

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, August 8, at 7:03 p.m.

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

ABSENT: (1) COUNCIL MEMBER NGUYEN

INVOCATION AND PLEDGE

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

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

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

ORAL COMMUNICATIONS - PUBLIC

Verla Lambert addressed the City Council concerning a need to keep the trees in the medians; and the existence of empty tree wells along Garden Grove Boulevard that are creating too narrow of a passage on the sidewalk for wheelchairs to pass. (F: 53.3)
(XR: 24.4)

COMMUNICATION FROM THE SUSTAINABLE COMMUNITY FOUNDATION OF ORANGE COUNTY REQUESTING A WAIVER OF FEES FOR THE VENDORS FOR THE GARDEN GROVE INTERNATIONAL FARMERS MARKET (F: A-122.6)

Communication dated August 1, 2006, was introduced, along with information concerning what other cities charge for this type of venue.

Roland Chi, President of the Sustainable Community Foundation of Orange County, addressed the City Council and spoke about the Farmers Market, noting that they had a difficult time recruiting vendors because of the \$67.50 annual fee, and he requested that only the organization be charged the fee.

Mr. Chi responded to questions from the Council Members concerning the Market, including how it is being run and the volume of sales.

Council Member Krebs moved approval of staff's recommendation that the vendors pay for their own business license.

Council Member Rosen noted that staff's recommendation is not on the agenda.

Further discussion ensued, and no action was taken.

RECESS

At 8:10 p.m., the Mayor declared a recess.

RECONVENE

At 8:11 p.m., the meeting was reconvened in the Council Chamber with Mayor Dalton and Council Members Krebs, Leyes, and Rosen in attendance.

AWARDS OF CONTRACTS FOR ENGINEERING DESIGN SERVICES FOR 2006/2007 ARTERIAL HIGHWAY REHABILITATION PROJECTS, PROJECT NO. 7237, PHASE VIII AND PHASE IX (F: 96.proj.7237.Phase VIII and Phase IX)

Staff reports dated August 8, 2006, were introduced.

Council Member Rosen commented that there were four bidders on each phase of the project, and staff has provided no scoring or analysis of the bidders. He would like to continue this matter to obtain more backup information, including a summary of the scores of all the bidders.

It was moved by Council Member Rosen, seconded by Council Member Leyes, and carried by unanimous vote of those present, that these two items be continued to the next City Council meeting in order to provide the requested additional information to the City Council Members.

AGREEMENT WITH THE ORANGE COUNTY CONSERVATION CORPS TO PROVIDE RECYCLING AND MAINTENANCE SERVICES (F: 55) (XR: 24.1)

Staff report dated August 8, 2006, was introduced.

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote of those present, that the Agreement by and between the City of Garden Grove and the Orange County Conservation Corps, in the amount of \$67,000, to provide recycling and maintenance services, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement.

AGREEMENT WITH GARY MAITEN TO SERVE AS JAIL AND POLICE VEHICLE FLEET SERVICES CONSULTANT/COORDINATOR (F: 55) (XR: 82.1)

Staff report dated August 8, 2006, was introduced.

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote of those present, that the Agreement by and between the City of Garden Grove and Gary Maiten, in an amount not to exceed \$36,960, for services as a jail and police vehicle fleet services consultant/coordinator from July 1, 2006 through June 30, 2007, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement.

RENEWAL OF AGREEMENT WITH THE COUNTY OF ORANGE FOR FY 2005 HOMELAND SECURITY GRANT PROGRAM ADMINISTERED BY THE ORANGE COUNTY SHERIFF'S DEPARTMENT (F: 55) (XR: 82.1)

Staff report dated August 8, 2006, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Krebs, and carried by unanimous vote of those present, that the Agreement by and between the City of Garden Grove and the County of Orange for the FY 2005 Homeland Security Grant Program administered by the Orange County Sheriff's Department, be and hereby is approved; and the Chief of Police and City Clerk are authorized to execute the agreement.

ORANGE COUNTY TRANSPORTATION AUTHORITY DISBURSEMENT OF RIGHT-OF-WAY FUNDS FOR HARBOR BOULEVARD/LAMPSON AVENUE INTERSECTION IMPROVEMENTS, PROJECT NO. 7281 (F: 96.proj.7281)

Staff report dated August 8, 2006, was introduced.

RESOLUTION NO. 8733-06

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote of those present, that full reading of Resolution No. 8733-06 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 HARBOR/LAMPSON INTERSECTION IMPROVEMENTS, be and hereby is declared adopted.

RESOLUTION NO. 8734-06

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote of those present, that full reading of Resolution No. 8734-06 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 HARBOR/LAMPSON INTERSECTION IMPROVEMENTS, be and hereby is declared adopted.

WEST ORANGE COUNTY WATER BOARD 2006-07 PROPOSED BUDGET (F: 112.9)

Staff report dated August 8, 2006, was introduced.

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote of those present, that the West Orange County Water Board 2006-07 proposed budget be and hereby is approved.

APPOINTMENT OF NEW SENIOR TRAFFIC SIGNAL ELECTRICIAN AT "E" STEP OF SALARY RANGE FOR THIS POSITION (F: 78.1)

Staff report dated August 8, 2006, was introduced.

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote of those present,

that the appointment of a new Senior Traffic Signal Electrician at "E" step of salary range for this position, be and hereby is approved.

PURCHASE OF POLICE PATROL VEHICLES (F: 82.4)

Staff report dated August 8, 2009, was introduced.

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote of those present, that participation in the Los Angeles City bid be and hereby is approved; and the Finance Director is authorized to issue a purchase order in the amount of \$197,390.40 to Wondries Fleet Group for the purchase of eight new Police Vehicles.

MINUTES (F: Vault)

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote of those present, that the minutes of the Regular City Council Meeting held June 27, 2006, 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 366161 through 367640 and Wires W259A through W265, and payroll warrants 146839 through 147131, Direct Deposits D122752 through D123338, D123926 through D124517, and Wires W1113 through W1118, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

AFFORDABLE HOUSING LOAN AGREEMENT WITH TAMERLANE ASSOCIATES FOR THE PURCHASE OF A MULTI-FAMILY RENTAL APARTMENT PROPERTY LOCATED AT 12171 TAMERLANE DRIVE (F: 84.1a)

Staff report dated August 8, 2006, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Leyes, and carried by unanimous vote of those present, that the Affordable Housing Loan Agreement by and between the City of Garden Grove and Tamerlane Associates for the purchase of a multi-family rental apartment property located at 12171 Tamerlane Drive, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement and all other documents necessary to implement the agreement.

SECOND READING OF ORDINANCES NO. 2692 AND NO. 2693

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote of those present, that full reading of Ordinances Nos. 2692 and 2693, be and are hereby is waived.

ORDINANCE NO. 2692 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-112-06, CHANGING THE ZONING DESIGNATION FROM C-1-T (NEIGHBORHOOD COMMERCIAL TRANSITION) TO PLANNED UNIT DEVELOPMENT RESIDENTIAL NO. PUD-112-06 (F: 116.PUD-112-06)

Council Member Rosen announced that he will abstain from voting inasmuch as he was absent when the public hearing was held and the ordinance received its first reading.

Council Member Leyes moved, seconded by Mayor Dalton, that Ordinance No. 2692 be and hereby is declared passed, upon the following vote:

AYES: COUNCIL MEMBERS: (2) LEYES, DALTON
NOES: COUNCIL MEMBERS: (1) KREBS
ABSENT: COUNCIL MEMBERS: (1) NGUYEN
ABSTAIN: COUNCIL MEMBERS: (1)ROSEN

The City Attorney advised that two yes votes are insufficient to adopt the ordinance.

Council Member Rosen inquired whether he is legally required to abstain because of his absence.

The City Attorney responded that if he has reviewed the information pertinent to this item and has analyzed that information, it would be appropriate for him to vote on the matter.

Council Member Rosen indicated that he has reviewed the material and is comfortable voting on this.

The City Attorney indicated that technically there should be a new motion to reconsider this item and the motion must be made by the person who did not vote to approve this.

Council Member Rosen suggested that the City Council could do what the Congress does, that being to declare that the voting is not yet complete.

The City Attorney responded that the Mayor could rule that the voting is not yet complete.

Mayor Dalton ruled that the voting is not complete yet.

Council Member Rosen indicated that he would not abstain from the vote.

Upon the following vote:

AYES: COUNCIL MEMBERS: (3) LEYES, ROSEN, DALTON
NOES: COUNCIL MEMBERS: (1) KREBS
ABSENT: COUNCIL MEMBERS: (1) NGUYEN

said Ordinance No. 2692 was declared passed.

ORDINANCE NO. 2693 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 AMENDMENT NO. A-127-06, AN AMENDMENT TO TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE (F: 115.A-127-06)

Council Member Rosen announced that he has also reviewed this material.

Council Member Krebs moved, seconded by Council Member Leyes, that Ordinance No. 2693 be and hereby is declared passed. Upon the following vote:

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

said Ordinance No. 2693 was declared passed.

MATTERS FROM THE MAYOR AND CITY COUNCIL MEMBERS

Council Member Leyes spoke about the new 50th Anniversary Video/DVD and commended Channel 3 Executive Producer Gaston Castellanos for his excellent work. It is on sale to the public for \$25. Council Member Leyes also spoke about the Governor's recent visit to Orange County at which time the old flag of South Vietnam was

recognized, enabling it to fly at all community events. He announced that he and his wife Wanda received 2nd place awards at the Orange County Fair for their homegrown figs and grapes. He spoke about the Miss Garden Grove Pageant on Friday, which is open to the public. And lastly, he spoke about his and Wanda's wedding 19 years ago. (F: 53.1) (XR: 87.1) (XR: 45.1) (XR: 42.2)

Council Member Rosen spoke about the Miss Garden Grove Pageant, noting that the outgoing Miss Garden Grove, Lauren Howard, wrote the show script, which will be comedy oriented. He noted that he and his wife Sandy are celebrating their 30th anniversary. (F: 53.1) (XR: 42.2)

Council Member Krebs spoke about the 50th Anniversary video/DVD and thanked Gaston Castellanos for his efforts. He congratulated Council Member Leyes and Council Member Rosen on their anniversaries and wished Wanda Leyes a Happy Birthday. Lastly, he commented that it is time to place a parking structure on both sides of Chapman Avenue, and he asked that this be discussed at a Study Session. (F: 53.1) (XR: 45.9) (XR: 45.1)

Mayor Dalton thanked Gaston Castellanos for his efforts in creating the City's 50th Anniversary Video/DVD and spoke about the many awards that Channel 3 has received over the years that are on display in the City Hall lobby. He wished Council Member Leyes and Council Member Rosen Happy Anniversaries and Wanda Leyes a Happy Birthday. (F: 53.1) (XR: 45.9) (XR: 45.1)

ADJOURNMENT

At 8:35 p.m., the meeting was declared adjourned

RUTH E. SMITH
CITY CLERK