

MINUTES

GARDEN GROVE CITY COUNCIL

GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT

GARDEN GROVE SANITARY DISTRICT BOARD OF DIRECTORS

An adjourned regular meeting of the City Council of the City of Garden Grove, the Agency for Community Development, and the Sanitary District Board of Directors was called to order in the Founders Room of the Community Meeting Center, 11300 Stanford Avenue, on Tuesday, March 29, 2005, at 6:24 p.m.

COUNCIL

ROLL CALL: PRESENT: (5) COUNCIL MEMBER KREBS, COUNCIL MEMBER LEYES, COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN, MAYOR DALTON

ABSENT: (0) NONE

AGENCY

ROLL CALL: PRESENT: (5) MEMBER DALTON, MEMBER KREBS, MEMBER LEYES, VICE CHAIR ROSEN, CHAIR NGUYEN

ABSENT: (0) NONE

SANITARY DISTRICT

ROLL CALL: PRESENT: (5) MEMBER KREBS, MEMBER LEYES, MEMBER NGUYEN, VICE PRESIDENT ROSEN, PRESIDENT DALTON

ABSENT: (0) NONE

ALSO PRESENT: City Manager/Director, Matthew Fertal; Deputy City Manager/Assistant Director, Les Jones; Community Development Director, Susan Emery; Finance Director, Kingsley Okereke; Fire Chief, Keith Osborn; Police Chief, Joe Polisar; Public Works Director, Keith Jones; and City Clerk/Secretary, Ruth Smith.

ORAL COMMUNICATIONS - PUBLIC (F: 53.3)

Donna Chessen introduced Dr. Fred Richmond, who spoke about the Coalition of Orange County Community Clinics.

Rosalie Majid, scout leader, introduced Boy Scouts from Troop No. 167 at Zeyen School, attending this meeting to work on their badges. They provided pancake breakfast tickets to the City Council Members.

DISCUSSION CONCERNING THE PACIFIC ELECTRIC RIGHT-OF-WAY
(F: 36.3)

Paul Taylor, Executive Director of Planning, Development & Commuter Services for the Orange County Transportation Authority (OCTA), addressed the City Council/Agency. He provided background information on the Pacific Electric Right-of-Way, noting their goal is to preserve the corridor for future transit use. He further noted that they would like to work with the Cities to enhance the aesthetics of the Right-of-Way. He reviewed portions of the final report of the project definition study for uses and mass transportation system. He indicated that meetings will be held and at the end of April they will decide what steps they will take in mass transportation development.

Council/Agency Member Rosen indicated his concern with what the OCTA has placed on the Right-of-Way to keep the growth down, noting that there should be some vegetation left.

Council/Agency Member Leyes referenced the Pacific Electric Right-of-Way Feasibility Study that was prepared in 1987, and he noted that if no CenterLine is built, it is time to put the Right-of-Way back to good use. He further noted that 50 acres run through Garden Grove. He recommended that mass transit not be pursued for the portion of the Right-of-Way north of the Garden Grove Freeway, but rather just the section south of the freeway. He also noted that the sale of the Right-of-Way would put the land back on the tax roll and would bring amenities to Garden Grove. He would like to see OCTA and Garden Grove approach it from that standpoint, from which both would benefit. OCTA should pursue auctioning off the land, with developers being asked for resources for the development of park spaces along the Right-of-Way.

Council/Agency Member Rosen commented that the City Council/Agency should see what Garden Grove wants and set some parameters on the usage.

Tom Trischler of Trischler Associates addressed the City Council/Agency and spoke about the development of the MagLev transportation system. He introduced Al Perdon and Bruce Barrows, who are also part of the MagLev team. He did a power point presentation on the MagLev system and showed the proposed layout, noting that it would link up Harbor Boulevard into a higher

speed system. He indicated that Garden Grove should have a seat on the Joint Powers Authority. He reviewed the advantages MagLev would bring to Garden Grove; i.e., Harbor Boulevard and the 22 Freeway would become the gateway to the Anaheim resort; it would generate redevelopment and be an economic development catalyst; it would generate revenues for the city; and it would create a mixed use, live, work and play transit village.

In response to inquiries from Council/Agency Member Leyes, Mr. Trischler noted that this transportation would be a private-public partnership and would not be dependent on federal funding; however, they do not have a formula for financing as yet. Mr. Trischler took issue with the 1987 study because of changes that have occurred. He also noted that Measure M or Turn Back funds could be used.

Discussion ensued relative to the speed of the system and the route. In response to concerns expressed by Council/Agency Member Krebs and Council Member/Chair Nguyen, Mr. Trischler noted that information would be provided to the City relative to the cost and the proposed construction time.

DISCUSSION CONCERNING THE USE OF MEASURE M FUNDS, AND SPECIFICALLY TURN BACK FUNDS, TO BEST SERVE THE CITIZENS OF GARDEN GROVE (F: 23.18c)

Staff report dated March 16, 2005, was introduced regarding the disposition of funds associated with the deferment of the Orange County Transportation Authority's Centerline Light Rail project.

The City Manager/Director noted that since funding for the Centerline was taken from the transit improvement allocation, that funding must return to that allocation. It can be used on other transit projects, such as bus rapid transit, upon approval of the Citizens Oversight Committee, which oversees Measure M funds. Further, it would require the vote of the people to reallocate the Turn Back funds.

Further discussion ensued relative to a transportation system, the right-of-way, and use of Turn Back funds.

RECESS

At 7:38 p.m., the Mayor/Chair/President declared a recess.

RECONVENE

At 7:51 p.m., the meeting was reconvened with Mayor/President Dalton, Agency Chair Nguyen, and all Council/Agency/Sanitary District Board Members in attendance.

DISCUSSION CONCERNING FIREWORKS IN GARDEN GROVE (F: 61.6)

The Police Chief presented a report, in conjunction with the Fire Chief, providing information concerning the negative impact the sale and use of fireworks in Garden Grove has upon public safety and recommended they eventually be eliminated. They spoke of plans this Fourth of July to have police/fire teams cruising around the city.

David Vill, Vice President of the Garden Grove AARP chapter, addressed the City Council on behalf of the organization, urging the sale and use of fireworks in Garden Grove cease.

Robert Gleason, representative of the Los Amigos High School Football Booster Club, addressed the City Council. He indicated that they sell fireworks to raise needed funds, noting that those with illegal fireworks should be dealt with more harshly.

David Zimmerman, representative of B'nai B'rith, addressed the City Council, commenting that the sale of fireworks enables them to do much good in the community.

Council Member Rosen commented that perhaps there could be specific areas zoned off where fireworks could be displayed. He further suggested that perhaps this issue should be placed on the ballot to allow the voters to make the decision.

Council Member Leyes noted that he has always supported fireworks; however, the safe and sane fireworks mask the illegal ones. He commented that a zero tolerance approach to illegal fireworks is good, noting that the issue is enforcement.

Council Member Nguyen suggested a school stadium location for displaying fireworks, noting they could be both sold and set off at that site.

Council Member Krebs noted that this has been a topic of discussion for many years, further noting that 15 years ago the Planning Commission asked the City Council to ban the sale and use of fireworks in Garden Grove. He commented that it is not possible to keep illegal fireworks out of the city as long as the sale and display of safe and sane fireworks is permitted. Nonprofit organizations need to find alternative means of raising money.

In response to an inquiry from Mayor Dalton, the Fire Chief noted that the number of stands this year has dropped from 70 to 52, and the goal is to get to 45. Mayor Dalton noted that he would like to revisit this after this year's Fourth of July. He would also like to see about partnering with the school district and look at viable alternatives to the sale of fireworks. He could also support higher fines imposed on those individuals using illegal fireworks.

The Police Chief commented that if fireworks were banned tomorrow, it would take three to five years to get the city back under control.

FINANCIAL DISCUSSION CONCERNING THE GARDEN GROVE SANITARY DISTRICT (F: S-34.1)

The Public Works Director, along with Zeki Kayiran of AKM Consulting Engineers, did a power point presentation reviewing options to finance deficiencies that exist in the City's sewer system. It was noted that a Financial Plan must be developed by September 30, 2005, further noting that current budget allocations are inadequate to fund capacity assurance and sewer system rehab plans.

COUNCIL/SANITARY DISTRICT BOARD MEMBER LEYES LEFT THE ROOM AT 8:40 P.M. AND RETURNED AT 8:45 P.M.

Three potential financial solutions were presented, being (1) to fund all requirements via a rate increase; (2) fund all requirements via Debt Issuance plus small measured rate increases; or (3) restructure rates to create more equity between residential and non-residential groups.

RECESS

At 9:35 p.m., the Mayor/Chair/President declared a recess.

RECONVENE

At 9:43 p.m., the meeting was reconvened with Mayor/President Dalton, Agency Chair Nguyen, and all Council/Agency/Sanitary District Board Members in attendance.

FINANCIAL DISCUSSION CONCERNING THE GARDEN GROVE SANITARY DISTRICT (CONTINUED)

There was some further discussion by Council/Sanitary District Board Members, and Mayor/President Dalton suggested that this

presentation be made again at another meeting on television so the community can be made aware of the severity of the situation.

APPOINTMENTS TO CITY COMMISSIONS AND COMMITTEES (F: S-122.1)

It was moved by Council Member Leyes, seconded by Mayor Dalton, and carried by unanimous vote, that Connie Naranjo be and hereby is appointed to the Sanitary District Advisory Commission, as Council Member Leyes' appointee.

Deputy City Manager Les Jones noted that a letter is being sent to the City removing the County Supervisor's appointment to the Advisory Commission.

COMMEMORATION OF THE 30TH ANNIVERSARY OF THE FALL OF SAIGON
(F: 130.13) (XR: 24.1) (XR: 96.1)

Council Member Nguyen indicated that the owner of Lee's Sandwiches would like to donate 30 cherry trees for planting in the landscaped median on Brookhurst Street between Hazard Avenue and Westminster Avenue to commemorate the 30th Anniversary of the fall of Saigon and the 30 years of Vietnamese Americans' contributions to America.

In response to an inquiry from Council Member Leyes, the Public Works Director indicated that the cost of planting the trees would be \$1600.

Council Members discussed various aspects of these trees and the planting. Council Member Rosen suggested a commemoration plaque also be placed in the location.

Further discussion took place relative to the commemoration ceremony.

Mayor Dalton moved, seconded by Council Member Rosen, that approval be given to plant the 30 cherry trees in the landscaped median on Brookhurst Street between Hazard Avenue and Westminster Avenue. 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

Council Member Leyes indicated he believes this item needs some additional consideration.

MATTERS FROM COUNCIL MEMBERS

Council Member Rosen inquired when follow-up documentation from the hearing on the Buddhist Temple would return to the City Council. The City Clerk responded that the Resolution would probably be placed on the April 12 City Council Agenda. (F: 53.1)
(XR: 20.GPA 1-05(A))

Council Member Rosen requested that the one-year review of the City Manager be placed on the City Council agenda in April for discussion in Closed Session. (F: 88.1)

ADJOURNMENT

At 10:15 p.m., the meeting was declared adjourned.

RUTH E. SMITH
CITY CLERK/SECRETARY