

## MINUTES

### GARDEN GROVE CITY COUNCIL

An Adjourned 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 21, 2004, at 6:50 p.m.

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

ABSENT: (0) NONE

ALSO PRESENT: City Manager, Matthew Fertal; Deputy City Manager, Les Jones; Community Development Director, Susan Emery; Community Services Director, Cal Rietzel; Finance Director, Kingsley Okereke; Personnel Director, Steve Larson; Deputy Police Chief, Kevin Raney; Public Works Director, Keith Jones; City Attorney, John Shaw; and City Clerk, Ruth Smith.

#### INVOCATION AND PLEDGE

Deputy 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

Bob Owens addressed the Council, urging that a decision be made at this meeting to fill the Council vacancy. He also commented that redevelopment is not being communicated well. (F: 53.3) (XR: 58.2)

Kris Beard addressed the Council, urging the Council appoint George Brietigam, third runner-up in the election, to fill the Council vacancy. (F: 53.3) (XR: 58.2)

Ken Maddox addressed the Council, urging the Council appoint Harry Krebs to fill the Council vacancy, noting the importance of selecting someone who shares the same vision as the Council. (F: 53.3) (XR: 58.2)

Michael Sanchez addressed the Council, urging the Council appoint George Brietigam to fill the Council vacancy, alleging the Council has its own special agenda. (F: 53.3) (XR: 58.2)

Allison Hanna addressed the Council, commenting that the November election votes should have no bearing on the appointment. (F: 53.3) (XR: 58.2)

Brandon Beard addressed the Council, urging that George Brietigam be appointed to the Council vacancy. (F: 53.3) (XR: 58.2)

Nicholas Rudd addressed the Council, commenting that the Advisory Measure B rules should be followed in filling the Council vacancy. (F: 53.3) (XR: 58.2)

Sheldon Singer addressed the Council, urging that they appoint someone who holds the same forward vision as the rest of the Council to fill the Council vacancy. He also encouraged residents to apply to serve on the Grand Jury. (F: 53.3) (XR: 58.2)

Monica Escobar addressed the Council, urging the Council appoint George Brietigam to fill the Council vacancy. (F: 53.3) (XR: 58.2)

Bob Walker addressed the Council, urging the Council to do the right thing. (F: 53.3) (XR: 58.2)

Dr. Eugene Zaluzec addressed the Council, urging the Council appoint Tony Flores to fill the Council vacancy. (F: 53.3) (XR: 58.2)

Greg Beard addressed the Council, urging the Council appoint George Brietigam to fill the Council vacancy, noting that it should be filled by someone who ran on the November ballot and further commenting that not doing so might force the city into a recall. (F: 53.3) (XR: 58.2)

Peggy Bergin addressed the Council, urging that they make a good decision in filling the Council vacancy, keeping in mind what the citizens want. (F: 53.3) (XR: 58.2)

Terry Lautherboren addressed the Council, urging that they fill the vacant Council position with someone who is familiar with City activities. (F: 53.3) (XR: 58.2)

George Brietigam addressed the Council, urging they appoint him to fill the Council vacancy and follow the direction given in Measure B. (F: 53.3) (XR: 58.2)

Verla Lambert addressed the Council, commenting that all the people on the ballot were excellent and noting that Tony Flores is a leader and has run before. She also noted that she is working on getting the School Board and the City Council together. (F: 53.3) (XR: 58.2)

Chris Prevatt addressed the Council, commenting that he would like the appointment to fill the Council vacancy; however, if he is not chosen, he would like to see Harry Krebs appointed. (F: 53.3) (XR: 58.2)

Larry Callahan addressed the Council, noting that the Council has the right to choose whomever they wish, commenting that a recall would cost the City \$160,000. (F: 53.3) (XR: 58.2)

Danny Bundaki addressed the Council, urging they appoint Harry Krebs to fill the Council vacancy. (F: 53.3) (XR: 58.2)

Tony Flores addressed the Council, urging they appoint him to fill the Council vacancy, noting that appointed or not, he will be there to help. (F: 53.3) (XR: 58.2)

Herb Lieberman addressed the Council, urging they appoint Harry Krebs to fill the Council vacancy. (F: 53.3) (XR: 58.2)

Barbara Doxie addressed the Council, urging they appoint Harry Krebs to fill the Council vacancy. (F: 53.3) (XR: 58.2)

Julie Atkinson addressed the Council, urging they appoint George Brietigam to fill the Council vacancy. (F: 53.3) (XR: 58.2)

Cy LaBree addressed the Council, inquiring why 11 staff members are in the adjacent room. (F: 53.3) (XR: 58.2)

Dietrich Nicholson addressed the Council, commenting that Harry Krebs should not get the appointment to the Council vacancy; however, any one of the other candidates on the ballot should be appointed. (F: 53.3) (XR: 58.2)

CONSIDERATION OF APPOINTMENT TO FILL THE VACANCY ON THE CITY COUNCIL (F: 58.2)

Mayor Dalton read from a memorandum containing a listing of those residents who have expressed an interest in being appointed to fill the vacancy on the City Council. He also read the wording of the Advisory Measure B, noting that 15,370 citizens voted in favor of the Measure, and 13,909 citizens voted against the Measure. Also

introduced for the record was the history of how the City Council filled vacancies in the past. Lastly, introduced for the record was an E-mail from Kathy Evans expressing her support for the appointment of Tony Flores to the vacant City Council seat.

Council Member Leyes reviewed the historical background of his City Council appointments made in the past. He indicated that the City Council should respect the voters' advice and be faithful to the process, noting that because of State law, the measure could not be made mandatory. He also noted that Harry Krebs, who was included on the list of those interested, did not run in the election for a Council seat and did not speak tonight asking for the appointment. He also noted that if the ballot had indicated that three votes should be cast, George Brietigam would have received even more votes. He noted that he now regrets his vote to support the Council appointment in 1998 of Mark Rosen, who had not run for the office, rather than support the third runner-up. And Council Member Leyes voted to appoint George Brietigam to fill the vacant City Council seat. The motion died for lack of a second.

Council Member Rosen commented on the importance that the appointee have the same vision as the City Council, noting that the City is on the right track with development, with which the majority of the voters agree. He further noted that the City Council represents all of Garden Grove, not just one section. He spoke of the attributes of Harry Krebs and his vast involvement in the workings of the community. He congratulated the people who spoke under Oral Communications for their civility and dignity.

Council Member Nguyen noted that she cannot support a Special Election because of the cost. She further noted that it is her duty to appoint who she believes will best serve the citizens of Garden Grove and someone who has a proven record for the people.

Mayor Dalton thanked the audience for their politeness. He noted that in 1998 he supported the third runner-up; however, people also are entitled to change their minds. He noted that the person chosen must be the one who will do the best for the city. Times have changed since Measure B was voted upon. He indicated that he believes Harry Krebs in the past, in the present, and in the future will make Garden Grove a better place.

Mayor Dalton moved, seconded by Council Member Nguyen, that Harry Krebs be and hereby is appointed to fill the vacancy on the City Council.

Council Member Leyes commented that this appointment could have been made at the regular City Council meeting last week. He further commented that this action is an insult to the voters who voted for Measure B.

The foregoing motion carried by the following vote:

AYES: COUNCIL MEMBERS: (3) NGUYEN, ROSEN, DALTON  
NOES: COUNCIL MEMBERS: (1) LEYES  
ABSENT: COUNCIL MEMBERS: (0) NONE

The City Clerk administered the Oath of Office to newly appointed Council Member Krebs and presented him with a Certificate of Appointment, following which Council Member Krebs was seated.

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

Council Member Krebs expressed his appreciation for the kind comments made. He indicated that he has lived in Garden Grove for almost 50 years and has been actively involved in the community. He noted that he is not a politician but simply is interested in serving the citizens of Garden Grove. He further noted that he does not know if he will run for a seat in two years. He will meet with any individual and is happy to answer any questions posed to him. He indicated that there has never been a "west end" of the city in his mind. He noted that George Brietigam is a good friend, and he hopes that he will continue to be involved in Garden Grove. He is appreciative of the support shown him and he believes he can work well with the Council and for the community. He wished everyone a Merry Christmas and a Happy New Year.

COMMENTS FROM THE MAYOR AND CITY COUNCIL MEMBERS

Council Member Leyes extended his wishes to everyone for a Merry Christmas, Happy New Year, and a safe holiday season. (F: 53.1)

Council Member Rosen commented on the closing of the Vons store at Brookhurst and Chapman on December 28. He asked for information from staff on this, including who owns the land and the availability of the property. He noted that he will be making some appointments to various City commissions at the January 11, 2005 City Council meeting, and he wished everyone a Merry Christmas, Happy Holidays, and a Happy New Year. (F: 53.1)

Council Member Nguyen extended her wishes to everyone for a Merry Christmas, Happy Holidays, and a Happy New Year. (F: 53.1)

Mayor Dalton thanked everyone in the audience for their politeness, noting that unpopular decisions have to be made to make the City a better place in which to live. He also extended his wishes to everyone for a Merry Christmas and a Happy New Year. (F: 53.1)

ADJOURNMENT

At 9:05 p.m., the meeting was declared adjourned.

RUTH E. SMITH  
CITY CLERK