

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center
11300 Stanford Avenue

March 28, 2006

Council Chamber

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

Council Member Nguyen absent at roll call but joined the meeting at 6:16 p.m.
Council Member Leyes absent at roll call but joined the meeting at 6:18 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. PUBLIC INPUT: (Anyone wishing to address only Closed Session items may do so at this time.)

None.

2. CLOSED SESSION:

- 2.a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(GOVERNMENT CODE SECTION 54956.9(a).)

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

- DONAHER v. CITY OF GARDEN GROVE
 - KOSARY v. CITY OF GARDEN GROVE
- 2.b. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(GOVERNMENT CODE SECTION 54956.9(b).) (SIGNIFICANT EXPOSURE
TO LITIGATION – ONE POTENTIAL CASE)

ACTION: Discussed.

Open Session

7:15 p.m.

INVOCATION: Les Jones, Deputy City Manager.

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

3. PRESENTATIONS:

- 3.a. Community Spotlight: Recognition of Jerry Holstein for 34 years of
dedicated service to the City of Garden Grove. (F: 52.3) (XR: 78.1)

ACTION: Recognized.

- 3.b. Community Spotlight: Recognition of Ruth Smith, 2006 Cypress
College Americana Citizen of the Year. (F: 52.3) (XR: 78.1)

ACTION: Recognized.

- 3.c. Department update by Police Chief Joe Polisar. (F: 82.1)

ACTION: Report presented.

4. ORAL COMMUNICATIONS - PUBLIC: (To be held simultaneously with Agency,
Sanitary District, and Public Financing Authority Oral Communications.)

- 4.a. Verla Lambert thanked Council Member Krebs and the City Clerk for
calling her regarding an agenda item. (F: 53.1)

- 4.b. Jeremy Valaes, Benjamin Boese, Renu Debozi, and other members of
the Soka Gakkai International-USA organization invited everyone to

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COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN,
MAYOR DALTON

Earth Day at Twin Lakes Park on April 27. They also presented books,
which will be used at the Buena Clinton Family Resource Center.
(F: 53.3) (XR: 73.10) (XR: 73.20a)

- 4.c. Kenny Pomeroy commented that he is a member of Boy Scout Stanton Troop 111 and is attending the City Council meeting to work on his Citizenship Badge. (F: 53.3)
- 4.d. Alma Ramirez commented on 1st Amendment and immigration rights. (F: 53.3)
- 4.e. James Reade commented on the life of Dr. Hector Garcia. (F: 53.3)

5. WRITTEN COMMUNICATIONS:

- 5.a. Request from Tom Bradac for use of the Gem Theater for a December 2006 production of *A Child's Christmas in Wales*. (F: 87.3)

ACTION: Approved.
(5 Ayes.)

RECESS

CONDUCT SANITARY DISTRICT BUSINESS

CONDUCT PUBLIC FINANCING AUTHORITY BUSINESS

CONDUCT AGENCY BUSINESS

RECONVENE

6. CONSENT ITEMS: (It is recommended that Items 6.a. through 6.i. be acted on simultaneously unless separate discussion and/or action is requested by a Council Member.)

- 6.a. Proclamation declaring April 2006, as Voter Education Month. (F: 83.1)

ACTION: Approved.
(5 Ayes.)

- 6.b. Denial of Amended Claim submitted on behalf of Carol Below. (Continued from meeting of March 14, 2006) (F: 49.2)

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

ACTION: Denied.
(5 Ayes.)

- 6.c. Award of Contract to Thomco Construction for the Fence Project at Fire Station Number One. (Estimated cost: \$139,775.00) (F: 55) (XR: 62.1)

ACTION: Approved.
(5 Ayes.)

- 6.d. Final Tract Map No. TR 16363 and Subdivision Agreement with Katella Cottages for property located on the south side of Katella Avenue, west of Gilbert Street. (F: 106.130) (XR: 103.TT-16363) (XR: A-55.299)

ACTION: Approved.
(5 Ayes.)

- 6.e. Amended Agreement with Willdan, Inc., to increase funding for temporary inspection services. (F: 55) (XR: 35.1)

ACTION: Approved.
(5 Ayes.)

- 6.f. Purchase of a Compressed Natural Gas Heavy-Duty Dump Truck from Carmenita Truck Center – Public Works Department. (Estimated cost: \$170,985.24) (F: 24.1)

ACTION: Approved.
(5 Ayes.)

- 6.g. Purchase of nine vehicles – Fire and Police Department. (Estimated cost: \$221,870.26) (F: 24.1) (XR: 82.1) (XR: 61.1)

ACTION: Approved.
(5 Ayes.)

- 6.h. Minutes of Regular Meeting of the City Council held February 14, 2006. (F: Vault)

ACTION: Approved.

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

(5 Ayes.)

6.i. Warrants. (F: 60.5)

ACTION: Approved.
(5 Ayes.)

7. PUBLIC HEARINGS:

7.a. Appeal of Planning Commission's Denial of Planned Unit Development No. PUD-107-96 (Rev. 05). The Applicant, Michael Silva (Great Reunions) is requesting to modify the condition of approval for Planned Unit Development No. PUD-107-96 to modify the sign requirement to allow pole signs in the development. The project is located on the south side of Trask Avenue, east of Magnolia Street, at 9140 Trask Avenue. (F: 116.PUD-107-96 (Rev. 05))

ACTION: Hearing held.

7.a.1. Staff Recommendation: City Council adopt a Resolution upholding the Planning Commission decision and denying the appeal.

ACTION: Approved Resolution No. 8693-06 denying the appeal.
(5 Ayes.)

8. COMMISSION/COMMITTEE MATTERS: None.

9. ITEMS FOR CONSIDERATION:

9.a. Issuance of Sanitary District Sewer Revenue Certificate of Participation, Series 2006. (To be heard in conjunction with Sanitary District Agenda Item No. 4.a., Public Financing Authority Agenda Item No. 2.b., and Agency Agenda Item No. 6.a.) (F: S-60.5) (XR: 60.1) (XR: P-60.1) (XR: A-60.1)

FOR SANITARY DISTRICT ACTION:

9.a.1. A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GARDEN GROVE SANITARY DISTRICT AUTHORIZING THE EXECUTION

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

AND DELIVERY OF DOCUMENTS RELATING TO THE SALE AND
DELIVERY OF NOT TO EXCEED \$25,000,000 REVENUE
CERTIFICATES OF PARTICIPATION (SEWER SERVICES CAPITAL
IMPROVEMENT PROGRAM), SERIES 2006, AND AUTHORIZING
CERTAIN DOCUMENTS AND DIRECTING CERTAIN ACTIONS IN
CONNECTION THEREWITH

ACTION: Approved Resolution No. 3689.
(5 Ayes.)

FOR PUBLIC FINANCING AUTHORITY ACTION:

- 9.a.2. A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GARDEN GROVE PUBLIC FINANCING AUTHORITY APPROVING AN INSTALLMENT PURCHASE AGREEMENT WITH THE GARDEN GROVE SANITARY DISTRICT AND CERTAIN OTHER DOCUMENTS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE GARDEN GROVE SANITARY DISTRICT REVENUE CERTIFICATES OF PARTICIPATION (SEWER SERVICES CAPITAL IMPROVEMENT PROGRAM), SERIES 2006 IN A PRINCIPAL AMOUNT NOT TO EXCEED \$25,000,000

ACTION: Approved Resolution No. 8.
(5 Ayes.)

FOR AGENCY FOR COMMUNITY DEVELOPMENT ACTION:

- 9.a.3. A RESOLUTION OF THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT APPROVING AMENDMENT NO. 1 TO THE JOINT EXERCISE OF POWERS AGREEMENT FOR THE GARDEN GROVE PUBLIC FINANCING AUTHORITY

ACTION: Approved Resolution No. 655.
(5 Ayes.)

FOR CITY COUNCIL ACTION:

- 9.a.4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. 1 TO THE JOINT EXERCISE OF POWERS AGREEMENT FOR THE GARDEN GROVE PUBLIC FINANCING AUTHORITY

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

ACTION: Approved Resolution No. 8692-06.
(5 Ayes.)

- 9.b. Request that OCTA include the Magnolia Bridge replacement and Garden Grove Boulevard widening in the SR 22 project. (F: 23.18) (XR: 62.2)

ACTION: Approved.
(5 Ayes.)

- 9.c. Request that OCTA fund the placement of rubberized asphalt on Trask Avenue from Magnolia Street to Euclid Street, with the City of Garden Grove formally accepting maintenance cost. (F: 23.18) (XR: 96.1)

ACTION: Approved.
(5 Ayes.)

10. ORDINANCES PRESENTED FOR SECOND READING: None.

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

- 11.a. Discussion concerning the Jessica's Law Initiative, as requested by Council Member Nguyen. (F: 53.1)

ACTION: Voted in support of Jessica's Law Initiative.
(5 Ayes.)

- 11.b. Council Member Leyes requested information on whether the County islands in Garden Grove could be divided into smaller parcels and fall under the new Eminent Domain Law.

He also spoke on the deaths of Joyce Johnson and Carol Filipi and requested that the meeting be adjourned in their memory. (F: 53.1) (XR: 46.9)

- 11.c. Council Member Rosen commented that he and Council Member Nguyen were appointed to a subcommittee to review proposals from lobbyist companies. He requested a special meeting be held in the Council Chambers and ask the top two companies to make a presentation. (F: 53.1) (XR: 67.1)

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11.d. Council Member Nguyen commented that an article in The Register indicated that the crime rate in Garden Grove has increased. She requested a written or verbal report from the Police Chief on his plans to help stop or lower the crime rate this year. (F: 53.1) (XR: 82.1)

11.e. Council Member Krebs requested a report prior to the special meeting on why the other companies who provided proposals for lobbyist services were eliminated.

He also commented that the cities of Lakewood and Artesia are placing a ban on fireworks on the November ballot. (F: 53.1) (XR: 67.1)
(XR: 61.6)

11.f. Council Member Nguyen commented that the Mayor and staff held the first Business Breakfast last week and had good attendance. She heard positive comments from the business community. (F: 53.1)
(XR: A-78.2)

11.g. Mayor Dalton commented that there were 80 people at the business breakfast, and he will provide a report on the breakfast and the business visits at the next meeting. (F: 53.1) (XR: A-78.2)

He also commented that the Garden Grove hotels are doing well and bringing in several smaller conventions. He wished his granddaughter Kelsey and grandson Anthony Happy Birthdays.

12. ADJOURNMENT: At 9:55 p.m., the meeting was adjourned in memory of Joyce Johnson, former School Board Member, and Carol Filipi, long time resident.