

"Approved by the City Council/Redevelopment Agency Board on March 14, 2007."

CITY COUNCIL/REDEVELOPMENT AGENCY
MINUTES OF THE REGULAR MEETING

WESTMINSTER, CALIFORNIA
February 14, 2007

The City Council/Agency Board of the City of Westminster, California convened on February 14, 2007 at 6:00 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, MARSH, FRY, QUACH, TA
ABSENT: NONE

CLOSED SESSION:

The City Council/Redevelopment Agency recessed to a Closed Session at 6:00 p.m. for the following purposes:

- 1) Conference with Labor Negotiators pursuant to Government Code Section 54957.6: Designated Representative: Interim City Manager Andy Hall; Employee Organization: Management/Administrative/Confidential Employees.

RECESS: At 6:50 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: RICE, MARSH, FRY, QUACH, TA

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

SALUTE TO FLAG: Led by Council Member Fry

INVOCATION: Led by Council Member Quach

REPORT OUT OF CLOSED SESSION:

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

SPECIAL PRESENTATIONS:

- A. Relay for Life Chairpersons Al Brackett and Diane Brackett announced the Relay for Life kickoff to be held on Wednesday, March 14, 2007 at 6:00 p.m. in the East/West Room of the Community Services Building. The Relay for Life event will be held at Boswell Stadium at Westminster High School on August 11 and 12, 2007. A Certificate of Appreciation was presented to the Mayor and City Council in appreciation of last years support with the event.
- B. The 6th Grade Students at DeMille Elementary School presented a banner entitled, "We Remember", in honor of Police Officer Steve Phillips and Lieutenant Ron Weber who died in the line of duty. The students have begun fundraising to purchase a banner to be hung during National Police Memorial Week.
- C. The Mayor and City Council presented a proclamation to the Director of Public Works/City Engineer Marwan Youssef and his staff in recognition of Engineering Week, February 18-24, 2007.

1. CONSENT CALENDAR**ROUTINE MATTERS****(REMOVED AND HEARD SEPARATELY)****1.1 Claims Against The City**

- a) State Farm Insurance as subrogee for William Kostka in the amount of \$3,674.95.
- b) Preston Honeycutt in an unknown amount.
- c) Mark Lawrence in an unknown amount.
- d) Avelino Valencia and Livier Valencia, dba Sara's Mercado in the amount of \$5,000.
- e) Juan Perez and Martha Zarate, dba J & C Fabrics in the amount of \$100,000.00.

Mayor Pro Tem Marsh called up Item 1.1(c) due to a claim in his agenda packet that was filed by Gordon Lawrence. He believed that the claim filed by Mark Lawrence was not timely filed. Discussion ensued relative to the Lawrence claim.

Motion was made by Mayor Pro Tem Marsh, seconded by Council Member Ta to continue the claim filed by Gordon Lawrence to the next meeting until it has been properly noticed and can be handled at that time. The motion carried by a 5-0 vote.

Motion was made by Council Member Quach, seconded by Council Member Fry to deny Items 1.1(a) through 1.1(e) including the unknown amounts. The motion carried by a 5-0 vote.

- (REMOVED AND HEARD SEPARATELY)**
- 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.**

Mayor Pro Tem/Vice Chair Marsh said that the agenda should state when there are no resolutions or ordinances on the agenda to be approved, instead of asking for Council approval. He expressed concern that someone could claim that there must have been an item for approval if the waiver is approved.

The City Clerk noted there is a resolution listed as Item No. 1.8 on the Consent Calendar, and that the procedural waiver applies to any ordinance or resolution listed on the agenda.

Motion was made by Mayor Pro Tem/Vice Chair Marsh, seconded by Council/Agency Member Fry, to approve waiving the reading in full of all ordinances and resolutions under consideration, and approve and adopt same by reading title only. The motion carried by a 5-0 vote.

- 1.3 **Reclassification of One (1) Police Service Officer to one (1) Police Dispatcher (110-04)**

ACTION: The Mayor and City Council reclassified one (1), unfilled Police Service Officer Position (P-18) to Police Dispatcher (P-24).

- 1.4 **Approval of the City Pavement Management Plan (PMP) for Maintenance and Rehabilitation of Residential Streets for 2007/2008 Mid-year Budget Plan (604-09)**

ACTION: The Mayor and City Council approved the PMP (attached to the staff report) for residential streets for the 2007/2008 Mid-Year Budget Plan.

- 1.5 **Notices of Completion for the Westminster Rose Center (14140 All American Way) (502-13) (502-16) (502-02)**

- A. **Notice of Completion for work performed by McMahon Steel Company, Inc. (Bid Package No. 6) for Structural Steel in Connection with the Construction of the Westminster Rose Center**
- B. **Notice of Completion for work performed by Padua Glass (Bid Package No. 10) for Glass and Glazing in Connection with the Construction of the Westminster Rose Center**
- C. **Notice of Completion for work performed by Best Interiors (Bid Package No. 11) for Framing and Drywall in Connection with the Construction of the Westminster Rose Center**

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

(REMOVED AND HEARD SEPARATELY)

1.6 Notice of Completion for Work Performed by SB Water Service Company for Well 107A Purchase and Installation of a Sodium Hypochlorite Generation System (502-19)

Vivian Kirkpatrick-Pilger, resident of Westminster, asked where the lot is located. She commented on the empty lot at Goldenwest Street near the flood channel that is supposed to be a water station.

Public Works Director/City Engineer Marwan Youssef noted that Well 107A is located east of Newland Street, south of Hazard Avenue on Bird Street, within the Midway City area. The well on Goldenwest Street is a County wide project, funded by the Orange County Water District.

Motion was made by Council Member Quach, seconded by Council Member Ta, to accept the subject project and authorize the City Clerk to file a Notice of Completion with the County Recorder's office. The motion carried by a 5-0 vote.

(REMOVED AND HEARD SEPARATELY)

1.7 2008 Federal Legislative Priorities (109-05)

Vivian Kirkpatrick-Pilger, resident of Westminster, asked if this is the order of the priorities, as she would like Storm Water Improvements to be Number 1.

The Mayor and City Council responded that all priorities are treated equally.

Motion was made by Council Member Fry, seconded by Council Member Quach to approve the 2008 Federal Legislative Priorities:

- 1) Little Saigon: Asian Criminal Enterprise Initiative
- 2) Rose Center Technology Equipment
- 3) Westminster Storm water Improvements

The motion carried by a 5-0 vote.

ORDINANCES (SECOND READING)/RESOLUTIONS

(REMOVED AND HEARD SEPARATELY)

1.8 Resolution No. 4062 – A Resolution of the Mayor and City Council of the City of Westminster Approving the Application for CCHE Grant Funds from the California Cultural and Historical Endowment (CCHE) under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002. (109-09)

Vivian Kirkpatrick-Pilger, resident of Westminster, asked what the City is asking for in terms of the grant.

Mayor Rice responded that the grant would be for maintenance and for a kiosk at the Vietnam War Memorial site.

Motion was made by Council Member Quach, seconded by Council Member Fry to adopt Resolution No. 4062 approving the filing of a CCHE Grant Application for the Vietnam War Memorial Project, and waive further reading. The motion carried by a 5-0 vote.

ADMINISTRATIVE ITEMS

(REMOVED AND HEARD SEPARATELY)

- 1.9 **Special Event Permit Application from the South Vietnamese Marines Veteran Association to Hold the Eve of Vietnamese Armed Forces Day Event on Saturday, June 16, 2007 at Sid Goldstein Freedom Park Between the Hours of 3:00 p.m. and 9:00 p.m. (includes set up and clean up times) and a Vietnamese Armed Forces Day Event at the Civic Center in the City Hall Parking Lot on Sunday, June 17, 2007 Between the Hours of 6:00 a.m. and 4:00 p.m. (includes set up and clean up times). The Applicant Estimates the Attendance will be 200 People for the Eve of Armed Forces Day at Sid Goldstein Freedom Park and 400 People for Armed Forces Day at the Civic Center. (213-02)**

Vivian Kirkpatrick-Pilger, resident of Westminster, withdrew her question relative to this item.

Discussion ensued relative to the amount of people who attend these events.

Motion was made by Council Member Fry, seconded by Council Member Ta, to approve approve the Special Event Permit application subject to the conditions attached to the staff report. The motion carried by a 5-0 vote.

WARRANT REGISTER

- 1.10 **(City Council/Redevelopment Agency) Warrant Register dated January 17 though February 6, 2007 (105-09)**

ACTION: Approved.

INFORMATION AND REPORTS

- 1.11 **Minutes of the Planning Commission meeting held December 18, 2006 (104-11)**

ACTION: Received and filed.

- 1.12 **Community Development Monthly Activity Report January 2007 (216-01)**

ACTION: Received and filed.

Motion was made by Council/Agency Member Quach, seconded by Council/Agency Member Fry to approve the Consent Calendar, with the exception of Item Nos. 1.1, 1.2, 1.6, 1.7, 1.8 and 1.9, which were removed for separate consideration. The motion carried by a 5-0 vote.

END OF CONSENT CALENDAR

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2. ORAL COMMUNICATIONS

Community Services and Recreation Commissioners Vivian Kirkpatrick-Pilger and Leo Lopez spoke regarding an empty lot owned by the City that used to be a water pump station, located on Ralph Lane, south of Westminster High School, off of Santee Avenue. Neighbors in this area signed a petition that was submitted to the City Clerk, to have a small tot lot at this location. Ms. Kirkpatrick-Pilger also addressed Hoover Park and the possibility of a dog park under the Edison power lines.

Interim City Manager Andrew Hall said that City needs to look into the empty lot on Ralph Lane and will bring it back to Council for consideration.

Malcolm Willis, Co-Director, Nicholson Pipes and Drums, invited the Mayor and Council to the first concert at the Rose Center Theater on Saturday, March 3, 2007 at 7:00 p.m. and spoke of other events where Nicholson Pipes and Drums will be performing.

Vivian Kirkpatrick-Pilger, resident of Westminster, said she works at the School of Engineering at UC Irvine. She invited everyone to e-week at UCI from February 19th through 24th where there are a lot of activities.

Bryan Balmer, General Manager at Shoreline Ambulance, introduced himself to Council and offered his services to the City, with the upcoming departure of AMR.

Thinh Tran, Vietnamese Community of Orange County, said he spoke at the study session on February 5th requesting CDBG funds for his organization. He passed out a letter from the CEO to the Mayor and Council addressing questions asked of his organization at the February 5th meeting. Mr. Tran said that his organization does not endorse political candidates.

3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

3.1 The actions of the Planning Commission meeting held on February 7, 2007.

The Mayor and City Council reviewed items from the Planning Commission meeting of February 7, 2007.

- 1) Case No. 2006-94 Conditional Use Permit for on-sale of alcoholic beverages and entertainment. Location: 14541 Brookhurst Street #A-3. (Caravan Seafood Restaurant).
- 2) Case No. 2006-76 Design Review – Level 2 for a rooftop wireless facility. Location: 15496 Magnolia Avenue.
- 3) Case No. 2006-103 Site Plan Review and Design Review for a Daily Grind coffee kiosk. Location: 15521 Beach Boulevard. (In the parking lot of Pep Boys Auto Center).

Mayor Rice called up Item No. 3 for review, as this is the same company that wanted to put a coffee kiosk on Edwards Street and Westminster Boulevard and were refused because of the size of the parking lot. Mayor Pro Tem Marsh agreed with the concerns expressed by Mayor Rice.

Regarding Item No. 2, Mayor Pro Tem Marsh complimented staff and the applicant for completely concealing the wireless facility that is proposed.

Motion was made by Council Member Quach, seconded by Council Member Ta to receive and file No. 2, as No. 1 will come back before Council. The motion carried by a 5-0 vote.

4. PUBLIC HEARINGS – None

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

Council Member Ta wished everyone a Happy Valentine's Day and said to enjoy the day with your family.

Mayor Pro Tem Marsh also wished everyone a Happy Valentine's Day and spoke regarding the Scottish Festival at the Queen Mary this weekend. He will not be able to attend the Festival this year as he will be at a conference in Phoenix, Arizona with Council Member Quach on shopping center development that he will report on at the next Council meeting.

Council Member Quach wished everyone a Happy Valentine's Day. He said this is also the weekend of the Chinese Lunar New Year with a lot of planned activities in Westminster and Garden Grove.

Council Member Fry said he will be attending the Tet Festival this weekend in Garden Grove. He reported on the PCTA meeting he attended this morning, and forthcoming improvements in this field. He said Happy New Year and Happy Valentine's Day.

Mayor Rice stated that through PCTA the City will be getting new cameras and equipment. She reported on the Senior's Valentine Party today, and a wonderful

singer who she asked to sing at the Mayor's Ball this year. She wished everyone a Happy Valentine's Day.

5.2 AB 1234 Reports – None

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 Purchase of New City Vehicle for the Code Enforcement. (106-00)

Code Enforcement Manager, Vicki Morgan, spoke regarding the purchase of the new vehicle for Code Enforcement.

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

- 1) Appropriate \$15,000 from the Undesignated Unreserved Community Development Balance to the Motor Pool Capital Account for purchase of the vehicle; and
- 2) Authorize an increase to the purchase order with Ray's Auto Sales in an amount not to exceed \$15,000 for the purchase of the vehicle.

The motion carried by a 5-0 vote.

6.2 Marquee Sign for Westminster Civic Center Complex (203-02)

The Director of Public Works/City Engineer Marwan Youssef stated that the proposed marquee sign will be located at the southwest corner of Westminster Boulevard and All American Way. The sign will be approximately thirty-five feet high, with a ten foot wide and six foot deep display on both sides. He said that the sign will be a part of the application for federal funding, as the cost estimate for the sign is approximately \$150,000, with the majority of cost being for the LED display.

In response to Mayor Rice, Mr. Youssef said that the All America City logo could be placed on the back, if Council so desires. He said it will be known by summer if the City receives federal funding.

Motion was made by Council Member Fry, seconded by Mayor Pro Tem Marsh, to approve the design of the marquee sign (attached to the staff report) for the Westminster Civic Center complex. The motion carried by a 5-0 vote.

6.3 Extension of Tree Education Committee (104-25)

Mayor Rice expressed support for the continuance of the Committee.

Darrell Nolta, resident of Westminster and Member of the Tree Education Committee, expressed support for the extension of the Committee. He believes that the Tree Committee has tried hard to follow the purpose of Westminster Municipal Code Chapter 12.12 (Street Forestry Policy). Mr. Nolta commended

Director of Public Works/City Engineer Marwan Youssef for addressing the issue of designated trees and read into the record what he believes to be the current policy, dated December 16, 2006 relative to parkway tree requests. He said that Mr. Youssef is very responsive to concerns of both sides of the issue, environmental and safety.

Motion was made by Mayor Pro Tem Marsh, seconded by Council Member Fry, to place a five-year extension on the Tree Education Committee and direct staff to bring back an ordinance amending the sunset clause of Westminster Municipal Code Section 12.12.170. The motion carried by a 5-0 vote.

7. WRITTEN COMMUNICATIONS (Public) – None

8. LEGISLATIVE ITEMS – None

9. COMMISSION AND COMMITTEE ITEMS

Mayor Rice said that she would like for the Energy Committee to be reinstated and agenezized for the next Council meeting. She spoke about a very interesting presentation at a League of California Cities meeting that she attended on energy. She said that perhaps a copy of the tape could be obtained and that she would like to have Mr. Hodgetts back.

Council Member Ta stated that he previously served as a member on the Energy Committee.

9.1 Appointments to Commissions and Committees (104-00)

Area Variance Committee

Motion was made by Mayor Rice, seconded by Mayor Pro Tem Marsh to appoint Bob Bertels as the Westminster resident to the Area Variance Committee for a term ending in November, 2008. The motion carried by a 5-0 vote.

Cultural Arts Commission

Motion was made by Council Member Fry, seconded by Council Member Quach, to appoint Peter Nguyen as a regular member (as Council Member Fry's nominee) to the Cultural Arts Commission, for a term ending in November, 2008. The motion carried by a 5-0 vote.

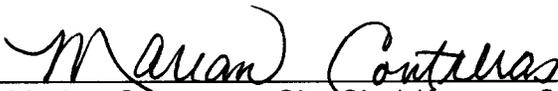
Financial Review Committee

Motion was made by Mayor Rice, seconded by Council Member Quach to appoint Alin Hamade (as Mayor Rice's appointee) to the Financial Review Committee for a term ending in November, 2008. The motion carried by a 5-0 vote.

Mobile Home Commission

Appointments to the Mobile Home Commission were deferred.

10. **COUNCIL/AGENCY ADJOURNMENT:** At 8:25, Mayor/Agency Chair Rice adjourned the meeting to Saturday, February 24, 2007 at 10:00 a.m. at the Westminster Rose Center, Ballroom A, 14140 All American Way, Westminster, California, for the purpose of a goal setting session and to discuss City/Agency matters.



Marian Contreras, City Clerk/Agency Secretary