

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center
11300 Stanford Avenue

June 14, 2005

Council Chamber

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

All Members present.

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.

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

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

2. PRESENTATIONS:

- 2.a. Community Spotlight: Recognition of Central County Regional Occupation Program's "Business Leader of the Year," Wendi Vankeirsbulck. (F: 52.3)

ACTION: Recognized.

- 2.b. Community Spotlight: Recognition of Ralston Intermediate School Students Ryan Dougherty, Bryan Le, Greg Long, and Brett Williamson, for displaying honesty and integrity. (F: 52.3)

ACTION: Recognized.

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

- 3.a. Beatrice Jones addressed the Council regarding Flag Day and the meaning of Juneteenth Independence Day. (F: 53.3)
- 3.b. Tony Flores, President of the West Garden Grove Residents Association, addressed the Council concerning the issue of representation and the process of City Council appointments, noting that they are looking forward to establishing Council Districts. (F: 53.3)
- 3.c. Duane Roberts, Vice President of the Unitarian Church of Orange County, addressed the Council, noting that he is an activist and demonstrator and helped to organize the demonstration against the speaker at the Women's Club on May 25, 2005. He spoke about alleged policy hostility at that event. (F: 53.3)
- 3.d. Scott Larson, adjunct instructor of Ethics and Philosophy at Santiago Canyon College and activist, addressed the Council concerning the May 25, 2005 incident at the Women's Club. He called for an independent investigation of alleged police misconduct there and cited alleged incidents, noting that people were only exercising their Constitutional rights. He provided the City Council with DVD's showing segments of the video that he took on the 25th. (F: 53.3) (XR: 82.1)

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

- 3.e. Robin Marcario addressed the City Council expressing her appreciation concerning Agenda item 5.f., noting that this is a well maintained community; however, our sewer infrastructure is in need of repair. The fee increase recently approved by the Orange County Sanitation District will not address this concern. (F: 53.3) (XR: 73.proj.7665)
- 3.f. J. Tilman Williams addressed the City Council about a hate message on the sidewalk across from his residence on Chapman Avenue. He asked that this be removed. (F: 53.3)
- 3.g. Christina Straub addressed the City Council, requesting an ordinance be enacted to prohibit the parking and storing of recreational vehicles on City streets, noting that the cities of Fountain Valley and Westminster have such ordinances. (F: 53.3) (XR: 75.1)
- 3.h. Greg Beard addressed the City Council, expressing his support for Council districts because the west end of the city has no representation on the City Council. He also commented that if the City restricts the parking of recreational vehicles on city streets, the people from the west end will fight it. He also spoke of traffic violations in his neighborhood and the lack of police visibility there to enforce the traffic laws. He also spoke of the need for bike lanes on Springdale. (F: 53.3) (XR: 75.1)
- 3.i. George Brietigam addressed the City Council, expressing his support for Council districts. He also alleged that the people looking at the City's financial picture are puppets to bring casinos into the city. He asked that this be discussed in an open forum. Lastly, he accused Council Member Nguyen of attacking the youth of the city at the City Council meeting held on May 31, 2005. (F: 53.3)
- 3.j. David Lautherboren addressed the City Council concerning bus diesel fumes in the hotel parking lot, non-operational vehicles parked in driveways, blighted conditions, including trash cans left in plain sight and unmaintained yards. (F: 53.3)
- 3.j. Theresa Dang addressed the City Council, indicating that she was run over by a mini van at the May 25 demonstration at the Women's Club and the driver was released. She asked that an investigation be conducted into alleged police misconduct. (F: 53.3) (XR: 82.1)

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

3.k. Esmeralda Serrano addressed the City Council, alleging hostile and aggressive police behavior at the Women's Club demonstration on May 25th and requested that this be looked into. (F: 53.3) (XR: 82.1)

3.l. Naui Huitzilopochtli addressed the City Council, noting that he was present at the demonstration on May 25, and alleging that the person that ran over the people is a racist. (F: 53.3) (XR: 82.1)

4. WRITTEN COMMUNICATIONS: None.

RECESS: 8:04 p.m.

CONDUCT AGENCY BUSINESS

RECONVENE: 8:29 p.m.

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

5.a. Award of Contract to Yocum Business Furnishings for systems furniture for the Police Annex Building. (Estimated cost: \$113,433.26) (F: 55) (XR: 82.1)

ACTION: Awarded.
(5 Ayes.)

5.b. Award of Contract to ARCHETYPE International for interior space planning and architectural services for the remodel of the upstairs Investigation area of the Police facility. (Estimated cost: \$30,645.00) (F: 55) (XR: 82.1)

ACTION: Awarded.
(5 Ayes.)

5.c. Amendment to Agreement with Templo Calvario, Inc., for the provision of after-school tutoring and community involvement programs at the Buena Clinton Family Resource Center. (F: 55) (XR: 73.20a)

ACTION: Approved.
(5 Ayes.)

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

- 5.d. Agreement with the County of Orange for the 2005-06 operation of Workforce Investment Act Youth Programs administered through the Personnel Services Youth Employment Division (Youth Café). (F: 55) (XR: 78.4)

ACTION: Approved.
(5 Ayes.)

- 5.e. Agreement with Turbo Data Systems, Inc., to provide parking citation-processing services for the street sweeping program for FYs 2005-07. (Estimated cost: \$98,434.12) (F: 55) (XR: 24.3)

ACTION: Approved.
(5 Ayes.)

- 5.f. Acceptance of Contract as complete for Project No. 7665, OCTA Right-of-Way Improvements at Shelley/Kensington and Gutosky Park. (F: 73.Proj.7665)

ACTION: Approved.
(4 Ayes. Leyes abstained.)

- 5.g. Resolution approving a supplemental wage plan for full-time employees ordered to active duty during a military crisis. (F: 78.1)

ACTION: Resolution No. 8645-05 adopted.
(5 Ayes.)

- 5.h. Resolution authorizing the submittal of an application to the California Integrated Waste Management Board for a FY 2005/2006 Used Oil Recycling Block Grant. (F: 24.13)

ACTION: Resolution No. 8646-05 adopted.
(5 Ayes.)

- 5.i. West Orange County Water Board Proposed Budget for Fiscal Year 2005-06. (F: 112.9)

ACTION: Approved.
(5 Ayes.)

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

- 5.j. Minutes of Regular City Council Meetings held April 12, April 26, and May 10, 2005; and Special Meeting held May 31, 2005. (F: Vault)

ACTION: Approved.
(5 Ayes.)

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

ACTION: Approved.
(5 Ayes.)

6. PUBLIC HEARINGS:

- 6.a. APPEAL OF SITE PLAN NO. SP-367-05. The applicant is requesting to construct a new 8,300 square foot two-story commercial building with seven tenant spaces on a half-acre lot that includes a Parking Management Plan for shared parking with the adjacent commercial center. The subject property is located in the C-1 zone (Neighborhood Commercial) at the southwest corner of Lampson Avenue and Manley Street at 5262 Lampson Avenue. (F: 116.SP-367-05)

On April 21, 2005, the City Planning Commission, pursuant to Resolution No. 5492, approved SP-367-05. On April 28, 2005, an appeal was filed by a Council Member; and public hearing on the case was ordered by the City Council to be held this date.

ACTION: Hearing held. Staff to return with Resolution disapproving the Site Plan without prejudice.
(5 Ayes.)

RECESS: 10: 43 p.m.

RECONVENE: 11:00 p.m.

7. COMMISSION/COMMITTEE MATTERS:

- 7.a. Recommendation from the Traffic Commission to establish a "No Left Turn" on Woodbury Road at Harbor Boulevard from 4 p.m. to 6 p.m. Monday through Friday. (F: 122.11)

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

ACTION: Approved.
(5 Ayes.)

8. ITEMS FOR CONSIDERATION: (Motion to approve will include adoption of each Resolution unless otherwise indicated.)

- 8.a. Affordable Housing Loan Agreement with Tamerlane Associates for the purchase of a multi-family rental apartment property located at 12141 Tamerlane Drive. (Estimated cost: \$593,457.00) (F: 117.165)

ACTION: Approved.
(5 Ayes.)

- 8.b. Fourth Amendment to the Agreement with the County of Orange, Sheriff-Coroner, to provide forensics services for FY 2005-06. (Estimated cost: \$348,656.00) (F: 55) (XR: 82.1)

ACTION: Approved.
(5 Ayes.)

- 8.c. Initiation of proceedings for Main Street Assessment District No. 1 for FY 2005-06, approving the Engineer's Report. (F: 31.4)

ACTION: Resolution No. 8647-05 adopted, setting public hearing for July 12, 2005.
(5 Ayes.)

- 8.d. Proposed Ordinance amending Nepotism Policy. (F: 78.1) (XR: 127.1)

ORDINANCE NO. 2661, for introduction and first reading, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AMENDING PROVISIONS OF SECTION 2.44.440 RELATING TO NEPOTISM POLICY

ACTION: Ordinance passed to second reading.
(4 Ayes. Leyes voted no.)

- 8.e. Appointment of James O'Connor to the Housing Authority. (F: H-10.3) (XR: VIP)

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

ACTION: Approved.
(5 Ayes.)

- 8.f. Appointments to the Parks, Recreation, and Arts Commission.
(F: 122.70A) (XR: VIP)

ACTION: No appointments made.

9. ORDINANCES PRESENTED FOR SECOND READING: None.

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

- 10.a. Review of massage parlor issues, as requested by Mayor Dalton.
(F: 53.1)

ACTION: City Attorney to return with appropriate
documentation at Council Meeting of July 12, 2005.

- 10.b. Discussion concerning establishment of a Legislative Body comprised of
Council Members elected by District, as requested by Council Member
Leyes. (F: 53.1)

ACTION: Copies of proposed initiative to be distributed to
City Council Members for review.

- 10.c. Council Member Leyes spoke about the Flag Ceremony that was held
today at the Historical Society. He noted that Governor
Schwarzenegger will be visiting Garden Grove tomorrow, and he spoke
about the Governor's call for a Special Election on November 8, 2005,
suggesting the City Council might want to place the Council Districting
issue on that ballot to save money. He requested that the Governor's
own three initiatives be placed on the next City Council agenda for
discussion and a possible City Council position. He requested that the
meeting be adjourned in memory of Phu Ngoc Nguyen, Aide in Orange
County Supervisor Lou Correa's office and advocate for local
Vietnamese issues; and in memory of Elisabeth Charron, long time
Garden Grove resident and activist.

- 10.d. Council Member Rosen wished his daughter Rachel a Happy 21st
Birthday. He also spoke about Phu Ngoc Nguyen.

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

- 10.e. Council Member Nguyen requested that staff look into having Fire Department personnel check on the status of business licenses while doing their annual inspections at local businesses.
- 10.f. Council Member Krebs spoke about the Scoutorama recently held in Irvine, noting that Garden Grove Scouts were also a part of this impressive event.
- 10.g. Mayor Dalton spoke about a presentation he attended where the Garden Grove Firefighters Association presented a check to the Grossman Burn Center. He also noted that 74 Garden Grove High School Seniors received scholarships because of the 2004 Broad award won by the Garden Grove Unified School District. He also reported that the Orange County Sanitation District voted to increase sewer fees by 31 percent, noting that he voted against the increase. He spoke about the Flag Day program that was held today by the Historical Society and noted that this organization will be holding a Hat Walk on Euclid Street this Saturday, with a cost of \$10, and participants are encouraged to bring a picnic lunch. Lastly, he spoke about a birthday party he attended for John Agosta, who turned 105.
11. ADJOURNMENT: 11:38 p.m. in memory of Phu Ngoc Nguyen and Elisabeth Charron.