

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center
11300 Stanford Avenue

September 12, 2006

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

6:16 p.m.

1. PUBLIC INPUT: (Anyone wishing to address only Closed Session items may do so at this time.)

None.

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

2. CLOSED SESSION:

2.a. CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO
GOVERNMENT CODE SECTION 54957.6

City Representative: Matthew Fertal, City Manager

Employee organizations: Garden Grove Fire Fighters Local 2005;
Garden Grove Police Association; Garden Grove Employees League
Chapter of the Orange County Employees Association; Garden
Grove Chapter of the Orange County Employees Association; Middle
Management; and Central Management.

ACTION: Discussed. No reportable action.

2.b. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Subdivision (a) of Section 54956.9)

ACTION: Discussed. No reportable action.

Hoffman v. Garden Grove

Orange County Superior Court Case No. 05CC10968

2.c. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Subdivision (a) of Section 54956.9)

ACTION: Discussed. No reportable action.

Joan Shaw v. City of Garden Grove, et al.

Orange County Superior Court Case No. 05CC10042

ACTION: Discussed. No reportable action.

2.d. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(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.

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

Open Session

7:44 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 Doris Kothman for 30 years of outstanding service to the City. (F: 52.3) (XR: 45.1)

ACTION: Recognized.

- 3.b. Department update by Finance Director, Kingsley Okereke. (F: 60.1)

ACTION: Report presented.

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

- 4.a. Verla Lambert addressed the City Council praising Public Works Staff on the trees and entry garden into her track and shared pictures with the City Council. She also repeated her desire to keep trees in the City's medians. (F: 53.3) (XR: 24.1)

- 4.b. David Terry Lautherboren commented on the parking available at the Los Sanchez Restaurant new site. He commented that the buses parking in the hotel parking adjacent to his home is being addressed, although sometimes the drivers need to be reminded. Additionally, Mr. Lautherboren commented on the assistance provided to the armed services personnel returning to the United States. (F: 53.3) (XR: 75.1) (XR: 115.A-119-05)

- 4.c. Manny Nunez wished a Happy Anniversary to the Mayor and his wife. He presented his ideas on adding an adjunct to the General Plan to develop a master development plan for the civic center. (F: 53.3) (XR: 48.1)

COUNCIL MEMBERS: COUNCIL MEMBER KREBS, COUNCIL MEMBER LEYES,
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- 4.d. Mallory Vega, Executive Director for Acacia Adult Day Care Services, addressed the City Council outlining the 27-year history of Acacia Adult Day Care and its relationship with the City. She also announced National Adult Day Care Week, September 17-23, 2006 and invited the City Council to Acacia's 27th Anniversary Celebration. (F: 53.3)
(XR: A-55.178) (XR: 106.88)

5. WRITTEN COMMUNICATIONS: None.

RECESS: 8:15 p.m.

CONDUCT AGENCY BUSINESS: 8:16 p.m.

CONDUCT SANITARY DISTRICT BUSINESS: 9:07 p.m.

RECONVENE: 9:10 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 designating September 25, 2006, as Family Day. (F: 83.1)

ACTION: Approved.
(5 Ayes.)

6.b. Award of Contract to Harris & Associates, for engineering design services for 2006/2007 Arterial Highway Rehabilitation Projects, Project No. 7237, Phase VIII. (Cost: \$126,596.60) (Continued from meeting of August 8, 2006) (F: 96 proj.7237phaseVIII)

ACTION: Approved.
(5 Ayes.)

6.c. Award of Contract to WG Zimmerman Engineering, Inc., for engineering design services for 2006/2007 Arterial Highway Rehabilitation Projects, Project No. 7237, Phase IX. (Cost: \$126,490) (Continued from meeting of August 8, 2006) (F: 96 proj.7237phaseIX)

ACTION: Approved.
(5 Ayes.)

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- 6.d. Cooperative Agreement with Caltrans for the reconstruction of the Magnolia Street Bridge on SR22. (F: 62.2)

ACTION: Approved.
(5 Ayes.)

- 6.e. Sublease of property located at 11277 Garden Grove Boulevard, by the Agency to the City of Garden Grove. (Also listed on the Agency agenda as Item No. 3.a.) (F: 55) (XR: A-55.170)

ACTION: Approved.
(5 Ayes.)

- 6.f. Sub-sublease to the City of La Habra for a portion of property located at 11277 Garden Grove Boulevard. (Also listed on the Agency agenda as Item No. 3.a.) (F: 55) (XR: A-55.170)

ACTION: Approved.
(5 Ayes.)

- 6.g. Adoption of Resolution requesting the Orange County Transportation Authority to disburse right-of-way funds for the Harbor Boulevard/Trask Avenue Intersection Improvements, Project No. 7128. (F: 96 proj.7128)

ACTION: Resolution 8735-06 adopted.
(5 Ayes.)

- 6.h. Adoption of Resolution approving the 2006-2009 Memorandum of Understanding with the Garden Grove Fire Fighters Local 2005. (F: 78.6A)

ACTION: Resolution 8736-06 adopted.
(5 Ayes.)

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MAYOR DALTON

- 6.i. Minutes of the Regular City Council Meeting held July 11, 2006, and Adjourned Regular Meeting held July 18. (F: Vault)

ACTION: Approved Minutes of Regular Meeting held July 11, 2006.
(5 Ayes.)

ACTION: Approved Minutes of Adjourned Regular Meeting held July 18 2006.
(3 Ayes. Dalton and Krebs abstained)

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

ACTION: Approved.
(5 Ayes.)

7. PUBLIC HEARINGS:

- 7.a. Amendment No. A-126-06 to Title 9, as recommended by the Planning Commission, to allow auto body repair and paint in the C-2 zone, subject to Conditional Use Permit approval.

ACTION: Hearing held.

- 7.a.1. ORDINANCE NO. 2694, for introduction and first reading, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-126-06, AN AMENDMENT TO TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE SECTION 9.08.030 TO ALLOW AUTO REPAIR (INCLUDING PAINT AND BODY WORK) IN THE C-2 (COMMUNITY COMMERCIAL) ZONE SUBJECT TO CONDITIONAL USE PERMIT APPROVAL (F: 115-A.126.05)

ACTION: Reading of Ordinance in full waived; Ordinance title read; and Ordinance passed to second reading.
(5 Ayes.)

COUNCIL MEMBERS: COUNCIL MEMBER KREBS, COUNCIL MEMBER LEYES,
COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN,
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8. COMMISSION/COMMITTEE MATTERS:

- 8.a. Recommendation from the Traffic Commission meeting of July 5, 2006, to eliminate the school crossing at Elmwood Street and Lampson Avenue, relocate the school crossing at Pine Street and Lampson Avenue, and place an adult crossing guard at the new crossing. (F: 122.11) (XR: 100.1) (XR: 78.8)

ACTION: Approved.
(5 Ayes.)

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

- 9.a. Initiation of Fall 2006 Weed Abatement Program. (F: 113.1 Fall 2006)

ACTION: Resolution 8737-06 adopted.
(5 Ayes.)

- 9.b. Agreement with Black & Veatch Corporation to develop a Financial Plan for the Water Enterprise Fund. (Cost: \$95,000) (F: 55) (XR: 112.1)

ACTION: Approved.
(5 Ayes.)

- 9.c. Affordable Housing Loan Agreement with Tamerlane Associates for the purchase of a four-unit apartment complex located at 12132 Tamerlane Drive. (F: 117.16V)

ACTION: Approved.
(5 Ayes.)

10. ORDINANCES PRESENTED FOR SECOND READING: None.

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COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN,
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11. MATTERS FROM THE MAYOR, CITY COUNCIL MEMBERS AND CITY MANAGER:

- 11.a. Discussion concerning assessing fees to pay for extra Public Safety services and clean-up required from impact of Fourth of July fireworks, and development of a schedule of penalties and fines for the use of illegal fireworks, as requested by Council Member Krebs. (F: 53.1) (XR: 61.6) (XR: 60.2)

ACTION: Discussed. Staff was directed to develop a fee and fine schedule.

- 11.b. Council Member Leyes spoke on the 9/11 Commemoration that he attended at the First Christian Church of Garden Grove and noted that the Crystal Cathedral was not mentioned in an OC Business Journal Survey. He thanked Manny Nunez for his ideas on developing the Civic Center Area and recalled different ideas of thinking out-of-the box that he has suggested over the years of his service on the City Council and encouraged Mr. Nunez and others to continue presenting their ideas. (F: 53.1) (XR: 48.1)
- 11.c. Council Member Rosen wished a Happy Birthday to Irene Orapeza and commented on the 9/11 Interfaith event that he attended. He noted that the Los Sanchez Grand Re-Opening is a redevelopment project that worked well for Los Sanchez; they are now landowners rather than tenants. (F: 53.1) (XR: 91.1) (XR: 115.A-119-05)

Council Member Rosen outlined the reasons why he does not want to be a rubber stamp for projects brought before the City Council. (F: 53.1)

- 11.d. Council Member Nguyen commented on attending the 9/11 First Christian Church of Garden Grove's event, and hoped that we not only remember our men and women in the Armed Forces but also our local heroes, on a daily basis and to be thankful that we are Americans and live in a democracy. She also wished Mayor Dalton and his wife a Happy Anniversary. (F: 53.1)
- 11.e. Council Member Krebs commented on the parking situation at Los Sanchez indicating that there is ongoing discussions on using the parking in the next lot. He offered his congratulations to Mayor Dalton and his wife on their anniversary. (F: 53.1) (XR: 115.A-119-05)

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- 11.f. Mayor Dalton wished his wife Sandy a Happy 45th Anniversary and offered his condolences to the family of George Lubin a retired Garden Grove Police Officer. (F: 53.1) (XR: 82.1)
12. ADJOURNMENT: At 11:30 p.m. The meeting was adjourned in memory of George Lubben, retired Garden Grove Police Officer. The next Regular Meeting of the City Council will be September 26, 2006, at 6:15 p.m., in the City Council Chamber of the Community Meeting Center, located at 11300 Stanford Avenue. (F: 46.9) (XR: 82.1)

HAPPY ANNIVERSARY TO MAYOR BILL DALTON AND WIFE SANDY