

"Approved by the City Council/Redevelopment Agency Board on August 12, 2009"

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

**WESTMINSTER, CALIFORNIA
July 8, 2009**

The City Council/Agency Board of The City of the Westminster, California convened on July 8, 2009 at 6:35 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: 6:35 P.M.

ROLL CALL

**PRESENT: RICE, TA, DIEP
ABSENT: FRY, QUACH**

CLOSED SESSION

- 1) Pursuant to Government Code Section 54957: Public Employee Discipline/Dismissal/Release.

RECESS: At 7:00 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 7:10 p.m. in the Council Chambers.

ROLL CALL

**PRESENT: RICE, TA, DIEP
ABSENT: FRY, QUACH**

SALUTE TO FLAG: Richard Jones, City Attorney

INVOCATION: Mayor Pro Tem Ta

REPORT OUT OF CLOSED SESSION:

Richard Jones, City Attorney, reported that a Personnel matter was discussed. The Council has directed the City Attorney's office to prepare a resolution regarding termination to be brought back in two weeks for the Council's consideration.

REPORT FROM CITY CLERK ON LATE COMMUNICATION ITEMS – None.**1. ORAL COMMUNICATIONS**

Judy Ahrens expressed her concerns with the struggling economy and how it is affecting the residents of the City and the City services. She requested that the Council be proactive and prepare for the further hard times the economy will continue to face.

Mayor Rice recognized Boy Scout Troop 901 and leader Tony Trong who were present in the audience. Kevin Khoa Tran, Boy Scout representing the Troop, thanked the Council for allowing them to participate in the meeting which helps them to earn their eagle merit badge.

SPECIAL PRESENTATIONS:

- A. Tami Bui, Region Manager, Local Affairs, presented the Southern California Edison Company Annual Update to Council. (PowerPoint Presentation on File in City Clerk's Office)

2. CONSENT CALENDAR

Mayor Pro Tem Ta requested that Item Nos. 2.4 and 2.7 be removed and heard separately. Council Member Diep requested that Item No. 2.9 be removed and heard separately.

ROUTINE MATTERS**2.1 Telephone System Upgrade and Implementation of Enterprise Voice Services (502-02)**

ACTION: The Mayor and City Council awarded a contract to Blue Violet Networks in an amount not to exceed \$240,000 for the installation of a new telephone system and authorized the City Manager to execute the contract on behalf of the City.

2.2 Renewal of Contract for Police Safety Equipment with Adamson Police Products for FY 2009-10. (502-01)

ACTION: The Mayor and City Council approved the contract renewal with Adamson Police Products in the amount of \$42,500 for the fourth year option renewal of a five year contract for police safety equipment for Fiscal Year 2009-10.

2.3 Donation of Three Dodge Vans to the Westminster Boys & Girls Club. (103-11 & 106-01)

ACTION: The Mayor and City Council approved the donation of three City owned 1996 Dodge vans to the Westminster Boys & Girls Club.

(ITEM WAS REMOVED AND HEARD SEPARATELY)

2.4 Amendment No. 3 for Phase 4 of New Water Meter Installation and Meter Exchange Program City-Wide - FY 2009/10. (502-01)

Mayor Pro Tem Ta asked Marwan Youssef, Public Works Director to clarify Agenda Items 2.4 and 2.7.

Marwan Youssef, Public Works Director, explained that the City has 20,000 residential and business water meters which are over fifteen year old and need to be replaced to ensure the accuracy in the readings. Every year for the past three years the City has replaced 5,000 meters. This will be phase IV and next year will complete all of the meter replacements. Item 2.7 is for the purchase and installation of the meters that will be replaced.

Motion was made by Mayor Pro Tem Ta, and seconded by Council Member Diep to approve Amendment No. 3 to the contract with Atlas Allied in the amount of \$200,000.00 and authorize the City Manager to execute the amendment on behalf of the City.

The motion carried by a 3-0-2 vote.

2.5 Authorization of Purchase Order for payment of Melad & Associates plan check and inspection services for fiscal year 2008-09. (502-13)

ACTION: The Mayor and City Council authorized a purchase order in the amount of \$12,000 from the 2008-09 approved budget for contractual services of Melad and Associates.

2.6 Extension of contractual agreement with Melad & Associates to provide plan check and inspection services for fiscal year 2009-10. (502-13)

ACTION: The Mayor and City Council:

- 1) Approved the extension of the contractual services agreement with Melad & Associates to provide services for fiscal year 2009-10.
- 2) Authorized a purchase order in an amount not to exceed \$72,000 for Melad & Associates

(ITEM WAS REMOVED AND HEARD SEPARATELY)**2.7 Amendment No. 2 to a Renewable Bid for the Purchase of Cold Water Meters and Accessories, Phase 4, FY 09/10. (502-08)**

Motion was made by Mayor Pro Tem Ta, and seconded by Council Member Diep to approve Amendment No. 2 to a renewable bid for the purchase of Cold Water Meters and Accessories with Hersey Meters in the amount of \$500,000.00, and authorize the City Manager to execute the amendment on behalf of the City.

The motion carried by a 3-0-2 vote.

2.8 Option Year Renewal for Vehicle Fuel Purchase for Fiscal Year 2009-2010. (502-16)

ACTION: The Mayor and City Council authorized a purchase order for vehicle fuel purchase in the amount of \$525,000.00 to Petro-Diamond Inc.

ORDINANCES (SECOND READING)/RESOLUTIONS**(ITEM WAS TAKEN OUT OF ORDER AND HEARD SEPARATELY)****2.9 Second Reading of Ordinance No. 2450 - An Ordinance of the Mayor and City Council of the City of Westminster to amend Title 17 (Land Use Ordinance) allowing limited entertainment in conjunction with a restaurant, bar, lounge, club, coffee shop or any similar establishment subject to an Administrative Use Permit (AUP) and development and performance standards. (201-00 CN 2009-14)**

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Ordinance No. 2450 and waive further reading.

Council Member Diep requested clarification on Section 6, Paragraph B, Line 7 of the Ordinance. He believed that the motion on the June 24, 2009 meeting changed the appeal period from fifteen (15) days to ten (10) days.

Doug McIsaac, Community Development Director, clarified that the motion at the June 24, 2009 meeting was to modify Section 8, the public hearing noticing requirement, 15 days to 10 days.

Motion was made by Mayor Pro Tem Ta, and seconded by Council Member Diep to introduce and amend Ordinance No. 2450 to reflect a (10) ten day appeal period in Section 6, Paragraph B, Line 7.

The motion carried by a 3-0-2 vote.

- 2.10 Resolution No. 4248 - A Resolution of the Mayor and City Council of the City of Westminster Providing for a Compensation Plan for Employees Represented by the Westminster Police Officers' Association (WPOA). (110-02)**

ACTION: The Mayor and City Council adopted Resolution No. 4248.

- 2.11 Resolution No. 4250 - A Resolution of the Mayor and City Council of the City of Westminster granting the appeal and overturning the Planning Commission's denial of a variance to allow the expansion of an existing pylon sign located at 8602 Westminster Boulevard (Assessor's Parcel Number: 097-531-19)(CN 2009-07). (201-00 CN 2009-07)**

ACTION: The Mayor and City Council adopted Resolution No. 4250.

ADMINISTRATIVE ITEMS

- 2.12 Memorandum of Understanding with County of Orange-WIC Program to share space with Westminster Family Resource Center at the Sigler Park Community Building located at 7200 Plaza Street. (502-15)**

ACTION: The Mayor and City Council authorized the City Manager to sign the agreement.

WARRANT REGISTER

- 2.13 (City Council/Redevelopment Agency) Warrant Register dated June 17, 2009 through June 30, 2009. (105-09) (2009)**

ACTION: Approved.

INFORMATION AND REPORTS

- 2.14 Minutes of the Planning Commission meeting held June 17, 2009. (104-11)**

ACTION: Received and filed.

Motion was made by Mayor Pro Tem Ta, and seconded by Council Member Diep to approve the Consent Calendar with the exception of Item Nos. 2.4, 2.7 and 2.9 which were removed for separate consideration.

The motion carried by a 3-0-2 vote.

END OF CONSENT CALENDAR

3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW**3.1 The actions of the Planning Commission meeting held on July 1, 2009.**

Motion was made by Mayor Pro Tem Ta, and seconded by Council Member Diep to receive and file Case No. 2009-27 Conditional Use Permit Amendment to authorize the off-sale of distilled spirits in addition to the existing sale of beer and wine at Target located at 200 Westminster Mall. Staff recommended that the Planning Commission approve the Conditional Use Permit.

The motion carried by a 3-0-2 vote.

4. PUBLIC HEARINGS – None.**5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS****5.1 Council/Agency Member Items**

Mayor Pro Tem Ta thanked the residents of the Royal Garden and Regency Villa Mobile Home Parks for welcoming Mayor Rice and himself to their Annual Independence Day celebration. He congratulated the Chamber of Commerce for the successful organization of their last two events, including the groundbreaking of the new building.

Mayor Rice also thanked the residents of Royal Garden and Regency Mobile Home Parks. She missed having the 4th of July celebration this year and was displeased that the press released that the event was not being held because the City did not have the funds, when it was due to the unavailability of the high school stadium.

5.2 AB 1234 Reports – None.**6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR – None.****7. WRITTEN COMMUNICATIONS (Public) – None.****8. LEGISLATIVE ITEMS – None.**

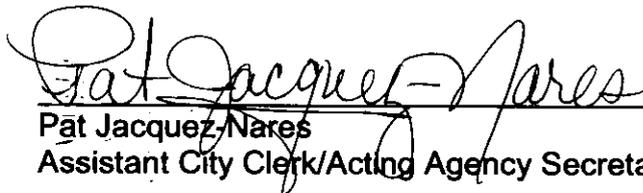
9. COMMISSION AND COMMITTEE ITEMS

9.1 Youth Committee Appointments (104-17)

Motion was made by Mayor Pro Tem Ta, and seconded by Council Member Diep to approve the reappointment of (7) current Youth Committee Members to serve as regular members as follows: Andrew Duong, Katherine Duong, Kevin Lam, Candice Nguyen, Duc Nguyen, Krystal Lam, and Kim Huynh for terms to expire on June 30, 2010.

The motion carried by a 3-0-2 vote.

- 10. COUNCIL/AGENCY ADJOURNMENT:** At 7:43 p.m., Mayor Rice adjourned the meeting to Tuesday, July 14, 2009 at 6 p.m. in the Council Chambers, 8200 Westminster Boulevard, Westminster, California for the purpose of a study session to review the draft water rate structure.


Pat Jacquez-Nares
Assistant City Clerk/Acting Agency Secretary