

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center
11300 Stanford Avenue

August 23, 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

11:17 p.m.

2. PRESENTATIONS: None.

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

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

None relevant to the City Council.

4. WRITTEN COMMUNICATIONS: None.

RECESS: 11:23 p.m.

CONDUCT AGENCY BUSINESS

CONDUCT SANITARY DISTRICT BUSINESS

RECONVENE: 11:30 p.m.

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

- 5.a. Proclamation declaring September 2005, as National Alcohol and Drug Addiction Recovery Month. (F: 83.1)

ACTION: Approved.
(5 Ayes.)

- 5.b. Resolution recognizing Interval House's 25th Anniversary milestone year. (F: 83.1)

ACTION: Approved.
(5 Ayes.)

- 5.c. Resolution authorizing the application for grant funds for the Magnolia Park Family Resource Center and the FOCUS Collaborative under the County of Orange Families and Community Together Program. (F: 73.8a)

ACTION: Resolution No. 8666-05 adopted.
(5 Ayes.)

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- 5.d. Award of blanket Purchase Order to All American Asphalt, Vulcan Materials, and R.J.Noble for asphalt mix. (Estimated cost: \$126,000.00) (F: 24.2) (XR: 60.4)

ACTION: Approved.
(5 Ayes.)

- 5.e. Appointment of new Accounting Technician to "E" step of salary range for this position. (F: 78.1)

ACTION: Approved.
(5 Ayes.)

- 5.f. Appointment of new Senior Economic Development Specialist to "F" step of salary range for this position. (F: 78.1)

ACTION: Continued to September 13, 2005 for additional information.
(5 Ayes.)

- 5.g. Minutes of Regular City Council Meeting held August 9, 2005. (F: Vault)

ACTION: Approved.
(5 Ayes.)

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

ACTION: Approved.
(5 Ayes.)

6. PUBLIC HEARINGS: None.

7. COMMISSION/COMMITTEE MATTERS: None.

8. ITEMS FOR CONSIDERATION:

- 8.a. Proposed Budget for Fiscal Year 2005-06: (It is recommended that Items 8.a.1. and 8.a.2. be acted on simultaneously unless separate discussion and/or action is requested by a Council Member.)
(Continued from meeting of June 28, 2005) (F: 34.1)

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8.a.1. Resolution adopting Basic Services, Grant Services, Water Services, Capital Improvements, Mobile Home Parks, and Special Assessment Budgets for Fiscal Year 2005-06.

ACTION: Resolution No. 8667-05 adopted.
(4 Ayes. Leyes voted no.)

8.a.2 Resolution adopting Fiscal Year 2005-06 Appropriations Limit.

ACTION: Resolution No. 8668-05 adopted.
(5 Ayes.)

8.b. Appointments to the Parks, Recreation, and Arts Commission.
(F: 122.70a)

ACTION: Motion to approve Christine Pietsch.
(5 Ayes.)

ACTION: Motion to approve Tony Flores.
(2 Ayes. Krebs, Nguyen, and Rosen voted no.)

9. ORDINANCES PRESENTED FOR SECOND READING: None.

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

10.a. Council Member Leyes spoke about the Orange County District Attorney's release of the report regarding its inquiry into possible violations of the Brown Act by the Agency. He suggested that the California First Amendment Coalition be contacted for materials and possible training in the Brown Act for Council Members, Commissioners, and even the public. He also suggested a look be taken at the City Manager's recommendations on this issue. He also took exception with newspaper articles on this matter relative to there being no wrong doing, because there was a violation of the Brown Act. He commented that the Agency attorney should be brought in to talk about what happened. There should be some accountability and measures taken to see that it does not happen again, and he would like to have this matter placed on an agenda in the near future. (F: 53.1)

10.b. Council Member Rosen suggested that the Senior Citizens Center consider looking into requesting surplus access buses that are available

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annually from OCTA. He noted that he recently spoke with Supervisor Correa, who suggested that we get some help from Sacramento relative to the sewer issue, and Council Member Rosen requested that discussion about hiring lobbyists be placed on the City Council agenda for the August 30 meeting. He also spoke about the Brown Act, noting that the District Attorney really did not have a case, but spent taxpayer dollars and wrote a 29-page report saying that they could have had a case if they had decided to prosecute, which is a cheap shot at people who don't have the courtroom to respond to it. Council Member Rosen noted that we have to be careful not to jump to the other end of the spectrum and not do certain things that should be done as a City Council. However, he agreed that the Redevelopment Attorney's involvement in this should be reviewed. He also suggested that screening meetings should be held to review proposed projects much earlier in the process to see if the City Council is interested in going forward with them. He noted that he has previously asked for regular reports by each department at the City Council meetings. He also requested that the City Council consider asking the Attorney General to give an opinion as to the extent to which proprietary information agreements are legal under the Brown Act so there is some consistency throughout the state of California; and also relative to guidelines for serial meetings. He also would like to see an outside attorney advise the City Council on the Brown Act. (F: 53.1) (XR: 87.8)

- 10.c. Council Member Nguyen thanked everyone for their good wishes on her recent wedding. (F: 53.1)
- 10.d. Council Member Krebs noted that he would welcome some training on the Brown Act. He also commented that the District Attorney's report should not be brought up any more inasmuch and put to rest. He also spoke about the Miss Garden Grove pageant and congratulated the Court. (F: 53.1)
- 10.e. Mayor Dalton spoke about the proposed sewer tax increase, noting that no one wants to raise taxes, but sometimes it is necessary to be equitable. (F: 53.1)
- 11. ADJOURNMENT: 12:22 a.m. on Wednesday, August 24, 2005, to Tuesday, August 30, 2005, at 6:30 p.m. in the Council Chamber of the Garden Grove Community Meeting Center, 11300 Stanford Avenue.

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HAPPY ANNIVERSARY TO
COUNCIL MEMBER HARRY AND ERLINE KREBS
AND
MARRIAGE CONGRATULATIONS TO
COUNCIL MEMBER JANET NGUYEN AND TOM BONIKOWSKI