

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 9, 2005, at 7:21 p.m.

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

ABSENT: (1) COUNCIL MEMBER NGUYEN

INVOCATION AND PLEDGE

The Assistant to the City Manager, George Skelton, gave the Invocation. The Pledge of Allegiance to the Flag of the United States of America was led by Council Member Krebs.

PRESENTATIONS – COMMUNITY SPOTLIGHT (F: 52.3) (XR: 82.1)

Mayor Dalton called forward Alyssa Mayorga and presented her with a Certificate of Appreciation and a small gift for her efforts in raising money for Police dog vests.

PRESENTATION (F: 23.18) (XR: 62.2)

Rick Grebner, SR-22 Program Manager for the Orange County Transportation Authority (OCTA), provided a power point presentation and a short video about the Garden Grove Freeway (SR-22) Improvement Project, reviewing various facets of the project. He indicated that the project will be completed by November 2006. He also noted that 65 percent of the cost is paid by Measure M funds. Mr. Grebner introduced Christina Byrne, Community Outreach Manager for OCTA, who spoke about the public awareness efforts and outreach programs in place.

ORAL COMMUNICATIONS - PUBLIC

Daniel Rodarte addressed the City Council concerning his request for a driveway approach permit, and the difficulties he is experiencing in this regard.

Mayor Dalton indicated someone will contact him this week about this matter. (F: 53.3) (XR: 57.1)

Dr. Sheldon Singer addressed the City Council and provided an update concerning the Orange County Vector Control District's staffing and the West Nile Virus situation. (F: 53.3) (XR: 23.20)

David Lautherboren addressed the City Council concerning the City's financial picture and potential increases in water, sewer, and trash rates and taxes. (F: 53.3)

Alma Ramirez addressed the City Council concerning complaints against the Police Department, illegal aliens, and the Garden Grove Hospital. (F: 53.3)

Ray Littrell addressed the City Council concerning a recent editorial in the Orange County Register with alleged name-calling. (F: 53.3)

Ernesto Estrada addressed the City Council concerning the Roberta Place Street Vacation on the agenda, requesting that this item be approved. (F: 53.3) (XR: 110.SV-113-05)

RECESS

At 8:32 p.m., the Mayor declared a recess.

RECONVENE

At 8:39 p.m., the meeting was reconvened with Mayor Dalton and Council Members Krebs, Leyes, and Rosen in attendance.

ADOPTION OF NEGATIVE DECLARATION FOR PROJECT NO. 7258, EUCLID STREET/TRASK AVENUE INTERSECTION IMPROVEMENTS (F: 96.Proj.7258)

Staff report dated August 9, 2005, was introduced.

Council Member Rosen noted that this is another Measure M project; and he asked that the City coordinate its construction with the OCTA freeway widening project so the neighborhood disruption is minimized.

It was moved by Council Member Rosen, seconded by Council Member Leyes, and carried by unanimous vote of those present, that the Negative Declaration of Environmental Impact for Project No. 7258, Euclid Street/Trask Avenue Intersection Improvements, be and hereby is adopted.

ADOPTION OF DISADVANTAGED BUSINESS ENTERPRISE PROGRAM TO
ENABLE THE CITY TO PROCEED WITH FEDERALLY FUNDED HIGHWAY
PROJECTS (F: 117.13)

Staff report dated August 9, 2005, was introduced.

RESOLUTION NO. 8663-05

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. 8663-05 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A DISADVANTAGED BUSINESS ENTERPRISE PROGRAM FOR ALL PROJECTS IN THE CITY OF GARDEN GROVE RECEIVING UNITED STATES DEPARTMENT OF TRANSPORTATION FUNDING AND ESTABLISHING A DISADVANTAGED BUSINESS GOAL OF 12 PERCENT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2006, be and hereby is adopted.

RENEWAL OF AGREEMENT WITH ORANGE COUNTY CHILDREN AND FAMILIES
COMMISSION FOR THE PROVISION OF HEALTH CARE ACCESS SERVICES AT
THE MAGNOLIA PARK FAMILY RESOURCE CENTER (F: 55) (XR: 73.8a)

Staff report dated August 9, 2005, was introduced.

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote of those present, that the renewal of the Agreement by and between the City of Garden Grove and Orange County Children and Families Commission for the provision of Health Care Access services at the Magnolia Park Family Resource Center, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement.

AGREEMENT WITH HARRIS & ASSOCIATES FOR PROFESSIONAL
ENGINEERING DESIGN SERVICES FOR THE 2005/2006 ARTERIAL HIGHWAY
REHABILITATION PROJECTS (F: 96.Proj.7237)

Staff report dated August 9, 2005, 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 Harris & Associates for professional engineering design services for the 2005/2006 Arterial Highway Rehabilitation Projects, in the amount of \$198,690.00, be and hereby is approved; and the City Manager and

City Clerk are authorized to execute the agreement.

AGREEMENT WITH THE COUNTY OF ORANGE FOR ANIMAL CONTROL SERVICES FOR FISCAL YEAR 2005-06 (F: 55)

Staff report dated August 9, 2005, 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 County of Orange for animal control services for Fiscal Year 2005-06, in the amount of \$448,932.00, be and hereby is approved; and the Mayor and City Clerk are authorized to execute the agreement.

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

Staff report dated August 9, 2005, 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 for recycling and maintenance services, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement.

GRANT AGREEMENT WITH THE CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR ENFORCEMENT, EDUCATION OF DRIVING UNDER THE INFLUENCE AND SEATBELT LAWS (F: 55) (XR: 82.15)

Staff report dated August 9, 2005, was introduced.

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote of those present, that the Grant Agreement by and between the City of Garden Grove and the California Office of Traffic Safety in the amount of \$450,000.00 for enforcement, education of driving under the influence and seatbelt laws, be and hereby is approved.

AWARD OF PURCHASE TO SCALIX CORPORATION FOR NEW MAIL SERVER SOFTWARE – ADMINISTRATIVE SERVICES (F: 45.1) (XR: 43.3) (XR: 82.4) (XR: 60.4)

Staff report dated August 9, 2005, was introduced.

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote of those present, that a purchase order for new mail server software be and hereby is awarded to Scalix Corporation, in the amount of \$43,750.00.

AWARD OF PURCHASE TO FIRE SERVICE SPECIFICATION & SUPPLY – FIRE DEPARTMENT (F: 61.1) (XR: 60.4)

Staff report dated August 9, 2005, was introduced.

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote of those present, that a purchase order for Holmatro rescue tools be and hereby is awarded to Fire Service Specification & Supply, in the amount of \$35,078.01.

APPOINTMENT OF NEW PROJECT PLANNER TO “D” STEP OF SALARY RANGE (F: 78.1)

Staff report dated August 9, 2005 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 Project Planner to “D” step of the salary range for this position, be and hereby is approved.

MINUTES (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 Meetings held June 28 and July 12, 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 of those present, that regular warrants 335924 through 338016 and Wire W196, and payroll warrants 140475 through 140837, Direct Deposits D105750 through D106850, and Wires W974 through W982, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

HEARING OF PROTESTS ON THE SPRING 2005 WEED ABATEMENT INVOICES
(F: 113.1.Spring 2005)

Staff report dated August 9, 2005, was introduced.

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

There being no comments from the audience, the public hearing was declared closed.

RESOLUTION NO. 8662-05

It was moved by Council Member Leyes, seconded by Council Member Krebs, and carried by unanimous vote of those present, that Resolution No. 8662-05 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE CONFIRMING REPORT OF COSTS OF SPRING 2005 WEED ABATEMENT AND DIRECTING THE ORANGE COUNTY AUDITOR-CONTROLLER TO ADD OUTSTANDING ASSESSMENTS TO THE 2004-2005 ASSESSMENT ROLL AS INDICATED BY SAID REPORT, be and hereby is adopted.

RECOMMENDATION FROM THE TRAFFIC COMMISSION MEETING OF JULY 11, 2005 (F: 122.11)

Staff report dated August 9, 2005, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Krebs, and carried by unanimous vote of those present, that the recommendation from the Traffic Commission to install stop signs at Kerry Street and Central Avenue; Belfast Street at the Korea and Hanmi Plazas; and Elmwood Street and Jerry Lane, be and hereby is approved.

LETTER OF RESIGNATION FROM PARKING AND MAIN STREET COMMISSIONER NILA KEITH (F: 122.6a)

A letter of resignation from Parking and Main Street Commissioner Nila Keith was introduced.

It was moved by Council Member Leyes, seconded by Council Member Krebs, and carried by unanimous vote of those present, that Nila Keith's resignation from the Parking and Main Street Commission be accepted with regrets.

LETTER OF RESIGNATION FROM ADMINISTRATIVE BOARD OF APPEALS
MEMBER EDDIE HODGES (F: 122.2c)

A letter of resignation from Administrative Board of Appeals Member Eddie Hodges was introduced.

It was moved by Council Member Rosen, seconded by Council Member Leyes, and carried by unanimous vote of those present, that Eddie Hodges' resignation from the Administrative Board of Appeals be accepted with regrets.

INITIATION OF PROCEEDINGS FOR STREET VACATION NO. SV-113-05, THAT
PORTION OF THE STREET ON THE EAST SIDE OF ROBERTA PLACE BETWEEN
13132 AND 13152 ROBERTA PLACE (F: 110.SV-113-05)

Staff report dated August 9, 2005, was introduced.

RESOLUTION NO. 8664-05

It was moved by Council Member Rosen, seconded by Council Member Krebs, and carried by unanimous vote of those present, that full reading of Resolution No. 8664-05 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, DECLARING ITS INTENTION TO PROCEED WITH STREET VACATION NO. SV-113-05 TO VACATE THAT PORTION OF ROBERTA PLACE LOCATED BETWEEN 13132 AND 13152 ROBERTA PLACE AS IDENTIFIED AS PARCELS "A, B, AND C" AS DESCRIBED AND SHOWN ON EXHIBIT "A" ATTACHED, AND SCHEDULING A PUBLIC HEARING TO CONSIDER SAID STREET VACATION, be and hereby is adopted, setting the public hearing for September 13, 2005.

INITIATION OF PROCEEDINGS FOR STREET VACATION NO. SV-114-05, THAT
PORTION OF CENTURY BOULEVARD AT THE SOUTHWEST CORNER OF
GARDEN GROVE BOULEVARD AND NELSON STREET (F: 110.SV-114-05)

Staff report dated August 9, 2005, was introduced.

RESOLUTION NO. 8665-05

It was moved by Council Member Leyes, seconded by Council Member Rosen, and carried by unanimous vote of those present, that full reading of Resolution No. 8665-05 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, DECLARING ITS INTENTION TO PROCEED WITH STREET VACATION NO. SV-114-05 TO VACATE

THAT PORTION OF CENTURY BOULEVARD AND NELSON STREET LOCATED AT THE SOUTHWEST CORNER OF GARDEN GROVE BOULEVARD AND CENTURY BOULEVARD, ADDRESSED AS 13011 CENTURY BOULEVARD (ASSESSOR PARCEL NUMBERS 099-081-02, 32, 099-082-01), DESCRIBED IN EXHIBIT "A" AND SHOWN ON EXHIBIT "B" ATTACHED, AND SCHEDULING A PUBLIC HEARING TO CONSIDER SAID STREET VACATION, be and hereby is adopted, setting the public hearing for September 13, 2005.

APPOINTMENTS TO THE PARKS, RECREATION, AND ARTS COMMISSION
(F: 122.70a)

No appointments were made.

SECOND READING OF ORDINANCES NO. 2666 AND NO. 2667

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Ordinances No. 2666 and No. 2667 be and hereby is waived.

ORDINANCE NO. 2666 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 AMENDING PORTIONS OF ORDINANCE NO. 2590 AND ADOPTING BY REFERENCE THE FOLLOWING PRIMARY CODE WITH CERTAIN AMENDMENTS, DELETIONS, AND ADDITIONS THERETO: CALIFORNIA ELECTRICAL CODE, 2004 EDITION; AS ADOPTED INTO THE CALIFORNIA CODE OF REGULATIONS (CCR), TITLE 24, PART 3 (F: 35.2)

It was moved by Council Member Krebs, seconded by Council Member Leyes, and carried by unanimous vote of those present, that Ordinance No. 2666 be and hereby is declared passed.

ORDINANCE NO. 2667 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 AMENDING CHAPTER 5.12, OF TITLE 5 OF THE MUNICIPAL CODE RELATING TO MASSAGE REGULATIONS (F: 50.2) (XR: 82.1)

It was moved by Council Member Leyes, seconded by Council Member Krebs, and carried by unanimous vote of those present, that Ordinance No. 2667 be and hereby is declared passed.

MATTERS FROM THE MAYOR AND CITY COUNCIL MEMBERS.

Council Member Leyes requested that the City Council consider adopting its own policy concerning eminent domain at a meeting, possibly on August 30. He also suggested some of the City's old computers be given to other entities, such as the Historical Society, for use relative to the City's 50th Anniversary. They could be used to scan and archive old photographs, and to log residents' recollections from the past. Lastly, he suggested that the issue of improving Main Street be discussed at a future date, suggesting perhaps the focus be changed to encourage office professional uses there. He also wished his wife Wanda a Happy Anniversary and a Happy Birthday. (F: 53.1)

Council Member Rosen wished his wife Sandy a Happy Anniversary. He asked that he be provided with reports concerning the following matters: (1) Legal issues concerning Coastkeepers; (2) Breakdown of personnel items in the proposed City budget dealing with salaries, medical insurance, and contributions to pension plans; (3) OCTA ACCESS transit service program and the possibility of using the Senior Center as a pick-up/drop-off point; and (4) Noise from cars on Main Street on Friday nights that interferes with the Shakespeare Theater productions. (F: 53.1)

Council Member Krebs spoke about the Union Hispania Anniversary Dinner and Awards Ceremony he attended on Friday. He also congratulated the Leyes and Rosens on their anniversaries. (F: 53.1)

Mayor Dalton referenced a book that the Historical Society just released with some old photographs. He urged people to duplicate their old photographs for the Historical Society's use. He also agreed that Main Street deserves a fresh look and some better uses. (F: 53.1)

ADJOURNMENT

At 9:08 p.m., the meeting was declared adjourned in memory of Alta Beaudoin, long-time resident and active volunteer in the community. (F: 46.9)

RUTH E. SMITH
CITY CLERK