

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, October 11, 2005, at 7:09 p.m.

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

ABSENT: (0) NONE

INVOCATION AND PLEDGE

Assistant City Manager Les Jones gave the Invocation. The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Dalton.

RESOLUTION COMMENDING TIBOR RUBIN FOR HIS RECEIPT OF THE CONGRESSIONAL MEDAL OF HONOR BY THE PRESIDENT OF THE UNITED STATES, FOR HIS COURAGEOUS ACTS DURING THE KOREAN WAR (F: 52.2)

It was moved by Council Member Leyes, seconded by Council Member Nguyen, and carried by unanimous vote, that the Resolution commending Tibor Rubin be and hereby is approved.

PRESENTATIONS – COMMUNITY SPOTLIGHT (F: 52.3)

Mayor Dalton called forward Tibor Rubin, Congressional Medal of Honor recipient, and read the City's Resolution of Commendation, which he then presented Mr. Rubin.

RECESS

At 7:19 p.m., the Mayor declared a recess.

RECONVENE

At 7:33 p.m., the meeting was reconvened with Mayor Dalton and all Council Members in attendance.

ECONOMIC DEVELOPMENT DEPARTMENT UPDATE (F: 43.4)

Economic Development Director Chet Yoshizaki provided an update about activities in the Economic Development Department, including past, present, and future redevelopment projects.

ORAL COMMUNICATIONS - PUBLIC

George Brietigam and Boy Scouts from Troop 1103 addressed the City Council, expressing their appreciation for approval given at the last City Council meeting for co-sponsorship of the 2006 Pushcart Derby. (F: 53.3) (XR: 88.1)

Greg Beard addressed the City Council also expressing his appreciation for the co-sponsorship of the Pushcart Derby. (F: 53.3) (XR: 88.1)

Verla Lambert addressed the City Council concerning a commercial vehicle that has been parked at Garden Grove Boulevard and Palm Street with no license plates, suggesting that City Council district representation would be helpful in incidents such as this for quicker responses. (F: 53.3)

Ricardo Mirales addressed the City Council, expressing concern about a free fall economy and the financial state of Garden Grove. (F: 53.3)

Charles Mitchell addressed the City Council about serving on the Orange County Grand Jury and urged residents to submit applications between now and January. (F: 53.3)

RECESS

At 7:59 p.m., the Mayor declared a recess.

RECONVENE

At 9:40 p.m., the meeting was reconvened with Mayor Dalton and all Council Members in attendance.

ADOPTION OF NEGATIVE DECLARATION FOR PROJECT NO. 7286, MAGNOLIA STREET/TRASK AVENUE INTERSECTION IMPROVEMENTS (F: 96.Proj.7286)

Staff report dated October 11, 2005, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Krebs, and carried by unanimous vote, that the Negative Declaration of Environmental Impact for Project No. 7286, Magnolia Street/Trask Avenue Intersection Improvements, be and hereby is adopted.

AWARD OF PURCHASE AND INSTALLATION OF TWO NEW ARROW BOARD LIGHTING SYSTEMS – BC TRAFFIC SPECIALISTS – PUBLIC WORKS DEPARTMENT (F: 82.4) (XR: 60.4)

Staff report dated October 11, 2005, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Krebs, and carried by unanimous vote, that a purchase order for the purchase and installation of two new arrow board lighting systems, be and hereby is awarded to the lowest qualified bidder, BC Traffic Specialists, in the amount of \$6,277.52.

WEST ORANGE COUNTY WATER BOARD INCREASE FOR BOARD MEMBERS COMPENSATION (F: 112.9)

Staff report dated October 11, 2005, was introduced.

Council Member Leyes noted that it is his belief that this is a superfluous layer of government, and he does not support a 50-percent increase in compensation. He then moved that the increase in compensation not be approved. The motion died for lack of a second.

Mayor Dalton noted that he is the City's representative, and the Board meets only four times a year.

Council Member Rosen moved, seconded by Council Member Krebs, that the Board Members' compensation from the current \$50 per meeting, not to exceed \$150 a month, to \$100 per meeting, not to exceed \$300 per month, be and hereby is approved. Said motion carried by the following vote:

AYES: COUNCIL MEMBERS: (4) KREBS, NGUYEN, ROSEN, DALTON

NOES: COUNCIL MEMBERS: (1) LEYES

ABSENT: COUNCIL MEMBERS: (0) NONE

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 August 30, 2005, 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 344692 through 346809 and Wires W217-W221, and payroll warrants 142595 through 142781, Direct Deposits D111345 through D111907, and Wires W1016 through W1019, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

SPECIAL EVENT ORDINANCE (F: 50.2) (XR: 87.1)

Staff report dated October 11, 2005, was introduced and reviewed by staff. It was noted that two primary issues need to be addressed in drafting a Special Event Ordinance, being City staff time and the impact to park grounds.

Discussion ensued, and Council Member Rosen expressed his belief that the proposed parameters are too restrictive, noting that the City Council should have the ability to make decisions concerning holding various special events and festivals on a case by case basis.

Mayor Dalton suggested that staff consider comments made by the City Council and come back with restructured guidelines.

PROPOSED FEE SCHEDULE FOR USE OF CITY PARKS FOR LARGE SPECIAL EVENTS (F: 60.2) (XR: 87.1) (XR: 127.2)

Staff report dated October 11, 2005, was introduced and reviewed by staff.

Council Member Nguyen expressed concern with the \$4,000 park use fee, suggesting there should be flexibility in the fee scale.

Council Member Rosen noted that the festivals groups have to pay increased insurance rates now, and he expressed a concern that the result will be that only profit-making entities will be able to hold festivals, and he does not want to discourage the smaller groups.

Mayor Dalton noted that the large groups take over the whole park area, thus restricting smaller usage, so they should pay fees; however, perhaps the proposed fees are too high.

The City Manager indicated that staff will continue to try to come up with an acceptable plan.

URGENCY ORDINANCE ESTABLISHING ZONING REGULATIONS FOR HOOKAH BUSINESSES (F: 35.3)

Staff report dated October 11, 2005, was introduced and reviewed by the Police Chief.

Some discussion ensued, and the City Attorney noted that staff will return in one month for an extension, which will require a public hearing, inasmuch as this ordinance before the City Council is for a 45-day period.

Council Member Leyes asked that staff double check the state code to see how the laws apply to hookah pipes and whether there is an exemption; and if there is, under what circumstances those exemptions are granted. Further, whether the presence of tobacco would turn these establishments into adult use establishments.

The City Attorney noted that there are a number of research issues; however, the passage of this urgency ordinance will apply to any current application in the works.

ORDINANCE NO. 2675 was introduced for adoption, and the title read in full, entitled AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ENACTING URGENCY ZONING RESTRICTIONS WITH RESPECT TO THE ESTABLISHMENT OF "HOOKAH" BUSINESSES WITHIN THE CITY OF GARDEN GROVE

It was moved by Council Member Rosen, seconded by Council Member Krebs, and carried by unanimous vote, that full reading of Ordinance No. 2675 be waived, and said Ordinance be and hereby is passed.

CITY COMMISSION APPOINTMENTS (F: 122.10a) (XR: VIP)

It was moved by Mayor Dalton, seconded by Council Member Krebs, and carried by unanimous vote, that Ronald Pierce be and hereby is appointed to fill an unexpired term on the Planning Commission.

SECOND READING OF ORDINANCES NO. 2670, NO. 2671, NO. 2672,  
NO. 2673, AND NO. 2674

It was moved by Council Member Rosen, seconded by Council Member Krebs, and carried by unanimous vote, that full reading of Ordinances No. 2670, No. 2671, No. 2672, No. 2673, and No. 2674 be and hereby is waived.

ORDINANCE NO. 2670 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 TOURA #3 L.P. AND THE CITY OF GARDEN GROVE FOR PROPERTY LOCATED AT 8642 STANFORD AVENUE (F: 116.SP-372-05) (XR: 106.162)

It was moved by Council Member Krebs, seconded by Council Member Leyes, and carried by unanimous vote, that Ordinance No. 2670 be and hereby is declared passed.

ORDINANCE NO. 2671 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-108-05, CHANGING THE ZONING DESIGNATION FROM THE CCSP-PR55 TO PUD-MX FOR PROPERTY LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF EUCLID STREET AND TRASK AVENUE (F: 116.PUD-108-05)

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that Ordinance No. 2671 be and hereby is declared passed.

ORDINANCE NO. 2672 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 REVISION TO PLANNED UNIT DEVELOPMENT NO. PUD-133-99 (REV.-05), TO ADD A SINGLE PARCEL INTO THE CRYSTAL CATHEDRAL COMPLEX LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF DAWN AVENUE AND SALERNO STREET (F: 116.PUD-133-99 Rev.-05) (XR: 106.163)

It was moved by Council Member Krebs, seconded by Council Member Leyes, and carried by unanimous vote, that Ordinance No. 2672 be and hereby is declared passed.

ORDINANCE NO. 2673 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 CRYSTAL CATHEDRAL MINISTRIES AND THE CITY OF GARDEN GROVE FOR PROPERTY LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF DAWN AVENUE AND SALERNO STREET (F: 116.PUD-133-99 Rev.-05) (XR: 106.163)

It was moved by Council Member Rosen, seconded by Council Member Leyes, and carried by unanimous vote, that Ordinance No. 2673 be and hereby is declared passed.

ORDINANCE NO. 2674 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 BID PROCEDURES FOR ACQUISITION OF SUPPLIES AND EQUIPMENT AND CONSTRUCTION OF PUBLIC WORKS (F: 127.9) (XR: 60.4)

It was moved by Council Member Krebs, seconded by Mayor Dalton, and carried by unanimous vote, that Ordinance No. 2674 be and hereby is declared passed.

MATTERS FROM THE MAYOR, CITY COUNCIL MEMBERS, AND CITY MANAGER

Council Member Leyes commented that relative to a memo he received from OCTA requesting that the City promote Measure M and all the good it does so they can put it on the ballot and get it extended, he is of the opinion that they, not the City, should do their own promoting. He also spoke about a dinner he attended celebrating the Crystal Cathedral's 50<sup>th</sup> anniversary, where he was approached by Reverend Schuler as to changing Lewis Street to Cathedral or Crystal Cathedral Street. He asked for some very preliminary thoughts on what it would take to do that inasmuch as the east side of Lewis Street is in Orange and the north portion is in Orange or Anaheim. He also commented that perhaps staff should also look at changing Haster Street to Anaheim Boulevard. Lastly, he requested that the meeting be adjourned in memory of Chauncey Alexander, who was not a Garden Grove resident, but nonetheless was active in Orange County. (F: 53.1) (XR: 46.9)

Council Member Rosen noted that the Dr. Phil television show on Wednesday is featuring a Garden Grove teenager who rides an OCTA bus from her home to The Block in Orange to prove to her mother that she is responsible enough to go out on her own. He also noted that the Governor has signed SB 861, which allows cities and counties to pass ordinances about the breeding, spaying, and neutering of specific breeds of dogs such as pit bulls. He requested that the Police Department determine whether they believe we have

a problem with pit bulls and whether we should do something in response to that bill. (F: 53.1) (XR: 82.1)

Council Member Nguyen acknowledged the Jewish holiday this week and again congratulated Mr. Tibor Rubin. She also noted that she recently met with Dr. Laura Schwalm, who expressed her pleasure with the current improved relationship the School District has with staff. Lastly, she recently met with the California Restaurant Association and staff and she will be attending an upcoming meeting with them about bringing additional restaurants to Garden Grove. She requested that the meeting be adjourned in memory of Stella Lieberman, long-time Garden Grove resident and volunteer. (F: 53.1) (XR: 46.9)

Council Member Krebs spoke about the Acacia Adult Day Services Home for the Holidays event to be held on November 19<sup>th</sup> at Joe's Garage. He congratulated Mallory Vega and her staff for the continued outstanding service that they provide to our community. He noted that he and Mayor Dalton attended the 50<sup>th</sup> birthday of the Garden Grove Friends Church, and he congratulated Pastor Mark Swaim and the congregation. Lastly, he wished Annie Cho, Chairperson of the Korean Festival, good luck and a successful weekend. (F: 53.1)

Mayor Dalton spoke about the Public Works 6<sup>th</sup> Annual Open House that was held last weekend, noting that it was an outstanding event that had a great turnout. At that event, Police Officer Rick Bermudez presented a great program about graffiti control. He indicated he would like to see Officer Bermudez do a short program on both Channel 3 and at a future City Council meeting. Additionally, he indicated that yesterday he toured the gymnasium with staff and it is scheduled to be opened in late December or January, further commenting that it is going to be an outstanding facility. Lastly, he commented on the dinner that was held for Reverend Schuler at the Four Seasons Hotel. (F: 53.1) (XR: 24.1)

#### ADJOURNMENT

At 11:00 p.m. the meeting was declared adjourned in memory of Chauncey Alexander and Stella Lieberman. (F: 46.9)

RUTH E. SMITH  
CITY CLERK