

“Approved by the City Council/Redevelopment Agency Board on October 22, 2008”

CITY COUNCIL/REDEVELOPMENT AGENCY
MINUTES OF A REGULAR MEETING

WESTMINSTER, CALIFORNIA
September 24, 2008

The City Council/Agency Board of the City of Westminster, California convened on September 24, 2008 at 6:30 p.m. in a Regular Meeting in the Council Conference Room, 8200 Westminster Boulevard, Westminster, California.

6:30 P.M.
CLOSED SESSION

CALL TO ORDER: 6:34 p.m.

ROLL CALL:

PRESENT: RICE, QUACH, FRY (arrived at 6:45 p.m.), MARSH, 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. 15192 Goldenwest Street).

RECESS: At 7:05 p.m., Mayor Rice recessed the meeting held in the Council Conference Room.

7:00 P.M.

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

Mayor Rice reconvened the meeting in the Council Chambers at 7:10 p.m.

ROLL CALL:

PRESENT: RICE, QUACH, FRY, MARSH, TA

ABSENT: NONE

SALUTE TO FLAG: Council Member Marsh

INVOCATION: Council Member Ta

REPORT OUT OF CLOSED SESSION – None

SPECIAL PRESENTATIONS:

- A. The Mayor and City Council presented a Proclamation recognizing the Westminster Police Department on their 50th Anniversary to Police Chief Andy Hall. (115-00)(08)
- B. The Mayor and City Council presented Chief Mike Rohde a Proclamation for Fire Prevention Week which will be held October 5-11, 2008 (115-00)(08)

Mayor Rice presented the Council with awards that she had received from the Children's Moon Festival Group and Miss Senior California of America Pageant for their support in the activities.

REPORT FROM CITY CLERK ON LATE COMMUNICATION ITEMS

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.

Public Hearings

Item No. 4.3 – Joint Public Hearing of the City Council & Redevelopment Agency on the proposed 2008 Amendment to the Redevelopment Plan for the Westminster Infrastructure Revitalization Project. (903-09)

A letter from Cathleen L. Quinn dated September 22, 2008 and a letter from Joseph DeCarlo dated August 22, 2008.

1. CONSENT CALENDAR**APPROVAL OF MINUTES****1.1 (City Council/Redevelopment Agency) Minutes of the Regular Meeting of the City Council/Redevelopment Agency of August 13, 2008.**

ACTION: Approved.

ROUTINE MATTERS**1.2 Claim Against The City (119-02)**

ACTION: The Mayor and City Council denied the following claim against the City from:

- a) Darrell Nolta in the amount of \$25,382.00

1.3 Investment Management Services Agreement (502-13)

ACTION: The Mayor and City Council approved an agreement for investment management services with MBIA Asset Management and authorized the City Manager to execute the agreement on behalf of the City.

1.4 Agreement for Use of Firearms Training Facility for Westminster Police Officer Firearms Training. (502-03)

ACTION: The Mayor and City Council approved an Indemnification and Hold Harmless Agreement with the City of Cypress and the Cypress Police Department in an amount not to exceed \$12,000 for the use of a firearms range facility operated by the Cypress Police Department, and authorized the City Manager to execute the agreement on behalf of the City.

(ITEM REMOVED AND HEARD SEPERATELY)

1.5 Agreement with the County of Orange Authorizing the Utilization of the County's Mass Notification System. (deferred from the August 27, 2008 meeting) (502-15)

Darrell Nolta, Westminster resident expressed his concerns in regards to the database linked to the Mass Notification System and it's location and security.

Motion was made by Council Member Ta, and seconded by Council Member Fry to approve an agreement with the County of Orange for the period August 15, 2008 to June 30, 2012, authorizing the City of Westminster to utilize the County's Mass Notification System, and authorize the City Manager to execute the agreement on behalf of the City.

The motion carried by a 5-0 vote.

The County of Orange agrees to fund the system for emergency notifications and to purchase updated information and equipment for the continued use of the system.

1.6 New Police Building Geotechnical Engineering Contract Amendment. (502-12)

ACTION: The Mayor and City Council approved Amendment No. 1 to the Agreement for Geotechnical Engineering Services with Leighton Consultant, Inc. in an amount not to exceed \$5,000 for additional services to be included in the scope of work, and authorized the City Manager to execute the amendment on behalf of the City.

1.7 Video Streaming to the Internet of Live and Archival City Council Meetings. (502-07)

ACTION: The Mayor and City Council:

- 1) Awarded a contract to Granicus, Inc. in an amount not to exceed \$43,000 for the purchase and installation of the Granicus Video Streaming system and authorized the City Manager to execute the contract on behalf of the City;
- 2) Authorized a purchase order to Granicus, Inc. in an amount not to exceed \$20,000 for monthly managed services; and

- 3) Authorized a purchase order to Hewlett-Packard in an amount not to exceed \$6,200 for the purchase of a media vault file server.

1.8 Selection of Consultant for Design Services of Raised Landscaped Medians along Bolsa Chica Road from Old Bolsa Chica Road to Rancho Road. (502-14)

ACTION: The Mayor and City Council approved the selection of Norris-Repke to perform the subject work in an amount not to exceed \$122,400 and authorized the City Manager to execute the agreement on behalf of the City.

1.9 Award of Bid for Purchase of Used Sedans and Van Purchases for FY 2008-09. (502-18)

ACTION: The Mayor and City Council authorized a purchase order in the amount of \$300,000 to Ray's Auto Sales, Inc. for the purchase of used vehicles.

1.10 Purchase Order for Other Post Employment Actuarial Consulting Services. (502-02)

ACTION: The Mayor and City Council approved the Agreement with Bartel Associates, LLC., for actuarial consulting services for Other Post Employment Benefits (OPEB) Actuarial Consulting Services in an amount not to exceed \$17,200 and authorized the City Manager to execute the agreement on behalf of the City.

1.11 (City/Agency) New City/Chamber of Commerce Building Architectural and Engineering Contract Amendment. (502-04)

ACTION: The Mayor and City Council/Agency Board approved Amendment No. 1 to the Agreement for Professional Architectural/Engineering Services with Dougherty Dougherty Architects in the amount of \$56,460 for additional services to be included in the scope of work, and authorized the City Manager/Executive Director to execute the amendment on behalf of the City.

ADMINISTRATIVE ITEMS

1.12 Administrative Approval of Fee Waiver for the Orange County Clerk of the Board of Supervisors for the Use of the East and West Rooms to Host an Assessment Appeals Workshop on Wednesday, November 5, 2008 from 4:30 p.m. – 8:30 p.m. (702-06)

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

WARRANT REGISTER

- 1.13 (City Council/Redevelopment Agency) Warrant Register dated September 3 through 16, 2008. (105-09)(08)**

ACTION: Approved.

INFORMATION AND REPORTS

- 1.14 Minutes of the Cultural Arts Commission meeting held on June 5, 2008. (104-06)**

ACTION: Received and filed.

- 1.15 Minutes of the Planning Commission meeting held on August 20, 2008. (104-11)**

ACTION: Received and filed.

- 1.16 Community Development Department Monthly Activity Report – August 2008. (216-01)(08)**

ACTION: Received and filed.

- 1.17 Minutes of the Traffic Commission meeting held on July 29, 2008. (104-12)**

ACTION: Received and filed.

- 1.18 Minutes of the Commission on Aging meeting held on July 14, 2008. (104-03)**

ACTION: Received and filed.

- 1.19 Treasurer’s Report – July 2008. (105-08)(08)**

ACTION: Received and filed.

Motion was made by Mayor Pro Tem/Vice Chair Quach, and seconded by Council/Agency Member Ta to approve the Consent Calendar with the exception of Item No. 1.5 which was pulled from consideration. The motion carried by a 5-0 vote.

END OF CONSENT CALENDAR

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2. ORAL COMMUNICATIONS

Dr. Sharon Nordheim, Westminster Elementary School District Superintendent spoke in regards to the Bond Measure O which will be on the November 4, 2008 ballot.

Clark Hampton, Assistant Superintendent for Business for the Westminster School District, spoke in regards to the three loans that are currently outstanding for the Westminster School District and informed the Council that two of the three loans are qualified zone academy bonds. The loans total \$7.5 million dollars.

Judy Ahrens, Westminster resident spoke in regards to the Bond Measure O that will be on the ballot.

Sandra McClure, Westminster Chamber of Commerce President expressed her appreciation to Mayor Rice and Council Member Ta for attending the Little Saigon's Taste and Tour. She also reminded everyone of the E-Waste Collection at the Westminster Mall that will be held on October 3rd and October 4th from 9:00 a.m. to 4:00 p.m. and also announced the Candidate's Forum that will be held on October 14th from 7:00 p.m. – 9:00 p.m..

Vivian Kirkpatrick-Pilger, Westminster resident spoke in regards to the Bond Measure O that will be on the ballot. She informed the Council that she received a letter from Mr. Hampton that stated the loans totaled approximately \$25.3 million dollars.

Darrell Nolta, Westminster resident spoke in regards to the following items: CalOptima, and the cleanliness of Brookhurst Street.

Bob Hoff, Westminster resident expressed his concerns of noise and traffic in his neighborhood caused by semi trucks at a local industrial complex.

Council Member Ta recommended that the Council direct the Traffic Commission to research this situation.

Mayor Pro Tem Quach informed Mr. Hoff that his concern will be referred to the Traffic Commission and that he will be noticed of the Traffic Commission Hearing in which his item will be heard.

3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

3.1 The actions of the Planning Commission meeting held on September 17, 2008.

The Community Development Director reviewed the actions of the Planning Commission meeting of September 17, 2008.

- 1) Case No 2008-19 Conditional Use Permit, Site Plan, and design review of a new billboard and pole sign for an existing self storage business (U-Store it) at 6491 Maple Avenue.

- 2) Case No 2008-47 Review of resolution No 2008-47 denial of Conditional Use Permit to expand the dining area of an existing bar (Michael's Sports Pub & Grill) Located at 15192 Goldenwest Street.

4. PUBLIC HEARINGS

4.1 FY 2007-08 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) (109-04)(08)

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

SINCE THERE WERE NO SPEAKERS IN FAVOR OR IN OPPOSITION ON THIS MATTER, MAYOR RICE CLOSED THE PUBLIC HEARING.

Motion was made by Mayor Pro Tem Quach, and seconded by Council Member Ta to approve the FY 2007-08 Consolidated Annual Performance and Evaluation Report for the Community Development Block Grant Program (CDBG) and the HOME Investment Partnerships Act Grant Program (HOME) and authorized the City Manager to transmit this report to the U. S. Department of Housing and Urban Development (HUD) by September 29, 2008. The motion carried by a 5-0 vote.

4.2 JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE WESTMINSTER REDEVELOPMENT AGENCY TO CONSIDER THE ADOPTION OF A MITIGATED NEGATIVE DECLARATION PERTAINING TO THE PROPOSED AMENDMENT TO THE CITY'S INFRASTRUCTURE REVITALIZATION PLAN AND CASE NO. 2008-45 (DESIGN REVIEW) PERTAINING TO THE DEVELOPMENT OF A THREE-STORY 98,715 SQUARE FOOT POLICE STATION AND ADJACENT FOUR LEVEL, 600 CAR PARKING STRUCTURE. LOCATION: 8200 WESTMINSTER BOULEVARD (WESTMINSTER CIVIC CENTER). (201-00)(CN 2008-45)

Doug Mclsaac, Community Development Director gave a brief overview and PowerPoint presentation on this item. He informed the Council that there is one technical correction that Hodege and Associates will clarify.

Cheryl Hodge, Hodge and Associates informed the Council that there is an addition of a Mitigation Measure for the Transportation Traffic Section of the Mitigated Negative Declaration which will read, "Prior to the occupancy of the new Westminster Police Department the recommended applicable improvements identified for the intersection of Hazard Avenue and Newland Street which includes a protected left turn arrow shall be implemented as identified in the traffic study prepared by KOA Corporation dated July 23, 2008 supplemental study and the original report dated September 2005."

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

Speaking in favor:

Crystal Wadsworth, Director of Westminster Chamber of Commerce
Frances Nguyen, Golden Trophy and Awards
John Stupar, Westminster resident

Reasons for support:

- Public Safety
- Current Police Facility's poor condition and numerous maintenance problems

Darrell Nolta, Westminster resident expressed his concerns to the comments made by Caltrans in the Mitigated Negative Declaration.

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

Speaking in opposition:

Vivian Kirkpatrick-Pilger, Westminster resident spoke in regards to Item 1.6 on the Consent Calendar and questioned the relation between the Geotechnical Services and the Mitigated Negative Declaration.

Council Member Marsh responded by informing Mrs. Kirkpatrick-Pilger that the purpose of the Mitigated Negative Declaration is to address the environmental impacts of a project upon the community.

THERE BEING NO FURTHER SPEAKERS, MAYOR RICE CLOSED THE PUBLIC HEARING.

Mayor Pro Tem Quach stated that Item 1.6 on the Consent Calendar for Geotechnical Services is pertaining to the soil study for the parking structure area and the soil on the ground where the police facility will be built. He stated that it has no impact to the surrounding community and it is not included in the Mitigated Negative Declaration.

Motion was made by Council Member Marsh, and seconded by Council Ta to adopt Resolution No. 4188 entitled, "A Resolution of the Mayor and City Council of the City of Westminster adopting a Mitigated Negative Declaration for the proposed amendment to the Infrastructure Revitalization Plan and proposed police station and adjoining parking structure (Case No. 2008-45)"

The motion carried by the following vote:

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

Motion was made by Agency Member Marsh, and seconded by Agency Member Ta to adopt Resolution No. 194 entitled, "A Resolution of the Westminster Redevelopment Agency adopting a Mitigated Negative Declaration for the proposed amendment to the Infrastructure Revitalization Plan and proposed police station and adjoining parking structure (Case No. 2008-45)"

The motion carried by the following vote:

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

Motion was made by Council Member Marsh, and seconded by Council Member Ta to adopt Resolution No. 4189 entitled "A Resolution of the Mayor and City Council of the City of Westminster approving Case 2008-45, Design Review, for the construction of a 98,715 square foot police station and adjoining four level 600-stall parking structure at 8200 Westminster Boulevard (Assessor's Parcel Number 097-080-42)"

The motion carried by the following vote:

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

4.3 JOINT PUBLIC HEARING OF THE CITY COUNCIL AND WESTMINSTER REDEVELOPMENT AGENCY ON THE PROPOSED 2008 AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE WESTMINSTER INFRASTRUCTURE REVITALIZATION PROJECT (IRP). (903-09)

RECOMMENDATION: Staff recommends that the **Chair and Agency Board** adopt Resolution No. 195 entitled, "A Resolution of the Westminster Redevelopment Agency approving and adopting the Report to the City Council on the 2008 Amendment to the Redevelopment Plan for the Westminster Infrastructure Revitalization Project (Amendment Area No. 5)."

RECOMMENDATION: Staff recommends the **Mayor and City Council** adopt Resolution No. 4190 entitled, "A Resolution of the Mayor and City Council of the City of Westminster acknowledging receipt from the Redevelopment Agency of the City of Westminster of the Proposed 2008 Amendment to the Redevelopment Plan for the Westminster Infrastructure Revitalization Project (Amendment Area No. 5) and the Report to the City Council Concerning the Amendment."

Felise Acosta, Rosenow Spevacek Group, Inc. gave an overview of the item. She read the language of the proposed amendment. Section 520 of the IRP Redevelopment Plan is to be amended to specifically state, "1. To create an exception to the three-year limit on the term of indebtedness for financing new police facilities that serve as a headquarters or major command station for the police department and related facilities and improvements, and a Civic Center parking structure: and 2. To eliminate the requirement that the three-year limit on

the term of indebtedness can be amended only by a unanimous vote of the City Council's entire membership eligible and qualified to vote." She in council that the Public Hearing will be heard for the purposes of receiving testimony on the proposed amendment. She stated that due to the fact that two written objections have been received, the Ordinance will not be able to be introduced at this time. The Ordinance will be introduced at the October 8, 2008 City Council Meeting.

Tami Piscotty, Assistant to City Manager informed the Council that the first reading for the Ordinance will be on October 8, 2008 and the second reading will be on October 22, 2008.

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

Steve Dietsh, Best, Best and Krieger suggested that the following two items be included as part of the administrative record. The Affidavit of Publication of the Notice of Public Hearing in the newspaper; and the Affidavit of Mailing of the Notice of Public Hearing to all affected tax entities. Mr. Dietsh also requested that the Chair order that the testimony from Item 4.2 be incorporated with this Public Hearing.

Speaking in favor:

Sandra McClure, Westminster Chamber of Commerce
Owen Eames, Westminster resident
Barbara Eames, Westminster resident
Darrell Nolta, Westminster resident

Reasons for support:

- Current Police Facility (limited workspace, poor condition)
- Extension of the three-year cap on the New Police Facility

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

Speaking in opposition:

Vivian Kirkpatrick-Pilger, Westminster resident
Judy Ahrens, Westminster resident

Reasons for opposition:

- Majority vote being amended to a 3-2 vote
- Possibility of corruption
- The IRP was adopted with a three-year debt limitation, and not with the exception of the three-year debt limitation for the New Police Facility and Parking Structure.

IN REBUTTAL:

Owen Eames, Westminster resident agrees with the 5-0 unanimous vote.

THERE BEING NO FURTHER SPEAKERS, MAYOR RICE CLOSED THE PUBLIC HEARING.

Council Member Marsh stated that the two issues that Council was concerned about when adopting the original IRP was the water system that included the Hefley incident in 1998 and the second one was "Pavement Management Plan" which stated that every residential street would be repaved every seven years.

Council Member Marsh requested that Item Number 1 on page 2 of the background materials be amended to say that this exception only applies to this new police station/headquarters and its associated parking facility as outlined in the mitigated negative declaration that was approved in Item 4.2.

He also requested that Item Number 2 on page 2 of the background materials which reads "To eliminate the requirement that the three-year limit on the term of indebtedness can be amended only by a unanimous vote of the City Council's entire membership eligible and qualified to vote" be eliminated in its entirety.

Motion was made by Council Member Marsh, and seconded by Council Member Fry to adopt Resolution No. 195 amended as stated previously to modify the provision on the enabling language, "indebtedness for financing the new police station/headquarters and associated parking structure identified in the mitigated negative declaration" and eliminating any modification of the unanimous 5 out of 5 vote requirement, and adopting the Report for the Westminster Infrastructure Revitalization Project (Amendment Area No. 5) and identical modification on Resolution No. 4190 entitled, "A Resolution of the Mayor and City Council of the City of Westminster acknowledging receipt from the Redevelopment Agency of the City of Westminster of the Proposed 2008 Amendment to the Redevelopment Plan for the Westminster Infrastructure Revitalization Project (Amendment Area No. 5) and the Report to the City Council Concerning the Amendment."

Mayor Pro Tem Quach asked for clarification from staff what "other facilities" means. Police Chief Hall responded by saying that the "other facilities" would be an offsite evidence storage or a firing range if decided to be added.

Steve Dietsh, Best, Best and Krieger asked for clarification of Council Member Marsh's proposed amended language.

Council Member Marsh stated that Item Number 1 should read "To create an exception to the three-year limit on the term of indebtedness for financing the new police station/headquarters and the associated new parking structure as identified in the mitigated negative declaration.

Mayor Rice said that the Council is not adopting Resolution No. 195, because it needs to be amended and brought back on October 8, 2008. Mayor Pro Tem Quach agreed that the Resolution needs to be brought back.

The motion carried by the following vote:

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

RECESS AND RECONVENE:

At 9:44 p.m., Mayor/Chair Rice recessed the City Council/Redevelopment Agency Meeting, and reconvened the meeting at 10:04 p.m. All members were present.

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

Council Member Ta commended the Westminster Chamber of Commerce for a job well done on the Taste and Tour of Little Saigon. He also thanked the Westminster Police Department for providing excellent service to the community.

Council Member Ta commented on Darell Nolta's concerns in regards to trash and suggested that staff provide workshops and City ordinances that are related to trash to business owners to help them understand the benefits of having a clean environment.

Mayor Rice stated that a policy may have to be put into place that would allow the City to fine business owners that have trash around their business.

Council Member Marsh informed Council that he attended an Orange County Fire Authority meeting in which they discussed the 9-1-1 experience that an ambulance provider must have. He also spoke in regards to neighborhood party noise and the ability to communicate with neighbors by notifying the neighborhood ahead of time that there will be a party will decrease the number of phone calls to the Police Department.

Mayor Pro Tem Quach informed Council that he has visited a few business owners and warned them of the awareness of trash in the area.

Council Member Fry spoke in regards to phone calls that he has received in regards to large trash items that are being left on the street and not being picked up. He also spoke in regards to the stop signs within the City and expressed that he would like to have reflecter tape placed on poles so they are more visable.

Mayor Rice stated that she attended the Taste and Tour of Little Saigon and said that she enjoyed it. She also spoke in regards to the new police facility and the trash issues in Little Saigon.

5.2 AB 1234 Reports

Council Member Fry reported that he attended a Public Cable Television Conference in Georgia.

5.3 Request from Mayor Rice to borrow \$8,000 for up to sixty (60) days from the \$75,000 funds appropriated by the City Council to the Rose Center Foundation.

Motion was made by Council Member Fry, and seconded by Council Member Ta to loan the Rose Center Foundation \$8,000 for up to sixty (60) days from the \$75,000 funds that were appropriated by the City Council to the Rose Center Foundation.

Council Member Marsh expressed his concerns with loaning the money to the Rose Center Foundation.

A substitute motion was made by Mayor Pro Tem Quach, and seconded by Council Member Fry to honor the request by the Mayor for a one time loan of \$8,000. Any future requests will require that documents be submitted to the City Finance/Personnel Departments such as personnel documents so the City Council can verify the amount to be distributed for payroll.

Mayor Rice corrected Mayor Pro Tem Quach that the money is not being used for payroll but for State Workman's Compensation.

Council Member Marsh requested that a couple of provisions be added such as clarifying that the loan is an interest free loan with a due date of May 31, 2009.

The maker and second to the motion agreed to the provisions proposed by Council Member Marsh.

The motion carried by the following vote:

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

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR**6.1 Acceptance of Federal Grant for Asian Criminal Enterprise Initiative. (109-06)**

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

- 1) Accept the Federal Grant for the Asian Criminal Enterprise Initiative in the amount of \$335,380 awarded to the Westminster Police Department;

- 2) Amend the Fiscal Year 2008-09 adopted budget by designating Fund 251 Asian Criminal Enterprise Initiative Grant (a new fund) for anticipated grant revenues (Account No. 39400-34098) in the amount of \$335,380; and
- 3) Amend the Fiscal Year 2008-09 adopted budget to increase budgeted expenditures for the Asian Criminal Enterprise Fund (Fund 251).

The motion carried by a 5-0 vote.

6.2 I-405/Beach Boulevard/Edinger Avenue Improvements Project and Goldenwest Street Bridge Widening. (613-09)

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

- 1) Authorize \$1.4 million in federal funds, as well as \$1.0 million in Measure M funds, acquired by Westminster for Beach/Edinger improvements, be forwarded to OCTA to implement the improvements as part of the I-405 Widening Project; and
- 2) Authorize \$1.43 million in Measure M funds, acquired by Westminster for the Goldenwest Bridge widening, be forwarded to OCTA to widen the bridge as part of the I-405 Widening Project.

The motion carried by a 5-0 vote.

6.3 Appointment of a City Council Member for the Orange County Transportation Authority's Central County Corridor Major Investment Study. (103-03)(08)

Motion was made by Mayor Pro Tem Quach, and seconded by Council Member Marsh to appoint Council Member Ta to represent the City on the Orange County Transportation Authority's Central County Corridor Major Investment Study. The motion carried by a 5-0 vote.

6.4 (City/Agency) Contractual Plan Check Services for the New Police Station and Parking Structure. (502-13)

Motion was made by Agency Member Marsh, and seconded by Agency Member Ta to approve a budget transfer in the amount of \$90,000 from the Redevelopment Operating Fund Contingency to the Capital Improvement Project-Police Facility Construction.

Motion was made by Council Member Marsh, and seconded by Council Member Ta to authorize a purchase order in an amount not to exceed \$90,000 for Melad & Associates to provide plan check services for the new police station and parking structure.

The motion carried by a 5-0 vote.

6.5 The League of California Cities' 2008 Conference Resolutions. (112-09)

Motion was made by Mayor Pro Tem Quach, and seconded by Council Member Ta to direct the City's Voting Delegate(s) to support the bylaw amendments, except for the addition of the Caucuses to the Board of Directors with voting rights, as recommended by staff.

1) Resolution Relating to League Bylaws Amendments

RECOMMENDATION: Approve, except for the amendment which would allow the League Board of Directors to provide voting rights to any self-described Caucus.

2) Resolution Relating to the 2-1-1 California Telephone System

RECOMMENDATION: Approve.

3) Resolution Relating to Environmental Quality Policy Committee

RECOMMENDATION: Approve.

4) Resolution Relating to Comprehensive Statewide Water Infrastructure Plan

RECOMMENDATION: Approve.

Council Member Marsh stated that he agrees with staff's recommendation for numbers 1, 2 & 4. He said that he would give discretion to the spokesperson who will be voting on number 3 unless they are comfortable in taking staff's recommendation.

The motion carried by the following vote:

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

7. WRITTEN COMMUNICATIONS (Public) – None**8. LEGISLATIVE ITEMS****8.1 (Redevelopment Agency) Resolution No. 196 – Reimbursement to Westminster Redevelopment Agency for Certain Qualified Cost Associated with the Tax-Exempt Tax Allocation Bonds to Finance the Construction of the Police Facility. (107-07)**

Motion was made by Vice Chair Quach, and seconded by Agency Member Ta to adopt Resolution No. 196 entitled, "A Resolution of the Westminster Redevelopment Agency regarding reimbursement of qualified expenditures from bond proceeds on projects for the Agency's Westminster Commercial Redevelopment Project No. 1."

The motion carried by the following vote:

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

9. COMMISSION AND COMMITTEE ITEMS

9.1 Request to Install Parking Restrictions on the West Side of Brookhurst Street, South of Bishop Place – T.C. 76-154. (608-02)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the recommendation of the Traffic Commission and adopt Resolution No. 4186 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 West Side of Brookhurst Street, South of Bishop Place".

Mayor Pro Tem Quach recused himself from this item because he lives within 500 feet of the proposed area.

Darrell Nolta, Westminster resident spoke in opposition to the installation of parking restrictions in that area because parking is limited.

Mayor Rice requested to get the minutes from the Traffic Commission meeting in which this item was heard.

Motion was made by Council Member Ta, and seconded by Mayor Rice to defer this item until October 8, 2008.

The motion carried by the following vote:

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

10. COUNCIL/AGENCY ADJOURNMENT: At 10:39 p.m., Mayor/Agency Chair Rice adjourned the meeting to Wednesday, October 8, 2008 at 6:00 p.m. in the Council Chambers, 8200 Westminster Boulevard, Westminster CA for the purpose of an update on the progress of the new police facility.

Amanda Jensen, Assistant City Clerk/
 Acting Agency Secretary