

"Approved by the City Council/Redevelopment Agency Board on December 12, 2007"

**CITY COUNCIL/REDEVELOPMENT AGENCY
MINUTES OF THE REGULAR MEETING**

**WESTMINSTER, CALIFORNIA
November 14, 2007**

The City Council/Agency Board of the City of Westminster, California convened on November 14, 2007 at 5:00 p.m. in a Special Meeting in the Council Conference Room, 8200 Westminster Boulevard, Westminster, California.

**5:00 P.M.
CLOSED SESSION**

CALL TO ORDER: 5:00 P.M.

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 Legal Counsel pursuant to Government Code Section 54956.9(b): Anticipated Litigation (one potential case) re. EMS Emergency Transportation Services.

RECESS:

5:30 P.M.

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

ROLL CALL: Mayor Rice reconvened to an adjourned regular meeting in the Council Chambers at 5:35 p.m.

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

SALUTE TO THE FLAG: Council Member Fry

1. **Presentation from the Urban Land Institute (ULI) on the Study of Little Saigon. (906-01)**

Ray Silver, City Manager introduced Tami Piscotty, Assistant to the City Manager who gave a brief introduction of this project. She introduced the Chairman of the panel, Mr. Kevin Lawler of N-K Ventures LC, West Palm Beach, Florida and

panel member, Michael Maxwell of Maxwell + Partners, Miami Shores, Florida. Mr. Lawler and Mr. Maxwell provided the Mayor and City Council with a PowerPoint presentation of their findings on the viability/sustainability of Little Saigon. This presentation provided information on the panel's process, assignment, observations, potential opportunities, assessment of the challenges and incremental approach. It also provided the panel's three core elements which were the framework, placemaking; respective party roles, building blocks and tools. The panel recommended five specialized districts anchors which consisted of an outdoor food/produce, Asian village, cultural center media district, furniture/garden/outdoor and future district opportunities. (PowerPoint presentation is available in Clerk's office)

Motion was made by Mayor Pro Tem Marsh, and seconded by Council Member Quach, requested to have the full report before referral to the Economic Development Strategy Preparation stage.

The motion carried by a 5-0 vote.

RECESS: 6:55 P.M.

7:00 P.M.

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

ROLL CALL: Mayor Rice reconvened the meeting in the Council Chambers at 7:15 p.m.

PRESENT: RICE, MARSH, FRY, QUACH, TA

ABSENT: NONE

SALUTE TO FLAG: Council Member Ta

INVOCATION: Mayor Pro Tem Marsh

REPORT OUT OF CLOSED SESSION

The City Attorney reported that Council by a 4-1 vote approved the reagendaing for reconsideration and to conduct a hearing to consider the award of the ambulance contract based upon the original request for proposals and released Shoreline Ambulance without prejudice of their obligation to perform under the terms that were agreed upon at the September 26, 2007 City Council meeting.

SPECIAL PRESENTATIONS

- A. A commendation was presented by the Mayor and City Council to Chrysler Financial for choosing American Family Housing for an improvement project on Locust Street (115-00) (07)

REPORT FROM CITY CLERK ON LATE COMMUNICATION ITEMS – None

1. CONSENT CALENDAR

APPROVAL OF MINUTES

- 1.1 **(City Council/Redevelopment Agency) Minutes of the Regular Meeting of the City Council/Redevelopment Agency of October 10, 2007.**

ACTION: Approved.

ROUTINE MATTERS

- 1.2 **Proclamation declaring November 14, 2007 as World Diabetes Day in th City of Westminster. (115-00) (07)**

Mayor Rice commented that diabetes was a disease that could be controlled which she has done for years.

Motion was made by Mayor Rice, and seconded by Council Member Ta, to approve.

The motion carried by a 5-0 vote.

- 1.3 **First Amendment and Complete Restatement of the Agreement for the Commitment of Match Obligation dated September 21, 1998. (502-01)**

ACTION: The Mayor and City Council approved the First Amendment and Complete Restatement of the Agreement for the Commitment of Match Obligation dated September 21, 1998 between the City and American Family Housing, Inc. for property located at 7372 Wyoming Street.

- 1.4 **Selection of Consultant for Design Services of Hoover Park Extension (3.25 acres located north of the existing Hoover Park at 7482 21st Street). (502-11)**

ACTION: The Mayor and City Council awarded an agreement for Professional Services to Kobata Associates, Inc. in the amount of \$33,700.00 to perform landscape architectural design services for greenbelt landscaping, irrigation,

hardscape walking trail, and amenities for the Hoover Park Extension, and authorized the City Manager to execute the agreement on behalf of the City.

- 1.5 Amendment No. 11 to Cooperative Agreement No. C-95-995 with the Orange County Transportation Authority for Measure "M" Funded Work. (502-15)**

ACTION: The Mayor and City Council approved the subject amendment and authorized the Mayor to execute the amendment on behalf of the City.

- 1.6 Award of Contract for Liberty Park Restroom/Storage Building. (502-13)**

Mayor Rice questioned the size of the storage building. Marwan Youssef, Public Works Director/City Engineer, stated that the storage in this location would store event equipment that is used by Community Services. Mayor Rice requested that the City Manager provide information of available space within the City that could be used for storage.

Motion was made by Mayor Rice, and seconded by Council Member Ta, to award the subject contract to the low qualified bidder, Macerich Construction, Inc. in the amount of \$175,000.00; reject all other bids; and authorize the City Manager to execute the contract on behalf of the City.

The motion carried by a 5-0 vote.

- 1.7 Purchase of Two Diesel Particulate Filters for the WOW Senior Transportation Vans. (502-03)**

ACTION: The Mayor and City Council approved the purchase of two Diesel Particulate Filters from Cummins Cal Pacific, in amount not to exceed \$28,845.76.

ORDINANCES (SECOND READING)/RESOLUTIONS

- 1.8 Ordinance No. 2421 - An Ordinance of the Mayor and City Council of the City of Westminster authorizing an amendment to the contract between the City Council of the City of Westminster and the Board of Administration of the California Public Employees' Retirement System to Provide Section 21574 (Fourth Level of 1959 Survivor Benefits) and Section 21354.4 (2.5% @ Age 55 Full and Modified Formula) for Local Miscellaneous Members Only. (502-03)**

ACTION: The Mayor and City Council adopted Ordinance No. 2421 and waived further reading.

- 1.9 Resolution No. 4122 – A Resolution of the Mayor and City Council of the City of Westminster fixing the employer’s contribution under the Public Employees’ Medical and Hospital Care Act (PEMHCA). (110-07)**

ACTION: The Mayor and City Council adopted Resolution No. 4122.

WARRANT REGISTER

- 1.10 (City Council/Redevelopment Agency) Warrant Register dated October 17 through November 6, 2007. (105-09) (07)**

ACTION: Approved.

INFORMATION AND REPORTS

- 1.11 Minutes of the Traffic Commission meeting held on October 30, 2007. (104-12)**

ACTION: Received and filed.

- 1.12 Minutes of the Planning Commission meeting held on October 3, 2007. (104-11)**

ACTION: Received and filed.

- 1.13 Minutes of the Community Services & Recreation Commission meetings held on June 13, 2007 and September 12, 2007. (104-05)**

ACTION: Received and filed.

- 1.14 Minutes of the Cultural Arts Commission meetings held on June 7, 2007 and August 30, 2007. (104-06)**

ACTION: Received and filed.

- 1.15 Community Development Monthly Report – October 2007. (216-01) (07)**

ACTION: Received and filed.

Motion was made by Council/Agency Member Ta, and seconded by Council/Agency Member Quach, to approve the Consent Calendar, with the exception of Item No. 1.2 and Item No. 1.6 which were removed for separate consideration. The motion carried by a 5-0 vote.

END OF CONSENT CALENDAR

2. ORAL COMMUNICATIONS

Judy Aherns, resident of Westminster, read an article that would appear in the Westminster Herald on her efforts to have the Westminster School District promote Veteran's Day on their school marquis.

Vivian Kirkpatrick-Pilger, resident of Westminster, received a notice of public hearing on the proposed increase of water rates for fiscal year 2007/08 scheduled for the December 12th Council meeting. She encouraged all the citizens of Westminster to attend this meeting.

3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW**3.1 The actions of the Planning Commission meeting held on November 7, 2007.**

Motion was made by Council Member Ta, and seconded by Council Member Quach, to receive and file the following from the Planning Commission meeting of November 7, 2007:

- 1) Case 2007-39 Design Review, involving exterior architectural modifications to an existing freestanding restaurant (Kentucky Fried Chicken). Location: 6641 Westminster Boulevard.
- 2) Case 2007-57 Conditional Use Permit, Site Plan, and Design Review to allow the construction of a new church sanctuary and demolish and remodel a portion of the existing Reformation Lutheran Church building. Location: 15750 Magnolia Street.
- 3) Case 2007-74 Conditional Use Permit, Site Plan Review, and Design Review involving an addition to the Westminster Mall to establish a new restaurant (Elephant Bar) along with a full service bar.

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 attended the Marine Ball which reminded him of the sacrifices that the soldiers in the armed forces make to protect our country. He would like everyone to honor our men and women who serve in the armed forces everyday.

Council Member Quach wished everyone a Happy Thanksgiving.

Council Member Fry encouraged everyone to attend the Miss Saigon Show at the Rose Center Theater from November 9th through the 18th.

Mayor Rice also encouraged everyone to attend the Miss Saigon Show. She attended the Marine Ball which was a great event. Mayor Rice reminded everyone with an invitation to attend the Mendez Stamp presentation at the Rose Center as she would be the Mistress of Ceremony for this event. She also wished everyone a Happy Thanksgiving.

5.2 AB 1234 Reports - None

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 Report on City-Wide Electronic Document Management System (EDMS) (111-10)

Marian Contreras, City Clerk, provided Council with a brief overview of this item.

Diane Gladwell of Gladwell Governmental Services, Inc. provided Council with a PowerPoint presentation on what an Electronic Document Management System is and the results of the City's Needs Assessment Study.

Mayor Pro Tem Marsh expressed concerns with the retention and destruction of Land Use and Permit paper documents after they have been imaged.

Vivian Kirkpatrick-Pilger, resident of Westminster, expressed her concerns with the ability to access the information as electronic storage technology changes.

Motion was made by Council Member Quach, and seconded by Mayor Pro Tem Marsh, to receive and file.

The motion carried by a 5-0 vote.

6.2 First Amendment to Consulting Services Agreement with Willdan to provide temporary Planning staff services. (502-23)

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

- 1) Authorize an appropriation of \$9,500 from the Community Development Fund – 285 Undesignated Balance to Planning & Zoning Contractual; and
- 2) Approve the First Amendment to the Consulting Services Agreement with Willdan for an increase of \$9,500 for a total amount not to exceed

\$24,500, and authorize the City Manager to execute the agreement amendment on behalf of the City.

The motion carried by a 5-0 vote.

6.3 Purchase of One Used Sedan for the Police Department (502-18)

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

- 1) Transfer \$21,000 from the Fund Balance to the Equipment Replacement Fund; and
- 2) Approve an increase in the purchase order to Ray's Auto Sales in the amount of \$21,000 to purchase one used sedan.

The motion carried by a 5-0 vote.

6.4 Award of Contract for new Traffic Signal Installations at Newland Street and Oasis Avenue and at Edwards Street and Trask Avenue; and, Traffic Signal Modifications at Goldenwest Street and Hazard Avenue, Goldenwest Street and Trask Avenue, and Westminster Boulevard and Monroe/Street/All American Way (502-20)

Vivian Kirkpatrick-Pilger, resident of Westminster, asked the type of traffic signal that would be installed.

Marwan Youssef, Public Works Director/City Engineer, informed her that it would be the left turn arrow traffic signal at the corner of Trask and Edwards.

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

- 1) Reallocate \$160,968.45 from the Street Repair Fund to the appropriate Project Account Numbers as listed under Fiscal Impact in the Staff Report; and
- 2) Award the contract to the low qualified and responsive bidder, TDS Engineering in the amount of \$691,169.00; reject all other bids; and authorize the City Manager to execute the contract on behalf of the City.

The motion carried by a 5-0 vote.

6.5 Identification of New Police Building Site and Possible Incorporation of a Civic Center Parking Structure into the Design (702-08)

Andy Hall, Chief of Police, provided a brief summary on this Item and introduced Captain Mitch Waller.

Mitch Waller, Captain, provided a handout with the alternate site of the new Westminster Police Department building and the parking structure. He requested authorization to move forward with this new site design. Captain Waller informed Council that the move to this new site would provide the City with an eight to ten percent savings.

Motion was made by Mayor Pro Tem Marsh and seconded by Council Member Ta, to approve the identification of the revised police building site from Jackson Street to All American Way, and authorize staff to obtain cost estimates for the incorporation of a Civic Center above ground parking structure into the design.

The motion carried by a 5-0 vote.

6.6 City Council/Redevelopment Agency December, 2007 and January, 2008 Meeting Dates (103-08) (07)

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

- 1) Cancel the Wednesday, December 26, 2007 meeting (City Hall furlough closure); and
- 2) Reschedule the regular meeting dates from Wednesday, January 9 and 23, 2008 to Wednesday, January 16 and 30, 2008.

The motion carried by a 5-0 vote.

7. WRITTEN COMMUNICATIONS (Public) – None.**8. LEGISLATIVE ITEMS****8.1 Amendments to the 2007 Edition of the California Building Code, Electrical Code, Mechanical Code, Plumbing Code and Fire Code. (210-04)**

Council Member Quach requested clarification on the ordinance and asked if these changes would affect existing projects. He also expressed concerns with item two on the staff report as it pertains to Building Code Section 904.2.1 on sprinkler systems. Council Member Quach thanked Building Official Soorosh Rahbari, Director of Community Development Don Anderson and the Building

staff for being very responsive to all of the Council Members whenever they have a question unique to their department.

Mr. Rahbari informed Council that these local amendments are in the City's current Codes. This ordinance is to update and match with the new State of California Codes. Mr. Rahbari informed Council Member Quach that existing Building Department projects would not be affected only projects submitted to the Building Department on or after January 1, 2008 would need to comply with the new Codes.

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

- 1) Adopt Resolution No. 4125 entitled, "A Resolution of the Mayor and City Council of the City of Westminster setting forth findings based on local conditions within the City of Westminster which make certain modifications and changes to the California Building Code, the California Plumbing Code, the California Mechanical Code and the California Electrical Code Reasonably Necessary;
- 2) Introduce Ordinance No. 2424 entitled, "An Ordinance of the Mayor and City Council of Westminster amending Title 15 by deleting Chapter 15.08, 15.12, 15.16, 15.20, 15.22, 15.32, and 15.36 of the Westminster Municipal Code to repeal previous editions of the model codes and to replace with new Chapters 15.08, 15.12, 15.16, 15.20, 15.22, 15.32, and 15.36 adopting and amending the 2007 Editions of the California Codes and Related Model Codes", and waive further reading; and
- 3) Schedule a public hearing and adoption of Ordinance No. 2424 for November 28, 2007 at 7:00 PM.

The motion carried with a 5-0 vote.

9. COMMISSION AND COMMITTEE ITEMS

9.1 Update of the Engineering and Traffic Surveys for Westminster Boulevard, from Edwards Street to Bushard Street, and Bolsa Avenue, from Magnolia Street to Ward Street – T.C. 74-186 (607-02)

Motion was made by Council Member Quach, and seconded by Mayor Pro Tem Marsh, to approve the update of the Engineering and Traffic Surveys for Westminster Boulevard between Edwards Street and Bushard Street and Bolsa Avenue between Magnolia Street and Ward Street.

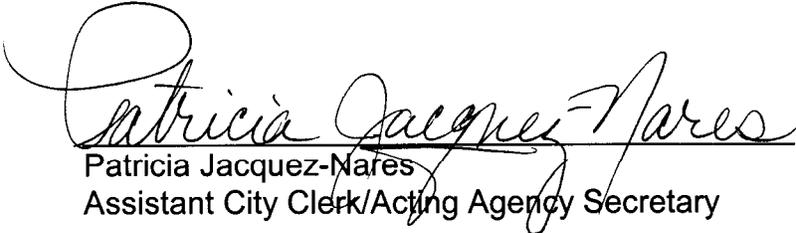
The motion carried by a 5-0 vote.

9.2 Parking Restrictions on the south side of Heil Avenue, west of Magnolia Street – T.C. 75-114 (608-02)

Motion was made by Council Member Ta, and seconded by Council Member Quach, to adopt Resolution No. 4124 entitled, "A Resolution of the Mayor and City Council of the City of Westminster providing for no parking or stopping at a certain location on the south side of Heil Avenue, west of Magnolia Street."

The motion carried by a 5-0 vote.

10. COUNCIL/AGENCY ADJOURNMENT: At 8:27 p.m., Mayor/Agency Chair Rice adjourned the meeting.


Patricia Jacquez-Nares
Assistant City Clerk/Acting Agency Secretary