

"Approved by the City Council/Redevelopment Agency Board on December 10, 2008"

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

**WESTMINSTER, CALIFORNIA  
November 12, 2008**

The City Council/Agency Board of the City of Westminster, California convened on November 12, 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:** 6:30 p.m.

**ROLL CALL:**

**PRESENT:** RICE, QUACH (arrived at 6:50 p.m.), 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 Real Property Negotiator pursuant to Government Code Section 54956.8: Property: 5400 Garden Grove Boulevard; Agency Negotiator: Executive Director Ray Silver and Assistant to the City Manager Tami Piscotty; Negotiating Party: Mellanie Ingle (Giant Inland Empire RV); Under Negotiation: Price and Terms of Payment.

**RECESS:** At 6:55 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 7:00 p.m.

**ROLL CALL:**

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

**SALUTE TO FLAG:** Council Member Fry

**INVOCATION:** Council Member Ta

**REPORT OUT OF CLOSED SESSION – None**

**SPECIAL PRESENTATIONS – 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.

**Urgent Item**

An Urgent Item requesting that the City apply for Proposition 1B 2008-2009 FY Funds for Street Improvements. (604-10)

**Consent Calendar**

**Item No. 1.7 – Easement Deed to Orange County Flood Control District for a Portion of Land located at the Southeast Corner of Hazard Avenue and Hoover Street. (401-36)**

A more detailed Exhibit B provided by the Orange County Flood Control District for the subject Easement Deed.

**Public Hearing**

**Item No. 4.4 – Proposed Water Service Rate Increase for Fiscal Year 2008-09. (610-01)**

A PowerPoint presentation on the Proposed Water Rate Adjustment.

**Motion was made by Council Member Marsh, and seconded by Council Member Fry to add the Urgent Item requesting that the City apply for Proposition 1B 2008-09 FY Funds for Street Improvements under Written Communications. The motion carried by a 5-0 vote.**

**1. CONSENT CALENDAR****APPROVAL OF MINUTES**

**1.1 (City Council/Redevelopment Agency) Minutes of the Regular Meetings of the City Council/Redevelopment Agency of September 10, 2008 and October 8, 2008.**

ACTION: Approved.

**ROUTINE MATTERS**

**(ITEM REMOVED AND HEARD SEPARATELY)**  
**1.2 Claims Against The City (119-02)**

RECOMMENDATION: Staff recommends the Mayor and City Council deny claims against the City from:

- a) Michael Tamaki in the amount of \$428.58
- b) Laura Gaddis in the amount of \$168.83

- c) Nicholas Mercurio in the amount of \$312.00
- d) Angel Rivera in the amount of \$1,200.00
- e) Michelle Hsieh in the amount of \$2,407.17

Council Member Marsh requested that Item 1.2 "B" be pulled for further review and be resolved promptly.

**Motion was made by Council Member Marsh**, and seconded by Council Member Ta to deny all of the claims except for "b" and direct staff to resolve the issue and expedite payment from the contractor to the claimant. The motion carried by a 5-0 vote.

**1.3 Approval of Donated Space Agreement with the County of Orange, Social Services Agency. (502-15)**

ACTION: The Mayor and City Council approved the Donated Space Agreement with the County of Orange, Social Services Agency, and authorized the City Manager to execute the agreement on behalf of the City.

**1.4 Grant Funded Purchase of Office Furniture for the Little Saigon Police Substation. (502-13)**

ACTION: The Mayor and City Council approved an agreement with McMahan Business Interiors in the amount of \$36,500.00 for the purchase and installation of office furniture for the Little Saigon Police Substation, and authorized the City Manager to execute the agreement on behalf of the City.

**1.5 (Agency) Owner Participation Agreement with Giant Inland Empire RV. (502-07)**

ACTION: The Chair and Agency Board approved the Owner Participation Agreement with Giant Inland Empire RV, a California corporation, dba Giant RV, and authorized the Chair to execute the Agreement on behalf of the Agency.

**1.6 Nullify and Void Covenant and Agreement to Hold Property as One Parcel for Two Lots Located at 14181 Frances Street, Approximately 950' South of the Intersection of Westminster Boulevard and Rancho Road. (deferred from the October 22, 2008 meeting) (502-32)**

ACTION: The Mayor and City Council accepted the subject document, and authorized the City Clerk to record the document with the County's Recorder's Office.

**1.7 Easement Deed to Orange County Flood Control District for a Portion of Land located at the Southeast Corner of Hazard Avenue and Hoover Street. (401-36)**

ACTION: The Mayor and City Council authorized an Easement Deed for the subject location.

**ORDINANCES (SECOND READING)/RESOLUTIONS**

- 1.8 Ordinance No. 2435 - An Ordinance of the Mayor and City Council of the City of Westminster Amending Title 16 (Subdivisions) of the Westminster Municipal Code Establishing Requirements for Park Dedication In-Lieu Fees to be Paid Prior to Issuance of a Building Permit. (201-00)(CN 2008-27)**

ACTION: The Mayor and City Council adopted Ordinance No. 2435 and waived further reading.

#### **ADMINISTRATIVE ITEMS**

- 1.9 Fee Waiver Request from the Vietnamese American Pharmacy Student Association to Conduct a Medicare Part-D Outreach Event in the A/B Room of the Community Services Building on December 11, 2008 from 12:00 p.m. until 6:00 p.m. (702-06)**

ACTION: The Mayor and the 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.

- 1.10 Fee Waiver Request from Boy Scouts and Girl Scouts for Use of the East/West Room at the Community Center. (702-06)**

ACTION: The Mayor and City Council approved the request for a Court of Honor event at the Community Center on Sunday, December 21, 2008 from 11 am-5 pm.

- 1.11 Fee Waiver Request from the American Cancer Society to Hold Their Monthly Meetings in the Craft Room of the Community Services Building Every Third Tuesday of the Month for Eight Months from 6:00 p.m. to 7:30 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**

- 1.12 (City Council/Redevelopment Agency) Warrant Register dated October 15, 2008 through November 4, 2008. (105-09)**

ACTION: Approved.

#### **INFORMATION AND REPORTS**

**1.13 Review of the January 30, 2008 issued Conditional Use Permit (Case No. 2007-71) Allowing the Sale and Consumption of Beer and Wine (Alcoholic Beverage Control Type 41 License) at an Existing Restaurant, Taco Grill,**

**Located at 8481 Heil Avenue (Assessor's Parcel Number 107-511-01); Property Owner: Taihong Inc.; Applicant: Jorge M. Navarro. (201-00)(CN 2007-71)**

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

**1.14 Minutes of the Energy Committee Meeting held October 2, 2008. (104-07)**

ACTION: Received and filed.

**1.15 Annual Financial Reports. (105-06)(08)**

ACTION: The Mayor/Chair and City Council/Agency Board accepted the financial reports for the fiscal year ending June 30, 2008.

**1.16 Treasurer's Report – September 2008. (105-08)(08)**

ACTION: Received and filed.

**1.17 Minutes of the Traffic Commission Meeting held on September 30, 2008. (104-12)**

ACTION: Received and filed.

**Motion was made by Council/Agency Member Fry, and seconded by Mayor Pro Tem/Vice Chair Quach to approve the Consent Calendar with the exception of Item No. 1.2 which was removed for separate consideration. The motion carried by a 5-0 vote.**

**END OF CONSENT CALENDAR**

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**2. ORAL COMMUNICATIONS**

Diana Carey, Westminster resident/Chairperson for the 405 Expansion Committee gave an update on the 405 Expansion project.

Terry Lebo, Westminster resident spoke in regards to the semi truck parking issues along Brookhurst Street. He handed out and referred to Section 10.44.250 of the Westminster Municipal Code.

Judy Ahrens, Westminster resident spoke in regards to the campaign signs throughout the City. She also spoke in regards to "popping" of the campaign signs and suggested that the City form a Character Development Program. She also complained about the uncleanliness of the vacant property located at Westminster Boulevard and Springdale Street.

Darrell Nolta, Westminster resident thanked the City Manager for his attention to the trash issue along Brookhurst Street. He spoke in regards to Orange County Transportation Authority and the proposed fare increase. He also expressed his concerns in regards to the increase of sales tax. Mr. Nolta commended Council Member Marsh on his years of service on the City Council.

### **COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW –**

#### **3.1 The actions of the Planning Commission meeting, November 5, 2008.**

The Planning Manager reviewed the actions of the Planning Commission meeting of November 5, 2008.

- 1) 2006-56 Conditional Use Permit to establish and operate a used automobile, truck and recreational vehicle (RV) sales, leasing and rental business at 7185-7195 Westminster Boulevard.
- 2) 2008-15 Site Plan and Design Review to demolish an existing chapel and replace it with a new single story chapel building at Westminster Memorial Park located at 7801 Bolsa Avenue.
- 3) 2008-48 Conditional Use Permit, Site Plan, and Design Review to expand Magnolia Animal Hospital in order to accommodate a new boarding room, employee lounge, and an indoor kennel. Located at 16421 Magnolia Street.
- 4) 2008-19 Conditional Use Permit, Site Plan, and Design Review to review resolution memorializing the action of the Planning Commission approving a billboard adjacent to the San Diego Freeway on a property containing a self storage business (U-Store It). Located at 6491 Maple Avenue.
- 5) 2007-05 Conditional Use Permit 6 month review of an existing restaurant (L8 Restaurant) located at 15380 Beach Boulevard.

**Motion was made by Mayor Pro Tem Quach**, and seconded by Council Member Ta, to receive and file the oral report of the Planning Commission meeting of November 5, 2008. The motion carried by a 5-0 vote.

#### **4. PUBLIC HEARINGS**

- 4.1 (AGENCY/CITY) CASE NO 2008-19 – CONSIDERATION OF AN APPEAL BY THE MAYOR AND CITY COUNCIL OF THE PLANNING COMMISSION'S APPROVAL OF AN APPLICATION FOR A CONDITIONAL USE PERMIT, SITE PLAN AND DESIGN REVIEW TO ALLOW THE CONSTRUCTION OF A NEW BILLBOARD AT 6491 MAPLE AVENUE (ASSESSOR'S PARCEL NUMBER: 195-292-10); APPLICANT: WEALTHY VENTURES INC. DBA AVANT OUTDOOR ADVERTISING; PROPERTY OWNER: YSI XXVI L.P. (201-00)(CN 2008-19)**

**RECOMMENDATION:** Staff recommends that the **Chair and Agency Board** not grant consent for the placement of the proposed display within the boundaries of the Redevelopment Project, pursuant to the State of California, Department of

Transportation's requirement that the Redevelopment Agency approve and certify such a location.

**RECOMMENDATION:** Staff recommends that the **Mayor and City Council** adopt Resolution No 4199 entitled: "A Resolution of the Mayor and City Council of the City of Westminster overturning the Planning Commission's decision thereby denying a Conditional Use Permit, Site Plan, and Design Review for a billboard sign, located at 6491 Maple Avenue (Assessor's Parcel Number: 195-292-10) (Case No. 2008-19)."

Art Bashmakian, Planning Manager gave a brief PowerPoint presentation on the proposed item.

Council Member Ta asked how many billboards are located within the City. Mr. Bashmakian responded by saying about seven or eight.

Council Member Ta also asked whether or not the City has done a negative impact study on billboards within the City. Mr. Bashmakian responded by saying no.

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

Bart Kasperowicz, representative of applicant spoke in favor of the proposed billboard.

Council Member Marsh asked whether or not the applicant has received authorization from the property owner to amend the General Plan from residential to industrial.

Jacko Luong, applicant spoke in favor of the proposed billboard. He informed Council that he does have permission from the property owner in his lease to change the General Plan Amendment.

Crystal Wadsworth, Westminster Chamber of Commerce spoke in favor of this item. She feels that it will help the economy and bring business to the City of Westminster.

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

Darrell Nolta, Westminster resident spoke in opposition to the proposed billboard. He expressed his concerns of the second billboard at the subject property which is illustrated on the drawing.

Mr. Bashmakian informed Council that there will only be one billboard and one skirted pole sign on the subject property. He went over the dimensions of the billboard sign with the Council.

Judy Ahrens, Westminster resident spoke in opposition to the item.

## IN REBUTTAL:

Crystal Wadsworth, Westminster Chamber of Commerce spoke in rebuttal to this item. She feels that the billboard will help the businesses and feels it will help bring money to the City.

Bart Kasperowicz, representative of applicant stated that this billboard is not directly benefiting the applicant; it will help benefit and promote businesses within the City.

Jacko Luong, applicant submitted the lease to the Council for their review.

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

Council Member Marsh said that after review of the lease agreement, it appears that the applicant does not have the ability to approve the General Plan Amendment on behalf of the property owner for the entire property but only for the specific limited use area.

Council Member Ta said that he feels that the billboard would benefit the City and its businesses indirectly.

Council Member Fry expressed his concerns with the longevity of the billboard. He stated that he is against the billboard unless there is a lease that outlines the longevity of it.

Mayor Pro Tem Quach expressed his concerns that the billboard is being approved without the General Plan Amendment. He stated that he is in favor of the billboard and does believe that it will benefit the City. He suggested that the Council review each time that the billboard is transferred to another owner.

**Motion was made by Vice Chair/Mayor Pro Tem Quach**, and seconded by Agency/Council Member Ta to approve the applicant's request for a billboard and impose a condition of a ten year debt line, subject to the City Council's extension, and to have the City Attorney to review the condition to verify its legality. In the future, if a General Plan Amendment be pursued, it should include all of the adjoining parcels.

Council Member Marsh clarified that the advertising on the billboard would only be for the City of Westminster.

The motion carried by the following vote:

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

- 4.2 **CASE NO 2008-52 – CONSIDERATION OF AN APPEAL BY THE MAYOR AND CITY COUNCIL REGARDING THE PLANNING COMMISSION'S APPROVAL OF A REQUEST TO AMEND A CONDITIONAL USE PERMIT TO EXTEND THE HOURS OF OPERATION OF AN EXISTING RESTAURANT (CITRYST) FROM ITS CURRENT HOURS OF 11:00 AM TO 10:00 PM DAILY, TO 8:00 AM TO 12:00 MIDNIGHT DAILY WITH THE FURTHER CONDITION THAT THE SERVICE OF ALCOHOLIC BEVERAGES (BEER AND WINE) BE LIMITED TO THE HOURS OF 10:30 AM TO 11:00 PM. THE RESTAURANT IS LOCATED AT 15440 BROOKHURST STREET; APPLICANT: MY-DUNG (AMANDA) NGUYEN; PROPERTY OWNER: SBL PROFESSIONAL REALTY. (201-00)(CN 2008-52)**

Art Bashmakian, Planning Manager gave a brief overview of the item.

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

Darrell Nolta, Westminster resident spoke in opposition to this item, since there are already six beer and wine licenses in that area.

Mayor Pro Tem Quach informed Mr. Nolta that at the time of the application for the beer and wine license there were only five in the area. He suggested that a condition be added for a six month review.

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

Mayor Pro Tem suggested that the hours of serving be extended to 12:00 midnight with a closing of 12:30 a.m.

Mayor Pro Tem Quach asked the Chief of Police whether or not he would support the serving time be extended to 12:00 midnight? Andy Hall, Chief of Police stated that there is no opposition to the applicant's position because there is no basis for it.

**Motion was made by Mayor Rice**, and seconded by Mayor Pro Tem Quach to adopt Resolution No 4200 as amended, to read as follows, "A Resolution of the Mayor and City Council of the City of Westminster upholding the Planning Commission's approval of a request to amend a Conditional Use Permit to allow the restaurant to open at 8:00 AM and close at 12:30 AM daily with a condition of approval limiting the sale of beer and wine to between the hours of 10:30 AM and 12:00 Midnight daily at an existing restaurant (Citryst), with a Type 41 ABC license for on-sale of beer and wine, located at 15440 Brookhurst Street in an established commercial center". (Case No. 2008-52)", and subject to a six month review.

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 AMENDMENT OF THE AGENCY'S 2004-09 IMPLEMENTATION PLAN TO INCLUDE THE "AFFORDABLE HOUSING STRATEGY AND TEN-YEAR HOUSING COMPLIANCE PLAN." (203-01)**

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.

Council Member Marsh commended staff on their efforts on the Affordable Housing Strategy and Ten-Year Housing Compliance Plan.

**Motion was made by Council Member Marsh**, and seconded by Council Member Ta to adopt Resolution No. 4198, entitled: "A Resolution of the Mayor and City Council of the City of Westminster Approving the Affordable Housing Strategy and Ten-Year Compliance Plan for the City of Westminster".

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. 199, entitled: "A Resolution of the Westminster Redevelopment Agency Approving the Amendment of the 2004-09 Implementation Plan for the Westminster Commercial Redevelopment Project Area No. 1 to include the Affordable Housing Strategy and Ten-Year Housing Compliance Plan".

The motion carried by the following vote:

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

**4.4 PROPOSED WATER SERVICE RATE INCREASE FOR FISCAL YEAR 2008-09. (610-01)**

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4193 entitled, "A Resolution of the Mayor and City Council of the

City of Westminster rescinding Resolution No. 4128 and adopting Administrative Rules and Regulations for the City Water System, Pursuant to the Municipal Code".

Marwan Youssef, Public Works Director/City Engineer gave a brief PowerPoint presentation on this item.

Mayor Rice directed staff to look into what is the "MWD Bond Fee" that is attached to the Southern California Edison bill.

Council Member Marsh stated that if an increase to the fixed component needs to be justified with a demonstration of what all of the costs were for the fixed component and what all the new costs will be for the fixed component.

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

Gary Burton, Westminster resident spoke in opposition to the water service rate increase. He requested a breakdown of costs including the wages and equipment repair. He inquired about the water in the City and whether or not it contains grey water.

Ray Silver, City Manager explained the process that the water goes through which is called secondary treatment process. He recommended that Mr. Burton take a tour of the Orange County Sanitation District to see the process.

Dale Bradberry, Westminster resident spoke in opposition to this item, because he feels that the increase is not in the best interest of the economy.

Darrell Nolta, Westminster resident spoke in regards to the discrepancy in the calculations of the proposed increase. He requested that the Council provide him with a chart with the structure of the fund for the last seven years.

Lee Lieberg, Westminster resident also expressed his concerns with the calculations of the proposed increase and feels that the City should be able to pump out of their own wells.

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

Ray Silver, City Manager stated that the MWDOC increase of 12% should be added to the OCWD increase of 5% for the total increase of 17%.

Council Member Marsh questioned the formula that was used to generate the recommended increase.

**Motion was made by Council Member Marsh, and seconded by Council Member Ta to take no action at this time and have a Study Session on Wednesday, December 3, 2008 at 6:00 p.m. in the Council Chambers and defer the item to Wednesday, December 10, 2008 at 7:00 p.m. to take action. Mayor**

Rice also requested that the information be advertised on WTV-3 and a Press Release sent to the Newspapers.

The motion carried by a 5-0 vote.

Mayor Rice said she would like for the Ad Hoc Water Rate Committee to be reinstated.

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

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

Mayor Pro Tem Quach thanked the residents for participating in the Election.

Council Member Fry thanked the residents for re-electing him.

Council Member Ta congratulated Council Member Fry on his re-election. He thanked Tami Piscotty and Rosemary Valdovinos for their hard work on the Farmer's Market at the Westminster Mall parking lot. He also proposed that the City have an Expo that illustrates what the City does.

Council Member Marsh thanked the residents for participating in the Election. He spoke in regards to the success of the Farmer's Market opening. He also spoke in regards to the Founder's Day Parade and Celebration.

Mayor Rice expressed her appreciation to Tami Piscotty and Rosemary Valdovinos for their hard work on the Farmer's Market. She also stated that she attended Legislative Day and thanked Chet Simmons for all of his help.

### **5.2 AB 1234 Reports – None**

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

### **6.1 Holiday Decorating Contest – Judge. (701-01)**

**Motion was made by Council member Marsh, and seconded by Council Member Ta to designate Council Member Marsh and Penny Loomer to serve as judges for the Annual Holiday Decorating Contest scheduled for Monday, December 8, 2008 at 5:45 p.m. The motion carried by a 5-0 vote.**

### **6.2 (Agency) Amendment No. 1 to the Exclusive Negotiation Agreement with AMCAL Multi-Housing, Inc. for the Development of Affordable Workforce Housing Located at 280 Hospital Circle, (APN 096-251-017). (502-01)**

Ray Silver, City Manager stated that the request is for an extension of time with the applicant to negotiate the deal.

Council Member Marsh requested that in the future when new language is being proposed that the old language be included as well. He also expressed his concerns of parking at this site. He feels that specific dedicated spaces be assigned to each unit, such as two spaces per unit rather than having festival

parking. He would also like to see that more parking become available for guest parking.

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

- 1) Adopt Resolution No. 200 entitled "A Resolution of the Westminster Redevelopment Agency approving the terms and conditions, and authorizing the Executive Director to execute, Amendment No. 1 to the Exclusive Negotiation Agreement with AMCAL Multi-Housing, Inc."
- 2) Authorize the Executive Director to execute and implement Amendment No. 1 to the Exclusive Negotiation Agreement with AMCAL Multi-Housing, Inc.

The motion carried by the following vote:

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

**6.3 (Agency) Westminster Redevelopment Agency Commercial Façade Improvement Program. (906-03).**

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

- 1) Approve the Westminster Redevelopment Agency Commercial Façade Improvement Program; and
- 2) Authorize the Executive Director to approve and execute the Commercial Façade Improvement grant applications on behalf of the Westminster Redevelopment Agency.

The motion carried by a 5-0 vote.

**7. WRITTEN COMMUNICATIONS**

**(URGENT ITEM)**

**7.1 Request to Apply for Proposition 1B 2008-2009 FY Funds for Street Improvements. (604-10)**

Marwan Youssef, Public Works Director/City Engineer explained that Prop 1B funds in the amount of \$187 billion just became available two days ago, and are allocated first come first serve basis. He stated that the City Council has already received \$1.4 million in Proposition 1B funds for FY 2007-2008.

**Motion was made by Council Member Marsh,** and seconded by Mayor Pro Tem Quach to approve the submittal of two applications to secure 2008/09 FY Proposition 1B funds for the improvement of the following streets:

- 1. Goldenwest Street from Trask Avenue to Garden Grove Boulevard
- 2. Bushard Street from Westminster Boulevard to Hazard Avenue

The motion carried by a 5-0 vote.

**8. LEGISLATIVE ITEMS –None.**

**9. COMMISSION AND COMMITTEE ITEMS**

**9.1 Request to Install Parking Restrictions at 13612 Milton Avenue – T. C. 80-112. (608-02)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the recommendation of the Traffic Commission and adopt Resolution No. 4201 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 East Side of Milton Avenue, North of the End Curb Return at Milton Avenue and Westbridge Avenue."

Darrell Nolta, Westminster resident expressed that by having the City red-zone a curb is not solving the problem.

Marwan Youssef, Public Works Director/City Engineer informed the Council that staff is recommending denial of this item.

Alin Hamade, Traffic Commissioner spoke in regards to the item and explained that the resident is requesting four feet on each side of the driveway to be red-curbed.

**Motion was made by Mayor Pro Tem Quach, and seconded by Council Member Ta to approve as originally recommended by staff that no parking restrictions be imposed on subject site.**

The motion carried by the following vote:

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

**10. COUNCIL/AGENCY ADJOURNMENT:** Mayor/Agency Chair Rice adjourned the meeting at 10:37 p.m.

  
 Amanda Jensen, Assistant City Clerk/  
 Acting Agency Secretary