

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center  
11300 Stanford Avenue

February 14, 2006

Council Chamber

ROLL CALL: COUNCIL MEMBER KREBS, COUNCIL MEMBER LEYES, COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN, MAYOR DALTON

Council Member Leyes joined the meeting at 7:12 p.m.

*Members of the public desiring to speak on any item of public interest, including any item on the agenda except public hearings, must do so during Oral Communications at the beginning of the meeting. Each speaker shall fill out a card stating name and address, to be presented to the City Clerk, and shall be limited to five (5) minutes. Members of the public wishing to address public hearing items shall do so at the time of the public hearing. Additionally, any person requiring auxiliary aids and services due to a disability should contact the City Clerk's office to arrange for special accommodations. (City Council Manual of Procedures, Section D). Agenda item descriptions are intended to give a brief general description of the item to advise the public of the item's general nature. The City Council may take legislative action it deems appropriate with respect to the item and is not limited to the recommended action indicated in staff reports or the agenda.*

Closed Session

6:15 p.m.

1. CLOSED SESSION: NONE.

Open Session

7:04 p.m.

INVOCATION: Les Jones, Deputy City Manager.

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PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

2. PRESENTATIONS:

- 2.a. Department update by Community Development Director Susan Emery.  
(F: 57.1)

ACTION: Report presented.

3. ORAL COMMUNICATIONS - PUBLIC: (To be held simultaneously with Agency Oral Communications.)

- 3.a. Harry Pearce addressed the City Council indicating that he would discourage the repeal of the term limits ordinance and the spending of the money to do so. (F: 53.3) (XR: 127.11)
- 3.b. Jon Wilmes addressed the City Council regarding an excessive water maintenance rate increase, noting that the City has admitted to overcharging him. His water bill will jump 100 percent instead of 125 percent, and he has had to raise his tenants' rates because of this. (F: 53.3) (XR: 60.1)
- 3.c. Tony Rector addressed the City Council concerning term limits for the City Council, noting that term limits bring new people who bring in new bright ideas. (F: 53.3) (XR: 127.11)
- 3.d. Betty Layne addressed the City Council concerning the Buddhist Temple near her residence, noting that people set off fireworks there and the Police say their hands are tied. (F: 53.3) (XR: 82.1)
- 3.e. Verla Lambert addressed the City Council concerning the water bills, commenting that reminders are sent out too soon. She suggested that the water bills be sent out monthly and that late charges be enacted. She also indicated her support for term limits and commented on the oral communication card order. (F: 53.3) (XR: 127.11) (XR: 60.1)
- 3.f. Robin Marcario addressed the City Council, noting that she serves on the Traffic Commission. She urged the City Council support the agenda item for a crossing guard at Lewis Street and Downie Avenue. She also noted that she is not in favor of placing term limits on the June ballot. (F: 53.3) (XR: 122.11) (XR: 127.11)

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- 3.g. Peggy Bergin addressed the City Council, noting that her water rate went up 105 percent. She expressed her support for term limits and urged this not be placed on the ballot again. (F: 53.3) (XR: 60.1) (XR: 127.11)
- 3.h. Alma Ramirez addressed the City Council concerning racial strife that exists. (F: 53.3)
- 3.i. James Reade addressed the City Council, noting his support for term limits. (F: 53.3) (XR: 127.11)
- 3.j. Bruce Broadwater addressed the City Council, noting he is opposed to placing the issue of term limits on the ballot again; however, if the City Council votes to do so, he would like to have his signature on the opposition statement on the ballot. (F: 53.3) (XR: 127.11)
- 3.k. Bob Owens addressed the City Council, concerning term limits, commenting on the cost to place it on the ballot. He also spoke about developers contributing money to elected officials. Lastly, he asked what the City's financial situation is and whether it shows a deficit. (F: 53.3) (XR: 127.11) (XR: 34.1)

4. WRITTEN COMMUNICATIONS: None.

RECESS: 8:04 p.m.

CONDUCT AGENCY BUSINESS

RECONVENE: 9:08 p.m.

5. CONSENT ITEMS: (It is recommended that Items 5.a. through 5.m. be acted on simultaneously unless separate discussion and/or action is requested by a Council Member.)

- 5.a. Proclamation declaring February 19-25, 2006, as National Engineers Week. (F: 83.1)

ACTION: Approved.  
(5 Ayes.)

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- 5.b. Resolution celebrating the League of United Latin American Citizens' (LULAC) 77<sup>th</sup> Anniversary of community service to increase educational opportunities and improve the equality of life for Hispanic Americans. (F: 52.2)

ACTION: Approved.  
(5 Ayes.)

- 5.c. Resolution commending Ruth Smith as Cypress College Foundation Americana Awards 2006 Citizen of the Year. (F: 52.2) (XR: 78.2)

ACTION: Approved.  
(5 Ayes.)

- 5.d. Final Tract Map No. 16732 for property located along the south side of Chapman Avenue east of Harbor Boulevard (Western Pacific Housing, Inc.). (F: 103.TT.16732)

ACTION: Approved.  
(5 Ayes.)

- 5.e. Award of Contract to HB Woodworks for the construction of bleacher seating at the new Sports and Recreation Center. (Estimated cost: \$32,648.25) (F: 55) (XR: 73.5c)

ACTION: Approved.  
(5 Ayes.)

- 5.f. Plans and Specifications for Project No. 7123, Installation of 2 Dynamic Message Signs northbound at Harbor Boulevard and Flagstone Avenue, and at Valley View Street north of Tiffany Avenue, with authorization to advertise for construction bids. (F: 100.Proj.7123)

ACTION: Approved.  
(5 Ayes.)

- 5.g. Amended Agreements with Scott Fazekas and Associates, Inc., and Esgil Corporation and new Agreement with Willdan, Inc. for plan review services. (F: 55) (XR: 35.1)

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ACTION: Approved.  
(4 Ayes. Rosen voted no.)

- 5.h. Agreement with the Orange County Sheriff's Department for the use of their Firearms Training Facility. (F: 55) (XR: 82.1)

ACTION: Approved.  
(5 Ayes.)

- 5.i. Purchase of 2 trailers from Cook Equipment Company – Public Works Department. (Estimated cost: \$44,619.28) (F: 60.4) (XR: 24.1)

ACTION: Approved.  
(5 Ayes.)

- 5.j. Purchase of 8 vehicles from various dealers – Public Works and Police Departments. (Estimated cost: \$129,687.82) (F: 60.4) (XR: 24.1)

ACTION: Approved.  
(5 Ayes.)

- 5.k. Minutes of Regular Meetings of the City Council held December 13, 2005, and January 10, 2006. (F: Vault)

ACTION: Approved.  
(5 Ayes.)

- 5.l. Warrants. (F: 60.5)

ACTION: Approved.  
(5 Ayes.)

- 5.m. Waiver of full reading of Ordinances listed for adoption.

ACTION: Approved.  
(5 Ayes.)

6. PUBLIC HEARINGS:

- 6.a. Development Agreement. The Applicant, Yuet Ngan Kwong, is asking to construct ten condominium units with two- and three-story split-level

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designs on the east side of Lorna Street, south of Stanford Avenue, at  
12782 Lorna Street. (F: 106.166) (XR: 116.SP-383-06)  
(XR: 103.TT-16935)

- 6.a.1. ORDINANCE NO. 2683, for introduction and first reading, by title  
only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
GARDEN GROVE ADOPTING A DEVELOPMENT AGREEMENT  
BETWEEN YUET NGAN KWONG (PROPERTY OWNER) AND THE  
CITY OF GARDEN GROVE

ACTION: Ordinance passed to second reading.  
(5 Ayes.)

7. COMMISSION/COMMITTEE MATTERS:

- 7.a. Recommendations from the Traffic Commission meeting of January 3,  
2006.

- 7.a.1. Installation of a stop sign on Dewey Drive at Biscayne Court,  
with a double yellow centerline on Biscayne Court. (F: 122.11)  
(XR: 100.1)

ACTION: Referred back to Traffic Commission.  
(5 Ayes.)

- 7.a.2. Establish a crossing guard at the intersection of Lewis Street  
and Downie Avenue. (F: 122.11) (XR: 78.8)

ACTION: Referred back to Traffic Commission.  
(5 Ayes.)

- 7.b. Recommendation from the Traffic Commission meeting of March 1,  
2005, to place a crossing guard at the intersection of Ward Street and  
Mast Avenue. (F: 122.11) (XR: 78.8)

ACTION: Approved.  
(5 Ayes.)

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8. ITEMS FOR CONSIDERATION: None.

9. ORDINANCES PRESENTED FOR SECOND READING:

9.a. ORDINANCE NO. 2681 for second reading and adoption, by title only, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-124-05, AN AMENDMENT TO TITLE 9 (LAND USE) OF THE GARDEN GROVE MUNICIPAL CODE RELATING TO PARKING REQUIREMENTS FOR RESIDENTIAL USES (F: 115.A-124-05)

ACTION: Ordinance passed.  
(5 Ayes.)

9.b. ORDINANCE NO. 2682 for second reading and adoption, by title only, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AMENDING CHAPTER 8.40 OF TITLE 8 OF THE GARDEN GROVE MUNICIPAL CODE PERTAINING TO REGULATIONS GOVERNING THE USE OF PARK FACILITIES (F: 127.2) (XR: 82.1) (XR: 50.2)

ACTION: Ordinance passed.  
(5 Ayes.)

10. MATTERS FROM THE MAYOR, CITY COUNCIL MEMBERS AND CITY MANAGER:

10.a. Appointment to Parking and Main Street Commission, as requested by Council Member Leyes. (Continued from meeting of January 24, 2006.) (F: 122.6a)

ACTION: Continued.

10.b. Appointments to the Planning Commission and the Neighborhood Improvement and Conservation Commission, as requested by Mayor Pro Tem Rosen. (Continued from meeting of January 24, 2006.) (F: 122.10A) (XR: 122.4A)

ACTION: Motion to appoint Dina Nguyen failed to carry.  
(2 Ayes. Krebs, Nguyen, and Dalton voted no.)

10.c. Discussion concerning placing a measure on the June 6, 2006, ballot to repeal term limits ordinance enacted in March 1996, as requested by

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Mayor Pro Tem Rosen. (Continued from meeting of January 31, 2006)  
(F: 127.11)

ACTION: Discussed. No action taken.

- 10.d. Council Member Leyes commented that perhaps there should be an ordinance that says one cannot run for another office until completing their current term and that he would like to see this agenda item at a future meeting. He referenced an article in the Register, noting that Mayor Pringle was trying to preempt a casino from coming to Anaheim, not from coming to Garden Grove. However, there is talk of a County Charter amendment that would prohibit gambling casinos in the County, which might prohibit one coming to Garden Grove. He spoke about the Anaheim Angels lawsuit and about the Olympics currently underway. Lastly, he spoke about Steve Fossett, a Garden Grove native and 1962 graduate of Garden Grove High School, noting that he recently flew around the world and made the longest flight in history. He suggested that the City honor him for this. He wished his wife Wanda a Happy Valentine's Day. (F: 53.1) (XR: 60.12)
- 10.e. Council Member Rosen commented that John Shaw has resigned as the City Attorney, and he would like the City to send him a letter of thanks for his service and recognize him at a City Council meeting for his years of service, noting that he served long and did a fine job. There was an item on the OCTA agenda for the Board of Directors this morning that was pulled because they wanted to tweak it a little more having to do with cities being eligible to receive allocations of \$100,000 to develop transit visions within the cities related to Metro Link. There is one specific reference in the staff report to assessing the transit needs of the Pacific Electric Right-of-Way, and if there is an opportunity for Garden Grove to receive this grant, we ought to take advantage of that. It is scheduled to be heard in two weeks. He wished his wife Sandy a Happy Valentine's Day. (F: 53.1) (XR: 44.1) (XR: 23.18F)
- 10.f. Council Member Nguyen wished her husband a Happy Valentine's Day. (F: 53.1)
- 10.g. Council Member Krebs commented on the closing of Los Sanchez on somewhat of a bitter note, noting that the radio implicated the Hodges contractors absconded with a million dollars of their funds. He further commented that on this Valentine's Day he hopes this Council meeting closes with the Council Members realizing that none of their comments



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were personal and that everyone will remain friends. He wished his wife Erline a Happy Valentine's Day. (F: 53.1) (XR: A-55.301)

- 10.h. Mayor Dalton commented that everyone appreciates the money the City of Anaheim and their Mayor have spent to protect the good name of their city and the Angels baseball team, and a Charter amendment. He noted he agrees with Mayor Pringle that Orange County has become a family friendly entertainment destination. In keeping with values, though, he assumes that Anaheim is not going to sell Lotto tickets anymore or alcohol in their bars or restaurants or Club 33 in Disneyland. He noted that he does not believe Garden Grove will ever have a casino, but he noted that if it ever happens, he will at that time propose it be called the Anaheim Casino of Garden Grove. He wished his wife Sandy a Happy Valentine's Day, and he will adjourn the meeting in memory of John Agosta, a fantastic 105-year-old Garden Grove resident. (F: 53.1) (XR: 60.12)
- 10.i. Council Member Leyes asked that the meeting also be adjourned in memory of Chet Ray, former Assemblyman who served us well, noting that he interned for him one summer. (F: 53.1) (XR: 46.9)
11. ADJOURNMENT: 10:18 p.m. the meeting was adjourned in memory of John Agusta and Chet Wray. (F: 46.9)