

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center
11300 Stanford Avenue

July 10, 2007

Council Chamber

ROLL CALL: COUNCIL MEMBER BROADWATER, COUNCIL MEMBER JONES,
COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN, MAYOR DALTON

Member Jones absent at roll call but joined the meeting at 5:40 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

5:35 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

COUNCIL MEMBERS: COUNCIL MEMBER BROADWATER, COUNCIL MEMBER JONES,
COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN,
MAYOR DALTON

(Subdivision (a) of Section 54956.9)

Vietnamese Buddhism Study Temple in America, et al. v. City of Garden Grove, et al.

United States District Court Case No. SACV06-728 CJC.

ACTION: Discussed. No reportable action.

Open Session

6:35 p.m.

INVOCATION: Les Jones, Assistant City Manager.

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

3. PRESENTATIONS:

- 3.a. Community Spotlight: Recognition of Tom Kim and Joseph Pak for their efforts in coordinating the recent trip to Anyang, Korea, for the Mayor and City Council. (F: 52.3)

ACTION: Recognized.

- 3.b. Community Spotlight: Recognition of Magda Sosa and Olivia Martinez, selected by All City Management Services as the 2006-07 Outstanding School Crossing Guards of the Year. (F: 52.3) (XR: 55)

ACTION: Recognized.

- 3.c. Community Spotlight: Recognition of Kingsley Okereke, City's Finance Director, for receiving a Certificate of Achievement for Excellence in Financial Reporting. (F: 52.3) (XR: 60.1)

ACTION: Recognized.

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

- 4.a. Alireza Jazayeri addressed the City Council regarding Agenda Item 6.g., alleging the bidding procedure was unfair, citing results of the

COUNCIL MEMBERS: COUNCIL MEMBER BROADWATER, COUNCIL MEMBER JONES,
COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN,
MAYOR DALTON

inspection were not relayed, only one business in Garden Grove was chosen, and lack of City Council involvement in the evaluation process. (F: 53.3) (XR: 82.2)

- 4.b. David Glickman, Attorney for Caldwell Towing, addressed the City Council concerning Agenda Item 6.g., requesting this matter be reconsidered and resurveyed. (F: 53.3) (XR: 82.2)
- 4.c. Russ McDonald addressed the City Council, indicating that David Vill by a vote of the AARP membership, was given authority to speak for the Chapter concerning the banning of fireworks. (F: 53.3) (XR: 61.6)
- 4.d. Gene Kirkham addressed the City Council about his participation in a ride-along with Public Safety on the Fourth of July, commenting citations were given, but there were a lot fewer fireworks this year. (F: 53.3) (XR: 61.6)
- 4.e. Dusty, representing Carr Towing, addressed the City Council concerning Agenda Item 6.g., requesting this matter be reconsidered. (F: 53.3) (XR: 82.2)
- 4.f. Amir Esfahani, representing American Tow, addressed the City Council concerning Agenda Item 6.g., noting that his business is in Garden Grove, and his lot was inspected but he also was not contacted concerning the results of the inspection. (F: 53.3) (XR: 82.2)
- 4.g. Robin Marcario addressed the City Council and announced a meeting of the Central Garden Grove Neighborhood Association on Saturday, July 14 and outlined political representatives who will be there to speak. She also noted that there will be a public forum on July 19 to discuss the draft EIR for Wal-Mart at the CMC. (F: 53.3) (XR: 130.19) (XR: 57.10)
- 4.h. David Vill, President of the Garden Grove Chapter of AARP, addressed the City Council and announced that their Chapter meets on the third Tuesday of every month at the CMC. He also spoke about their membership being against uncontrolled fireworks and the financial problems seniors are experiencing. (F: 53.3) (XR: 61.6)

COUNCIL MEMBERS: COUNCIL MEMBER BROADWATER, COUNCIL MEMBER JONES,
COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN,
MAYOR DALTON

- 4.i. Bert Ashland addressed the City Council and announced that there will be an Open House at the Courtyard Center on July 11 to meet with representatives of Wal-Mart. (F: 53.3) (XR: 57.10)

5. WRITTEN COMMUNICATIONS: None.

RECESS: 7:19 p.m.

CONDUCT AGENCY BUSINESS

RECONVENE: 7:22 p.m.

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

- 6.a. Proclamation declaring July 2007 as Parks and Recreation Month.
(F: 83.1)

ACTION: Approved.
(5 Ayes.)

- 6.b. Resolution commemorating the 20th Anniversary of the Thomas House Temporary Shelter. (F: 117.15)

ACTION: Approved.
(5 Ayes.)

- 6.c. Agreement with the Orange County Conservation Corps to provide recycling and maintenance services. (Cost: \$45,650 in grant funding)
(F: 55) (XR: 24.1)

ACTION: Approved.
(5 Ayes.)

- 6.d. Renewal of Agreement with Scott Fazekas and Associates for plan check services, with allocation of funding. (Cost: Not to exceed \$250,000)
(F: 55) (XR: 35.1)

ACTION: Approved.
(5 Ayes.)

COUNCIL MEMBERS: COUNCIL MEMBER BROADWATER, COUNCIL MEMBER JONES,
COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN,
MAYOR DALTON

- 6.e. Renewal of Agreement with Willdan Corporation for plan review services, with allocation of funding. (Cost: Not to exceed \$238,000) (F: 55) (XR: 35.1)

ACTION: Approved.
(5 Ayes.)

- 6.f. Renewal of Agreement with the Orange County Children and Families Commission for two years of grant funding for the continued operation of the Health Care Access Program at the Magnolia Park Family Resource Center. (Cost: \$690,767 for two-year period, \$360,597 of which is in 2007-08 budget year) (F: 55) (XR: 73.8)

ACTION: Approved.
(5 Ayes.)

- 6.g. Agreements with B & D Towing, Action Southland Towing, Country City Towing, and CRC Towing to provide on-call rotational towing services for the Police Department. (F: 55) (XR: 82.1) (XR: 82.2)

ACTION: Continued for one month.
(4 Ayes. Rosen absent.)

- 6.h. New classification of Senior Real Property Agent in the Economic Development Department. (F: 78.1) (XR: 43.4) (XR: 57.9)

ACTION: Pulled by staff.

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

ACTION: Approved.
(5 Ayes.)

- 6.j. Waiver of full reading of Ordinances listed.

ACTION: Approved.
(5 Ayes.)

7. PUBLIC HEARINGS: (Motion to approve will include adoption of each Resolution unless otherwise indicated.)

COUNCIL MEMBERS: COUNCIL MEMBER BROADWATER, COUNCIL MEMBER JONES,
COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN,
MAYOR DALTON

- 7.a. Appeal of Planning Commission's Approval of Conditional Use Permit No. CUP-205-07. The applicant is requesting approval to expand the operations of an existing trade school to include the entire freestanding building located on the north side of Westminster Avenue, east of Brookhurst Street, at 10121 Westminster Avenue. (F: 51.CUP-205-07)

ACTION: Continued to August 14, 2007.
(5 Ayes.)

8. COMMISSION/COMMITTEE MATTERS: None.

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

- 9.a. Agreement with the County of Orange for Animal Care Services.
(Cost: \$642,351) (F: 55) (XR: 43.1)

ACTION: Approved.
(5 Ayes.)

- 9.b. Discussion concerning issues related to the development of a skate park. (F: 73.1) (XR: 87.1)

ACTION: Continued until additional information is gathered.
(5 Ayes.)

10. ORDINANCES PRESENTED FOR SECOND READING:

- 10.a. ORDINANCE NO. 2713-A for second reading and adoption, by title only, waiving full reading, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AMENDING SECTION 14.12.010 OF CHAPTER 14.12 OF TITLE 14 ("WATER") OF THE MUNICIPAL CODE RELATING TO WATER RATES AND CHARGES (F: 112.16)

ACTION: Full reading waived. Ordinance title read in full. Ordinance passed.
(4 Ayes. Nguyen voted no.)

COUNCIL MEMBERS: COUNCIL MEMBER BROADWATER, COUNCIL MEMBER JONES,
COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN,
MAYOR DALTON

- 10.b. ORDINANCE NO. 2714 for second reading and adoption, by title only, waiving full reading, 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 (F: 60.11)

ACTION: Full reading waived. Ordinance title read in full.
Ordinance passed.
(5 Ayes.)

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

- 11.a. Council Member Broadwater requested a progress report on instituting the new part-time position in the City Manager's office to act as a liaison to the Vietnamese community, requesting this be established soon because the articles in the Vietnamese newspaper are one-sided. Lastly, he asked that the meeting be adjourned in memory of Carmen Van Dine, long-time resident of Garden Grove. (F: 53.1) (XR: 78.1) (XR: 46.9)
- 11.b. Mayor Pro Tem Rosen spoke about the OCTA bus strike, noting that the negotiators were still meeting as of 4:30 this afternoon. He and Mayor Dalton and Supervisor Nguyen met with OCTA on this, and he expressed hope that the strike will settle soon. He also indicated that he rode with the Police on the Fourth of July, and there was a marked decrease in the number of illegal fireworks this year which leads him to believe the citation plan is working. Lastly, he announced the beginning of the Concert in the Park series on Thursday at Eastgate Park, and he encouraged everyone to attend. (F: 53.1) (XR: 23.18) (XR: 61.6)
- 11.c. Council Member Nguyen spoke about a program for renters and homeowners 65 and older with annual incomes of \$42,000 or less where they can get money back. The outreach center is located at 9191 Bolsa Avenue. She expressed her sorrow for Mr. Matua's residential fire on the Fourth. (F: 53.1)
- 11.d. Mayor Dalton spoke about his Ride-Along on the Fourth, noting that about 125 citations were issued for \$1000 fines for the use of illegal

COUNCIL MEMBERS: COUNCIL MEMBER BROADWATER, COUNCIL MEMBER JONES,
COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN,
MAYOR DALTON

fireworks, many of which were on the west side of Garden Grove. He expressed hope that the situation will improve each year. He noted that he will also be adjourning the meeting in memory of Jackie Costa, another long-time resident of Garden Grove. (F: 53.1) (XR: 61.6) (XR: 46.9)

12. ADJOURNMENT: 8:10 p.m., in memory of Carmen Van Dine and Jackie Costa, long-time residents of Garden Grove. (F: 46.9)

The next Regular Meeting of the City Council will be held on Tuesday, July 24, 2007, at 5:30 p.m. in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue.