

"Approved by the City Council/Redevelopment Agency Board on January 24, 2007."

CITY COUNCIL/REDEVELOPMENT AGENCY
MINUTES OF AN ADJOURNED REGULAR MEETING

WESTMINSTER, CALIFORNIA
December 20, 2006

The City Council/Agency Board of the City of Westminster, California convened on December 20, 2006 at 6:02 p.m. in an Adjourned 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, MARSH, FRY, QUACH, TA
ABSENT: NONE

CLOSED SESSION:

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

- 1) Conference with Labor Negotiators pursuant to Government Code Section 54957.6: Designated Representatives: Interim City Manager Andy Hall, Director of Personnel/Risk Management Pat Corcoran and Finance Director Paul Espinoza; Employee Organization: Westminster Police Officers' Association (WPOA); and
- 2) Pursuant to Government Code Section 54957: Public Employment: City Manager.

RECESS: At 6:40 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 7:08 p.m. in the Council Chambers.

ROLL CALL:

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

SALUTE TO FLAG: City Attorney

INVOCATION: Mayor Pro Tem Marsh

REPORT OUT OF CLOSED SESSION:

The City Attorney stated there was nothing to report out of the Closed Session.

SPECIAL PRESENTATIONS:

ADDED PRESENTATION:

Jerry Householder, Boeing employee, presented a check in the amount of \$3,000 to Project S.H.U.E in behalf of Boeing Employees' Community Fund.

Jerry Meade, Senior Foundation, expressed his appreciation to Boeing for their continued support of Project S.H.U.E.

- A. The Mayor and Council Members thanked all the participants who decorated their homes for the 2006 16th Annual Holiday Home Decorating Contest. Certificates of Congratulations were presented to the following residents for their participation:

Area 1:

Best Use of Lights

First Place – The Letourneau Family

Total Display

First Place – Bich Nguyen

Mobile Home – Total Display

First Place – Joanne & Shawn Scharein

Area 2:

Total Display

First Place – Herbert Weinstock

Neighborhood Theme

First Place - Tom & Debbie Savage
Chris Bianchi & Eddi Maloney
Vince & Erin Hamamoto

Area 3:

Best Use of Lights

- First Place – Chris Morrow
- Second Place – Tom & Jennifer Goode

Total Display

- First Place – Kerensa Nichols

Neighborhood Theme

- First Place - Jerylyn Kriha

Area 4:

Best Use of Lights

- First Place – Steve Houston
- Second Place – The Cobo Family
- Third Place – Don Nokes
- Third Place – Dimitri & Gloria Conostas
- Third Place – Andy Nam Do

Total Display

- First Place – Bob & Jan Johnson
- Second Place – Mary Ahearn

Mobile Home – Total Display

- First Place – Joann Winderman
- First Place – Steve Houston
- First Place – Don Nokes

Area 5:

Best Use of Lights

- First Place – Rodney & Danielle Mathis
- First Place – Rob and Jane Fergeson

Total Display

- First Place – Michael & Gabrella Mathis
- Second Place – Jerry & Leann Rogers
- Second Place – Donald Revelles

Area 6:

Best Use of Lights

First Place – The Lee Family

Total Display

First Place – Bill & Cherie Ham

First Place – Mike & Brenda Kuhlman

Second Place – Shannon Everson & Sue Ehret

Third Place – Tricia Snyder

Animation

First Place – Keith, Leah, Orlando, Michael & Niel Bennett

Area 7:

Best use of Lights

First Place – Franklin C. Feliscuzo

Second Place – Venus Lopez

Neighborhood Theme

First Place - Don & Jayme Brady

1. CONSENT CALENDAR

APPROVAL OF MINUTES

- 1.1 (City Council/Redevelopment Agency) Minutes of the Adjourned Regular Meetings of the City Council/Redevelopment Agency of November 29, 2006 and December 6, 2006, and Minutes of the Regular Meeting of the City Council/Redevelopment Agency of December 13, 2006.**

ACTION: Approved.

ROUTINE MATTERS

- 1.2 (City Council) Denial of Application for Leave to Present a Late Claim and Claim Against the City from:**

1. Mark Alicki in an unknown amount.

ACTION: The claim filed against the City was 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 Revised Classification Specification – Records Supervisor (110-04)**

Mayor Pro Tem Marsh stated that he does not feel that the education experience provisions in the proposed new job description for Records Supervisor are adequate. The reference to a Bachelors Degree fails to specify that it needs to be from an accredited institution, it also fails to specify what would constitute as a related field. He would like to have staff make corrections and have the City Attorney review it before it is brought back to Council.

Motion was made by Mayor Pro Tem Marsh, and seconded by Council Member Quach, to have staff make corrections and have the City Attorney review it and bring back to the January 8, 2007 meeting for approval. The motion was carried by a 5-0 vote.

- 1.5 Purchase of Four 2006 Honda ST1300P Police Motorcycles (502-15)**

ACTION: The Mayor and City Council authorized a purchase order to Orange County Honda in the amount of \$59,379.64 to purchase four 2006 Honda ST1300P Police Motorcycles.

- 1.6 Lot Line Adjustment No. 2006-45 for 13621 and 13631 Beach Boulevard located at the Southwest Corner of Beach Boulevard and 23rd Street (201-06)**

ACTION: The Mayor and City Council accepted the subject document and authorized the City Clerk to record the Lot Line Adjustment with the County of Orange Recorder's Office.

- 1.7 Westminster Rose Center Various Notices of Completion**

ACTION: The Mayor and City Council accepted the subject projects and authorized the City Clerk to file a Notice of Completion for each project with the County Recorder's Office.

- A. Notice of Completion for work performed by Industrial Masonry Corporation (Bid Package No. 5) for Masonry, Stone Veneer and Water Repellant in Connection with the Construction of the Westminster Rose Center (502-09)

- B. Notice of Completion for work performed by Best Roofing and Waterproofing (Bid Package No. 8) for Roofing and Waterproofing in Connection with the Construction of the Westminster Rose Center (502-02)
- C. Notice of Completion for work performed by Spectra Contract Flooring (Bid Package No. 15) for Carpet/VCT in Connection with the Construction of the Westminster Rose Center (502-19)
- D. Notice of Completion for work performed by Western Painting (Bid Package No. 16) for Painting and Wall coverings in Connection with the Construction of the Westminster Rose Center (502-23)
- E. Notice of Completion for work performed by Inland Building Companies (Bid Package No. 17) for Miscellaneous Specialties in Connection with the Construction of the Westminster Rose Center (502-09)
- F. Notice of Completion for work performed by LVH Entertainment Systems (Bid Package No. 19) for Theatrical Rigging in Connection with the Construction of the Westminster Rose Center (502-12)
- G. Notice of Completion for work performed by Ability Fire Protection (Bid Package No. 21) for Fire Protection in Connection with the Construction of the Westminster Rose Center (502-01)
- H. Notice of Completion for work performed by Snowden Electric (Bid Package No. 24) for Electrical in Connection with the Construction of the Westminster Rose Center (502-19)

(ITEM REMOVED AND HEARD SEPARATELY)

1.8 Increase in Purchase Order for Purchase of Water Meter Parts (106-00)

Mayor Pro Tem Marsh asked if any service is included with the purchased parts for the water meters, and expressed his concern with a sole source distributor.

Marwan Youssef, Director of Public Works/City Engineer responded that the purchase is for parts only. AquaMetric is the only provider of parts for the City's water meters that the City has. Mr. Youssef informed the Council that the City will be replacing some of the meters.

Council Member Fry requested that the new system be completely electronic so there is no one in the field reading the meters .

Motion was made by Council Member Quach, and seconded by Council Member Fry, to approve an increase to the purchase order with AquaMetric in the amount of \$10,000.00. The motion carried by a 5-0 vote.

ORDINANCES (SECOND READING)/RESOLUTIONS

- 1.9 Resolution No. 4055 - Authorizing the Mayor to Execute Agency-State Master Agreement No. 12-5338R and all Program Supplements for Federally Funded Projects (502-03)**

ACTION: The Mayor and City Council adopted Resolution No. 4055 entitled, "A Resolution of the Mayor and City Council of the City of Westminster, California Approving Master Agreement No. 12-5338R between the City of Westminster and the State Department of Transportation and Authorizing the Execution of the Master Agreement and Supplemental Agreements for Federally-funded Projects", and waived further reading.

WARRANT REGISTER

- 1.10 (City Council/Redevelopment Agency) Warrant Register dated November 29 through December 12, 2006 (105-09)**

ACTION: Approved.

INFORMATION AND REPORTS

- 1.11 Minutes of the Planning Commission meeting held November 15, 2006 (104-11)**

ACTION: Received and filed.

- 1.12 Community Development Monthly Activity Report – November 2006 (216-01)**

ACTION: Received and filed.

- 1.13 Minutes of the Traffic Commission meetings held November 7 and December 5, 2006 (104-12)**

ACTION: Received and filed.

- 1.14 (Redevelopment Agency) 2005-06 Redevelopment Agency Annual Report (901-04)**

ACTION: Received and filed.

1.15 Treasurer's Report – November 2006 (105-08)

ACTION: Received and filed.

Motion was made by Council/Agency Member Quach, and seconded by Council Member Fry, to approve the Consent Calendar, with the exception of Item Nos. 1.4 and 1.8, which was removed for separate consideration. The motion was carried by a 5-0 vote.

END OF CONSENT CALENDAR

2. ORAL COMMUNICATIONS

Vivian Kirkpatrick-Pilger, resident of Westminster, addressed her concerns of the City's water meters and suggested that the City look into long term planning.

Alin Hamade, resident of Westminster, wished the City Council and the residents of Westminster a Merry Christmas and a Happy New Year.

3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

3.1 The actions of the Planning Commission meeting held on December 18, 2006

The Community Development Director reviewed the actions of the Planning Commission meeting of December 18, 2006:

- 1) Case No. 2006-06 Variance, Conditional Use Permit, Site Plan, Design Review. Location: Undeveloped site at the N/E corner of Beach Boulevard and Edinger Avenue.
- 2) Case No. 2006-93 Design review level 2 for rooftop telecommunication equipment. Location: Liberty Square at 9930 Bolsa Avenue.

Motion was made by Council Member Quach, and seconded by Mayor Pro Tem Marsh, to receive and file Item Nos. 1 and 2 of the oral report of the Planning Commission meeting of December 18, 2006. The motion was carried by a 5-0 vote.

RECESS AND RECONVENE:

At 7:45 p.m., Mayor/Chair Rice recessed the City Council/Redevelopment Agency Meeting, and reconvened the meeting at 7:58 p.m. All members were present.

4. PUBLIC HEARINGS**4.1 APPEAL OF PLANNING COMMISSION ACTION OF OCTOBER 18, 2006, APPROVING CASE NO. 2006-24 (VARIANCE, CONDITIONAL USE PERMIT, SITE PLAN, DESIGN REVIEW); LOCATION: 13982 BOLSA CHICA ROAD. APPLICANT: MR. DAN POPA OF RHL DESIGN GROUP; APPELLANTS: DENNIS C. TURNER, RANDALL RESSELL, DON AND CAROL SALOW (CONTINUED FROM THE NOVEMBER 29, 2006 MEETING) (201-00)**

Dick Jones, City Attorney provided an overview of CN 2006-24. On November 29, 2006 a Public Hearing was held for the proposed 7-Eleven. At the close of the Public Hearing, staff directed the applicant to revise the plans eliminating any encroachments into the side or rear setbacks, and to also modify the design so that no encroachment would occur into the setback areas. The Council also directed that a 10 foot high block wall be built to replace the 6 foot existing block wall along the north and east property lines. The public hearing was then closed until the applicant was able to make such revisions.

Michael Patterson, Assistant Planner, reviewed the revised project plan for the proposed 7-Eleven Market and gas station. The building proposed has been moved to 25 feet from the rear eastern property line and 20 feet from the northern property line. There is a proposed 10 foot block wall requested by the City Council. The overall building size has been reduced by 300 square feet. There are 11 parking spaces, one more than the required amount for the building size. The plan does meet the Council's request to the applicant and the setback requirement and development standards.

Mayor Pro Tem Marsh asked whether or not the staff has had time to review the noise data .

Michael Patterson informed Mayor Pro Tem Marsh that he had not reviewed it due to the fact that they received it only a few hours ago.

Mayor Pro Tem Marsh asked that Randall Russell, the appellant and the applicant address the noise issue.

Mark Harley, a resident located directly behind the proposed building on Northwestern Way, who is concerned about his decorative back wall, spoke in regards to the 10 foot wall that would be built.

Peter Wittingham, with Curt Pringle & Associates, developer on behalf of 7-Eleven, spoke in regards to the potential noise impact from the air conditioning units. He spoke in regards to the acoustical analysis performed by Colia Acoustical Consultants. The analysis was performed to view the impact of the air conditioning units on the surrounding residents. The equation resulted in a drop off due to the distance of the property line, the unshielded noise level measured

at 53.9 decibels on both the north and east property lines, which is less than what the City exterior noise standard for day and night standards. The shielded measurement was 39.6 decibels at second level residents and 43.5 decibels for the first level residents. This is equal to average conversation and traffic noise.

Mayor Pro Tem Marsh asked if the air conditioning model unit that was used in the analysis is the same as what will actually be used on the proposed site.

Bob Superneau, RHL Design, architect for the project, spoke in regards to the air conditioning units. He explained that the units that were used in the analysis are the ones that will be used on the property. The air conditioner units are 6 tons versus 8 tons in which was proposed on the last design.

Mayor Pro Tem Marsh confirmed that the parapet wall will be 7 feet rather than the 5 foot wall that was proposed earlier.

Mayor Pro Tem Marsh asked Mr. Superneau why the air conditioning units couldn't be placed on the west of the tower so the sound would be reflected to Bolsa Chica Road instead of impacting the two story homes east of the property.

Bob Superneau said that they could comply with Mayor Pro Tem Marsh's request and move the air conditioning units.

Dianne Hoffman, Vice President of Westminster Village Homeowner's Association, informed the Council that the Association's mailing address was incorrect and stated that they never received the notices that were mailed out. She expressed the Association's concern about the traffic impact that this project will bring to their surrounding area. She also addressed the concern of the operating hours and the crime that may be brought to the City.

Henry Towers, resident of Westminster, spoke concerning the traffic problems that may arise at the intersection of Bolsa Chica Road and Westminster Boulevard. He is against the proposed 7-Eleven, because there is already a 7-Eleven in the area along with other convenient stores.

Don Salow, appellant and resident Northwestern Way, spoke in opposition to proposed 7-Eleven. He reported that he performed a survey on Northwestern Way in regards to the access of Northwestern Way off of Bolsa Chica Road. In return, fifty percent of the people he spoke to were in favor of restricting the access. He also shared his concerns of the 24 hour operation of the 7-Eleven.

Joyce Taylor, resident of Westminster Village, spoke in opposition of 7-Eleven because of the concerns of traffic and the noise that it will produce. Ms. Taylor is also concerned of the 24 hour access and the security issues that may arise.

Randy Ressel, appellant and resident on Grambling Circle, spoke in regards to the noise issue and explained that he was not able to review the report that was submitted by Colia Acoustical Consultants. He would like to reserve the chance to speak in regards to this issue in the future after he reviews the documents.

Mayor Pro Tem Marsh thanked Mr. Ressel for his time spent on this matter. He asked Mr. Ressel that if the air conditioner units were moved would the noise be reduced for him and his neighbor.

Mr. Ressel agreed that the movement of the units would reflect the noise to Bolsa Chica Road rather than to the residents that live behind the proposed 7-Eleven.

Mayor Pro Tem asked Mr. Ressel that if the parapet wall was raised would the noise be lessened.

Mr. Ressel said it would definitely help the higher the wall is and the further away the air conditioning units are placed.

Alin Hamade, resident of Westminster, spoke in favor of 7-Eleven. He feels that the City needs to welcome new businesses to continue bringing revenue into the City. He expressed his concerns that there must be a solution to make both parties happy.

Bill Belisle, resident of Westminster, stated that he did not receive notification of the public hearings on the proposed 7-Eleven. He expressed that the City needs to look into more long-term planning rather than short-term. He is also concerned about the traffic that it will bring, the crime it may bring due to the 24 hour access, and the noise that will affect the surrounding residents.

Darrel Guzman, resident of Westminster, spoke in favor of 7-Eleven, because of the experience he has had with them. He has witnessed that 7-Eleven has given back to the community schools.

Chris Regals, resident of Westminster, spoke in opposition of the proposed 7-Eleven. His concern was expressed that the noise due to the operating hours will be bothersome for residents. He would like the hours that alcohol is sold to be limited.

Beverly Gresham, resident of Westminster, spoke in opposition of the 7-Eleven. She expressed her concern of safety of the community. She feels there are other types of businesses that the City can put at that location.

Vivian Kirkpatrick-Pilger, resident of Westminster, spoke in opposition of the 7-Eleven, because she feels the business will not last.

Edelegard Crozier, resident of Westminster, expressed that 7-Eleven is a nice store, but it has brought burgleries to other 7-Eleven's in the area, and she is afraid it will happen to the proposed one.

Peter Whittingham, Curt Pringle & Associates, expressed that he feels that the architect has redesigned the plan and it now complies with the requested setbacks. He also said that it would not be a problem to build a 10 foot wall. He stated that the alcohol that will be sold is beer and wine, and that there are limitations of hours that it can be sold and limitations on the age of the person selling the alcohol. The landscaping has been modified; the air conditioning unit has been moved on the plans; and they are happy to work with Council. The delivery hours are limited as well. The 24 hour operation is a model standard of the 7-Eleven chain.

Herb Farrington, resident of Westminster, spoke in opposition of the proposed 7-Eleven and the concern of the 24 hour operation.

Rick Backus, resident of Westminster, spoke in favor of the proposed 7-Eleven, as they are always clean inside and out, there is no loitering, and they are well lit. 7-Eleven supports the community and gives back to the local schools.

Ron Taylor, Real Estate Manager for 7-Eleven, spoke in favor of the proposed 7-Eleven. He expressed that he is interested in forming a partnership with the public entity. 7-Eleven has worked on the project for 24 months and has worked closely with the community during this time. They have met the setback requirements and are willing to work with the Council.

Carl Grossman, resident on Northwestern Way, spoke in opposition of the proposed 7-Eleven. He feels that the location is not appropriate.

Mayor Rice expressed her concerns of the 24 hour operation.

Council Member Fry stated that the people who were not notified are the residents that live outside of the 500 mile radius. He feels that the traffic will not be enhanced because of the proposed project and he also feels that the noise will not be a big issue. He would like for the hours to be reduced so it's not open 24 hours.

Mayor Pro Tem Marsh spoke in regards to the proposed wall and is glad that there was a resolution between the applicant and the residents. He does not feel that the new 7-Eleven will increase traffic flow. He would like to look into the possibility of restricting the access of Northwestern Way from Bolsa Chica Road. He would like to see steel ballards be placed in front of the wall so no one will run into the wall along with vines on the wall to decrease the chance of grafitti. He would like to have delivery restrictions, but is in favor of the 24 hour access.

Mayor Pro Tem Marsh asked Interim City Manager Andy Hall if there is a history of crime within premises like 7-Eleven.

Andy Hall, Interim City Manager, stated that he would need to do an analysis on crime in locations that are closed during the night and the locations that are open 24 hours. He feels that the noise issue is more of a problem than crime.

Council Member Ta informed the Council that he needs additional time in order to review the November 29, 2006 Public Hearing.

Council Member Quach thanked 7-Eleven for wanting to do business in the City of Westminster, and thanked the residents for caring about the community by addressing their concerns. He addressed the areas of concern, and expressed favor of the 24 hour operation. He feels that 7-Eleven has worked very well with the City to meet the requirements.

Dick Jones, City Attorney, stated that if the Public Hearing is brought back at the next meeting, the Public Hearing would not be re-opened for discussion, it would only be used for Council consideration.

Motion was made by Mayor Pro Tem Marsh, and seconded by Council Member Quach to move the public hearing for Council consideration only to January 8, 2007 at 7:00 p.m.. The motion was carried by a 5-0 vote.

4.2 COMMUNITY DEVELOPMENT BLOCK GRANT "NEEDS ASSESSMENT" FOR PREPARATION OF FY 2007 CONSOLIDATED ANNUAL ACTION PLAN (109-00)

Kathy Johnston, Housing Supervisor, informed the Council that this is only a preliminary public hearing. She stated that there will be a Study Session in February, and public hearing in March. She notified the Council that this public hearing is only to comply with H.U.D. regulations.

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

Motion was made by Council Member Quach, and seconded by Mayor Pro Tem Marsh, to receive and file the reported information from Kathy Johnston and continue to receive written and other types of communication regarding recommendations prior to the planned study session. The motion was carried by a 5-0 vote.

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS**5.1 Council/Agency Member Items**

Council Member Ta expressed his appreciation for everyone's support.

Mayor Pro Tem Marsh wished everyone a Merry Christmas and a Happy New Year.

Council Member Fry thanked Rachel Schneider for the Christmas card that she gave him, and wished everyone a Merry Christmas.

Council Member Quach wished Westminster residents a Merry Christmas and a Happy New Year.

Mayor Rice thanked Rachel Schneider for her Christmas gift, and wished everyone a Merry Christmas.

5.2 AB 1234 Reports – None**5.3 Request for City Council to consider waiving the business license fee for the Rose Center Foundation to operate the Rose Center Theater. (Mayor Rice)**

Mayor Rice requested that the City pay for the Rose Center Theater's business license fees, because the Theatre is a City business.

Mayor Pro Tem Marsh expressed his concerns of consistency with the City's policy with waiving any fees for 501(c)(3) non-profit organizations.

Don Anderson, Director of Community Development, stated that the yearly business license fee is \$110.00.

Mr. Anderson informed the Council that pursuant to the Municipal Code, 501(c)(3) organizations do not have to pay the tax but the Code does not exempt them to pay the fees.

Mayor Pro Tem Marsh requested that the same policy be applied to the Rose Center as the Boys and Girls Club. He requested that staff prepare a report on non profit groups doing business on property in which the City owns a partial or complete real property interest.

Motion was made by Mayor Pro Tem Marsh, and seconded by Council Member Quach, to bring this item back to Council after a report has been prepared by staff on non-profit organizations doing business on City owned property. The motion carried by a 5-0 vote.

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR**6.1 Activity Schedule and Proposed Program Budget for Westminster's 50th Anniversary. (213-05)**

Mayor Rice announced that the Mayor's Ball next year will be titled "Nifty Fifty".

B.J. Savage, 50th Anniversary Committee Member, announced that there will have a "Sock Hop" in conjunction with the Mayor's Ball to celebrate the City's 50th Anniversary. Mr. Savage also stated that Greg Johnson, Community Services Director, will be the one who will look into having a parade for the 50th anniversary as part of the celebration.

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

- 1) Approve the events proposed by the 50th Anniversary Citizen's Committee,
- 2) Authorize the Interim City Manager to implement the events throughout 2007 to celebrate the City's anniversary, and
- 3) Approve a budget transfer in the amount of \$89,650 from the General Fund Contingency Account to the Community Services Department – Special Department Expenses Account.

The motion was carried by a 5-0 vote.

6.2 Consideration of Alternative Council/Agency Meeting Date for January 10, 2007 (103-08)

Motion was made by Mayor Rice, and seconded by Mayor Pro Tem Marsh for the Regular Meeting to be held on January 8, 2007. The motion was carried by a 5-0 vote.

6.3 Study Session for the 2007-2008 Community Development Block Grant (CDBG) and HOME Program funds (103-08)

Motion was carried by Council Member Quach, and seconded by Council Member Fry, to schedule the study session for February 5, 2007 at 6:00 p.m. to hear presentations from Non-profit Agencies and City Departments applying for fiscal year 2007-2008 HOME/CDBG funds. The motion was carried by a 5-0 vote.

7. WRITTEN COMMUNICATIONS (Public) – None

8. LEGISLATIVE ITEMS**8.1 Resolution No. 4054 - Providing for a Compensation Plan for Part-Time Employees of the City of Westminster (110-02)**

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

- 1) Authorize a budget transfer in the amount of \$6,530 from the Public Works Government Buildings Contingency Account to the Public Works Government Buildings Part Time Salaries Account; and
- 2) Adopt Resolution No. 4054 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", and waive further reading.

Mayor Pro Tem Marsh said he supports the amount of the increase, but feels that the funds should be taken from the General Fund Contingency Account.

Marwan Youssef, Director of Public Works/City Engineer agreed that the funds should be taken from the General Fund Contingency Account.

Council Member Quach agreed that the General Fund is more flexible.

A substitute motion was made by Mayor Pro Tem Marsh, and seconded by Council Member Quach, to:

- 1) Authorize a budget transfer in the amount of \$6,530 from the General Fund Contingency Account to the Public Works Government Buildings Part Time Salaries Account; and
- 2) Adopt Resolution No. 4054 entitled, "A Resolution of the Mayor and City Council fo the City of Westminster providing for a compensation plan for part-time employees of the City of Westminster", and waive further reading.

The motion carried by the following vote:

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

8.2 Resolution No. 4050 - Providing for a Compensation Plan for Employees Represented by the Westminster Police Officers' Association (110-02)

Paul Espinoza, Finance Director, informed the Council that when the staff report was prepared for this meeting, the negotiations were still in progress. He reported the revised numbers to Council.

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

- 1) Authorize appropriations from accounts as follows:

<u>From</u>	<u>To</u>	<u>Amount</u>
General Fund Balance	General Police Services	\$766,799.00
Supp. Law Enf. Services	Citizens Options for Public Safety	<u>\$ 5,499.00</u>
		<u>\$770,296.00</u>

- 2) Adopt Resolution No. 4050 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, 2006 through June 30, 2010, and waive further reading.

The motion was carried by the following roll call vote:

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

8.3 Resolution No. 4057 - Establishment of a Fire Lane on Wells Road Adjacent to the Emergency Access Gate for 8211 San Angelo Drive, located in the City of Huntington Beach (608-02)

Motion was made by Council Member Quach, and seconded by Council Member Fry, to adopt Resolution No. 4057 entitled, "A Resolution of the Mayor and City Council of the City of Westminster Establishing a Fire Lane and No Stopping or Parking at a Certain Location on the North Side of Wells Road", and waive further reading. The motion was carried by the following vote:

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

9. COMMISSION AND COMMITTEE ITEMS

9.1 Council Representation on Outside Agencies (103-03)

Motion was made by Council Member Quach, and seconded by Mayor Pro Tem Marsh, to appoint the following members to represent:

Orange County Council of Governments

Council Member Fry, Representative
Mayor Pro Tem Marsh, Alternate

The motion carried by a 5-0 vote.

Motion was made by Council Member Quach, and seconded by Mayor Pro Tem Marsh, to appoint the following members to represent:

Orange County Fire Authority

Mayor Pro Tem Marsh, Representative
Council Member Fry, Alternate

The motion was carried by a 5-0 vote.

Motion was made by Council Member Fry, and seconded by Mayor Pro Tem Marsh, to appoint the following members to represent:

O.C. Growth Management Area 6 Police Advisory Committee
(Measure M Committee)

Mayor Pro Tem Marsh, Representative
Council Member Quach, Alternate

The motion was carried by a 5-0 vote.

Motion was made by Council Member Quach, and seconded by Mayor Pro Tem Marsh, to appoint the following members to represent:

Orange County Public Library Advisory Board

Council Member Ta, Representative
Council Member Quach, Alternate

The motion was carried by a 5-0 vote.

Motion was made by Council Member Quach, and seconded by Mayor Pro Tem Marsh, to appoint the following members to represent:

Orange County Vector Control

Council Member Fry, Representative
Council Member Ta, Alternate

The motion was carried by a 5-0 vote.

Motion was made by Council Member Quach, and seconded by Mayor Pro Tem Marsh, to appoint the following members to represent:

Public Cable Television Authority

Mayor Rice, Representative
Council Member Fry, Alternate

The motion was carried by a 5-0 vote.

Motion was made by Council Member Quach, and seconded by Mayor Pro Tem Marsh, to appoint the following members to represent:

Santa Ana River Flood Protection Agency

Council Member Fry, Representative

The motion was carried by a 5-0 vote.

Motion was made by Council Member Quach, and seconded by Mayor Pro Tem Marsh, to appoint the following members to represent:

Water Advisory Committee of Orange County

Council Member Fry, Representative

The motion was carried by a 5-0 vote.

Motion was made by Council Member Quach, and seconded by Mayor Pro Tem Marsh, to appoint the following members to represent:

West Coast County Water Board

Council Member Quach, Representative
Mayor Rice, Alternate

The motion was carried by a 5-0 vote.

Motion was made by Council Member Quach, and seconded by Mayor Pro Tem Marsh, to appoint the following members to represent:

West Orang County Cities Group

Council Member Ta, Representative
Council Member Fry, Alternate.

The motion was carried by a 5-0 vote.

9.2 Request for parking restrictions on Brookhurst Street (Frontage Road) North and South of Margo Lane – T.C. 73-132 (608-02)

Motion was made by Council Member Ta, and seconded by Council Member Quach to adopt Resolution No. 4052 entitled, "A Resolution of the Mayor and City Council of the City of Westminster providing for the installation of parking restrictions on the West Side of Brookhurst Street (Frontage Road) North and South of Margo Lane", and waive further reading. The motion was carried by the following vote:

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

9.3 Request for parking restrictions on the North Side of Heil Avenue East of Galaxy Drive – T.C. 75-114 (608-02)

Motion was made by Council Member Quach, and seconded by Council Member Fry to adopt Resolution No. 4056 entitled, "A Resolution of the Mayor and City Council of the City of Westminster providing for the installation of parking restrictions on the North Side of Heil Avenue East of Galaxy Drive", and waive further reading. The motion was carried by the following vote:

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

9.4 Appeal of the Traffic Commission's Denial of a Request for On-Street Disabled Parking at 7412 Colby Circle. Appellant: George and Margaret Mollis (608-02)

George Mollis, appellant, stated that parking is very restricted in the cul-de-sac that he lives in. Due to his age and disability, he requested that a disabled parking spot be placed in front of his home.

Chuck Mollis, son of appellant, spoke in favor of the disabled parking installation in front of his parents home, due to his father's poor health.

Mayor Pro Tem Marsh agreed that the residence driveway is narrow making it difficult for two disabled drivers to drive and park in the driveway at ease.

Alin Hamade, Westminster Traffic Commissioner, spoke in opposition of the proposed on-street disabled parking on Colby Circle, because he feels the driveway is large enough to fit more than two cars, and stated that the resident's garage is full.

Reginald Crozier, Westminster Traffic Commissioner, spoke in opposition of the proposed on-street disabled parking on Colby Circle, because he feels the driveway is large enough to fit both of the resident's cars.

Council Member Quach advised Mr. Hamade and Mr. Crozier that they had their chance to review the case at the Traffic Commission meeting.

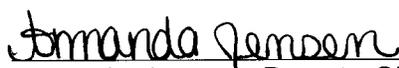
Motion was made by Council Member Fry, and seconded by Mayor Pro Tem Marsh, to overturn the Traffic Commission's denial of a request for on-street disabled parking at 7412 Colby Circle, and add the condition that there must be two disabled drivers within the residence with a valid driver's license. The motion was carried by a 5-0 vote.

City Attorney Jones added that the disabled parking spot is not only for the residents at 7412 Colby Circle, but anyone who is disabled.

Council Member Quach requested that the Director of Public Works/City Engineer look into placing a crosswalk on Newland in front of Stater Bros.

Mayor Rice requested that a walkway be placed in front of the Rose Center so people can cross safely.

10. **COUNCIL/AGENCY ADJOURNMENT:** At 10:40 p.m., Mayor/Agency Chair Rice adjourned the meeting to January 8, 2006 at 6:00 p.m., in the Council Chambers, 8200 Westminster Boulevard, Westminster, California.


Amanda Jensen, Deputy City Clerk/
Acting Agency Secretary