

"Approved by the City Council/Redevelopment Agency Board on August 8, 2007."

CITY COUNCIL/REDEVELOPMENT AGENCY  
MINUTES OF A REGULAR MEETING

WESTMINSTER, CALIFORNIA  
June 27, 2007

The City Council/Agency Board of the City of Westminster, California convened on June 27, 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 purpose:

- 1) Conference with Real Property Negotiator pursuant to Government Code Section 54956.8: Property: 14731 Goldenwest Street; Agency Negotiator: Executive Director Ray Silver; Negotiating Parties: Daniel Bani-Esralli, Golden Westminster Investment, LLC and Craig Franz and Rick Jelke, Harley-Davidson of Westminster; Under Negotiation: Price and Terms of Payment;
- 2) Conference with Legal Counsel pursuant to Government Code Section 54956.9(a) – Existing Litigation; Estate of Hoang Tan Bui vs. City of Westminster, et al., Case No. SACV05-774; and
- 3) Conference with Labor Negotiators pursuant to Government Code Section 54957.6: Designated Representatives: City Manager Ray Silver and Interim Director of Personnel/Risk Management Chris Birch; Employee Organizations: Westminster Municipal Employees Association (WMEA); Westminster Police Officers' Association (WPOA); and Management/Administrative/Confidential Employees.

**RECESS:** At 6:45 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 7:10 p.m. in the Council Chambers.

**ROLL CALL**

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

**SALUTE TO FLAG:** City Attorney

**INVOCATION:** 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. Mayor Pro Tem Marsh presented a Proclamation declaring July 2007 as Parks and Recreation Month in the City of Westminster to Greg Johnson, Director of Community Services and members of the Community Services and Recreation Commission. (115-00)
- B. Debra Wanbaugh, Chamber President presented the Westminster Chamber of Commerce Annual Report.

Sandy McClure, Chamber President Elect presented the Westminster Chamber of Commerce Report on Upcoming Events.

**The City Clerk Announced Late Communications**

The City Clerk announced Late Communications regarding agenda items that had been received in the City Clerk's office following the distribution of the agenda packet:

**Matters from City Manager**

**6.1** – Communication submitted by Charlean Allen, Vice President, Catnip & Carrots Animal Bunch dated June 25 and June 26, 2007.

Correspondence from three (3) anonymous persons dated June 26 and 27, 2007.

Communication received from Lynn McGowan, resident of Huntington Beach, dated June 27, 2007.

Communication received from Diane Gonzalez on behalf of Denise Burrelli, Westminster resident dated June 27, 2007.

Communication received from Jane Maxwell dated June 27, 2007.

**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 30, 2007.**

ACTION: Approved.

**ROUTINE MATTERS**

**1.2 Adoption of Annual Anticipated Disadvantaged Business Enterprise (DBE) Participation Level (AADPL) for Federal Fiscal Year 2007-2008 and Approve DBE Race-Neutral Implementation Agreement for the City of Westminster (603-03)**

ACTION: The Mayor and City Council:

- 1) Adopted the AADPL of 7% for Federally-funded projects for the Federal fiscal year 2007-2008; and
- 2) Approved the California Department of Transportation (Caltrans) DBE Race-Neutral Implementation Agreement for the City of Westminster and authorized the City Manager to execute the agreement on behalf of the City.

**1.3 Final Seven Year Capital Improvement Program (CIP) for the Measure M and Congestion Management Programs (2007-2008) (617-01)**

ACTION: The Mayor and City Council reviewed the Final Seven Year Capital Improvement Program for the Measure M and Congestion Management Programs (CMP), and authorized its submittal to the Orange County Transportation Authority (OCTA).

**1.4 Amendment No. 1 to Agreement for Interim Director of Personnel and Risk Management Services (502-02)**

ACTION: The Mayor and City Council approved an Agreement for Consultant Services with Chris Birch in an amount not to exceed \$92,000 effective July 1, 2007, and continuing until a new Director of Human Resources and Risk Management is retained by the City.

**1.5 Consulting Services Agreement for Contractual Planning Services (502-20)**

ACTION: The Mayor and City Council approved the Agreement with The Planning Center in an amount not to exceed \$144,000, and authorized the City Manager to execute the Agreement on behalf of the City.

**1.6 Rose Center Building Fund Donation (105-12)**

ACTION: The Mayor and City Council approved the transfer of \$20,000 from the Cable TV Fund Reimbursements Other to the Community Theater Capital Improvement Project.

**1.7 (Agency) Urban Land Institute Advisory Services Panel (502-21)**

ACTION: The Chair and Agency Board:

- 1) Approved the Advisory Services Agreement with the Urban Land Institute in the amount of \$60,000 to provide strategic advice and recommendations to assist the City and Redevelopment Agency evaluate the long-term vitality of the Little Saigon area, and authorized the Executive Director to execute the Agreement on behalf of the Agency; and
- 2) Scheduled a Study Session for Thursday, October 4, 2007 at 12:00 (noon) to review the results of the ULI Advisory Services Panel on Little Saigon.

**1.8 Agreement between the City of Westminster and the Westminster School District for staffing of Crossing Guards at Eleven (11) Locations. (502-23)**

ACTION: The Mayor and City Council:

- 1) Approved the agreement with the Westminster School District for fiscal year 2007-2008;
- 2) Accepted \$43,198.00 from the Westminster School District as their portion of the agreement; and
- 3) Authorized the City Manager to execute the agreement on behalf of the City.

**(ITEM REMOVED AND HEARD SEPARATELY)**

**1.9 Agreement between the City of Westminster and the Ocean View School District for staffing of Crossing Guard at One (1) Location. (502-15)**

Mayor Pro Tem Marsh requested that he be recused from this item, due to the fact that he lives within 500 feet of the location specified in the agreement.

ACTION: The Mayor and City Council:

- 1) Approved the agreement with the Ocean View School District for fiscal year 2007 -2008;
- 2) Accepted \$3,323.00 from the Ocean View School District as their portion of the agreement; and

- 3) Authorized the City Manager to execute the agreement on behalf of the City.

The motion carried by the following vote:

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

- 1.10 **Special Event Permit Application from Circus Vargas to hold a circus beginning August 14, 2007 through August 27, 2007 (includes set up and clean up days). The Circus will be open to the public August 16, 2007 through August 26, 2007 at the Westminster Mall parking lot between Macy's and JC Penney's. The applicant estimates the attendance will be 500 people per performance. (213-03)(CI)**

ACTION: The Mayor and City Council approved the Special Event Permit application subject to the conditions attached to the staff report.

#### **ORDINANCES (SECOND READING)/RESOLUTIONS**

- 1.11 **Ordinance No. 2417 - An Ordinance of the Mayor and City Council of the City of Westminster amending Chapter 5.32, Amending Chapter 17.50.020 and Adding Chapter 5.34 to the Westminster Municipal Code Related to the Regulation of Reflexology Establishments. (203-05)**

ACTION: The Mayor and City Council adopted Ordinance No. 2417 and waived further reading.

- 1.12 **Resolution No. 4093 – A Resolution of the Mayor and City Council of the City of Westminster Amending Resolution No. 4065 Providing for a Compensation Plan for the Management/Administrative/Confidential Employees of the City of Westminster and Approve Classification Specifications (110-04)**

ACTION: The Mayor and City Council:

- 1) Approved Classification Specifications for Civil Engineering Principal and Senior Planner; and
- 2) Adopted Resolution No. 4093 to include salary ranges for the positions of Economic Development Specialist, Civil Engineering Principal and Senior Planner.

**WARRANT REGISTER**

- 1.13 (City Council/Redevelopment Agency) Warrant Register dated June 6 through 19, 2007 (105-09)**

ACTION: Approved.

**INFORMATION AND REPORTS**

- 1.14 Minutes of the Traffic Commission meeting held on May 29, 2007 (104-12)**

ACTION: Received and filed.

- 1.15 Minutes of the Planning Commission meeting held June 6, 2007 (104-11)**

ACTION: Received and filed.

- 1.16 Community Development Monthly Activity Report – May 2007 (216-01)**

ACTION: Received and filed.

- 1.17 Treasurer’s Report – May 2007 (105-08)**

ACTION: Received and filed.

- 1.18 Minutes of the Energy Committee meeting held June 12, 2007 (104-07)**

ACTION: Received and filed.

**Motion was made by Council/Agency Member Quach, and seconded by Council/Agency Member Ta to approve the Consent Calendar with the exception of Item No. 1.9 which was removed for separate consideration. The motion carried by a 5-0 vote.**

**END OF CONSENT CALENDAR**

**2. ORAL COMMUNICATIONS**

Robert Cavin, Westminster resident expressed his concerns about the trash issue at 15420 Cunningham Avenue. He submitted pictures of the property to the Mayor and City Council. Mr. Cavin also spoke about weed abatement within the City and stated that there are certain streets that have not yet been tended to. He stated that he has called Code Enforcement and complained about these issues as well as a car that has been parked in the same spot for two years. Mr. Cavin also spoke in regards to the retirement home on Cunningham Avenue and complained that it is now an assisted living facility and that the residents were not notified that the name was going to be changed.

Judy Ahrens, Westminster resident spoke in regards to the trash issue in the City and requested that Code Enforcement pay more attention to the toilet papering issue. She also expressed her concerns about shopping carts that are left out within the City.

### 3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

#### 3.1 The actions of the Planning Commission meeting held on June 20, 2007

The Community Development Director reviewed the actions of the Planning Commission meeting of June 20, 2007. He also informed the Mayor and City Council that Council Member Ta's residence is within 500 feet of Item No.'s 3 & 4.

- 1) Case 2007-03 Conditional Use Permit to allow the establishment of a billiard center Location 9191 Bolsa Avenue, Suite 109-111.
- 2) Case 2006-100 Site Plan, Design Review to allow 10,500 square-foot addition to an existing commercial center. Location 14541-14571 Brookhurst Street.
- 3) Case 2007-31 Conditional Use Permit to allow on-sale of beer and wine in conjunction with a proposed restaurant located within a commercial center (Catinat Plaza). Location 9741 Bolsa Avenue, Suite 113 – 114.
- 4) Case 2007-35 Conditional Use Permit to establish massage establishment (arms, hands, legs and feet) within a commercial center (Catinat Plaza). Location 9741 Bolsa Avenue, Suite 112.

Mayor Pro Tem Marsh called up Item No. 2 for review. He expressed his concerns about parking at the proposed site.

Council Member Quach asked the City Attorney if there would be a conflict if he and Council Member Ta were to receive and file Item Nos. 1, 3 and 4 due to the fact that they both have an office above the Billiard Center. The City Attorney stated that there would be no conflict to receive and file, but when the item comes to Council they would have to recuse themselves.

**Motion was made by Council Member Quach**, and seconded by Council Member Ta, to receive and file Item Nos. 1, 3 and 4 of the oral report of the Planning Commission meeting of June 20, 2007. The motion carried by a 5-0 vote.

**4. PUBLIC HEARINGS****4.1 REALLOCATION OF 2006 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ADMINISTRATION FUNDS TO AMERICAN FAMILY HOUSING, INC TO COMPLETE REHABILITATION PROJECT AT 7372 WYOMING STREET. (109-02)**

Kathy Johnston, City Housing Supervisor, gave a brief presentation on the item.

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

Jim Miller, American Family Housing, spoke in favor of the item. He explained that the project is not a rehabilitation it is a new construction, because they are adding two bedrooms, one bath and a garage. Mr. Miller requested an additional \$50,000 on April 2, 2007 to accommodate the project which includes the developer fee.

Gloria Reyes, Executive Director of Abrazar spoke in behalf of Jim Miller and is in favor of the project. She agreed that the project is an expansion not a rehabilitation. Mrs. Reyes expressed her feelings that the individuals who reside in the house are well deserving of this addition.

MAYOR RICE ASKED IF ANY PERSONS WISHED TO SPEAK IN OPPOSITION TO THE ITEM. SINCE THERE WERE NO PERSONS WHO WISHED TO SPEAK IN OPPOSITION TO THE ITEM, MAYOR RICE CLOSED THE PUBLIC HEARING.

**Motion was made by Council Member Quach**, and seconded by Mayor Pro Tem Marsh to, approve the reallocation of \$50,608 of 2006 CDBG Administration funds to American Family Housing, Inc. to complete the rehabilitation project located at 7372 Wyoming Street, a single family residence. The motion carried by a 5-0 vote.

**4.2 APPEAL OF PLANNING COMMISSION'S DENIAL OF CASE NO. 2007-14 (CONDITIONAL USE PERMIT), A REQUEST TO ALLOW SALE AND CONSUMPTION OF BEER AND WINE AND ENTERTAINMENT, WITHIN A PROPOSED RESTAURANT/NIGHTCLUB, LOCATED AT 15440 AND 15442 BROOKHURST STREET (ASSESSOR'S PARCEL NUMBER: 108-553-25); APPLICANT/APPELLANT AND PROPERTY OWNER OF RECORD: MY-DUNG NGUYEN. (201-00)(CN 2007-17)**

Art Bashmakian, Planning Manager gave a brief presentation of the proposed project. He explained that staff is recommending approval of this project because this would only be the fifth ABC License within the proposed area. When the project went to the Planning Commission staff believed that this would

be the sixth ABC License due to wrong information given out by ABC. He informed the Council that the applicant had withdrawn the application for entertainment and was only requesting the approval of serving alcohol.

Mayor Pro Tem Marsh expressed his concerns of staff making a recommendation dependant on ABC's data. He said even though the area would not be over saturated per ABC's data it doesn't mean it's a good idea.

Council Member Quach requested that Detective Weber come up and speak on this item.

Detective Weber explained that the Police Department denied this case based on the information that was provided by ABC stating that the area would be oversaturated if it were approved. He informed the Council that the Police Department will be denying any requests for Conditional Use Permits by businesses seeking to sell alcohol in areas that are oversaturated unless the business applying for the CUP provides substantial evidence that would serve the public convenience or necessity.

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

Hieu Troung, representing Citryst Restaurant, explained that the proposed project will be a high end and high class restaurant; he said it is not a bar or a karaoke establishment. He also said that they have no plans to put any entertainment in the facility.

Mayor Pro Tem Marsh expressed his concerns that the applicants requests are not consistent with what they really wanted as far as entertainment.

MAYOR RICE ASKED IF ANY PERSONS WISHED TO SPEAK IN OPPOSITION TO THE ITEM.

Robert Cavin, Westminster resident spoke in opposition to the proposed project. He expressed his concerns of having an establishment such as this across the street from a school and an assisted living facility.

IN REBUTTAL:

Hieu Troung informed the Council that the owners went into the surrounding neighborhood and got signatures from the residents and business owners who are in support of the proposed project. He explained that the owners circulated the menu and explained the intentions of the project to them.

Council Member Quach requested that all future Conditional Use Permit applications include some kind of menu attached.

MAYOR RICE CLOSED THE PUBLIC HEARING.

Council Member Quach requested that at any time there is a service call or complaint from the Police Department that the Council has a right to bring it back to council and reconsider the CUP. He also requested that in six months staff will review the Conditional Use Permit.

Mayor Rice stated that the Resolution has the reference of karaoke and live entertainment and she wishes that it not be included.

Art Bashmakian, Planning Manager explained that there should not have had any mention of karaoke or live entertainment in the Resolution and that the hours of operation are from 10:00 a.m. to 10:00 p.m.

**Motion was made by Council Member Fry**, and seconded by Council Member Ta to, adopt Resolution No. 4089 entitled: "A Resolution of the Mayor and City Council of the City of Westminster to approve a request to allow the sale and consumption of beer and wine and deny a request to allow entertainment, within a proposed restaurant, located at 15440 and 15442 Brookhurst Street (Assessor's Parcel Nos. 108-553-25) (Case No. 2007-14)."

Mayor Pro Tem Marsh said that at any time there is entertainment at the facility the Council has the right to revoke the Conditional Use Permit.

Council Member Quach asked Mayor Pro Tem Marsh if he would be willing to review the conditions in six months. Mayor Pro Tem Marsh agreed.

The motion carried by a 5-0 vote.

**4.3 APPEAL OF THE PLANNING COMMISSION'S DENIAL OF A REQUESTED AMENDMENT TO CASE NO. 2005-01; LOCATION: 13590 BEACH BOULEVARD; (LEXUS VEHICLE DEALERSHIP) APPLICANT: MS. CINDY FLEMING, AGENT FOR MR. BOB LONGPRE, BUSINESS OWNER OF RECORD, AUTHORIZED BY MR. DON R. FORD, PROPERTY OWNER OF RECORD; APPELLANT/APPLICANT: CINDY FLEMING. (201-00)(CN 2005-01)**

Art Bashmakian, Planning Manager gave a brief description of the item and explained that it is a code requirement to have the decorative pavers be installed on the property to enhance the overall appearance of the property.

Mayor Rice feels that the pavers are unsafe to walk on.

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

Cindy Fleming, Lord Fleming Architects, Inc. explained that Lexus had every intention to install the pavers and agreed to the condition of approval. She said

the project has been completed for the exception of the driveway due to Southern California Edison was required to move a guide wire for a power pole in order to realign the driveway for the project. That was in November of 2006 and still have no timeframe for the completion. She stated that Lexus opened for business in February 2007. She requests that the driveway be completed as soon as possible. She explained that if the request to appeal is approved, the driveway will only have to be closed for two or three days in order to pour concrete instead of closing the driveway for two weeks in order to allow the installation of the pavers.

John Oh, Lexus of Westminster expressed his disappointment that they have not been able to meet the conditions they agreed to originally, but would like for the project to be completed with the exceptions of the pavers being installed.

Gloria Reyes, Westminster resident said that Lexus of Westminster is three blocks from her house and feels that it has beautified the surrounding area. She also feels that the decorative pavers are unsafe to walk on.

MAYOR RICE ASKED IF ANY PERSONS WISHED TO SPEAK IN OPPOSITION TO THE ITEM. SINCE THERE WERE NO PERSONS WHO WISHED TO SPEAK IN OPPOSITION TO THE ITEM, MAYOR RICE CLOSED THE PUBLIC HEARING.

Mayor Pro Tem Marsh feels that Lexus should not have to wait to complete their driveway due to the fact Southern California Edison has not finished their part of the project.

Mayor Pro Tem Marsh asked the City Manager if staff could send a letter to Southern California Edison requesting that they no longer delay the completion of the Lexus project.

**Motion was made by Mayor Pro Tem Marsh**, and seconded by Council Member Ta to uphold the Planning Commission's denial of the applicant's request to amend Resolution No. 2005-01 specifically to remove its requirement to install decorative colored stamped concrete or pavers at the entry driveway of the development at 13590 Beach Boulevard (currently occupied by the Lexus vehicle dealership facility). The motion carried by a 5-0 vote.

## **5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS**

### **5.1 Council/Agency Member Items**

Council Member Ta announced that he and the City Manager visited numerous Vietnamese newspapers, television stations and radio stations within Little Saigon.

Mayor Pro Tem Marsh invited everyone to attend the Fourth of July celebration at Westminster High School.

Council Member Quach encouraged the residents to attend the Fourth of July celebration. He also announced that he is working on a fundraiser for the Marines and that he will let everyone know as more details become available.

Council Member Fry encouraged everyone to fly their American Flag and show their patriotism. He also announced "Family Day" at Camp Pendleton on June 27, 2007.

Mayor Rice reported on the Mayor's Ball and said that the City raised an estimated \$60,000. She also invited everyone to the Fourth of July celebration and encouraged everyone to arrive early due to the lack of parking.

## **5.2 AB 1234 Reports – None**

## **6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR**

### **6.1 Amendment No. 1 to Agreement for Animal Shelter Services for 2007-08 (Continued from the June 13, 2007 meeting) (502-02)**

Chief Andy Hall stated that the Police Department has conducted several inspections, and on each visit the shelter has appeared to be clean, and the animals had food and water. He said that the shelter is under renovation. Chief Hall also explained that the Police Department has not received any complaints from citizens in which they have served at the shelter.

Mayor Rice expressed her concerns that if there isn't an issue why are there so many complaints in regards to the shelter.

Council Member Quach requested that the Police Department continue to conduct inspections of the facility if it is approved.

Deanna Shapiro gave pictures of animals from the Animal Shelter to the Council. She expressed her concerns of the insufficient care provided to the animals. The pictures that were given to Council illustrated that the cats had untreated infections.

Council Member Quach asked Ms. Shapiro what her position was with the shelter. She responded by saying that she is a volunteer with multiple non profit rescue groups.

Karen Pickl, Animal Control Officer gave a brief history of the Animal Shelter and Dr. Botros. She stated that Dr. Botros is in the process of building a new facility. Officer Pickl explained that part of her job is to pick up stray animals and take them to the animal shelter and when they are sick they are treated as best as possible. She explained that when the animals are too sick to be treated they are euthanized. She informed the Council that Dr. Botros is limited to how many animals he takes in, he does not accept any animals from the public.

Council Member Ta requested that Dr. Botros come up and speak.

Dr. Botros, Orange County Humane Society and AAA Animal Hospital stated that he is not aware of where the pictures came from and doesn't recognize the cat in the picture. He feels that people are trespassing on his property and entering into restricted areas that are not allowed for the public. He explained that the sick animals that come into the shelter are always treated unless they are past the point of saving they are then euthanized. He informed the Council that he is in the process of building a new facility for the shelter with his own money. Dr. Botros handed out plans of the new facility.

Esther Wallin, Westminster resident spoke in opposition to the shelter. She feels that the animals that are in there are living in horrible conditions. She believes that they are mistreated. She stated that on Labor Day of 2006 there was nobody at the shelter to care for the animals.

The following people spoke in favor of the shelter and said that they would never work for an organization if they felt the animals were being mistreated:

- Jean Del Rosario
- Breanne Justice
- Shannon Schwartz

Dr. Botros responded to Ms. Wallin's allegations of nobody being at the shelter on Labor Day of 2006. He explained that he had nine employees working that day trying to move supplies from one building to another.

Mayor Pro Tem Marsh stated that he had visited the facility on multiple occasions since 1996 and every time that he was there it was always clean and appeared that the animals were being taken care of properly. He had also adopted an animal from there. He relies on the Westminster Police Department and he feels that if the employees are confident in the facility, he is as well.

**Motion was made by Council Member Quach**, and seconded by Council Member Fry to, approve Amendment No. 1 to the Agreement for Animal Shelter Services with Dr. Samir Botros, doing business as Orange County Humane Society and AAA Animal Hospital in the amount of \$52,000, extending the term of the contract to June 30, 2008. The motion carried by a 5-0 vote.

**6.2 Award of Contract for Street Improvements on 11<sup>th</sup> Street from Cedar wood Avenue to Beach Boulevard, 13<sup>th</sup> Street from Beach Boulevard to All American Way, 15<sup>th</sup> Street from All American Way to Newland Street, and 15<sup>th</sup> Street Alley from alley loop to the north side of 15<sup>th</sup> Street (502-19)**

Mayor Rice asked the Director of Public Works/City Engineer, Marwan Youseff why 10<sup>th</sup> Street is not included in the project. Mr. Youseff responded by saying that the City is in the process of installing a storm drain on 10<sup>th</sup> Street to resolve the flooding situation.

**Motion was made by Council Member Ta**, and seconded by Council Member Quach to, award a contract to the low qualified bidder, Sequel Contractors, Inc. in the amount of \$670,858.60 and authorize the City Manager to execute the contract on behalf of the City. The motion carried by a 5-0 vote.

**6.3 Amendment No. 7 to Contractual Services Agreement with W.G. Zimmerman Engineering, Inc., to Provide Temporary Engineering Services (502-26)**

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

- 1) Reappropriate \$32,000 from the General Fund Undesignated Unrestricted Fund Balance to Engineering Services Contractual/Professional Services Budget; and
- 2) Approve Amendment No. 7 to the Contractual Professional Services Agreement with W.G. Zimmerman Engineering, Inc., in an amount not to exceed \$32,000.00 extending the contract for a period up to three months, and authorize the City Manager to execute the amendment on behalf of the City.

The motion carried by a 5-0 vote.

**6.4 (Agency) Agreement with the Westminster Chamber of Commerce (502-23)**

**Motion was made by Agency Member Quach**, and seconded by Vice Chair Marsh to:

- 1) Authorize an appropriation of \$3,214.00 from the Undesignated Unreserved Redevelopment Agency Fund Balance to the Redevelopment Agency Administration Fund – Contractual Other; and
- 2) Approve the agreement with the Westminster Chamber of Commerce in the amount of \$35,349.05 for publicity and advertising purposes for fiscal year 2007-2008, and authorize the Executive Director to execute the agreement on behalf of the Agency.

Darrell Nolta, Westminster resident spoke in opposition to the item, because he feels that the 14% increase over the last nine years exceeds the standard inflation. Mr. Nolta also feels that there was unfairness at the Candidate Forum that was hosted by the Chamber of Commerce last year.

Council Member Quach informed Mr. Nolta that a 14% increase over the past nine years is considerably low and he supports the appropriation.

The motion carried by a 5-0 vote.

**6.5 Appropriation of Funds for the Purchase of WTV-3 Equipment (105-12)**

Mayor Rice informed the Council that the correct amount to be appropriated is \$28,825 not \$27,825.

**Motion was made by Council Member Fry**, and seconded by Council Member Ta to, appropriate \$28,825 from the Undesignated Unreserved Community Services Department balance to the Community Services Equipment Budget. The motion carried by a 5-0 vote.

**6.6 Professional Consultant Services Agreement for Design, Architectural and Engineering Services for the New Police Facility (Continued from the May 30, 2007 meeting). (502-04)**

Darrell Nolta, Westminster resident, spoke in favor of the item. He feels that this is an extremely important project, because it will give the City a better place to store evidence. Mr. Nolta supports the proposed police facility, but expressed his concerns of the high cost.

**Motion was made by Council Member Fry**, and seconded by Council Member Quach to, approve a Professional Consultant Services Agreement with DMJMHN Design in an amount not to exceed \$3,618,243.35 to provide design, architectural and engineering services for the new police facility, and authorize the City Manager to execute the agreement on behalf of the City. The motion carried by a 5-0 vote.

**7. WRITTEN COMMUNICATIONS (Public) – None****8. LEGISLATIVE ITEMS****8.1 Amendment to Westminster Municipal Code Creating a Department of Human Resources & Risk Management and Excepting the Director of Human Resources & Risk Management from the Classified Service (110-04)**

**Motion was made by Council Member Ta**, and seconded by Council Member Quach to, introduce Ordinance No. 2418 entitled, "An Ordinance of The Mayor And City Council of the City of Westminster Amending Chapter 2.68 (Personnel System) and Amending Section 2.32.010 (Department And Organizations) of the Westminster Municipal Code, related to the Creation of the Department Of Human Resources & Risk Management, the Office of the Director of Human Resources & Risk Management, and excepting the Director of Human Resources & Risk Management from the Classified Service.", and waive further reading.

The motion carried by the following vote:

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

**9. COMMISSION AND COMMITTEE ITEMS**

**9.1 Request to rescind timed parking restrictions in front of 5440 Garden Grove Boulevard – T.C. 72-362 (608-02)**

**Motion was made by Council Member Ta**, and seconded by Council Member Fry to, approve the recommendation of the Traffic Commission and adopt Resolution No. 4091 entitled, "A Resolution of the Mayor and City Council of the City of Westminster rescinding Resolution No. 2267 which provides for two-hour limited parking between the hours of 6 AM to 6 PM daily on a certain portion of Garden Grove Boulevard". The motion carried by a 5-0 vote.

**9.2 Request to extend parking restrictions at 14081 Magnolia Street – T.C. 72-368 (608-02)**

**Motion was made by Council Member Quach**, and seconded by Council Member Ta to, approve the recommendation of the Traffic Commission and adopt Resolution No. 4090 entitled, "A Resolution of the Mayor and City Council of the City of Westminster rescinding Resolution No. 1446 and providing for No Stopping or Parking at certain locations on the east and west Sides of Magnolia Street south of Westminster Boulevard". The motion carried by a 5-0 vote.

**9.3 Appointments to the City's Youth Committee (104-17)**

**Motion was made by Council Member Quach**, and seconded by Council Member Ta to appointment the following five (5) current Youth Committee Members to serve as regular members for a term to expire on June 30, 2008:

Patryk Grochowski  
Candice Nguyen  
Kevin Lam  
Andrew Duong  
Anna Lopez

The motion carried by a 5-0 vote.

**Motion was made by Council Member Quach**, and seconded by Council Member Ta to nominate Mayor Rice and Council Member Fry to participate in an interview process of the fifteen (15) new applicants. The motion carried by a 5-0 vote.

10. **COUNCIL/AGENCY ADJOURNMENT:** At 9:52 p.m., Mayor/Agency Chair Rice adjourned the meeting.

  
Amanda Jensen, Deputy City Clerk/  
Agency Secretary