

"Approved by the City Council/Redevelopment Agency Board on November 12, 2008"

CITY COUNCIL/REDEVELOPMENT AGENCY WESTMINSTER, CALIFORNIA  
MINUTES OF AN ADJOURNED REGULAR MEETING October 8, 2008

The City Council/Agency Board of the City of Westminster, California convened on October 8, 2008 at 5:30 p.m. in an Adjourned Regular Meeting in the Council Conference Room, 8200 Westminster Boulevard, Westminster, California.

**5:30 P.M.:**  
**CLOSED SESSION**

**CALL TO ORDER:** 5:30 p.m.

**ROLL CALL:**

PRESENT: RICE, QUACH, FRY (arrived at 5:45 p.m.), MARSH (arrived at 5:45 p.m.),  
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 54957:  
Public Employment: City Manager

**RECESS:** At 5:58 p.m., Mayor Rice recessed the meeting held in the Council Conference Room

**6:00 P.M.**

**RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING**

Mayor Rice reconvened the meeting in the Council Chambers at 6:05 p.m.

**ROLL CALL:**

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

**SALUTE TO FLAG:** Mayor Pro Tem Quach

**ORAL COMMUNICATIONS - None**

1. **Update on Progress of New Police Facility and Civic Center Parking Structure (402-08)**

**RECOMMENDATION:** Staff recommends that the Mayor and City Council receive staff's presentation and provide direction regarding Design Development and project budget for the new police facility and Civic Center parking structure.

Cory Tickton, (DMJM H&N, Inc.) gave an update on the site and landscape design of the New Police Facility and also gave an introduction to the interior design.

Melinda Wood, Katherine Spitz and Associates gave an update on the landscaping.

Mayor Rice expressed her disappointment that there is not a lot of color in the plants and roses that are proposed for the east side of the Police Facility facing the Rose Center.

Council Member Marsh requested that muted colored roses be placed along the east side of the Police Facility. He suggested that the Mayor be presented with the choice of four or five different types of roses that the City doesn't already have on the grounds so she can decide.

Council Member Marsh asked if there were any indigenous plants incorporated with the landscaping. Mrs. Wood responded by saying that there are not any indigenous plants included. Council Member Marsh requested that a few indigenous plants be incorporated.

Mr. Tickton gave a brief overview of what the main lobby and the atrium of the New Police Facility will look like.

Roger Torriero, Griffin Structures, Inc. informed Council that the budget for the New Police Facility is an all inclusive budget. It includes direct costs, indirect costs and all of the costs of interior, fixtures, electronics, etc and third party costs. He also spoke in regards to the condition of the soil that the new police facility will be built on.

**RECESS:** At 6:54 p.m., Mayor Rice recessed the meeting held in the Council Chambers.

**7:00 P.M.**

**RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING**

Mayor Rice reconvened the meeting in the Council Chambers at 7:05 p.m.

**ROLL CALL:**

**PRESENT:** RICE, QUACH, FRY, MARSH, TA

**ABSENT:** NONE

**SALUTE TO FLAG:** Mayor Pro Tem Quach

**INVOCATION:** Council Member Marsh

**REPORT OUT OF CLOSED SESSION – None****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. 4.1 - CASE NO 2008-47 – CONDITIONAL USE PERMIT – REVIEW OF THE PLANNING COMMISSION'S DENIAL OF CASE NO. 2008-47, AN APPLICATION FOR A CONDITIONAL USE PERMIT TO EXPAND THE DINING AREA OF MICHAEL'S SPORTS PUB & GRILL LOCATED AT 15192 GOLDENWEST STREET (201-00)(CN 2008-47)**

A fax from Raul Da Costa, Michaels Sports Pub & Grill to Mayor Rice dated October 3, 2008, received in the City Clerk's office on October 7, 2008, informing of their inability to continue with the expansion of their restaurant and requesting withdrawal of their CUP application.

**Legislative Items**

**ITEM NO. 8.1 - (CITY/AGENCY) PROPOSED 2008 AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE WESTMINSTER INFRASTRUCTURE REVITALIZATION PROJECT (IRP). (903-09)**

A memo dated October 7, 2008 from Stephen Deitsch, Best Best & Krieger to City Manager Ray Silver recommending that the *Report to the City Council for the 2008 Amendment to the Redevelopment Plan for the Westminster Infrastructure Revitalization Project* be updated to reflect the exact Plan Amendment language as directed by the Mayor and City Council on September 24, 2008.

**Commission and Committee Items**

**ITEM NO. 9.1 - TRAFFIC COMMISSION REQUEST TO INSTALL PARKING RESTRICTIONS ON THE WEST SIDE OF BROOKHURST STREET, SOUTH OF BISHOP PLACE – T.C. 76-154. (608-02)**

A letter from Miriam Warne dated September 29, 2008 and received on October 6, 2008 in favor of painting the curb on the west side of Brookhurst Street red from Bishop to the fire hydrant south of Bishop.

**ITEM NO. 9.2 - REQUEST TO ACCEPT THE COUNTY'S PROPOSAL FOR THE BOLSA AVENUE TRAFFIC ABATEMENT PROJECT --T.C. 08-101 (607-08)**

A memo to the Mayor and City Council from Johanna Susi dated October 8, 2008 with citizen concerns with the proposed pedestrian bridge.

A letter to the Mayor and City Council from Nguyen Hung dated October 8, 2008 in regards to the proposed pedestrian bridge.

Mayor Rice requested that Item No. 4.1 be moved forward on the agenda at this time.

- 4.1 CASE NO 2008-47 – CONDITIONAL USE PERMIT – REVIEW OF THE PLANNING COMMISSION’S DENIAL OF CASE NO. 2008-47, AN APPLICATION FOR A CONDITIONAL USE PERMIT TO EXPAND THE DINING AREA OF MICHAEL’S SPORTS PUB & GRILL LOCATED AT 15192 GOLDENWEST STREET (ASSESSOR’S PARCEL NUMBER: 143-383-13); APPLICANT: YURI OSIPOV; BUSINESS OWNER: MICHAEL STRICKLEN; PROPERTY OWNER: GOLDENWEST SPECIALTY CENTER AND LUKO MANAGEMENT. (201-00)(CN 2008-47)**

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4192 entitled: “A Resolution of the Mayor and City Council of the City of Westminster Upholding the Planning Commission’s Action to Deny the Expansion of Michael’s sports Pub & Grill Located at 15192 Goldenwest Street (Assessors Parcel Number 143-383-13) (Case No 2008-47).”

**Motion was made by Mayor Rice**, and seconded by Council Member Ta to remove Item Number 4.1 per the request submitted by Raul Da Costa, Michaels Sports Pub & Grill. The motion carried by a 5-0 vote.

#### **SPECIAL PRESENTATIONS:**

- A. The Mayor and City Council presented a Resolution of Commendation to Dr. Thanh Duc Nguyen, owner of Knowlwood Enterprises, Inc. for being recognized by the U. S. Small Business Administration as the California Small Business Person of the Year. (115-00)(08)
- B. The Mayor and City Council presented a Resolution of Commendation to Westminster Toastmaster Club #4232. (115-00)(08)
- C. The Mayor and City Council recognized the Recognition of Westminster Soroptimist and the Senior Center Foundation for their contribution to the Project SHUE Program. (115-00)(08)
- D. The Mayor and City Council presented a Resolution of Commendation to Nguyen Hung. (115-00)(08)
- E. The Westminster Police Department presented Certificates of Completion to participants of the Community Emergency Response Training (CERT). (115-00)(08)

#### **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 27, 2008.**

ACTION: Approved.

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

ACTION: The Mayor and City Council denied claims against the City from:

- a) Cuc Thi Tran in the amount of \$500,000.00.
- b) Nancy Sparks-Gunnell in the amount of \$6,208.99.
- c) Brian Perez in an unknown amount.
- d) Thomas Liodas in the amount of \$3,000,000.00.
- e) Wayne Welch in the amount of \$1,000.00.

**1.3 Proclamation declaring October, 2008 as Arts and Humanities Month in the City of Westminster. (115-08)(08)**

ACTION: Approved.

**1.4 Acceptance of Easement Deed for 8111 18<sup>th</sup> Street. (401-05)**

ACTION. The Mayor and City Council accepted an Easement Deed for the subject property, and authorized the City Clerk to record the deed with the County Recorder's Office.

**1.5 Fuel Island Dispensers, Phase I and Phase II EVR Upgrade at the Corporation Yard. (603-02)**

ACTION: The Mayor and City Council rejected all bids.

**1.6 Traffic Signal Maintenance Agreement with the City of Fountain Valley. (502-06)**

ACTION: The Mayor and City Council approved the Traffic Signal Maintenance Agreement with the City of Fountain Valley for the shared jurisdictions of traffic signals at Edinger Avenue/Bushard Street, Edinger Avenue/Magnolia Street, Magnolia Street/Foxglove, and Magnolia Street/Heil Avenue; and authorized the City Manager to execute the agreement on behalf of the City.

**1.7 Change Order with All American Asphalt and Notice of Completion for work performed for Street Improvement Project for Fiscal Year 2008-2009 at various locations – Project No. PROP 42 08-09. (502-01)**

ACTION: The Mayor and City Council:

- 1) Approved an increase of \$13,216.91 to Purchase Order No. 5269 to All American Asphalt; and
- 2) Accepted the subject project and authorized the City Clerk to file a Notice of Completion with the County Recorder's Office. **ORDINANCES (SECOND READING)/RESOLUTIONS**

- 1.8 (Agency) Resolution No. 198 – A Resolution of the Westminster Redevelopment Agency Authorizing Official Signatures on Behalf of the Agency for Safekeeping Agency Property and Authorizing Facsimile Signatures for Instrument of Payment. (105-13)

ACTION: The Chair and Agency Board adopted Resolution No. 198.

**ADMINISTRATIVE ITEMS**

- 1.9 Fee Waiver request from the Asians for Miracle Marrow Matches to conduct a Blood and Bone Marrow Registration Drive in the East/West room of the Community Services Building on December 7, 2008 from 9:00 a.m. to 4:00 p.m. (702-06)

ACTION: The Mayor and City Council approved the fee waiver request as outlined in the fee waiver policy for use of City facilities by Community Groups/Non-Profit Organizations.

**WARRANT REGISTER**

- 1.10 (City Council/Redevelopment Agency) Warrant Register dated September 17-30, 2008. (105-09)(08)

ACTION: Approved.

**INFORMATION AND REPORTS**

- 1.11 Minutes of the Planning Commission meeting held September 3, 2008 (104-11)

ACTION: Received and filed.

- 1.12 Minutes of the Energy Committee meeting held July 3, 2008. (104-07)

ACTION: Received and filed.

**Motion was made by Council/Agency Member Ta**, and seconded by Mayor Pro Tem/Vice Chair Quach to approve the Consent Calendar. The motion carried by a 5-0 vote.

**END OF CONSENT CALENDAR**

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**2. ORAL COMMUNICATIONS**

Anna Kryzhanousky, Midway City resident who resides in transitional housing requested information on permanent housing.

Judy Ahrens, Westminster resident spoke in regards to Bond Measure O and expressed concerns that Westminster residents are not attending school in the Westminster School District.

Vaughn Becht, Westminster resident spoke in regards to Bond Measure O and expressed his concerns in regards to the increase of property taxes.

Robert Sternberg, Huntington Beach resident expressed his concerns in regards to Michael's Sports Bar and Grill. (Item No. 4.1 on agenda)

Steven Nelson, Huntington Beach resident expressed his concerns in regards to Michael's Sports Bar and Grill and the increased traffic that the expansion would have created if it were approved.

Richard Moore, Huntington Beach resident expressed his concerns in regards to Michael's Sports Bar and Grill. He submitted a 25 page petition with signatures of homeowner's that surround the establishment. (201-00)(CN 2008-47)

Darrell Nolta, Westminster resident spoke in regards to the Public Hearing that will be held on November 12, 2008 in regards to the proposed water rate increase. He also spoke in regards to the relationship between the Orange County Sherriff's Department and the City of Westminster and Mobile ID.

Vivian Kirkpatrick-Pilger, Westminster resident reminded everyone of the Founder's Day Parade and Festival which will be held on October 24<sup>th</sup> – 26<sup>th</sup>. She also spoke in regards to the Water Rate Structure and the street improvements in her neighborhood.

**3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW – None.**

**4. PUBLIC HEARINGS**

**4.2 WEED ABATEMENT – FALL 2008 (618-01)(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:

- 1) Overrule any objections received for the abatement of the weeds, and
- 2) Adopt Resolution No. 4191 entitled: "A Resolution of the Mayor and City Council of the City of Westminster determining and declaring that certain weeds are growing upon certain streets, sidewalks, parkways, and private property in the City of Westminster, and rubbish and refuse have been

deposited upon sidewalks, parkways and private property in the City, and that the same are a public nuisance; ordering and directing the City Manager to have said weeds destroyed and to have rubbish and refuse removed as required by law".

The motion carried by the following vote:

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

**4.3 (CITY/AGENCY) JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE WESTMINSTER REDEVELOPMENT AGENCY TO CONSIDER THE ADOPTION OF RESOLUTIONS APPROVING THE CONVEYANCE OF CERTAIN REAL PROPERTY LOCATED AT 13931 CEDAR STREET AND THE APPROVAL OF THE DISPOSITION AND DEVELOPMENT AGREEMENT FOR HABITAT FOR HUMANITY OF ORANGE COUNTY, INC. AFFORDABLE HOUSING PROJECT. (502-08)**

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

Council/Agency Member Marsh asked what the length and width of each of the driveways are and what the dimensions are for the two car garages.

Mark Korando, Habitat For Humanity of Orange County, Inc., informed the Council that the drawings are only schematic at this point. He stated that the drawn interior dimensions are 20 x 20 and the driveway is 20 x 20.

Doug McIsaac, Community Development Director informed the Council that the proposed driveway and garage dimensions will conform to the City's standards.

Council/Agency Member Marsh asked what the availability of parallel parking on the street. The Community Development Director responded by saying that there is enough room for one vehicle on the curb, which is in compliance with the zoning requirements.

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

Mark Korando, Habitat for Hummanity of Orange County, Inc. spoke in favor of this item. He informed the Council that the Habitat for Hummanity has never built anything without a two car garage.

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

**Motion was made by Mayor Pro Tem Quach, and seconded by Council Member Ta, to adopt Resolution No. 4194, entitled: "A Resolution of the City Council of the City of Westminster approving the conveyance of certain real property (Assessor's Parcel No. 096-083-017) from the Westminster Redevelopment Agency to Habitat for Humanity of Orange County, Inc. pursuant**

to that certain Disposition and Development Agreement by and between the Westminster Redevelopment Agency and Habitat for Humanity of Orange County, Inc. and making certain findings required by law"; and

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

- 1) Adopt Resolution No. 197, entitled: " A Resolution of the Westminster Redevelopment Agency approving the conveyance of certain real property (Assessor's Parcel No. 096-083-017) from the Westminster Redevelopment Agency to Habitat for Humanity of Orange County, Inc. pursuant to that certain Disposition and Development Agreement by and between the Westminster Redevelopment Agency to Habitat for Humanity of Orange County, Inc. and making certain findings required by law"; and
- 2) Approve the allocation and provision of \$166,050 of Redevelopment Low-Mod Housing Funds from the Capital Improvement Project Account No. 18602-034011 to Habitat for Humanity of Orange County, Inc. for the project to be located at 13931 Cedar Street; and
- 3) Authorize the Executive Director and Agency Secretary to execute the Disposition and Development Agreement with Habitat for Humanity of Orange County, Inc. and all documents necessary to implement the Disposition and Development Agreement for the development of an affordable workforce housing project.

Agency Member Marsh requested that additional terms be added to the Development Agreement. He would like for it to state that no garages be built no smaller than 20 ft by 20 ft interior dimensions nor will the driveways be smaller than 20 ft by 20 ft. He would also like another provision added to state that the minimum amount of parallel parking required by the Municipal Code not be deviated from for this project.

The maker of motion and the second to the motion agreed to the proposed changes requested by Agency Member Marsh.

Vice Chair Quach requested that if the entitlement should fall through on this project the property would be deeded back to the Agency immediately.

The motion carried by the following vote:

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

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

### 5.1 Council/Agency Member Items

Council Member Ta reminded everyone of the Founder's Day Parade and Celebration that will be held on October 24<sup>th</sup> – 26<sup>th</sup>.

Council Member Marsh expressed his excitement for the Founder's Day Celebration.

Council Member Fry spoke in regards to a phone call he received complaining about pigeons being fed on the corner of Westminster Avenue and Goldenwest Street. He also urged the residents to research the bond measures on the November ballot before voting.

Mayor Rice stated that she went on a day trip with the seniors and had a good time. She also informed the Council that she received a phone call in regards to Bowling Green Park and a project that was started a year ago and is still not completed. Mayor Rice requested staff to look into the status of this project.

Mayor Rice also informed the Council that she is in the process of looking into bringing an Urgent Care into the City, and urged Council support in this task.

## 5.2 AB 1234 Reports

Council Member Ta, Council Member Fry and Mayor Pro Tem Quach reported that they attended the California League of California Cities Conference in Long Beach.

## 6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

### 6.1 Acceptance of Federal Grant for Orange County Human Trafficking Task Force. (502-21)

Darrell Nolta, Westminster resident spoke in regards to Human Trafficking and expressed his support of the Federal Grant. He expressed his concerns that Human Trafficking is a silent crime in Orange County and feels that the residents need to be informed of this issue.

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

- 1) Accept the Federal Grant for the Orange County Human Trafficking Task Force (OCHTTF) in the amount of \$650,000 awarded to the Westminster Police Department.
- 2) Amend the FY 2008-09 adopted budget by designating Fund 252 Orange County Human Trafficking Task Force (OCHTTF) Grant for anticipated grant revenues (Account No. 39110.34098) in the amount of \$650,000.
- 3) Amend the FY 2008-09 adopted budget to increase budgeted expenditures for Fund 252.

The motion carried by a 5-0 vote.

## 7. WRITTEN COMMUNICATIONS (Public) – None

## 8. LEGISLATIVE ITEMS

### 8.1 (City/Agency) Proposed 2008 Amendment to the Redevelopment Plan for the Westminster Infrastructure Revitalization Project (IRP). (903-09)

Felise Acosta, Rosenow Spevacek Group, Inc. noted a change to Section 520 on page 12 of the text submitted to Council that reads;

"Notwithstanding any term or provision herein to the contrary, the Agency may incur long term-debt (with a repayment term greater than three years) for the financing of a new police station headquarters and associated parking structure as identified in that certain Mitigated Negative Declaration (Case No. 2008-45) prepared for the project and adopted by the City Council on September 24, 2008, or for the purposes of refunding such bonds or notes.

The total outstanding principal of any bonds or notes so issued (other than bonds or notes issued to finance the new police station headquarters and associated parking structure as identified in that certain Mitigated Negative Declaration (Case No. 2008-45) prepared for the project and as adopted by the City Council on September 24, 2008, or bonds or notes issued to refund such bonds or notes)....."

Council Member Marsh stated that the word "only" is missing from the language and shall read;

"....(with a repayment term greater than three years) only for the financing of a new police station headquarters..."

**Motion was made by Agency Member Ta**, and seconded by Agency Member Marsh to:

- 1) 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)" with modifications.

The motion carried by the following vote:

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

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

- 1) 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.”

The motion carried by the following vote:

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

- 2) Adopt Resolution No. 4195 entitled, “A Resolution of the Mayor and City Council of the City of Westminster adopting the written responses to the written objections pursuant to Health and Safety Code Section 33363.

The motion carried by the following vote:

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

- 3) Introduce Ordinance No. 2436 entitled, “An Ordinance of the Mayor and City Council of the City of Westminster to approve and adopt Amendment No. 2 to the Redevelopment Plan for the Infrastructure Revitalization Project Area,” and waive further reading.

The motion carried by the following vote:

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

## 9. COMMISSION AND COMMITTEE ITEMS

### 9.1 Traffic Commission Request to Install Parking Restrictions on the West Side of Brookhurst Street, South of Bishop Place – T.C. 76-154. (Continued from the September 24, 2008 meeting) (608-02)

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

Mayor Rice informed Council that she has a letter that she received from Miriam Warne in which she requested that the parking restrictions be put into effect.

Council Member Marsh read the letter received from Miriam Warne.

Darrell Nolta, Westminster resident spoke in opposition to this item. He expressed his concerns in regards to the parking issues on Brookhurst and feels that the parking restrictions will not properly deal with the problem with the semi-trucks that park there.

Council Member Fry spoke in regards to the laws that enforce the parking of oversized trucks.

Council Member Marsh spoke in regards to the parking issues within the proposed area.

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

- 1) 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"; and
- 2) Direct staff to develop an enforcement strategy intended to reduce city-wide illegal truck parking.

The motion carried by the following vote:

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

**9.2 Request to Accept the County's Proposal for the Bolsa Avenue Traffic Abatement Project --T.C. 08-101 (607-08)**

RECOMMENDATION: Staff recommends that the Mayor and City Council consider the recommendation of the Traffic Commission to accept the County's proposal for the Bolsa Avenue Traffic Abatement Project (a pedestrian bridge over Bolsa Avenue between Magnolia Avenue and Bushard Street).

Council Member Ta recused himself from this item because he lives within 500 feet of the potential site of the proposed bridge.

The City Attorney explained that until the proposed bridge has an exact location, Council Member Ta has an ongoing conflict of interest.

Marwan Youssef, Director of Public Works/City Engineer gave a brief PowerPoint presentation.

Council Member Marsh asked how many times per hour the light cycles for pedestrian traffic to cross the street. Mr. Youssef responded by saying that it is a 90 second cycle.

Council Member Marsh asked whether or not the County of Orange would reallocate the money to another project within the First District if the Council does not approve the bridge. Mr. Youssef responded by saying yes.

Speaking in favor:

Dr. Long Pham, O. C. Board of Education  
Alin Hamade, Westminster resident  
Trong Doan, Westminster resident  
Chung Vu

Reasons for support:

- Traffic Relief on Bolsa Avenue
- Pedestrian safety
- Bridge will be a landmark in the City

Speaking in opposition:

Darrell Nolta, Westminster resident  
Quynh "Quinn" Nguyen, Westminster resident

Reasons for opposition:

- Improper use of Project 1B funds
- Project is not on the priority list of projects in the City that need to be completed
- ADA requirements are not clear
- Possible increase of pedestrian crossing violations and increased police enforcement in the area
- Maintenance costs
- Liability of bridge

Jack Lomasney, Westminster resident suggested that the City look into putting a tunnel underground instead of the bridge.

Council Member Marsh asked County staff whether or not they did a comparison of cost benefits of this proposed project as compared to other possible uses of Project 1B money?

Ignacio Ochoa, County of Orange Chief Engineer responded by saying that comparison of cost benefits was not done. He informed the Council that the allocation of Project 1B funds was divided in five ways to the County within each District. Once the funds were distributed the County staff researched projects within those districts that needed to be done. He stated that the proposed bridge was not recommended by County staff.

Council Member Marsh asked Mr. Ochoa whether or not traffic and pedestrian counts had been completed. Mr. Ochoa responded by saying yes.

Council Member Marsh also asked whether or not the County had received a list of other projects that are substantially less money than what the bridge would cost. Mr. Ochoa confirmed that the County had received the list of projects

Mayor Pro Tem Quach said that he read in the Orange County Register that he is opposed to the bridge. He stated that he has never been in favor or opposed to the bridge. He expressed his concerns in regards to the project, reiterating that he is not opposed to the bridge. He does not agree with the name "Freedom Bridge".

Mayor Rice does not agree with the fact that the City has to purchase the land and be responsible for the maintenance. The only thing the County is doing is building the bridge.

Council Member Fry doesn't want the City to give up the Project 1B funds, but does not feel that the bridge is the best project for the funds. He does not feel the City can afford to buy the land for the bridge.

Council Member Marsh expressed his concerns in regards to the bridge. He feels that the money could be used for other projects in the City that needs to be completed. He stated that if the Council decides not to approve the bridge and Supervisor Nguyen takes the money and gives it to another City that is fine. He would like to see the money go towards a project that will be the most useful for the area as a whole.

Mayor Rice stated that she supported the concept of the bridge in the beginning, but is disappointed that because there were no negotiations in regards to the responsibility of the bridge, the Council cannot support the project.

Mayor Pro Tem Quach requested that no action be taken. He would like to see Supervisor Nguyen reallocate the funds to another project within the City.

Mayor Rice suggested that the money be used for pocket parks in the City or given to the senior citizens in the City.

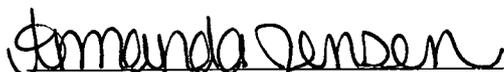
**Motion was made by Mayor Pro Tem Quach,** and seconded by Council Member Marsh to receive and file.

The motion carried by the following vote:

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

Mayor Rice requested that a letter be sent to Supervisor Nguyen thanking her for the consideration of giving the Project 1B funds to the City and explaining why the Council cannot support the bridge.

- 10. **COUNCIL/AGENCY ADJOURNMENT:** Mayor/Agency Chair Rice adjourned the meeting at 10.29 p.m.

  
Amanda Jensen, Assistant City Clerk/  
Acting Agency Secretary