

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, December 12, 2006, at 7:10 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 Krebs led the Pledge of Allegiance to the Flag of the United States of America.

ORAL COMMUNICATIONS FROM THE PUBLIC REGARDING CERTIFICATION OF THE ELECTION (F: 53.1) (XR: 58.2)

There were no comments from the public.

DECLARATION OF RESULTS OF GENERAL MUNICIPAL ELECTION – RESOLUTION NO. 8752-06 (F: 58.2)

It was moved by Council Member Leyes, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 8752-06 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 7, 2006, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW, be and hereby is adopted.

PRESENTATIONS

Van Tran, Assemblyman, 68th District, and Ken Maddox, Former Assemblyman 68th District and former City Council Member,

approached the dais and congratulated the newly elected Mayor and Council Members. They presented gifts and certificates to outgoing Council Members Leyes and Krebs and thanked them for their years of service.

COURTESY OF THE FLOOR EXTENDED TO OUTGOING COUNCIL MEMBER LEYES (F: 53.1) (XR: 58.2)

Council Member Leyes thanked the Mayor, City Council Members, and City staff for the recent reception held in his honor. He reviewed some highlights and accomplishments of his 16 years of public service and thanked his wife Wanda and his supporters. He commented that it has been an honor to serve the community. As a final request, he asked that Mayor Dalton adjourn the meeting in memory of his friend, Cheryl Hauenstein.

COURTESY OF THE FLOOR EXTENDED TO OUTGOING COUNCIL MEMBER KREBS (F: 53.1) (XR: 58.2)

Council Member Krebs noted that serving as an appointed Council Member the past two years was quite an experience. He thanked his wife, Erline, the City Council, staff, and his supporters, noting that he will continue to do all he can for the betterment of the community. He congratulated Mayor Dalton and newly elected Bruce Broadwater and Dina Nguyen and wished a happy future to Council Member Leyes.

PRESENTATIONS (CONTINUED)

Congressman Ed Royce, 40th District, approached the dais and thanked Council Member Leyes for his many years of service. He presented him with a Certificate of Special Congressional Recognition. He also thanked Council Member Krebs for his service.

Steve Sarkis, representing State Senator Dick Ackerman, presented a Certificate of Recognition to Council Member Leyes.

Orange County District 1 Supervisor Lou Correa approached the dais and thanked Council Members Leyes and Krebs and presented them with Certificates of Appreciation for their years of service.

COUNCIL MEMBERS LEYES AND KREBS STEPPED DOWN FROM THE DAIS

OATH OF OFFICE AND CERTIFICATES OF ELECTION (F: 58.2.2006)

The Honorable Ed Royce, United States Congress, 40th District, administered the Oath of Office to Mayor Bill Dalton. The City Clerk presented him with the Certificate of Election, and Mayor Dalton was seated.

Bishop Dominic Mai Thanh Luong administered the Oath of Office to Council Member Dina Nguyen. The City Clerk presented her with the Certificate of Election, and Council Member Dina Nguyen was seated.

Joshua Broadwater, Orange County Deputy Sheriff, administered the Oath of Office to Council Member Broadwater. The City Clerk presented him with the Certificate of Election, and Council Member Broadwater was seated.

COURTESY OF THE FLOOR EXTENDED TO MAYOR DALTON (F: 53.1)
(XR: 58.2)

Mayor Dalton commented that everyone has the same goals, and he welcomed Council Member Dina Nguyen and Council Member Bruce Broadwater to the City Council. Mayor Dalton introduced his family present in the audience.

COURTESY OF THE FLOOR EXTENDED TO COUNCIL MEMBER DINA NGUYEN
(F: 53.1) (XR: 58.2)

Council Member Dina Nguyen thanked Bishop Dominic Mai Thanh Luong for administering the oath. She thanked the residents who voted for her, and indicated that she is ready to make the commitment and sacrifices needed to serve as a Council Member.

COURTESY OF THE FLOOR EXTENDED TO COUNCIL MEMBER BROADWATER
(F: 53.1) (XR: 58.2)

Council Member Broadwater indicated that serving on the City Council again is very exciting for him, commenting that he and the Mayor will work well. He thanked his wife, Peggy, and his family present, and the residents who voted for him. He indicated that he hopes to do a good job as a Council Member.

RECESS

At 7:50 p.m., the meeting was recessed for a welcome reception.

RECONVENE

At 8:26 p.m., the meeting was reconvened in the Council Chamber.

ROLL CALL: PRESENT: (5) MAYOR DALTON, COUNCIL MEMBERS
BROADWATER, DINA NGUYEN, JANET NGUYEN,
ROSEN

ABSENT: (0) NONE

ORAL COMMUNICATIONS – PUBLIC

Russ McDonald addressed the City Council, urging the banning of fireworks. (F: 53.3) (XR: 61.6)

Charles Mitchell addressed the City Council, stating that the HUD money being used for sewer improvements should be used for affordable housing. (F: 53.3) (XR: 117.10)

David Vill addressed the City Council, urging the formation of a fireworks committee to address the banning of fireworks. (F: 53.3) (XR: 61.6)

Sharon Taniharo addressed the City Council, urging the banning of fireworks. (F: 53.3) (XR: 61.6)

SELECTION OF MAYOR PRO TEM (F: 46.1)

Council Member Broadwater moved, seconded by Council Member Dina Nguyen, that Council Member Rosen be and hereby is re-selected as Mayor Pro Tem.

RECESS

At 8:43 p.m., the Mayor declared a recess.

RECONVENE

At 9:02 p.m., the meeting was reconvened with Mayor Dalton and all Council Members in attendance.

FINAL PARCEL MAP NO. 2004-279 AND SUBDIVISION AGREEMENT FOR PROPERTY LOCATED AT 7465 LAMPSON AVENUE (F: 118.PM 2004-279)

Staff report dated December 12, 2006, was introduced.

It was moved by Council Member Janet Nguyen, seconded by Council Member Rosen, and carried by unanimous vote, that Final Parcel Map No. 2004-279 for property located at 7465 Lampson Avenue, be and hereby is approved; the Subdivision Agreement by and between the City of Garden Grove and BKM Lampson Associates, L.L.C., and Seven Investments, LLC, be and hereby is approved, the Subdivision Improvement Bonds are accepted; and the City Manager and City Clerk are authorized to execute the agreement.

FINAL TRACT MAP NO. 16856 AND SUBDIVISION AGREEMENT FOR PROPERTY LOCATED AT 12852 PALM STREET (F: 103.TT 16856)

Staff report dated December 12, 2006, was introduced.

It was moved by Council Member Janet Nguyen, seconded by Council Member Rosen, and carried by unanimous vote, that Final Tract Map No. 16856 for property located at 12852 Palm Street, be and hereby is approved; the Subdivision Agreement by and between the City of Garden Grove and In-Town Communities, LLC, be and hereby is approved, and the City Manager and City Clerk are authorized to execute the agreement.

2005-06 ANNUAL REPORT FOR THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT (F: A-128.1)

Staff report dated December 12, 2006, was introduced.

It was moved by Council Member Janet Nguyen, seconded by Council Member Rosen, and carried by unanimous vote, that the 2005-06 Annual Report for the Garden Grove Agency for Community Development be and hereby is accepted from the Agency for transmittal to the State Controller.

RESOLUTION ESTABLISHING ELIGIBILITY OF LEGISLATIVE BODY MEMBERS FOR COMPENSATION AND EXPENSE REIMBURSEMENT (F: 127.1)

Staff report dated December 12, 2006, was introduced.

RESOLUTION NO. 8753-06

It was moved by Council Member Janet Nguyen, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 8753-06 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA ESTABLISHING ELIGIBILITY OF

LEGISLATIVE BODY MEMBERS FOR COMPENSATION AND EXPENSE REIMBURSEMENT, be and hereby is adopted.

MINUTES (F: Vault)

Council Member Janet Nguyen moved, seconded by Council Member Rosen, that the minutes of the Regular City Council Meeting held October 10, 2006, be and hereby are approved. Said motion carried by the following vote:

AYES: COUNCIL MEMBERS: (3) JANET NGUYEN, ROSEN, DALTON
NOES: COUNCIL MEMBERS: (0) NONE
ABSENT: COUNCIL MEMBERS: (0) NONE
ABSTAIN: COUNCIL MEMBERS: (2) BROADWATER, DINA NGUYEN

WARRANTS (F: 60.5)

It was moved by Council Member Janet Nguyen, seconded by Council Member Rosen, and carried by unanimous vote, that regular warrants 374966 through 376415 and Wires W284-W285, and payroll warrants 148590 through 148859, Direct Deposits D129240 through D129837, and Wires W1151 -W1157, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

PUBLIC HEARING ON SUBSTANTIAL AMENDMENT NO. 1 TO THE 2006-07 HOUSING AND COMMUNITY DEVELOPMENT ACTION PLAN (F: 117.10)
(XR: 57.1)

Staff report dated December 12, 2006, was introduced.
Mayor Dalton declared the public hearing opened and asked if anyone wished to address the City Council on this matter.

There being no response from the audience or comments from Council members, the public hearing was declared closed.

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that Substantial Amendment No. 1 to the 2006-07 Housing and Community Development Action Plan, be and hereby is approved.

AFFORDABLE HOUSING LOAN AGREEMENT WITH TAMERLANE ASSOCIATES, LLC, FOR THE PURCHASE OF A RENTAL APARTMENT PROPERTY LOCATED AT 12131 TAMERLANE DRIVE (F: 117.16V) (XR: 57.1)

Staff report dated December 12, 2006, was introduced and reviewed by staff.

It was moved by Council Member Rosen, seconded by Mayor Dalton, and carried by unanimous vote, that the Affordable Housing Loan Agreement by and between the City of Garden Grove and Tamerlane Associates for the purchase of 12131 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.

CONSIDERATION OF AGENDIZING FOR APPROVAL PLANNED UNIT DEVELOPMENT NO. PUD-115-06 AND DEVELOPMENT AGREEMENT AND ORDINANCES RELATED THERETO, FOR PROPERTY LOCATED ON THE NORTH SIDE OF TRASK AVENUE, EAST OF NEWHOPE STREET, AT 11631 AND 11641 TRASK AVENUE, AS REQUESTED BY MAYOR PRO TEM ROSEN (F: 116.PUD-115-06)

Mayor Pro Tem Rosen commented that this matter was listed on the agenda for the City Council meeting of November 12, 2006; however, the proponent was not present. The proponent indicated he did not receive a notice of the meeting. At the November 12 meeting, there was no resolution of the matter.

The City Attorney provided direction on how to bring the matter back for discussion, noting that there would be a need to renotice it for a public hearing.

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that the City Clerk re-notice this public hearing for January 9, 2007.

RESOLUTION HONORING THE 28TH ANNIVERSARY OF THE NGUOI VIET DAILY NEWS, AS REQUESTED BY COUNCIL MEMBER JANET NGUYEN (F: 52.2)

It was moved by Council Member Janet Nguyen, seconded by Council Member Dina Nguyen, and carried by unanimous vote, that the Resolution honoring the 28th Anniversary of the Nguoi Viet Daily News, be and hereby is approved.

Request by Council Member Broadwater that the City's major lawsuits be placed on the January 9, 2007, agenda for discussion in

Closed Session. He indicated he is happy to be back on the City Council. (F: 53.1)

Mayor Pro Tem Rosen commented on his past associations with Council Member Broadwater and Council Member Dina Nguyen. He also spoke about his very long-standing relationship with Council Member Leyes, noting that he has always been dedicated to public service. Lastly, he commented on Council Member Krebs, noting that he has had a lifetime of public service. He wished the outgoing Council Members well and indicated he is looking forward to working with Council Member Broadwater and Council Member Dina Nguyen. (F: 53.1)

Council Member Janet Nguyen congratulated Council Member Broadwater and Council Member Dina Nguyen. She thanked outgoing Council Member Leyes and Council Member Krebs for their service and congratulated Mayor Dalton on his re-election. Lastly, she wished Sandy Dalton a Happy Birthday. (F: 53.1)

Council Member Dina Nguyen thanked everyone and noted that Council Member Leyes and Council Member Krebs were dedicated Council Members. (F: 53.1)

Mayor Dalton thanked Council Member Leyes and Council Member Krebs for their dedicated service and wished them well. He congratulated Council Member Broadwater and Council Member Dina Nguyen. He reminded everyone that City Commission appointments are not automatically renewed, and those interested in being reappointed should reapply. Lastly, he wished his wife Sandy, a Happy Birthday, as well as his daughter Pam and other family members celebrating December birthdays. (F: 53.1)

ADJOURNMENT

At 9:28 p.m., the meeting was declared adjourned in memory of Cheryl Hauenstein, former Council Member Leyes' childhood friend, and in memory of Howard Koerner, Sandy Dalton's father. (F: 46.9)

RUTH E. SMITH
CITY CLERK