

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center
11300 Stanford Avenue

June 27, 2006

Council Chamber

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

Council Member Nguyen absent.

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.

Open Session

7:38 p.m.

INVOCATION: Les Jones, Assistant City Manager.

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

1. PRESENTATIONS:

- 1.a. Community Spotlight: Recognition of Garden Grove Chamber of Commerce 2006 Man and Woman of the Year, Herb Lieberman and Sue Catlin. (F: 52.3)

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

ACTION: Recognized.

- 1.b. Department update by Community Development Director, Susan Emery. (F: 57.1)

ACTION: Report presented.

2. ORAL COMMUNICATIONS - PUBLIC: (To be held simultaneously with Agency and Sanitary District Oral Communications.)
 - 2.a. Verla Lambert addressed the City Council concerning the removal of all the trees from the median on Garden Grove Boulevard between Palm and Harbor Boulevard to install a traffic signal, suggesting an arborist should have been consulted before that was done. (F: 53.3)
 - 2.b. Bea Jones addressed the City Council and displayed her flags for Honor America Day. She urged everyone to attend the 3rd Annual Veterans Fair at the Community Meeting Center on July 8. (F: 53.3)
 - 2.c. David Vill, President of the Garden Grove Chapter of AARP, addressed the City Council and invited Mayor Dalton to attend their July 7 Board meeting, where the fireworks issue will be discussed. (F: 53.3) (XR: 61.6)
 - 2.d. Russ McDonald addressed the City Council and also encouraged Mayor Dalton to attend the AARP meeting on July 7. He read a letter from Connie Pearson opposing fireworks in Garden Grove. (F: 53.3) (XR: 61.6)
 - 2.e. George S. Brietigam addressed the City Council in support of the sale and use of legal fireworks in Garden Grove, commenting that there is a need to deploy law enforcement in unmarked cars who will arrest those using illegal fireworks. (F: 53.3) (XR: 61.6)
 - 2.f. George Edward Brietigam addressed the City Council in support of the sale and use of legal fireworks in Garden Grove. (F: 53.3) (XR: 61.6)
 - 2.g. Jordan Tornow addressed the City Council expressing appreciation to the City Council for the recently held successful pushcart derby. (F: 53.3)

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

- 2.h. Brian Yager addressed the City Council concerning the need for a dog park for small dogs. He also asked that only illegal fireworks be banned in Garden Grove. (F: 53.3) (XR: 61.6)
 - 2.i. Julie Brietigam addressed the City Council expressing appreciation to the City Council for the recently held successful pushcart derby and asking that fireworks not be banned in Garden Grove. (F: 53.3) (XR: 61.6)
 - 2.j. Joshua Sanchez, Nicholas Seto, and Matthew Seto addressed the City Council, requesting that safe and sane fireworks be allowed in Garden Grove. (F: 53.3) (XR: 61.6)
 - 2.k. Ray Littrell addressed the City Council concerning salaries and benefits of Police and Fire personnel. (F: 53.3)
 - 2.l. Robin Marcario addressed the City Council expressing her appreciation for the recent Fireworks Show, suggesting that this be an annual event. She expressed her support to place the issue of fireworks on the November ballot for a vote of the people. (F: 53.3) (XR: 61.6)
 - 2.m. Vivian Kirkpatrick-Pilger addressed the City Council concerning the ban of fireworks in Westminster, noting that they still have the illegal fireworks problem. She suggested the cities of Westminster and Garden Grove consider sharing a dog park. Lastly, she stated that under the Brown Act, the use of pink cards to address the City Council is not necessary. (F: 53.3) (XR: 61.6)
 - 2.n. Richard Bear addressed the City Council and asked that the statue of Alonzo Cook be removed from the City park. (F: 53.3)
 - 2.o. Peter Herzog addressed the City Council, urging the City Council approve Agenda item 7.c. (F: 53.3) (XR: 23.18c)
 - 2.p. Judy Ahrens addressed the City Council, urging the City Council promote the displaying of the American flag. (F: 53.3)
 - 2.q. Alma Ramirez addressed the City Council concerning the Police Department and public officials. (F: 53.3)
3. WRITTEN COMMUNICATIONS: None.

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

RECESS: 9:00 p.m.

CONDUCT AGENCY BUSINESS

CONDUCT SANITARY DISTRICT BUSINESS

RECONVENE: 10:04 p.m.

4. CONSENT ITEMS: (It is recommended that Items 4.a. through 4.j. be acted on simultaneously unless separate discussion and/or action is requested by a Council Member.)

4.a. Final Parcel Map No. 2006-102 and Subdivision Agreement for property located at 7301 Orangewood Avenue. (F: 118.PM-2006-102)

ACTION: Approved.
(4 Ayes. Nguyen absent.)

4.b. Award of Contract to Roy Allan Slurry Seal, Inc., for on-call slurry sealing services. (Contract cost: \$137,900.00) (F: 55) (XR: 24.2)

ACTION: Approved.
(4 Ayes. Nguyen absent.)

4.c. Agreement with 911 Vehicle for change over of Police Patrol Vehicle equipment. (Contract cost: \$275,000.00 over three years) (F: 55) (XR: 24.1) (XR: 82.1)

ACTION: Approved.
(4 Ayes. Nguyen absent.)

4.d. Adoption of Resolution requesting the Orange County Transportation Authority to disburse right-of-way funds for Project No. 7286, Magnolia Street/Trask Avenue Intersection Improvement Project. (F: 96.proj.7286)

ACTION: Resolution No. 8715-06 adopted.
(4 Ayes. Nguyen absent.)

COUNCIL MEMBERS: COUNCIL MEMBER KREBS, COUNCIL MEMBER LEYES,
COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN,
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- 4.e. Documentation for the November 7, 2006, General Municipal Election, calling and giving notice for the offices of Mayor and two members of the City Council; requesting the County of Orange to provide certain services in connection with the election; and adopting regulations for the Candidate's Statement of Qualifications. (F: 58.1.2006)

ACTION: Resolutions No. 8716-06, No. 8717-06, and No. 8718-06 adopted.
(4 Ayes. Nguyen absent.)

- 4.f. Purchase of one patch truck from Reynolds GMC – Public Works Department. (Cost: \$148,502.59) (F: 60.4) (XR: 24.1)

ACTION: Approved.
(4 Ayes. Nguyen absent.)

- 4.g. Purchase of two utility trucks from Don Kott Ford and Villa Ford – Public Works Department. (Cost: \$25,762.35 and \$35,999.52, respectively) (F: 60.4) (XR: 24.1)

ACTION: Approved.
(4 Ayes. Nguyen absent.)

- 4.h. Minutes of Regular Meetings of the City Council held April 25, and May 9, 2006, and Adjourned Regular Meeting held May 3, 2006. (F: Vault)

ACTION: Approved.
(4 Ayes. Nguyen absent.)

- 4.i. Warrants. (F: 60.5)

ACTION: Approved.
(4 Ayes. Nguyen absent.)

- 4.j. Waiver of full reading of Ordinances listed for adoption.

ACTION: Approved.
(4 Ayes. Nguyen absent.)

5. PUBLIC HEARINGS:

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

- 5.a. Proposed Budget for Fiscal Year 2006-07: (It is recommended that Items 5.a.1. through 5.a.10. be acted on simultaneously unless separate discussion and/or action is requested by a Council Member.) (F: 34.1)

ACTION: Hearing held.

- 5.a.1. Resolution adopting Basic Services, Grant Services, Water Services, Capital Improvements, Mobile Home Parks, and Special Assessment Budgets for Fiscal Year 2006-07.

ACTION: Resolution No. 8719-06 adopted.
(3 Ayes. Leyes voted no. Nguyen absent.)

- 5.a.2. Resolution adopting Fiscal Year 2006-07 Appropriations Limit.

ACTION: Resolution No. 8720-06 adopted.
(4 Ayes. Nguyen absent.)

- 5.a.3. Resolution appropriating Fund Balances as of June 30, 2006.

ACTION: Resolution No. 8721-06 adopted.
(4 Ayes. Nguyen absent.)

- 5.a.4. Resolution reappropriating Fiscal Year 2005-06 Project Balances and Encumbrances for Fiscal Year 2006-07.

ACTION: Resolution No. 8722-06 adopted.
(4 Ayes. Nguyen absent.)

- 5.a.5. Resolution adopting Fiscal Year 2006-07 Agency Budget.

ACTION: Resolution No. 8723-06 adopted.
(4 Ayes. Nguyen absent.)

- 5.a.6. Resolution adopting Fiscal Year 2006-07 Agency Budget Administrative Costs.

ACTION: Resolution No. 8724-06 adopted.
(4 Ayes. Nguyen absent.)

COUNCIL MEMBERS: COUNCIL MEMBER KREBS, COUNCIL MEMBER LEYES,
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- 5.a.7. Resolution adopting Fiscal Year 2006-07 Housing Authority Budget.

ACTION: Resolution No. 8725-06 adopted.
(4 Ayes. Nguyen absent.)

- 5.a.8. Resolution adopting revised Master Fee Resolution. (XR: 60.2a)

ACTION: Resolution No. 8726-06 adopted, as amended.
Late payment fee for Water Service, Art in Public Places fee,
and General Plan and Cultural Arts Fee to be placed on the
July 11, 2006, agenda for discussion.
(4 Ayes. Nguyen absent.)

- 5.a.9. Fiscal Year 2006-07 Conference and Training opportunities.
(F: 34.1) (XR: 127.8)

ACTION: Approved.
(4 Ayes. Nguyen absent.)

- 5.a.10. Appropriate funding for the FY 2006-07 Strategic Plan.
(XR: 127.8)

ACTION: Motion to remove \$22,000 capital outlay for
purchase of a car for Economic Development.
(4 Ayes. Nguyen absent.)

ACTION: Approved.
(3 Ayes. Leyes voted no. Nguyen absent.)

- 5.b. Substantial Amendment No. 1 to the 2005-06 Housing and Community
Development Action Plan.

ACTION: Hearing held. Approved.
(4 Ayes. Nguyen absent.)

6. COMMISSION/COMMITTEE MATTERS: None.

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

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

- 7.a. Initiation of proceedings for Main Street Assessment District No. 1 for FY 2006-07, approving the Engineer's Report and setting the public hearing for July 25, 2006. (F: 31.4)

ACTION: Resolution No. 8727-06 adopted.
(4 Ayes. Nguyen absent.)

- 7.b. Adoption of Paramedic tax override rate for Fiscal Year 2006-07.
(F: 60.11)

ORDINANCE NO. 2689 for introduction and first reading, by title only,
entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN
GROVE ESTABLISHING THE AMOUNT OF MONEY FOR PARAMEDIC
SERVICES THAT MUST BE RAISED BY AN AD VALOREM TAX OVERRIDE
AND THE SETTING OF THE TAX RATE OF SAID OVERRIDE

ACTION: Ordinance No. 2689 passed to second reading.
(4 Ayes. Nguyen absent.)

- 7.c. Adoption of Resolution approving the Renewed Measure M
Transportation Investment Plan. (F: 23.18c)

ACTION: Resolution No. 8728-06 adopted.
(3 Ayes. Leyes voted no. Nguyen absent.)

- 7.d. Adoption of Resolution regarding salaries and benefits for Police Middle
Management positions. (F: 78.8a)

ACTION: Resolution No. 8729-06 adopted.
(4 Ayes. Nguyen absent.)

8. ORDINANCES PRESENTED FOR SECOND READING:

- 8.a. ORDINANCE NO. 2688, for second reading and adoption, by title only,
entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
GARDEN GROVE ADOPTING A DEVELOPMENT AGREEMENT BETWEEN
HEWSON DEVELOPMENT CORPORATION (PROPERTY OWNER) AND THE
CITY OF GARDEN GROVE (F: 106.170)

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

ACTION: Ordinance passed.
(4 Ayes. Nguyen absent.)

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

- 9.a. Discussion concerning placing a measure on the November 7, 2006, ballot to eliminate fireworks sales and use within the city limits of Garden Grove, as requested by Council Member Krebs. (F: 53.1) (XR: 61.6)

ACTION: Staff directed to return on July 11 with a proposed ballot measure for discussion.
(3 Ayes. Leyes voted no. Nguyen absent.)

- 9.b. All Council Members wished everyone a Happy Independence Day. (F: 53.1)
- 9.c. Council Member Rosen wished his mother a Happy Birthday. (F: 53.1)
- 9.d. Council Member Krebs commented on the City's very successful 50th Anniversary Celebration, noting that the Fireworks event is good groundwork for an annual Fourth of July Fireworks display. He also congratulated the new leaders of the Chamber of Commerce Women's Division and the Strawberry Festival Association. Lastly, he commented on the wonderful retirement party for Kathy Porter and Doris Kothman. (F: 53.1)
- 9.e. Mayor Dalton commented on the direction that staff return with a proposed ballot measure to ban the sale and use of fireworks in Garden Grove, noting that his support of that motion was in support of Council Member Krebs' pursuit of protocol. (F: 53.1) (XR: 61.6)

10. ADJOURNMENT: 12:20 a.m. on Wednesday, June 28, 2006.