

MINUTES

GARDEN GROVE CITY COUNCIL

A Regular Meeting of the City Council of the City of Garden Grove was called to order in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, on Tuesday, March 8, 2005, at 6:55 p.m.

ROLL CALL: PRESENT: (5) MAYOR DALTON, COUNCIL MEMBERS KREBS, LEYES, NGUYEN, ROSEN

ABSENT: (0) NONE

ALSO PRESENT: City Manager, Matthew Fertal; Deputy City Manager, Les Jones; Administrative Services Director, Kathy Porter; Community Development Director, Susan Emery; Community Services Director, Cal Rietzel; Finance Director, Kingsley Okereke; Personnel Director, Steve Larson; Deputy Police Chief, Kevin Raney; Public Works Director, Keith Jones; City Attorney, John Shaw; and City Clerk, Ruth Smith.

INVOCATION AND PLEDGE

Deputy City Manager Les Jones gave the Invocation. The Pledge of Allegiance to the Flag of the United States of America was led by the CanTiMaKa group from Camp Fire USA, Long Beach Area Council, made up of fourth graders from Enders Elementary School.

PRESENTATION – COMMUNITY SPOTLIGHT (F: 52.3) (XR: 102.3)

Mayor Dalton called forward the Sister City Association Exchange Students, along with their chaperones, who will be visiting Anyang, Korea, and presented them each with a City Gift Bag. The City Council wished them a safe and memorable trip to Korea, as well as continued success in the students' future academic endeavors.

PRESENTATION OF STATUS REPORT BY ORANGE COUNTY VECTOR CONTROL PUBLIC INFORMATION OFFICER, MICHAEL HEARST, REGARDING THE WEST NILE VIRUS (F: 52.3) (XR: 23.20)

Michael Hearst, Orange County Vector Control Public Information Officer, addressed the Council, providing an update concerning the

West Nile Virus, Fire Ants, and the impact of the 22 Freeway widening.

ORAL COMMUNICATIONS - PUBLIC

Mayor Dalton indicated people are in the audience this evening concerning the issue of a sober living home and requested that the City Attorney speak to the issue.

The City Attorney provided background information on the issue from a legal standpoint. He noted that the State prohibits the use of zoning provisions by the cities. Legislative efforts have been made to allow limited regulations; however, there is a loss of zoning power in this regard.

Dave Fridley addressed the City Council, indicating that due to a sober living home in the middle of their neighborhood, a family is moving because it is not a good environment in which to raise their children. (F: 53.3) (XR: 82.14)

Tony Flores addressed the City Council, expressing his appreciation to Council Member Leyes and Mayor Dalton for their support for him at the last Council meeting for a commissioner position. He addressed allegations that Council Member Rosen made about him at the last meeting, reading from material that he presented to the Council Members. (F: 53.3)

John Chambers, George Folk, Deno Rocha, John McDermott, and Terri Bowlin, former residents of sober living homes, addressed the City Council and spoke in support of this type of facility, commenting on the positive impact they have on the lives of the people residing there. (F: 53.3) (XR: 82.14)

Je'net Krectner, homeowner of the subject property, addressed the City Council, noting that she has tried to work out some type of compromise with the neighbors, having offered to make it a home for only women. (F: 53.3) (XR: 82.14)

Paula Sullivan addressed the City Council, indicating that she is a recovering alcoholic. She spoke in support of sober living homes, commenting that they help people better their lives. (F: 53.3) (XR: 82.14)

Bob Owens addressed the City Council, commenting that people from all walks of life need rehabilitation, and those who are not affluent need this type of facility to get their lives in order. He read

from an article in the Journal, noting that Council Member Krebs does not need a ghostwriter. He also spoke about campaign contributions from donors outside the city. (F: 53.3) (XR: 82.14)

J. Tilman Williams addressed the City Council, expressing appreciation for staff mailing him the agendas and minutes over the past years. He indicated that he has rented out his properties as sobriety houses, noting that these people are good people. (F: 53.3) (XR: 82.14)

Donna Sanders addressed the City Council and presented a copy of a petition bearing signatures of 56 people on the street who oppose a "Sober Living Home" in their neighborhood at 11712 Paloma Avenue. She lives next door to the subject property and noted that too often offenders, many of which are burglars and robbers, "re-offend." (F: 53.3) (XR: 82.14)

A.T. Wicks addressed the City Council, indicating that those opposed to the sober living facility are really talking about discrimination, noting that at the City level nothing can really be done. (F: 53.3) (XR: 82.14)

REQUEST FROM THE GARDEN GROVE PLAYHOUSE FOR CITY ASSISTANCE IN UNDERWRITING THE COSTS OF THE FIRST PRODUCTION OF THE 2005 SEASON
(F: 73.2a)

Staff report dated March 8, 2005, was introduced, along with a communication from the Garden Grove Playhouse requesting the City underwrite the first production of the season only, at a cost of \$2260.00.

It was moved by Council Member Leyes, seconded by Council Member Krebs, and carried by unanimous vote, that \$2260.00 be taken from the City's Arts Fund to underwrite Garden Grove Playhouse's first production of the 2005 season.

RECESS

At 8:24 p.m., Mayor Dalton declared a recess.

RECONVENE

At 8:38 p.m., the meeting was reconvened with Mayor Dalton and all Council Members in attendance.

RESOLUTION OF COMMENDATION (F: 83.1)

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that a Resolution commending Rotary International on its 100-year Anniversary, be and hereby is approved.

AGREEMENT WITH PSOMAS TO PREPARE THE 2005 URBAN WATER MANAGEMENT PLAN (F: 55) (XR: 112.10)

Staff report dated March 8, 2005, was introduced.

Council Member Leyes indicated that he would abstain from voting on this item inasmuch as he has possible business dealings with this company.

Council Member Krebs moved, seconded by Council Member Rosen, that the Agreement by and between the City of Garden Grove and Psomas to prepare the 2005 Urban Water Management Plan, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement. Said motion carried by the following vote:

AYES: COUNCIL MEMBERS: (4) KREBS, NGUYEN, ROSEN, DALTON
NOES: COUNCIL MEMBERS: (0) NONE
ABSENT: COUNCIL MEMBERS: (0) NONE
ABSTAIN: COUNCIL MEMBERS: (1) LEYES

AGREEMENT WITH HAPPY SOFTWARE, INC., TO PROVIDE SOFTWARE/HARDWARE COMPUTER PRODUCTS AND SUPPORT SERVICES FOR THE HOUSING AUTHORITY (F: 55) (XR: 87.10)

Staff report dated March 8, 2005, was introduced.

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that the Agreement by and between the City of Garden Grove and HAPPY Hardware, Inc., to provide software/hardware computer products and support services for the Housing Authority, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement.

REQUEST FOR OUT-OF-STATE TRAVEL FOR TRAINING PURPOSES (F: 57.1)

Staff report dated March 8, 2005, was introduced.

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that out-of-state travel for two Community Development Department employees to receive CDBG training in Phoenix, Arizona, March 15-18, 2005, be and hereby is approved.

MINUTES (Vault)

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that the minutes of the Regular City Council Meetings held January 11 and January 25, 2005, be and hereby are approved.

WARRANTS (F: 60.5)

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that regular warrants 330657 through 332163 and Wire W185, and payroll warrants 139346 through 139741, Direct Deposits D102471 through D103562, and Wires W942 through W949, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

AWARD OF CONTRACT TO THOMCO CONSTRUCTION FOR THE POLICE ANNEX BUILDING RENOVATION AT 11400 STANFORD AVENUE (F: 55) (XR: 82.1)

Staff report dated March 8, 2005, was introduced.

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that Thomco Construction be and hereby is determined to be the lowest acceptable bidder in connection with the Police Annex Building Renovation at 11400 Stanford Avenue, and that contract for said project be and hereby is awarded to said company in the sum of \$736,717.00, in accordance with the terms of the City's plans and specifications and the bid submitted by said company; that all other bids be and hereby are rejected; and the City Manager and City Clerk are authorized to execute said contract.

ADOPTION OF A FIVE-YEAR COMMUNITY VISION STATEMENT, GUIDING PRINCIPLES, AND STRATEGIC GOALS FOR THE CITY (F: 127.8)

Staff report dated March 8, 2005, was introduced, and the City Manager reviewed the statement, principles, and goals of the Vision Statement.

RESOLUTION NO. 8630-05

It was moved by Council Member Krebs, seconded by Council Member Nguyen, and carried by unanimous vote, that full reading of Resolution No. 8630-05 be waived, and said Resolution entitled A RESOLUTION OF THE CITY OF GARDEN GROVE APPROVING AND ADOPTING A COMMUNITY VISION STATEMENT, GUIDING PRINCIPLES, AND STRATEGIC GOALS FOR THE CITY, be and hereby is adopted.

REQUEST THAT THE ORANGE COUNTY TRANSPORTATION AUTHORITY DISBURSE RIGHT-OF-WAY ACQUISITIONS FUNDS TO THE CITY FOR THE ADDITION OF A RIGHT-TURN LANE TO EUCLID STREET AT SR 22 EASTBOUND ON-RAMP (F: 23.18) (XR: 62.2a)

Staff report dated March 8, 2005, was introduced.

RESOLUTION NO. 8631-05

It was moved by Council Member Krebs, seconded by Council Member Leyes, and carried by unanimous vote, that full reading of Resolution No. 8631-05 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE REQUESTING THE ORANGE COUNTY TRANSPORTATION AUTHORITY TO ALLOCATE COMBINED TRANSPORTATION PROGRAM FUNDS FOR EUCLID STREET AT SR 22 EAST BOUND ON-RAMP IMPROVEMENT PROGRAM, be and hereby is adopted.

REVISED RESOLUTION APPROVING AN APPLICATION FOR A STATE URBAN PARK AND HEALTHY COMMUNITIES PROGRAM GRANT TO COMPLETE IMPROVEMENTS TO THE FRONT ATHLETIC FIELDS AT GARDEN GROVE PARK (F: 73.5)

Staff report dated March 8, 2005, was introduced, noting that staff has received a letter from the State requesting additional information, including the addition of a statement to the Resolution specifying the required match amount.

RESOLUTION NO. 8632-05

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 8632-05 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE STATE URBAN PARKS AND HEALTHY COMMUNITIES PROGRAM

UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002 FOR SOCCER, FOOTBALL AND BASEBALL FIELD IMPROVEMENTS AT GARDEN GROVE PARK, be and hereby is adopted.

ESTABLISHMENT OF A PARKS, RECREATION, AND ARTS COMMISSION
(F: 122.70)

Staff report dated March 8, 2005, was introduced.

ORDINANCE NO. 2655 was introduced for first reading and the title read in full, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ESTABLISHING A PARKS, RECREATION, AND ARTS COMMISSION, to consist of seven Garden Grove residents and serve as an advisory body to the City Council and the Planning Commission.

It was moved by Council Member Leyes, seconded by Mayor Dalton, and carried by unanimous vote, that full reading of Ordinance No. 2655 be waived, and said Ordinance be and hereby is passed to second reading.

SECOND READING OF ORDINANCE NO. 2654 (F: 122.6)

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Ordinance No. 2654, be and hereby is waived.

ORDINANCE NO. 2654 was presented for second reading and adoption and the title read in full, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE MODIFYING THE PARKING AND MAIN STREET COMMISSION

It was moved by Council Member Krebs, seconded by Council Member Nguyen, and carried by unanimous vote, that Ordinance No. 2654 be and hereby is declared passed.

APPOINTMENTS TO CITY COMMISSIONS AND COMMITTEES (F: 122.10a)
(XR: S-122.1a) (XR: 122.2c)

It was moved by Council Member Nguyen, seconded by Council Member Krebs, and carried by unanimous vote, that Nick Lecong be and hereby is appointed to the Planning Commission, as Council Member Nguyen's appointee.

It was moved by Council Member Nguyen, seconded by Council Member Rosen, and carried by unanimous vote, that Eddie Hodges, Jr., be and hereby is reappointed to the Administrative Board of Appeals, as Council Member Nguyen's appointee.

It was moved by Council Member Nguyen, seconded by Council Member Krebs, and carried by unanimous vote, that Linda Le be and hereby is appointed to the Sanitary District Advisory Commission, as Council Member Nguyen's appointee.

CONSIDERATION OF CITY MANAGER PROPOSAL REGARDING CITY MANAGER
CREATION OF INFORMAL COMMITTEE TO STUDY CITY BUDGETARY ISSUES
(F: 122.76)

Staff report from the City Manager, dated March 8, 2005, was introduced, proposing that the City Manager form an informal ad hoc community financial working group to study the City's options for addressing its current structural fiscal situation, and provide a report on those options.

The City Manager indicated that the City is depleting its reserves, and there is a need to identify additional revenue sources, and that it might be helpful for his office to have input from the community regarding these budgetary concerns.

After brief discussion by Council Members, it was moved by Council Member Krebs, seconded by Mayor Dalton, and carried by unanimous vote, to accept the City Manager's proposal as set forth in the recommendation in his staff report.

CONSIDERATION OF THE FORMATION OF A HIGH TECHNOLOGY
SUBCOMMITTEE TO ADDRESS EMERGING TECHNOLOGIES, AS REQUESTED
BY COUNCIL MEMBER LEYES (F: 122.77)

Council Member Leyes suggested the formation of a Council committee to deal with issues concerning high technology as they come up and as new technology is introduced. He volunteered to serve on that committee and suggested Council Member Nguyen also serve as a member.

Council Member Nguyen expressed her support for this committee formation, noting that Main Street became wireless about a year ago.

Council Member Krebs noted that the Chamber of Commerce is responsible for Main Street's wireless network, commenting that it stretches from the Village Green to Home Depot.

It was moved by Council Member Krebs, seconded by Council Member Nguyen, and carried by unanimous vote, that a High Technology Subcommittee be formed to address emerging technologies, with Council Member Leyes and Council Member Nguyen serving on the subcommittee.

CONSIDERATION OF AN E-MAIL RECEIVED FROM TONY FLORES REGARDING COMMISSION/COMMITTEE APPOINTMENTS, AS REQUESTED BY COUNCIL MEMBER LEYES (F: 53.1) (XR: 122.1)

Council Member Leyes noted that Mr. Flores spoke about this earlier under Oral Communications. He further commented that diversity of opinion is a good thing.

MATTERS FROM THE MAYOR AND CITY COUNCIL MEMBERS

Council Member Leyes spoke about the 50th Anniversary of Disney Parks and Resorts, noting they have been an important player in the Orange County economy. He also spoke about the City's upcoming 50th Anniversary and suggested the City use this opportunity to catalog the city's outstanding points of historical interest, including perhaps developing an oral history from the older segment of our population who have resided here over the past many years. (F: 53.1) (XR: 122.75)

Council Member Rosen wished his daughter Jessica a Happy 14th Birthday. He provided an update on the expansion of the 22 Freeway. He also responded to a comment from Mr. Littrell during the Agency meeting concerning an altar, noting that does not exist. He noted that public hearings were held concerning the Brookhurst Triangle development, at which time the Agency/City Council said that the City would not subsidize any development there. He further noted that inasmuch as costs have gone up, perhaps the City should revisit that property (F: 53.1) (XR: A-53.1)

Council Member Nguyen commended the West Garden Grove Little League on its Opening Day Ceremony. She noted that Judge Nguyen had a stroke on the weekend and wished him well. She referenced a booklet on Facts and Figures of Orange County, noting some places located in Garden Grove are mentioned in it. (F: 53.1)

Mayor Dalton wished his granddaughter Cassandra a Happy 13th Birthday and extended birthday greetings to his daughter Paula. He noted that the Garden Grove Historical Society is a great resource for historical data, and he encouraged residents to support Garden Grove hotels and keep their money in Garden Grove. (F: 53.1) (XR: 130.16)

ADJOURNMENT

At 9:42 p.m., the meeting was declared adjourned.

RUTH E. SMITH
CITY CLERK