference Room in Closed Session at 6:30 p.m. to further discuss a Closed Session matter as follows:

PRESENT: RICE, MARSH, QUACH
ABSENT: FRY

CLOSED SESSION:

- 1) Conference with Legal Counsel pursuant to Government Code Section 54956.9(b): Anticipated Litigation (one potential case) re. Vietnam War Memorial Committee (14180 All American Way)

RECESS: At 6:58 p.m., Mayor/Agency Chair Rice recessed the meeting held in the Council Conference Room.

7:00 P.M.

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING: The City Council/Redevelopment Agency Meeting reconvened at 7:05 p.m. in the Council Chambers.

ROLL CALL:

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

SALUTE TO FLAG: Mayor Pro Tem Fry

INVOCATION: Council Member Marsh

REPORT OUT OF CLOSED SESSION:

The City Attorney reported that, regarding the subject of the Vietnamese War Memorial Committee, the Council voted in Closed Session to appoint a sub-committee of Council Members Quach and Marsh to oversee the Vietnamese War Memorial Committee matter.

SPECIAL PRESENTATIONS – None

Mayor Rice read in its entirety, a Memorial Tribute to Council Member Russell C. Paris. The following persons added their own tributes to Council Member Paris:

Vivian Kirkpatrick-Pilger
Phil Anthony
Judy Ahrens
A gentleman from the Vietnamese American Community
Mike McGill, Cypress Councilman

Supervisor Lou Correa, Orange County Board of Supervisors
Barbara Eames, Westminster Chamber of Commerce
Phil Hodgetts
Reginald Crozier

1. CONSENT CALENDAR

APPROVAL OF MINUTES

1.1 (City Council/Redevelopment Agency) Minutes of the Regular Meeting of the City Council/Redevelopment Agency of February 8, 2006 and Minutes of the Adjourned Regular Meeting of the City Council/Redevelopment Agency of February 13, 2006

ACTION: Approved.

ROUTINE MATTERS

1.2 (City Council) Denial of Claims Against the City from:

1. Lynette Myers in the amount of \$800.00.
2. Harjinder Gill in the amount of \$100.00.
3. Donna Holtan in the amount of \$1,500.00.
4. Steve Meyer in the amount of \$895.29.

ACTION: Claims filed against the City were denied.

1.3 (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.

(ITEM REMOVED AND HEARD SEPARATELY)

1.4 Authorize Purchase Order for Annual Software Maintenance and Support Services for the Eden Governmental Financial System (106-00)

Council Member Marsh said he will need to know before the next Council meeting, how long this contract will run. The Finance Director stated he will provide the requested information for the Council.

Motion was made by Council Member Marsh, and seconded by Mayor Pro Tem Fry, to authorize a purchase order in the amount of \$41,231.61 to Tyler Technologies, Inc., Eden Systems Division, and authorize the City Manager to approve the purchase order on behalf of the City. The motion was carried by a 4-0 vote.

(ITEM REMOVED AND HEARD SEPARATELY)**1.5 Change Out of Patrol Cars and Procurement of Emergency Equipment Parts (106-00)**

Council Member Marsh said he was concerned that there was only one bid. He asked if staff contacted other cities to see who they contacted for similar bids. The Public Works Director/City Engineer said staff did not do that for this bid, but he will do that in the future. He said he could recommend approval for Hi Standard.

Motion was made by Council Member Marsh, and seconded by Mayor Pro Tem Fry, to authorize a purchase order to Hi Standard in the amount of \$30,000.00 to change out patrol cars and for procurement of emergency equipment parts. The motion was carried by a 4-0 vote.

1.6 Fee Waiver Request from Westminster Pony League to hold their annual Pancake Breakfast on April 2, 2006 from 8:00 a.m. – 12:00 p.m. in the East/West Room of the Community Services Building (702-06)

ACTION: The Mayor and City Council approved the fee waiver request as outlined in the fee waiver policy for use of City facilities by Community Groups/Non-Profit Organizations.

1.7 AB-939 Integrated Waste Management Goal Attainment Annual Report – CY 2004 (609-11)

ACTION: The Mayor and City Council received and filed the report.

WARRANT REGISTER**1.8 (City Council/Redevelopment Agency) Warrant Register dated February 15 through 28, 2006 (105-09)**

ACTION: Approved.

INFORMATION AND REPORTS**1.9 Minutes of the Planning Commission meeting held February 1, 2006 (104-11)**

ACTION: Received and filed.

1.10 Treasurer's Report – January, 2006 (105-08)

ACTION: Received and filed.

1.11 Minutes of the Traffic Commission meeting held February 7, 2006 (104-12)

ACTION: Received and filed.

Motion was made by Mayor Pro Tem/Agency Vice Chair Fry, and seconded by Council/Agency Member Quach, to approve the Consent Calendar, with the exception of Item Nos. 1.4 and 1.5, which were removed for separate consideration. The motion was carried by a 4-0 vote.

END OF CONSENT CALENDAR

2. ORAL COMMUNICATIONS

John Briscoe, resident of Huntington Beach, spoke regarding fundamental, alternative schools in Westminster.

Elea Colesa, said that employees of the County of Orange have a parking agreement with the County that they will receive free parking.

Tony Lam, resident of Westminster, expressed his condolences at the loss of Council Member Paris and extend his best wishes to his family.

Charles Ngo, resident of Westminster, spoke regarding SB 1024, about the need for low to moderate income housing.

Phil Hodgetts, resident of Westminster, spoke regarding solar energy.

3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

3.1 The actions of the Planning Commission meeting held on March 1, 2006

RECOMMENDATION: That the City Council determine if they wish to call up any item(s) for review from the Planning Commission meeting of March 1, 2006:

- 1) Case No. 2005-76, Tentative Parcel Map, located at 13872 Cherry Street – condominium conversion. The applicant seeks approval to convert an existing duplex to condominium ownership.
- 2) Case No. 2005-59, Site Plan Review, Design Review, Variance, Negative Declaration, located at 14502 Beach Boulevard – new retail building. The applicant seeks approval of a new 5,535 square foot retail building which involves variances for setbacks and signs.
- 3) Case No. 2005-20, Site Plan Review, Design Review, Negative Declaration, located at 15420 Brookhurst Street – demolition of a portion of an existing commercial building and construction of a new two-story 24,409 square foot detached commercial building in the rear of the lot.

Council Member Marsh asked to pull No. 2 and No. 3 for Council review. Regarding No. 2, Council Member Marsh said he would like to see the environmental documentation.

Council Member Quach said he would like to see the package for No. 1, but he did not need to pull it for Council review.

Motion was made by Mayor Pro Tem Fry, and seconded by Council Member Quach, to receive and file the oral report of the Planning Commission meeting of March 1, 2006. The motion was carried by a 4-0 vote.

4. PUBLIC HEARINGS

4.1 REVIEW OF CASE NO. 2005-58 (TENTATIVE PARCEL MAP, VARIANCE, SITE PLAN REVIEW AND DESIGN REVIEW) 14072 GOLDENWEST STREET; APPLICANT: BON HOANG (201-00) (CN 2005-58)

Time set for a public hearing to review the Planning Commission's decision to approve the construction of a condominium development consisting of 2 units on a 9,525-sq.-ft. lot. The required entitlements include a Tentative Parcel Map for condominium purposes, Variance from the requirements for 2nd floor side yard setbacks, Site Plan Review to assess the proposed site layout, and Design Review to assess the architectural design of the development.

Council Member Quach recused himself because of his relationship with the architect. He left the dais.

The City Attorney noted that since there were only three members of the Council, any vote on this item would have to be unanimous in order to pass.

The Community Development Director reminded the Council that this project previously came before the Council as a three-unit condominium proposal, now it is proposed for two condominiums.

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

Lynn Coker, working with the developer and owner, said that any items that needed to be addressed were addressed. He said he spoke to the neighbors to make sure they were supportive and most (but not all) of the neighbors signed letters of endorsement.

Long Ha, Associate of Mr. Coker, and representative of the owner, said that the new owner would like to reside in one of the units and his daughter plans to reside in the other unit.

Roger Fryer, owner of the adjoining car wash, stated that he and the owner and developer of the two proposed condominium units have worked out a solution on the shared driveway.

MAYOR RICE ASKED IF THERE WERE ANY PERSONS WISHING TO SPEAK IN OPPOSITION TO THE ITEM.

David Chu Pham provided the City Clerk with a written statement that he was opposed to the proposed project.

Vivian Kirkpatrick-Pilger, resident of Westminster, said she wanted to see drawings of the plan. She said it does not look like good planning.

REBUTTAL:

Mr. Coker reviewed the maps, noting that the front doors do not face Goldenwest Street, and now the units do not share a driveway with the car wash.

Long Ha stated that the proposed project exceeds the City's standards.

MAYOR RICE CLOSED THE PUBLIC HEARING.

Council Member Marsh asked staff, what was the date that the subject property was zoned to R-4. The Community Development Director said that it was changed in 1996 when the General Plan was updated. Council Member Marsh asked if the subject property was separated from the property south of it, and if the setback was safe. The Community Development Director said that he believed the setback was safe; and he said that the property was subdivided prior to 1996. Council Member Marsh said this means the City did it and the City cannot deny them the ability to build.

Motion was made by Council Member Marsh, and seconded by Mayor Pro Tem Fry, subject to confirmation of the rezoning to R-4 and severance of properties, to uphold the Planning Commission's decision to approve Case No. 2005-58; and adopt Resolution No. 3979 entitled "A Resolution of the Mayor and City Council of the City of Westminster approving Case No. 2005-58 (Tentative Parcel Map, Variance, Site Plan Review, and Design Review)" and waive further reading. The motion was carried by the following vote:

AYES: RICE, FRY, MARSH
NOES: NONE
ABSTAIN: QUACH

4.2 **ORDINANCE 2396 (FIRST READING) – AMENDMENT TO THE CITY'S HOME BUSINESS REGULATIONS (202-01)**

Time set for a public hearing to consider a proposed ordinance pertaining to the City's Home Business Regulations. The proposed ordinance will eliminate the Home Business Committee and instead require review and action by the Planning Commission for those home businesses that are not permitted administratively. Such applications subject to the Planning Commission's review and action will also be subject to a filing fee and a public hearing before the Planning Commission. Currently, home businesses that are not allowed administratively and are not prohibited, require the action of the Home Business Committee. The proposed ordinance will also further clarify the list of prohibited and permitted home business uses.

The Community Development Director reminded the Council that changes were made to the proposed ordinance at the February 8, 2006 Council meeting, and are now incorporated in the text.

Council Member Marsh suggested a change to the language on page 10 of Ordinance No. 2396, Section 17.60.110, Revocation/Modification, will read: "The Planning Commission and/or City Council may hold a public hearing to revoke or modify any home business permit on any one of the following grounds".

MAYOR RICE OPENED THE PUBLIC HEARING AND ASKED IF THERE WERE ANY PERSONS WHO WISHED TO SPEAK IN FAVOR OR IN OPPOSITION TO THE ITEM. SEEING THERE WERE NO PERSONS WHO WISHED TO SPEAK, MAYOR RICE CLOSED THE PUBLIC HEARING.

Motion was made by Mayor Pro Tem Fry, and seconded by Council Member Quach, to introduce Ordinance No. 2396 entitled, "An Ordinance of the Mayor and City Council of the City of Westminster amending Chapter 17.05 (General Procedures), Chapter 17.60 (Home Businesses) and Chapter 17.08 (R1 Single Family Residence District) of the Westminster Municipal Code Related to Home Business Permits", as amended by Council Member Marsh, and waive further reading. The motion was carried by the following vote:

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

4.3 CONVEYANCE OF CITY-OWNED PROPERTY AT 7101 WYOMING STREET TO ABRAZAR, INC. (502-01) (402-27)

Time set for a public hearing to provide an opportunity for all interested persons to speak, including those that may have objections to the proposed conveyance of said real property.

The Community Development Director stated that staff conferred with the City Attorney and incorporated the directed changes to the agreement, with restrictions so that the property will continue as Abrazar, and will revert back to the City if there is a change from Abrazar.

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

Gloria Reyes, Chief Executive Officer of Abrazar Inc., reassured the Council that the property will remain Abrazar into the future, and she agreed to give an annual report to the City.

Larry Luera, resident of Westminster and past director of LULAC, noted that Abrazar was begun by LULAC, and it has had a spotless record since Gloria Reyes managed it for more than 30 years. He spoke in favor of granting the property to Abrazar.

SEEING THERE WERE NO PERSONS WISHING TO SPEAK IN OPPOSITION, MAYOR RICE CLOSED THE PUBLIC HEARING.

Council Member Marsh said seeing that the City already receives an annual report from Abrazar during the deliberations of CDBG hearings, he would prefer only receiving that one report a year, rather than more than one a year. There were no objections.

Motion was made by Mayor Pro Tem Fry, and seconded by Council Member Marsh, directing staff to convey ownership of the property to Abrazar, Inc. and authorize the City Manager to sign the Purchase & Sale Agreement and Grant Deed on behalf of the City. The motion was carried by a 4-0 vote.

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

Council Member Quach presented pictures from Westminster in London, England, from a recent trip he took.

Mayor Pro Tem Fry said he extended his condolences to Don Anderson, Community Development Director, upon the death of his father. He was also happy to see City employee Gerard Charles back to work after an illness.

Council Member Marsh also extended his condolences to Mr. Anderson upon the death of his father. He also asked the Council to consider a resolution in opposition to AB 606 and SB 1437, both having to do with gender identity in the schools. He said he will be involved in a toy drive for the Ronald McDonald House.

Mayor Rice also expressed her best wishes to Mr. Anderson. She announced that there will be a Cancer Walk this year in Westminster and anyone who wants to sponsor a team can contact Al Brackett at the Police Department. She reported on the meeting with Simon Property Group (there was no objection in bringing the item forward on the agenda.)

5.3 Report from Mayor Rice and Council Member Quach on meeting with Simon Property Group, pursuant to AB 1234

Mayor Rice said she, Council Member Quach and staff met with representatives of the Simon Property Group in Indianapolis. They discussed revitalization of the Westminster Mall. The Simon Group reiterated their commitment to maintain the mall as a quality retail establishment.

Council Member Quach added that staff will be contacting new retail businesses that will bring in more revenue for the City.

Mayor Rice said that Council Member Russell Paris was like a brother to her, he traveled with her so often and she will be lost without him. She said she will make sure his name goes on a plaque at the new Westminster Rose Center building.

Council Member Marsh noted that the Orange County Board of Supervisors will recognize the accomplishments of Russell C. Paris at the close of their meeting on March 14, 2006.

5.2 Resolution No. 3984 - A Resolution of the Mayor and City Council of the City of Westminster supporting the California Property Owners' Protection Act and SCA 20 (Council Member Marsh) (103-12)

Council Member Marsh stated that Senator McClintock deserves support for his bill against eminent domain when one person's property is given to another, for private use.

Motion was made by Council Member Marsh, and seconded by Mayor Pro Tem Fry, to adopt Resolution No. 3984 and waive further reading. The motion was carried by the following vote:

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

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 Civic Center Pay Parking System (Continued from the February 22, 2006 meeting) (608-06)

The Public Works Director/City Engineer explained the proposed pay and display parking system which would eliminate any "free" parking time for unused time. He said that this system was actually mentioned in the Wall Street Journal article mentioned by Mayor Pro Tem Fry. He reviewed the systems that were not recommended.

Council Member Marsh asked how many of Bank of America's competitors were contacted relative to costs for the credit/debit card feature. The Finance Director stated that the City contacted Bank of America exclusively because they do the banking for the City. Council Member Marsh stated that other banks would charge less than Bank of America. He prefers having an ATM machine or machines next to the parking meters.

Mayor Pro Tem Fry said he did not see much of a change from the last staff report. He said that the cost would be too high for this proposal. He would rather see something done now that is more modern.

Mayor Rice stated that the City is losing money by not passing a pay parking system. She preferred a gate system.

Motion was made by Council Member Quach, and seconded by Council Member Marsh, to approve the following recommendations:

- 1) Approve the Civic Center Pay Parking System Policy;

- 2) Adopt Urgency Ordinance No. 2397 entitled, "An Urgency Ordinance of the Mayor and City Council of the City of Westminster Establishing a Pay Parking System", and waive further reading;
- 3) Introduce Ordinance No. 2398 entitled, "An Ordinance of the Mayor and City Council of the City of Westminster Establishing a Pay Parking System", and waive further reading;
- 4) Adopt Resolution No. 3976 entitled, "A Resolution of the Mayor and City Council of the City of Westminster Adopting Parking Rates and Hours of Operation", and waive further reading;
- 5) Adopt Resolution No. 3977 entitled, "A Resolution of the Mayor and City Council of the City of Westminster Establishing Fines for Pay Station Violations", and waive further reading;

Remove the following two recommendations:

- 6) Consider approving the purchase of the credit/debit card feature for the Civic Center Pay Parking System at an additional cost of \$18,200;
- 7) Consider approving a budget transfer in the amount of \$18,200 from the General Fund Contingency to the Parking Lot Improvements Project; and

Approve the following recommendation as No. 6:

- 6) Direct staff to return with a Credit/Debit Card Plan and **alternative bank and other vendor agreements to consider for incorporation** of pay parking credit/debit card features.

Discussion ensued regarding other pay parking systems that were presented to Council in the past. Council Member Marsh said the reason he sees the urgency of this is due to the parking situation, especially parking for County employees and parking for the new college.

Motion was carried by the following vote:

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

The City Attorney noted that the recommendation to adopt Urgency Ordinance No. 2397, did not pass because it requires a unanimous 4-0 vote, and Mayor Pro Tem Fry voted no.

Council Member Quach requested that the City install crosswalks for the students at Coastline College on All American Way.

6.2 Select Date and Time for a Budget Study Session for Fiscal Years 2006-07 and 2007-08

It was the consensus of the Council to hold the Budget Study Session on May 17, 2006 at 6 p.m., and to schedule a back-up study session on May 18, 2006 at 6 p.m.

Mayor Rice said that she would be out of town on April 26, 2006, and requested that the meeting be moved to the day before on April 25, 2006. There were no objections.

Council Member Quach said he would not be here for the May 10, 2006 meeting. It was the consensus of the Council to direct staff to place discussion of the May 10th meeting on the March 22, 2006 meeting.

6.3 Select a new date and time for a Moran Corridor Workshop to solicit input regarding future uses and zoning (103-08)

Council Member Marsh suggested that this item be deferred to the March 22, 2006 Council meeting.

Motion was made by Council Member Marsh, and seconded by Council Member Quach, to defer selection of a date and time for a Moran Corridor Workshop to the March 22, 2006 meeting. The motion was carried by a 4-0 vote.

7. WRITTEN COMMUNICATIONS (Public) – None

8. LEGISLATIVE ITEMS

8.1 Ordinance No. 2395 (First Reading) – Amending Westminster Municipal Code Chapter 10.44 Relating to Parking of Non-Motorized Vehicles (continued from the February 8, 2006 meeting) (608-01)

Council Member Marsh questioned the reason for the choice of parking time limit for a non-motorized vehicle.

Discussion ensued regarding the length of time a motorized RV is allowed to park on the street. Council Member Marsh suggested that motorized recreational vehicles, cars, trucks, vans, etc., all have a 72 hour parking limit, and that non-motorized vehicles, like trailers and boats have a 24 hour parking limit. Council Member Quach agreed.

Council Member Marsh requested that the language be amended on the proposed ordinance for non-motorized vehicles and bring back the corrected ordinance for RVs, changing the parking time limit to 72 hours.

Motion was made by Council Member Quach, and seconded by Council Member Marsh, to defer introduction of Ordinance No. 2395 and return it to Council with the suggested changes. The motion was carried by a 4-0 vote.

9. COMMISSION AND COMMITTEE ITEMS**9.1 Request to extend parking restrictions on the west side of Edwards Street north of Kiowa Road – T.C. 90-106 (608-02)**

Motion was made by Council Member Quach, and seconded by Council Member Marsh, to approve the recommendation of the Traffic Commission and adopt Resolution No. 3980 entitled, "A Resolution of the Mayor and City Council of the City of Westminster providing for the extension of parking restrictions on the west side of Edwards Street north of Kiowa Road", and waive further reading. The motion was carried by the following vote:

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

9.2 Request to install All Way Stop Signs at the intersection of Duncannon Avenue and Milan Street – T.C. 82-100 (608-02)

The Public Works Director/City Engineer noted that the initial request for the stop signs was the result of a petition from Diana Carey, with 90 signatures.

Motion was made by Mayor Pro Tem Fry, and seconded by Council Member Quach, to approve the recommendation of the Traffic Commission and adopt Resolution No. 3981 entitled, "A Resolution of the Mayor and City Council of the City of Westminster establishing All Way Stop Signs at the intersection of Duncannon Avenue and Milan Street", and waive further reading. The motion was carried by the following vote:

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

9.3 Request for parking restrictions at 14072 Olive Street (Blessed Sacrament Church) – T.C. 76-192 (608-02)

Motion was made by Mayor Pro Tem Fry, and seconded by Council Member Quach, to approve the recommendation of the Traffic Commission and adopt Resolution No. 3982 entitled, "A Resolution of the Mayor and City Council of the City of Westminster providing for parking restrictions on the east side of Olive Street in front of 14072 Olive Street", and waive further reading. The motion was carried by the following vote:

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



9.4 Appointments to Ad Hoc Police Facility Financing Committee (104-30)

Council Member Marsh suggested that the appointments can wait until after the April 24, 2006 study session regarding the proposed new police facility, but he also suggested that any potential committee members should be encouraged to attend the study session.

Motion was made by Council Member Marsh, and seconded by Council Member Quach, to defer appointing members to serve on the Ad Hoc Police Facility Financing Committee to the May 10, 2006 Council meeting. The motion was carried by a 4-0 vote.

URGENT ITEM ADDED TO AGENDA:

Motion was made by Mayor Pro Tem Fry, and seconded by Council Member Marsh, to bring an urgent item onto the agenda which arose after the agenda was posted and requires attention before the next Council meeting, due to the vacancy created by the death of Council Member Russell C. Paris. The motion was carried by a 4-0 vote.

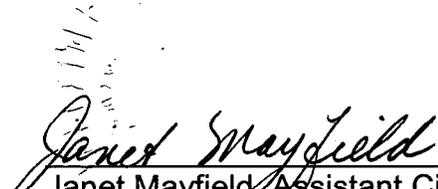
Procedure for Filling Vacant Seat on City Council (302-00)

The City Attorney explained that the law requires that the Council must take action 30 days from the death of Council Member Paris (which occurred on March 7, 2006), if they wish to either appoint someone to fill the position, or call for a special election at a cost to the City of approximately \$150,000. If someone is appointed that person would remain in office until they either run for reelection or are replaced by the successful candidate. If the Council does not act in 30 days, the position will remain vacant until the November, 2006 General Municipal Election. If the Council chooses to at this meeting, it can ask for applications to fill the position within a time period.

Motion was made by Mayor Pro Tem Fry, and seconded by Council Member Marsh, to defer taking any action on this matter until the March 22, 2006 Council meeting. The motion was carried by a 4-0 vote.

The City Manager extended her sympathy to the Paris Family, on behalf of all the employees of the City of Westminster, who will miss him tremendously. She announced that a short film about Council Member Paris will be shown following the credits.

10. COUNCIL/AGENCY ADJOURNMENT: At 9:50 p.m., Mayor/Agency Chair Rice adjourned the meeting, in honor of Council Member Russell C. Paris.


Janet Mayfield, Assistant City Clerk/
Acting Agency Secretary