

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 22, at 6:20 p.m.

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

ABSENT: (1) COUNCIL MEMBER LEYES (Joined the meeting at 6:31 p.m.)

PUBLIC INPUT ON CLOSED SESSION ITEM

There was no input from the public concerning the Closed Session item.

ADJOURN TO CLOSED SESSION

At 6:21 p.m., under the Ralph M. Brown Act, the meeting was adjourned to Closed Session in the Founders Room to discuss the following:

CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6

City Representative: Matthew Fertal, City Manager
Employee Organization: Garden Grove Firefighters Local 2005

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. SACVO6-728 CJC.

COUNCIL MEMBER LEYES JOINED THE MEETING AT 6:31 P.M.

COUNCIL MEMBER LEYES LEFT THE MEETING AT 7:05 P.M. AND REJOINED THE MEETING AT 7:10 P.M

RECESS

At 7:34 p.m., the Mayor declared a recess.

RECONVENE IN OPEN SESSION

At 7:40 p.m., the meeting was reconvened in the Council Chamber with Mayor Dalton and all Council Members in attendance, and it was announced that the matters previously disclosed were discussed, and no reportable action was taken.

INVOCATION AND PLEDGE

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

COMMUNITY SPOTLIGHT

Mayor Dalton called forward 2006 Strawberry Ball King and Queen, Emmanuel "Manny" Chavez and Barbara Shirley, and presented each of them with a Certificate of Appreciation and memento.
(F: 52.3) (XR: 87.7)

ORAL COMMUNICATIONS – PUBLIC

Charles Mitchell addressed the City Council and congratulated the organizers of the International Farmers Market on Main Street.
(F: 53.3)

RECESS

At 7:50 p.m., the Mayor declared a recess.

RECONVENE

At 8:09 p.m., the meeting was reconvened in the Council Chamber with Mayor Dalton and all Council Members in attendance.

PROCLAMATION – NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH (F: 83.1)

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that September 2006, be and hereby is designated National Alcohol and Drug Addiction Recovery Month.

PROCLAMATION – BOYS & GIRLS CLUBS DAY FOR KIDS (F: 83.1) (XR: 74.3)

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that September 16, 2006, be and hereby is designated Boys & Girls Clubs Day for Kids.

AGREEMENT WITH MTGL, INC., TO PROVIDE GEOTECHNICAL AND MATERIALS TESTING ON AN AS-NEEDED BASIS (F: 55) (XR: 24.11)

Staff report dated August 22, 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 MTGL, Inc., to provide geotechnical and materials testing services on an as-needed basis, at a cost not to exceed \$150,000, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement.

APPOINTMENT OF NEW INFORMATION SYSTEMS PROGRAMMER AT "F" STEP OF SALARY RANGE FOR THIS POSITION (F: 78.1) (XR: 78.22)

Staff report dated August 22, 2006, was introduced.

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that the appointment of a new Information Systems Programmer at "F" step of salary range for this position, be and hereby is 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 367641 through 368210 and Wires W266 through W267, and payroll warrants 147132 through 147336, Direct Deposits D124518 through D125112, and Wires W1119 through W1122, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

APPROVAL OF RESOLUTION HONORING THE LIFE OF PUBLISHER YEN NGOC DO (F: 52.2)

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that a Resolution honoring the life of Publisher Yen Ngoc Do, one of Little Saigon's most respected community leaders and founder of Nguoi Viet Daily News, be and hereby is approved.

PUBLIC HEARING TO CONSIDER THE ALLOCATION OF FY 2006-07 SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUNDS (F: 82.4) (XR: 82.1)

Staff report dated August 22, 2006, was introduced and reviewed by staff.

Mayor Dalton declared the public hearing opened 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.

Council Member Rosen commented that he has received many complaints about the Arab American Festival that will be held in September. Residents in the area are concerned about the noise level. He asked the Police Department to be proactive and enforce the noise ordinance.

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that the allocation of \$335,000 in Supplemental Law Enforcement Service Funds for the Police Department's Emergency Communications Center/Command Post, be and hereby is approved.

SECOND READING OF ORDINANCES NO. 2690 AND NO. 2691

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Ordinances No. 2690 and No. 2691, be and hereby is waived.

MAYOR DALTON LEFT THE ROOM AND MAYOR PRO TEM ROSEN ASSUMED THE CHAIR.

ORDINANCE NO. 2690 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-111-06, CHANGING THE ZONING

DESIGNATION FROM CCSP-PR (COMMUNITY CENTER SPECIFIC PLAN PERIPHERAL RESIDENTIAL PR 11) TO PLANNED UNIT DEVELOPMENT NO. PUD-111-06 (F: 116.PUD-111-06) (XR: 106.171)

Council Member Nguyen moved, seconded by Council Member Leyes, that Ordinance No. 2690 be and hereby is declared passed. Upon the following vote:

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

said Ordinance No. 2690 was declared passed.

ORDINANCE NO. 2691 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 ADOPTING A DEVELOPMENT AGREEMENT BETWEEN LV DEVELOPMENT, INC. (DEVELOPER) AND THE CITY OF GARDEN GROVE (F: 116.PUD-111-06) (XR: 106.171)

Council Member Nguyen moved, seconded by Council Member Leyes, that Ordinance No. 2691 be and hereby is declared passed. Upon the following vote:

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

said Ordinance No. 2691 was declared passed.

MAYOR DALTON REJOINED THE MEETING AND REASSUMED THE CHAIR.

MATTERS FROM THE MAYOR AND CITY COUNCIL MEMBERS

Council Member Leyes commented that Proposition 90 on the November ballot would severely curtail local governments in the use of redevelopment, and he asked that this matter be placed on a future City Council agenda for consideration of taking a position on it. He spoke about the lawsuit against the City and the Sanitary District, previously mentioned by Mr. Mitchell, commenting on its frivolous nature, noting the City filed its reports and suffered for it. Thirdly, he commented that the Yes on Measure M campaigners use City personnel to deliver and collect materials, and he would like that stopped. He also spoke about the upcoming Arab-American Festival and cautioned against stereotyping people as a result of 9/11, urging a balance of caution and understanding. Lastly, he spoke about the

upcoming election in November, noting that he would not be running for City Council. He reminisced about his attendance years ago at an event at the Hyatt Hotel in Garden Grove when he was asked, as a City Council Member, to represent the City at a dinner honoring Queen Noor of Jordan. (F: 53.1)

Council Member Rosen spoke about the time line for the timetable for the completion of the expansion of the 22 Freeway; and Phase II, the expansion to the 605 Freeway. (F: 53.1) (XR: 62.2)

Council Member Nguyen thanked the Council Members for supporting the Resolution honoring the life of Publisher Yen Ngoc Do, Vietnamese community leader and founder of Nguoi Viet Daily News, and requested that the meeting be adjourned in his honor. (F: 53.1) (XR: 46.9)

Council Member Krebs spoke about the Youth Summer Basketball League Awards ceremony he attended last Friday and commended staff for an outstanding program. He also spoke about the Mosque Open House that he attended, and noted that with the passing of King Hussein, a calming leader was lost. Additionally, he requested that on the next City Council agenda discussion take place regarding assessing fees to pay for extra Public Safety services required from the impact of Fourth of July fireworks, along with the development of a schedule of penalties and fines for the use of illegal fireworks. Lastly, he thanked his wife Erline for 52 years of marriage. (F: 53.1) (XR: 87.1) (XR: 61.6)

Mayor Dalton wished a Happy Anniversary to Council Member Krebs and his wife Erline. He also spoke about Yen Ngoc Do, noting he was an influential and humble man. He also noted that he will also adjourn the meeting in memory of Jan Wilson, long-time Garden Grove resident and volunteer. (F: 53.1) (XR: 46.9)

ADJOURNMENT

At 8:35 p.m., the meeting was declared adjourned in memory of Yen Ngoc Do and Jan Wilson. (F: 46.9)

RUTH E. SMITH
CITY CLERK