

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, November 28, 2006, at 7:13 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. Council Member Leyes led the Pledge of Allegiance to the Flag of the United States of America.

ORAL COMMUNICATIONS – PUBLIC

Steve Larson, President of the Sister City Association, thanked the City Council for its support over the last 20 years and announced that students from Anyang, Korea, will be visiting the first part of January; Mr. Larson provided information on the upcoming fundraising luncheon. (F: 53.3) (XR: 102.3)

Leland Sisk addressed the City Council urging the City to adopt the County's policy relative to animal complaints, such as barking dogs, giving that authority to the Animal Control officers who can work with people with barking dogs. He also spoke about a property owner near his home who appears to be running a business out of his home. (F: 53.3) (XR: 27.1) (XR: 80.2)

In response to Council Member Rosen's inquiry, the City Attorney indicated that if the City wants to participate with the County on this policy a corollary ordinance would need to be adopted.

Council Member Rosen requested a draft of the County's ordinance be placed on a future City Council agenda for consideration.

Code Enforcement will be asked to look into the matter of Mr. Sisk's neighbors operating a business out of their home. (F: 53.3) (XR: 80.2)

Charles Mitchell addressed the City Council regarding how sewer improvements were being funded and made suggestions on how the City's website could be improved. (F: 53.3) (XR: 92.1)

Thu Trang Tran and Joan Ngo, representing the Vietnamese Alliance to Combat Trafficking, invited the City Council to Human Rights Night 2006 on Saturday, December 9, 2006. (F: 53.3) (XR: 83.1)

RECESS: 7:20 p.m.

RECONVENE: 8:30 p.m.

RESOLUTION DESIGNATING JANUARY 11, 2007, AS NATIONAL DAY OF HUMAN TRAFFICKING AWARENESS (F: 83.1)

Staff report dated November 28, 2006, was introduced.

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that the Resolution designating January 11, 2007, as National Day of Human Trafficking Awareness, be and hereby is approved.

AWARD OF CONTRACT TO DOUG MARTIN CONTRACTING COMPANY, INC., FOR FY 2006-07 AND 2007-08 STREET SLURRY SEAL PROJECT (F: 24.2)

Staff report dated November 28, 2006, was introduced.

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that Doug Martin Contracting Company, Inc., be and hereby is determined to be the lowest acceptable bidder for the 2006/07 and 2007/08 Street Slurry Seal Projects; that the contract for said project be and hereby is awarded to said company in the sum of \$167,055.60 in accordance with the terms of the City's plans and specifications and the bid submitted by said company; that all other bids be and hereby are rejected; and the City Manager and City Clerk are authorized to execute said contract.

AGREEMENT WITH OCEAN BLUE ENVIRONMENTAL SERVICES, INC., FOR THE REMOVAL OF HAZARDOUS AND BIOLOGICAL MATERIALS FROM CITY PROPERTY (F: 55) (XR: 61.7)

Staff report dated November 28, 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 Ocean Blue Environmental Services, Inc., for the removal of hazardous and biological materials from City property, in the amount of \$117,500 per year for three years, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement.

ADOPTION OF RESOLUTION AUTHORIZING AND SUPPORTING APPLICATION TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY FOR TWO BROWNFIELDS ASSESSMENT GRANTS, TO BE USED FOR ECONOMIC DEVELOPMENT (F: 97.1) (XR: 43.4)

Staff report dated November 28, 2006, was introduced.

RESOLUTION NO. 8751-06

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 8751-06 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AUTHORIZING AND SUPPORTING THE SUBMITTAL OF AN APPLICATION FOR GRANT FUNDS FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, FOR TWO BROWNFIELDS ASSESSMENT GRANTS, be and hereby is adopted.

MEMORANDUM OF UNDERSTANDING FOR THE EUCLID STREET SIGNAL SYNCHRONIZATION PILOT PROJECT WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY, THE CITIES OF LA HABRA, FULLERTON, ANAHEIM, SANTA ANA, FOUNTAIN VALLEY, AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (F: 100.3) (XR: 24.11)

Staff report dated November 28, 2006, was introduced.

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that the Memorandum of Understanding by and between the City of Garden Grove and Orange County Transportation Authority, the Cities of La Habra, Fullerton, Anaheim, Santa Ana, Fountain Valley, and the California Department of Transportation, for the Euclid Street Signal

Synchronization Pilot Project, be and hereby is approved; and the Mayor and City Clerk are authorized to execute the agreement.

WARRANTS (F: 60.5)

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that regular warrants 374188 through 374965 and Wires W283, and payroll warrants 148422 through 148588, Direct Deposits D128645 through D129239 and Wires W1148 through W1150, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

PUBLIC HEARING - PLANNED UNIT DEVELOPMENT NO. PUD-113-06, DEVELOPMENT AGREEMENT, AND ADOPTION OF A NEGATIVE DECLARATION (F: 116.PUD-113-06)

Planned Unit Development No. PUD-113-06, Development Agreement, and Adoption of a Negative Declaration, initiated by Olson Urban Housing, LLC, is requesting to rezone the 3.8-acre site to Residential Planned Unit Development. Also requested is approval of a Development Agreement and a Negative Declaration for the project.

On August 3, 2006, pursuant to Resolution No. 5564, the City Planning Commission recommended approval of Planned Unit Development PUD-113-06 and a Development Agreement. Pursuant to Legal Notice published November 16, 2006, public hearing on the case was ordered by the City Council to be held this date.

Staff indicated the applicant has withdrawn his application.

AWARD OF CONTRACT TO ALL AMERICAN ASPHALT FOR 2006-07 AND 2007-08 STREET REHABILITATION OVERLAY (F: 24.2)

Staff report dated November 28, 2006, was introduced and reviewed by staff.

It was moved by Council Member Leyes, seconded by Council Member Krebs, and carried by unanimous vote, that All American Asphalt, be and hereby is determined to be the lowest acceptable bidder in connection with the 2006-07 and 2007-08 Street Rehabilitation Overlay, and that contract for said project be and hereby is awarded to said company in the sum of \$944,449.40 for fiscal year 2006-07, and \$829,664.76 for fiscal year 2007-08, for a total of \$1,774,114.16, in accordance with the terms of the City's plans and specifications and the bid submitted by said company;

that all other bids be and hereby are rejected; and the City Manager and City Clerk are authorized to execute said contract.

AWARD OF CONTRACT TO JMA CONSTRUCTION COMPANY FOR GARDEN GROVE BOULEVARD MEDIAN IMPROVEMENTS FROM HARBOR BOULEVARD TO HASTER STREET, PROJECT NO. 7264-D (F: 96.proj.7264D)

Staff report dated November 28, 2006, was introduced and reviewed by staff.

It was moved by Council Member Krebs, seconded by Council Member Krebs, and carried by unanimous vote, that JMA Construction Company be and hereby is determined to be the lowest acceptable bidder in connection with Project No. 7264-D, Garden Grove Boulevard Median Improvements from Harbor Boulevard to Haster Street, and contract for said project be and hereby is awarded to said company in the sum of \$857,900, in accordance with the terms of the City's plans and specifications and the bid submitted by said company; that all other bids be and hereby are rejected; and the City Manager and City Clerk are authorized to execute said contract.

AWARD OF CONTRACT TO JMA CONSTRUCTION COMPANY FOR GARDEN GROVE BOULEVARD MEDIAN IMPROVEMENTS FROM FERN STREET TO MAGNOLIA STREET, PROJECT NO. 7264-C (F: 96.proj.7264C)

Staff report dated November 28, 2006, was introduced and reviewed by staff.

Council Member Rosen raised concerns about limiting the number of accesses to the parking lot and the danger of increasing the number of U-turns needed.

Council Member Leyes praised staff on the engineer estimates, commenting that the estimate was within 1 percent of the lowest bidder.

Council Member Leyes moved, seconded by Council Member Krebs, that JMA Construction Company be and hereby is determined to be the lowest acceptable bidder in connection with Project No. 7264-C, Garden Grove Boulevard Median Improvements from Harbor Boulevard to Haster Street, and contract for said project be and hereby is awarded to said company in the sum of \$857,900, in accordance with the terms of the City's plans and specifications and the bid submitted by said company; that all other bids be and hereby are rejected; and the City Manager and City Clerk are

authorized to execute said contract. Said motion carried by the following vote:

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

AGREEMENT WITH WEST COAST ARBORIST FOR TREE-TRIMMING AND RELATED SERVICES (F: 55) (XR: 24.1)

Staff report dated November 28, 2006, was introduced and reviewed.

It was moved by Council Member Leyes, seconded by Council Member Nguyen, and carried by unanimous vote, that the Agreement by and between the City of Garden Grove and West Coast Arborists, Inc., to provide tree trimming and related services in the amount of \$900,000 for a three-year period, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement.

REPORT CONCERNING THE IAAPA ANNUAL CONFERENCE ATTENDED BY MAYOR DALTON AND COUNCIL MEMBERS ROSEN AND LEYES (F: 53.1)

Mayor Dalton, Mayor Pro Tem Rosen, and Council Member Leyes provided reports on activities and contacts made while attending the IAAPA Annual Conference held in Atlanta, Georgia.

MATTERS FROM MAYOR, CITY COUNCIL MEMBERS AND CITY MANAGER

Council Member Leyes thanked everyone for his reception earlier this evening. He commented on the video presented and the gifts that he received. He offered his condolences for the passing of Monsignor Sammon and commented that the Monsignor performed his marriage ceremony 20 years ago. (F: 53.1)

Council Member Rosen wished Mayor Dalton a happy birthday. (F: 53.1)

Council Member Nguyen wished both Mayor Dalton and Council Member Rosen a happy birthday. (F: 53.1)

Council Member Krebs also wished both Mayor Dalton and Council Member Rosen a happy birthday. (F: 53.1)

Council Member Rosen announced the celebration of the opening of the 22 Freeway at the OCTA building on Wednesday, November 29,

at 9:30 a.m. and commented that Governor Schwarzenegger will also be in attendance. (F: 53.1) (XR: 62.2)

Mayor Dalton wished Council Member Rosen a happy birthday and announced that he will be adjourning the meeting in honor of both David Lewis and Monsignor Sammon and commented on their contributions to the community. (F: 53.1) (XR: 46.9)

ADJOURNMENT

At 9:20 p.m., the meeting was declared adjourned in memory of David Lewis and Monsignor Sammon. (F: 46.9)

KATHLEEN BAILOR
DEPUTY SECRETARY