

## 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 14, 2006, at 7:05 p.m.

ROLL CALL: PRESENT: (4) MAYOR DALTON, COUNCIL MEMBERS KREBS, LEYES, ROSEN

ABSENT: (1) COUNCIL MEMBER NGUYEN (Joined the meeting at 7:23 p.m.)

#### INVOCATION AND PLEDGE

Deputy City Manager Les Jones gave the Invocation. Council Member Rosen led the Pledge of Allegiance to the Flag of the United States of America.

#### COMMUNITY SPOTLIGHT (F: 52.3) (XR: 102.3)

Mayor Dalton called forward Sister City Association Exchange students who will be visiting Anyang, Korea in April and provided them with gift bags filled with mementos from the City, including commemorative items designating the City's 50<sup>th</sup> Anniversary.

#### DEPARTMENT UPDATE BY ECONOMIC DEVELOPMENT DIRECTOR CHET YOSHIZAKI (F: 43.4)

Economic Development Director Chet Yoshizaki provided an update of activities in the Economic Development Department.

#### ORAL COMMUNICATIONS - PUBLIC

Jon Wilmes addressed the City Council, noting that he owns a triplex in the city. He commented that the water sewer maintenance fee increase is unfair and inequitable inasmuch as single-family dwellings and duplexes are rated the same.

COUNCIL MEMBER NGUYEN JOINED THE MEETING AT 7:23 P.M.

Council Member Rosen responded that two extensive public hearings were held last year on this, and the City did best it could to address state and federal regulation mandates. (F: 53.3) (XR: S-60.1)

Charles Mitchell addressed the City Council, expressing appreciation for the City Council's attentiveness at the previous City Council meeting to Kristen Maddox who spoke about the H.O.T. organization. He indicated he is leaving flyers at the Community Meeting Center about the organization. (F: 53.3)

Tony Rector addressed the City Council and expressed appreciation for the City Council's action taken at the February 28 meeting concerning the Buddhist Temple public hearing, commenting that the Council Members showed great integrity. He is hopeful that Code Enforcement can now do their job. (F: 53.3) (XR: 80.2)

PROCLAMATION – NATIONAL DONATE LIFE MONTH (F: 83.1)

It was moved by Council Member Rosen, seconded by Council Member Krebs, and carried by unanimous vote, that April 2006, be and hereby is designated National Donate Life Month.

DENIAL OF CLAIMS (F: 49.2)

It was moved by Council Member Rosen, seconded by Council Member Krebs, and carried by unanimous vote, that the Amended Claim submitted on behalf of Lori Kane; and Claims submitted on behalf of Kathleen Turnbaugh and Jose Gonzalez; Ernest Busto, Jr.; and Luis Mejia, be and hereby are denied; further, that the Amended Claim submitted on behalf of Carol Below, be continued to the meeting of March 28, 2006, to be discussed in both Closed and Open sessions.

AGREEMENT WITH CRANE ARCHITECTURAL GROUP FOR ARCHITECTURAL AND ENGINEERING DESIGN AND CONSTRUCTION SUPPORT SERVICES FOR THE BUENA CLINTON YOUTH AND FAMILY CENTER (F: 55) (XR: 73.20a)

Staff report dated February 14, 2006, 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 Crane Architectural Group for architectural and engineering design and construction support services for a not-to-exceed fee of \$120,000.00 for the Buena-Clinton Youth and Family Center, be and hereby is approved;

and the City Manager and City Clerk are authorized to execute the agreement.

FINAL TRACT MAP NO. 16607 FOR PROPERTY LOCATED AT 8800 GARDEN GROVE BOULEVARD (F: 103.TT-16607) (XR: 116.SP-352-04)

Staff report dated March 14, 2006, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Krebs, and carried by unanimous vote, that Final Tract Map No. 16607 for property located at 8800 Garden Grove Boulevard (Western Pacific Capital, Inc.), be and hereby is approved.

RESOLUTION ACKNOWLEDGING THE SUBSTITUTION OF FUNDS FROM THE COUNTY OF ORANGE UNDER THE 2002 STATE PARK BOND ACT (F: 73.5.Proj.7658) (XR: 23.3)

Staff report dated March 14, 2006, was introduced.

RESOLUTION NO. 8691-06

It was moved by Council Member Rosen, seconded by Council Member Krebs, and carried by unanimous vote, that full reading of Resolution No. 8691-06 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ACKNOWLEDGING THE SUBSTITUTION OF FUNDS FROM THE COUNTY OF ORANGE PER CAPITA GRANT PROGRAM UNDER THE SAFE NEIGHBORHOOD PARKS, CLEAN WATER, CLEAN AIR, AND COASTAL PROTECTION BOND ACT OF 2002, be and hereby is adopted.

MINUTES (Vault)

It was moved by Council Member Rosen, seconded by Council Member Krebs, and carried by unanimous vote, that the minutes of the Adjourned Regular City Council Meeting held January 31, 2006, be and hereby are approved.

WARRANTS (F: 60.5)

It was moved by Council Member Rosen, seconded by Council Member Krebs, and carried by unanimous vote, that regular warrants 355778 through 357392 and Wires W240 through W243, and payroll warrants 144808 through 144985, Direct Deposits D117541 through D118108 and Wires W1069 through W1072, which

have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

PUBLIC HEARING - PROTESTS ON THE SPRING 2006 WEED ABATEMENT NOTICES (F: 113.1.Spring 2006)

Staff report dated March 14, 2006, was introduced.

Mayor Dalton declared the public hearing opened and asked if anyone wished to address the City Council on the matter.

There being no response from the audience or comments from Council Members, the public hearing was declared closed.

It was moved by Council Member Rosen, seconded by Council Member Krebs, and carried by unanimous vote, that staff be and hereby is directed to proceed with the scheduled Spring 2006 Weed Abatement.

AGREEMENT WITH RBF CONSULTING FOR THE PREPARATION OF A GENERAL PLAN UPDATE AND A PROGRAM ENVIRONMENTAL IMPACT REPORT (F: 55) (XR: 35.1) (XR: 20.1)

Staff report dated March 14, 2006, was introduced and reviewed by staff.

Council Member Krebs commented on the two-year term of the agreement when it has been noted that time is of the essence.

Staff noted that two years provides extra flexibility.

Council Member Krebs moved, seconded by Council Member Nguyen, that the term of the agreement be amended to reflect a shorter term.

Council Member Leyes commented that this is an excruciating, invigorating, and laborious project, and he would prefer not to have it rushed.

It was moved by Council Member Leyes, seconded by Council Member Rosen, and carried by unanimous vote, a substitute motion that the agreement by and between the City of Garden Grove and RBF Consulting for the preparation of a General Plan Update and a Program Environmental Impact Report, be and hereby is approved, as originally presented, for two years from the execution of the Agreement or the completion of work, whichever is later; the City

Manager and City Clerk are authorized to execute the agreement; the transfer of \$630,000.00 from the General Plan Trust Account to Fund 111, General Purpose, is approved; and an allocation of \$630,000.00 to fund the consultant agreement be approved.

PARTICIPATION IN JOINT POWERS AGREEMENT FOR INTEGRATED LAW AND JUSTICE AGENCY FOR ORANGE COUNTY; AND RATIFICATION OF THE COPLINK SYSTEM USE POLICY (F: 55) (XR: 82.1)

Staff report dated March 14, 2006, was introduced and reviewed by staff.

It was moved by Council Member Leyes, seconded by Council Member Nguyen, and carried by unanimous vote, that the formation of the Integrated Law and Justice Agency for Orange County and the City's participation in the Joint Powers Authority be endorsed; that the Joint Powers Agreement for the Integrated Law and Justice Agency for Orange County be and hereby is approved; and the Mayor and City Clerk are authorized to execute the agreement, with such non-substantive changes as may be approved by the Mayor, Chief of Police or designee. and the City Attorney, noting these changes may include the authorization for the County of Orange to participate in the Joint Powers Authority; the City Manager and/or Police Chief is authorized to execute any related documents consistent with the implementation of this agreement; and the COPLINK System Use Policy be and hereby is approved, ratifying the execution of this document by the Chief of Police and authorizing the Chief of Police to execute any amendments on behalf of the City.

SECOND READING OF ORDINANCES NO. 2684 AND NO. 2685

It was moved by Council Member Rosen, seconded by Council Member Krebs, and carried by unanimous vote, that full reading of Ordinances No. 2684 and No. 2685, be and hereby is waived.

ORDINANCE NO. 2684 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 APPROVING PLANNED UNIT DEVELOPMENT NO. PUD-110-06, CHANGING THE ZONING DESIGNATION FROM HCSP-OP TO PLANNED UNIT DEVELOPMENT NO. PUD-110-06 (F: 20.GPA-1-06(A)) (XR: 116.PUD-110-06) (XR: 106.167)

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that Ordinance No. 2684 be and hereby is declared passed.

ORDINANCE NO. 2685 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 APPROVING A DEVELOPMENT AGREEMENT BETWEEN OLSON URBAN HOUSING, LLC, AND THE CITY OF GARDEN GROVE (F: 20.GPA-1-06(A)) (XR: 116.PUD-110-06) (XR: 106.167)

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that Ordinance No. 2685 be and hereby is declared passed.

APPOINTMENT TO THE PARKING AND MAIN STREET COMMISSION, AS REQUESTED BY COUNCIL MEMBER LEYES (F: 122.6a)

It was moved by Council Member Leyes, seconded by Council Member Rosen, and carried by unanimous vote, that Peter Katz be and hereby is appointed to serve as a Commissioner on the Parking and Main Street Commission, as Council Member Leyes' appointee.

COMMENTS FROM THE MAYOR AND CITY COUNCIL MEMBERS

Council Member Leyes commented on the 50<sup>th</sup> Anniversary neckties that the Council Members received. He also spoke about a letter referencing the RLUPA with a possible threat of a lawsuit relative to the Buddhist Temple decision made at the previous City Council meeting. He requested information from staff relative to this matter. Lastly, he requested information concerning undergrounding utilities in the western portion of Garden Grove. (F: 53.1) (XR: 20.GPA-4-05(A))

Council Member Rosen wished his daughter Jessica a Happy 15<sup>th</sup> Birthday. He also spoke about the funeral services held today for Westminster City Council Member Russell Paris. (F: 53.1) (XR: 46.9)

Council Member Nguyen requested that the Jessica's Law Initiative be placed on the next City Council agenda for discussion. She also spoke about the services held today for Russell Paris, noting that he was a friend and colleague. (F: 53.1) (XR: 46.9)

Mayor Dalton spoke about the many conventions that are being held at our hotels on Harbor Boulevard, reminding citizens to keep our hotels in mind when accommodations are needed. He also spoke about the passport services now being provided in the City Clerk's Office and encouraged the citizens to apply for their passports there.

He wished his daughter Paula a Happy Birthday. Lastly, he spoke about Russell Paris. (F: 53.1) (XR: 46.9)

ADJOURNMENT

At 8:13 p.m., the meeting was adjourned in memory of Westminster City Council Member Russell Paris. (F: 46.9)

RUTH E. SMITH  
CITY CLERK