

"Approved by the City Council/Redevelopment Agency Board on July 22, 2009"

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

**WESTMINSTER, CALIFORNIA
June 10, 2009**

The City Council/Agency Board of the City of the Westminster, California convened on June 10, 2009 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, TA, FRY, QUACH, DIEP (Arrived at 6:45 p.m.)
ABSENT: NONE**

CLOSED SESSION

- 1) Conference with Real Property Negotiator pursuant to Government Code Section 54956.8: Property: 202-210 Hospital Circle; Agency Negotiator: Don Lamm, Executive Director and Doug Mclsaac, Assistant Executive Director; Negotiating Party: Pasha Dardashian (MedPlus Commercial); Under Negotiation: Price and Terms of Payment.
- 2) Pursuant to Government Code Section 54957: Public Employee Discipline/Dismissal/Release.

RECESS: At 7:08 p.m., Mayor Rice recessed the meeting held in the Council Conference Room.

7:00 P.M.

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

The City Council/Redevelopment Agency Meeting reconvened at 7:12 p.m. in the Council Chambers.

ROLL CALL

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

SALUTE TO FLAG: Mayor Pro Tem Ta

INVOCATION: Council Member Fry

**(ITEM WAS TAKEN OUT OF ORDER)
SPECIAL PRESENTATIONS**

- A. The Mayor and City Council presented the 10-year, 15-year, 20-year, 25-year, 30-year, 35-year, and 40-year service pins to City employees.

REPORT OUT OF CLOSED SESSION:

Dick Jones, City Attorney reported that as legal counsel for the City, he will advise to the employee involved procedure that will follow Council conducting the personnel hearing at the next Council meeting.

REPORT FROM CITY CLERK ON LATE COMMUNICATION ITEMS

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

A memo dated June 10, 2009 was received from Andrew Hall, Chief of Police, with modifications to the recommended actions to Items 6.3 and 6.4 as follows:

Item 6.3 – Furniture Purchase Agreement for New Police Facility

Recommended Action: The City Attorney has recommended this item be deferred to the June 24th City Council meeting in order to incorporate contractual language from the U.S. Communities Government Purchasing Alliance Master Agreement No. RQ07-878957-20C as amended by the County of Orange Master Contract No. X1000000370. Certain terms and conditions contained in these documents form the basis for the "piggyback" pricing structure of the proposal submitted by Interior Office Solutions.

Item 6.4 – Recommendations for Award of Prime Contractors for the Westminster Police Facility Project

Recommended Action: First, Work Category No. 38, Plumbing, should be amended to reflect staff's updated recommendation adding it to the list of work categories requiring all bids be rejected and rebid pursuant to revised plans and specifications that clarify the intended scope of work. Second, it is recommended that Work Category No. 39, Heating Ventilating and Air Conditioning (HVAC), be removed from the June 10th agenda and be brought back to Council at the appropriate time. Contained in the original are copies of a bid protest letter and a rebuttal alleging the apparent low bidder may not be qualified to perform the requested services. The apparent low bidder has submitted a letter in rebuttal. The facts and appropriate law governing public bid protest procedures is currently under review.

Motion was made by Council Member Quach, and seconded by Council Member Fry to continue Agenda Item 6.3 - Furniture Purchase Agreement for New Police Facility and continue Agenda Item 4.2 – Consideration of an appeal (Case No. 2007-54) to the next Council meeting and to amend Agenda Item 6.4 – First, Work Category No. 38, plumbing to add it to the list of work categories requiring all bids be rejected and rebid pursuant to revised plans and specifications that clarify the intended scope of work. Second, that Work Category No. 39, Heating Ventilating and Air Conditioning, be removed from the agenda and brought back to Council at the appropriate time.

The motion carried by a 5-0 vote.

1. ORAL COMMUNICATIONS

David Davis, resident of Westminster, objected to the Traffic Commission's recommendation to allow parking on the West side of La Pat Place on Agenda Item 9.1.

Darrell A. Nolta, resident of Westminster, protested the current agenda format. He spoke in opposition to Citryst Restaurant items that were pulled from the May 13, 2009 and May 27, 2009 City Council meeting agendas. Mr. Nolta opposes the spending of taxpayer funds for the new Chamber of Commerce building due to the decline of the economy.

2. CONSENT CALENDAR

APPROVAL OF MINUTES

2.1 (City Council/Redevelopment Agency) Minutes of the Regular Meetings of the City Council/Redevelopment Agency of May 13, 2009 and May 27, 2009.

ACTION: Approved.

ROUTINE MATTERS

2.2 Award of Renewable Contract for Police and Animal Control Uniforms for Fiscal Year 2009-10. (502-07)

ACTION: The Mayor and City Council:

- 1) Approved the award of contract to provide Police and Animal Control uniforms to Galls, Inc. in an amount not to exceed \$35,000 for FY 2009-10 with an option to renew upon mutual agreement for two (2) one year intervals; and

- 2) Authorized the City Manager to execute the contract on behalf of the City; and
- 3) Authorized the Chief of Police to approve contract renewal options for FY 2010-11 and FY 2011-12.

2.3 Purchase Order to California Forensic Phlebotomy, Inc. for Police Related Blood Test Services for Fiscal Year 2009-10. (502-03)

ACTION: The Mayor and City Council authorized a purchase order to California Forensic Phlebotomy, Inc., a sole source vendor, in an amount not to exceed \$40,000 to provide police related blood test services.

2.4 Purchase Order to Huntington Court Reporters & Transcription, Inc. for Fiscal Year 2009-10. (502-08)

ACTION: The Mayor and City Council authorized a purchase order to Huntington Court Reporters & Transcription, Inc. in an amount not to exceed \$30,000 to provide transcription and foreign translation services.

2.5 (City/Agency) Rescind prior approval of payment to California Department of Finance for Fiscal Year 2008-09 Education Revenue Augmentation Fund (ERAF) Shift. (105-11)

ACTION: The Mayor/Chair and City Council/Agency Board rescinded the prior approval of a payment of \$2,498,095 (Two Million Four Hundred and Ninety Eight Thousand and Ninety Five Dollars) to the California Department of Finance.

2.6 Award of Contract for the Traffic Management Center Expansion Project. (502-08)

ACTION: The Mayor and City Council awarded a contract to Hana Tech Construction in the amount of \$64,260.00; rejected all other bids; and authorized the City Manager to execute the contract on behalf of the City.

2.7 Acceptance of Final Parcel Map Number 2008-185 for 13931 Cedar Street. (201-02 PM)

ACTION: The Mayor and City Council accepted Final Parcel Map No. 2008-185 and authorized the City Clerk to sign, seal and record the map with the County Recorder's Office.

2.8 Approval of Cooperative Agreement between the City of Westminster and the City of Garden Grove for the 08/09 Proposition 1B Street Improvements Project on Bushard Street from Hazard Avenue to Westminster Boulevard. (502-07)

ACTION: The Mayor and City Council approved the subject cooperative agreement with the City of Garden Grove and authorized the City Manager to execute the agreement on behalf of the City.

2.9 Award of Contract for Professional Audit Services. (502-04)

ACTION: The Mayor and City Council approved a three year contract with two optional renewal years for professional audit services with Diehl, Evans & Company, LLP in the amount of \$38,500 for fiscal year 2008-09, \$39,270 for the fiscal year 2009-10, and \$40,055 for the fiscal year 2010-11, and authorized the City Manager to execute the contract on behalf of the City.

2.10 (City/Agency) 2009 Statement of Investment Policy. (105-01)

ACTION: The Mayor/Chair and City Council/Agency Board approved the 2009 City of Westminster/Westminster Redevelopment Agency Statement of Investment Policy.

ORDINANCES (SECOND READING)/RESOLUTIONS

2.11 (Second Reading) Ordinance No. 2448 - An Ordinance of the Mayor and City Council of the City of Westminster Amending Chapter 2.68 (Personnel System) of the Westminster Municipal Code Excepting the City Clerk from the Classified Service. (101-09)

ACTION: The Mayor and City Council adopted Ordinance No. 2448 and waived further reading.

2.12 Resolution No. 4243 - A Resolution of the Mayor and City Council of the City of Westminster Authorizing the Dedication of Infrastructure Revitalization Program (IRP) Funds as a Source of Repayment to the Clean Water State Revolving Fund Program (CWSRF) for the Hazard Avenue Storm Drain Project. (609-05)

ACTION: The Mayor and City Council adopted Resolution No. 4243.

WARRANT REGISTER

2.13 (City Council/Redevelopment Agency) Warrant Register dated May 20, 2009 through June 2, 2009. (105-09) (2009)

ACTION: Approved.

INFORMATION AND REPORTS

- 2.14 Minutes of the Commission on Aging meeting held on March 9, 2009. (104-03) (2009)**

ACTION: Received and filed.

- 2.15 Minutes of the Community Services & Recreation Commission meeting held on February 18, 2009. (104-05) (2009)**

ACTION: Received and filed.

- 2.16 Minutes of the Planning Commission meeting held May 20, 2009. (104-11) (2009)**

ACTION: Received and filed.

- 2.17 Treasurer's Report - April, 2009. (105-08) (2009)**

ACTION: Received and filed.

Motion was made by Mayor Pro Tem Ta, and seconded by Council Member Fry to approve the Consent Calendar.

The motion carried by a 5-0 vote.

END OF CONSENT CALENDAR

3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

- 3.1 The actions of the Planning Commission meeting held on June 3, 2009.**

The Planning Manager reviewed the actions of the Planning Commission meeting of June 3, 2009.

- 1) Case 2008-60 Tentative Tract Map, Site Plan, and Design Review at 7381 Wyoming Street to construct five residential condominium units. Staff recommended approval.

Planning Commission Action: Approved 5-0. Appeal period ends June 19, 2009.

- 2) Case No. 2009-06 Design Review to construct a 23-foot high pylon sign, at 14501 Magnolia Street. Staff recommended approval of a monument sign instead of the proposal.

Planning Commission Action: It was determined 3-2 (Turro, Vo voting No) that a monument sign is appropriate instead of the pylon sign. Appeal period ends June 19, 2009.

4. PUBLIC HEARINGS

- 4.1 **CASE NO. 2009-14. ZONING TEXT AMENDMENT (ZTA) TO ALLOW LIMITED ENTERTAINMENT IN CONJUNCTION WITH A RESTAURANT, BAR, LOUNGE, CLUB, COFFEE SHOP OR ANY OTHER SIMILAR ESTABLISHMENT WITHOUT A CONDITIONAL USE PERMIT (CUP) SUBJECT TO DEVELOPMENT AND PERFORMANCE STANDARDS. THIS ITEM WAS ORIGINALLY SCHEDULED FOR THE MAY 13, 2009 COUNCIL MEETING, BUT WAS CONTINUED TO JUNE 10, 2009. (201-00 CN 2009-14)**

RECOMMENDATION: The Planning Commission recommends that the Mayor and City Council not introduce an ordinance amending the current zoning regulations to allow limited entertainment without the requirement for a conditional use permit (CUP). The Mayor and City Council, however, may also wish to consider the three options identified on Page 4 of the staff report.

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

Darrell A. Nolta, resident of Westminster, spoke in opposition of this amendment.

BEING THAT THERE WERE NO MORE SPEAKERS IN OPPOSITION, MAYOR RICE CLOSED THE PUBLIC HEARING.

Mayor Pro Tem Ta supports staff recommendation of Option 2.

Council Member Quach stated that the intent of this item was to help businesses add small entertainment to their establishments.

Motion was made by Council Member Quach, and seconded by Mayor Pro Tem Ta to allow limited entertainment uses subject to a new administrative use permit (AUP) and to direct staff to draft an alternative ordinance that would allow limited entertainment uses subject to an AUP.

The motion carried by the following vote.

AYES: RICE, TA, FRY, QUACH, DIEP
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

4.2 CONSIDERATION OF AN APPEAL OF THE PLANNING COMMISSION'S DENIAL OF CASE NO. 2007-54, A CONDITIONAL USE PERMIT, SITE PLAN AND DESIGN REVIEW REQUEST TO ALLOW THE ESTABLISHMENT AND OPERATION OF A RECREATIONAL VEHICLE STORAGE FACILITY LOCATED ON A SOUTHERN CALIFORNIA EDISON (SCE) UTILITY RIGHT-OF-WAY AT 7451 WESTMINSTER BOULEVARD (ASSESSOR'S PARCEL NUMBERS 096-062-27 AND 096-094-12). APPELLANT AND APPLICANT: MR. MICHAEL NEWMAN OF RVSA, LLC; PROPERTY OWNER: SOUTHERN CALIFORNIA EDISON. (201-00 CN 2007-54)

RECOMMENDATION: Staff recommends that the Mayor and City Council continue this matter to the June 24, 2009 meeting at 7:00 p.m., as requested by the applicant (request letter attached to). However, should the Mayor and City Council decide to conduct the hearing instead, staff recommends that the Mayor and City Council consider the appeal and either:

- A. Grant the appeal and overturn the Planning Commission's action and adopt Resolution No. 4235 entitled, "A Resolution of the Mayor and City Council of the City of Westminster Granting the Appeal and Overturning the Planning Commission's Decision to Deny Case No. 2007-54 Pertaining to a Conditional Use Permit, Site Plan and Design Review Request to Allow the Establishment and Operation of a Recreational Vehicle Storage Facility Located on a Southern California Edison Utility Right-of-Way at 7451 Westminster Boulevard."
- B. Deny the appeal and uphold the Planning Commission's action and adopt Resolution No. 4235 entitled, "A Resolution of the Mayor and City Council of the City of Westminster Denying an Appeal and Upholding the Planning Commission's Decision to Deny Case No. 2007-54 Pertaining to a Conditional Use Permit, Site Plan and Design Review Request to Allow the Establishment and Operation of a Recreational Vehicle Storage Facility Located on a Southern California Edison Utility Right-of-Way at 7451 Westminster Boulevard."
- C. Refer the matter back to the Planning Commission if new information is provided at the hearing that would warrant this action.

Motion was made by Council Member Quach, and seconded by Council Member Fry to continue this item to the June 24, 2009 meeting.

The motion carried by the following vote.

AYES: RICE, TA, FRY, QUACH, DIEP
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

4.3 NEIGHBORHOOD STABILIZATION PROGRAM FUNDING FROM THE STATE OF CALIFORNIA. (109-00)

Tami Piscotty, Housing Coordinator, informed Council that this was the third public hearing on this item as required to receive Federal funding.

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

Darrell A. Nolta, resident of Westminster, spoke in opposition of this item due to the economic state of the nation.

BEING THAT THERE WERE NO MORE SPEAKERS, MAYOR RICE CLOSED THE PUBLIC HEARING.

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

- 1) Receive public comments on the application for the Neighborhood Stabilization Program (NSP); and
- 2) Adopt Resolution No. 4244 entitled, "A Resolution of the Mayor and City Council of the City of Westminster approving an Application for Joint Funding with the City of Garden Grove and the Execution of a Grant Agreement and any Amendments thereto for the State of California Neighborhood Stabilization Program (NSP)".

The motion carried by the following vote.

AYES: RICE, TA, FRY, QUACH, DIEP
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

4.4 CONSIDERATION OF RESCINDING THE JULY 1, 2009 SUNSET DATE FOR THE WATER SERVICE RATE INCREASE. (610-01)

RECOMMENDATION: The Ad Hoc Water Rate Committee recommends that the Mayor and City Council rescind its action, taken at the December 10, 2008 meeting, to sunset on July 1, 2009, the water service rate increase.

Marwan Youssef, Public Works Director, provided a brief history on this item.

Mayor Pro Tem Ta stated that the City has to purchase water from a water agency. Therefore, if the water agency increases the water fee the water rate fee needs to be increased.

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

Phil Anthony, resident of Westminster, member of the Ad Hoc Water Rate Structure Committee, and elected Director for the Orange County Water District (OCWD), reassured the Council and citizens that staff is working very hard to bring in the lowest rate possible. The water rates have increased and will continue to increase. Two-thirds of the water is pumped, although the rates for the pumped water have not gone up, the amount allowed to pump has decreased. Mr. Anthony requested that Council approve the item to give the Committee time to provide the best water rate possible.

Lee Liebert, resident of Westminster and member of the Ad Hoc Water Rate Structure Committee, stated that the committee has met seven times over the last four months. He invited the public to attend the next Committee meeting on June 18, 2009 in City Hall. Mr. Liebert said that the fee schedule that the Committee will present to the Council will be as fair as it can be to everyone.

MAYOR RICE ASKED IF THERE WERE ANY PERSONS WISHING TO SPEAK IN OPPOSITION OF THIS ITEM.

Dale Bradbury, resident of Westminster, spoke against water rate increases. He said residents of the City of Tustin have rebates on water saving items and would like the City of Westminster to provide the same.

Darrell A. Nolta, resident of Westminster and member of the Ad Hoc Water Rate Structure Committee, said that at the December 10, 2008 public hearing, he opposed the rate increase because the numbers presented were not justified and he continues in opposition. Mr. Nolta believes that Committee is doing everything possible to come to a fair and equitable water rate structure. He feels that the public is not educated on the water rate structure issue. Mr. Nolta supports the current increase as it affects the bonds and encourages the Committee to complete their work on a fair and equitable water rate structure.

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

Mayor Rice said that in the seven meetings the Committee has had they have dissected the water rate structure. The Council is here to keep the City going and to represent the people of the City fairly.

Mayor Pro Tem Ta commended City staff, the Consultant and the Committee for their work on the water rate structure and is in favor of rescinding the sunset clause at this time.

Council Member Diep stated his concerns with the six-month time that has elapsed and still no water rate structure is in place, and expressed concern with the mailed public hearing notice which stated that the extension is indefinite.

Council Member Quach appreciates the work that staff and the Committee has done to come up with a new water rate structure. He requested a viable time frame for the completion of the water rate structure.

Marwan Youssef, Public Works Director, said that staff would bring the Committee's recommendation on the agenda of the first meeting in September.

Paul Espinoza, Finance Director, stated that the City budget has the current water rate. If the water rate is changed, then the City's bonds may be recalled.

Council Member Fry requested that the rate continue until the Committee can provide a new water rate structure.

Mayor Pro Tem Ta stated that the City will have to pay for the higher water rate whether or not the rate is rescinded. He requested that the Council provide the Committee the extra time needed to provide the new water rate structure.

Council Member Diep is open to continuing the fifteen percent increase until October or September to allow staff and the committee to provide the new water rate structure.

Motion was made by Mayor Pro Tem Ta, and seconded by Council Member Fry to continue the current water service rate through and including October 1, 2009.

The motion carried by the following vote.

AYES: RICE, TA, FRY, DIEP
NOES: QUACH
ABSENT: NONE
ABSTAIN: NONE

4.5 (CITY/AGENCY/AUTHORITY) ADOPTION OF THE BUDGET FOR THE 2009-10 FISCAL YEAR AND APPROPRIATION OF THE BUDGET FOR 2009-10. (105-03) (2009)

Don Lamm, City Manager, thanked the City Council, Paul Espinoza, Finance Director, Erin Backs, Finance Manager, and staff for their work on the City Budget. He is confident that the budget is a good one due to retirees leaving and department heads cutting their budgets. Mr. Lamm will provide updates every ninety days on the status of the State's budget. The City currently does not propose layoffs or reductions in salary.

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

Darrell A. Nolta, resident of Westminster, expressed his opposition to this budget. He opposes the increase of City fees and believes that the City should cut salaries. Mr. Nolta believes that the City should assess businesses to make sure that they are paying their fair share of sales tax. He requested clarification on the use of one-time funds totaling \$950,146.

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

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

- 1) Resolution No. 4237 entitled, "A Resolution of the Mayor and City Council of the City of Westminster adopting and appropriating the budget for the 2009-10 fiscal year." and
- 2) Resolution No. 4238 entitled, "A Resolution of the Mayor and City Council of the City of Westminster establishing the Article XIII B Appropriation Limit for the 2009-10 fiscal year."

The motion carried by the following vote.

AYES:	RICE, TA, FRY, QUACH, DIEP
NOES:	NONE
ABSENT:	NONE
ABSTAIN:	NONE

Motion was made by Authority Chair Rice, and seconded by Authority Member Quach to adopt Resolution No. 34 entitled, "A Resolution of the Westminster Public Financing Authority adopting and appropriating the City of Westminster Budget for the 2009-10 fiscal years."

The motion carried by the following vote.

AYES: RICE, TA, FRY, QUACH, DIEP
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Motion was made by Agency Chair Rice, and seconded by Agency Member Quach to adopt Resolution No. 206 entitled, "A Resolution of the Westminster Redevelopment Agency adopting and appropriating the budget for the 2009-10 fiscal year."

The motion carried by the following vote.

AYES: RICE, TA, FRY, QUACH, DIEP
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

Mayor Pro Tem Ta invited the public to attend the Flag Ceremony on June 15, 2009, the Mayor's Ball on June 20, 2009, and the new police facility groundbreaking on June 23, 2009.

Council Member Fry announced that Mike Dempsey of Midway City and Don Lick who started the Westminster Corral passed away last week.

Mayor Rice invited the public to the Mayor's Ball on June 20, 2009 at 5:00 p.m. at the Rose Center.

5.2 AB 1234 Reports – None

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 Transfer of Funds Seized Under the Department of Justice Asset Forfeiture Program for Purchase of Verizon Wireless Monthly Subscription Charges and T-1 Landline Charges and Maintenance. (105-12) (2009)

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

- 1) Authorize the transfer of funds from the Police Seizure Department of Justice (DOJ) Undesignated Unreserved Fund Balance to the DOJ Contractual-Other in the amount of \$27,000; and
- 2) Authorize a purchase order in an amount not to exceed \$20,000 to Verizon Wireless for twenty (20) Novatel PC cards and monthly access subscription service charges; and
- 3) Authorize a purchase order to Verizon Business Services in an amount not to exceed \$7,000 for T-1 landline charges and maintenance costs.

The motion carried by a 5-0 vote.

6.2 Award of Contract for City-Chamber of Commerce Building. (502-03)

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

- 1) Award a contract to the lowest qualified bidder, Camco Pacific Construction, Inc. in the amount of \$1,981,200, and authorize the City Manager to execute the contract on behalf of the City; and
- 2) Authorize a purchase order in the amount of \$2,179,320 from the approved funding for construction of the City-Chamber of Commerce building;

The motion carried by a 5-0 vote.

Motion was made by Mayor Rice, and seconded by Mayor Pro Tem Ta to approve Tuesday, June 30, 2009 at 5:30 p.m. as the date and time for the new Chamber of Commerce Building ground breaking.

The motion carried by a 5-0 vote.

6.3 Furniture Purchase Agreement for New Police Facility (502-09)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order to Interior Office Solutions in an amount not to exceed \$1,009,516 for the purchase and storage of office furniture for the new police facility by accessing government contractual pricing and terms of a competitively bid contract by the County of Orange.

Motion was made by Council Member Quach, and seconded by Council Member Fry to continue this item to the June 24, 2009 meeting.

The motion carried by a 5-0 vote.

6.4 Recommendations for Award of Prime Contractors for the Westminster Police Facility Project. (502-07)

Andy Hall, Police Chief, reminded the public of a decision that Council made a year ago that is saving them millions on the new Police building. Council allowed staff to move forward and request bids for materials and the price of materials has gone down due to the competition for business.

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

- 1) Award contracts to the twenty-four (24) listed qualified and responsive low bidders by trade in accordance to Section 3.7 of the Program Management Agreement for the Westminster Police Facility Project; and
- 2) Approve recommendations to reject certain low bids as either non-qualified, non-responsive or withdrawn in the designated categories and award contracts to the next lowest qualified and responsive bidder; and
- 3) Reject bids received in the Work Categories of Miscellaneous Metals, Coiling Doors, Floor Covering, Plumbing, and Window Treatment and reopening bids for these Work Categories.
- 4) Remove Work Category No. 39, Heating Ventilating and Air Conditioning, from the current agenda and bring back to Council at the appropriate time.

The motion carried by a 5-0 vote.

7. WRITTEN COMMUNICATIONS (Public) – None**8. LEGISLATIVE ITEMS – None**

9. COMMISSION AND COMMITTEE ITEMS**9.1 Request to Rescind Parking Restrictions on La Pat Place between Westminster Boulevard and Humboldt Street - T.C. 78-112 (608-02)**

RECOMMENDATION: The Traffic Commission recommends that the Mayor and City Council rescind Resolution No. 3009 and adopt Resolution No. 4242 entitled, "A Resolution of the Mayor and City Council of the City of Westminster providing for no parking or stopping on the east side of La Pat Place between Westminster Boulevard and Humboldt Street", which would allow parking on the west side of La Pat Place between Westminster Boulevard and Humboldt Street.

Marwan Youssef, Public Works Director, provided a brief history of this item. He informed Council that staff recommended rescinding parking on the West side of the street. The Traffic Commission recommends rescinding parking on the East side of the street.

David Davis, resident of Westminster, informed Council that the back of the apartments has an empty area that can be used for parking. The parking situation on La Pat Place is getting worse.

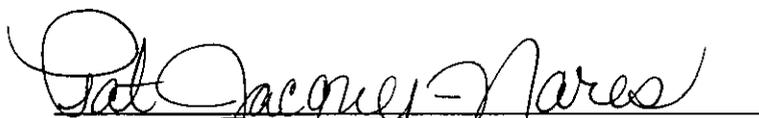
Connie Davis, resident of Westminster, informed Council that the apartment tenants are being charged to park in the back; therefore, the tenants park on La Pat Place.

Motion was made by Mayor Rice, and seconded by Mayor Pro Tem Ta to:

- 1) Rescind Resolution No. 3009 and adopt the amended Resolution No. 4242 entitled, "A Resolution of the Mayor and City Council of the City of Westminster providing for no parking or stopping on the west side of La Pat Place between Westminster Boulevard and Humboldt Street", which would allow parking on the east side of La Pat Place between Westminster Boulevard and Humboldt Street, and
- 2) Have staff provide a status update to Council in six months.

The motion carried by a 5-0 vote.

10. **COUNCIL/AGENCY ADJOURNMENT:** At 9:10 p.m. the Mayor/Chair Rice adjourned the meeting in memory of Mike Dempsey and Donald Lick.


Pat Jacquez-Nares
Assistant City Clerk/Acting Agency Secretary