

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, January 10, 2006, at 7:22 p.m.

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

ABSENT: (0) NONE

INVOCATION AND PLEDGE

Deputy City Manager Les Jones gave the Invocation. Council Member Krebs led the Pledge of Allegiance to the Flag of the United States of America.

PRESENTATIONS – COMMUNITY SPOTLIGHTS (F: 83.1) (XR: 78.1)

Mayor Dalton called forward the family of Public Works Department employee Joe Gomez, who passed in October, and presented them with a Resolution of Commendation honoring Joe posthumously for his 38 years of dedicated service to the City of Garden Grove.

Mayor Dalton called forward Sandy Estlow and Gigi Rodriguez and presented them with Certificates of Appreciation for their volunteer efforts during the Hurricane Katrina disaster.

DEPARTMENT UPDATE BY ADMINISTRATIVE SERVICES DIRECTOR, KATHY PORTER (F: 45.1)

Kathy Porter provided an update of activities in the Administrative Services Department.

ORAL COMMUNICATIONS - PUBLIC

Ricardo Mireles addressed the City Council concerning traffic accidents he has had. (F: 53.3)

Beatrice Jones addressed the City Council concerning Martin Luther King and various programs being held in the county commemorating his life. (F: 53.3)

James Reade addressed the City Council concerning an Indian Casino in Garden Grove and Anaheim Police Officers. (F: 53.3)

Rosemary Turrell and Raul Gutierrez addressed the City Council requesting the walkway from Santiago High School to Harper Street be closed off because of criminal activities that have occurred at that location.

Mayor Dalton noted that staff will contact them concerning this issue. (F: 53.3) (XR: 93.1) (XR: 90.5)

Linda Luu, Sylvia Kain, Bonnie Robba, and Richard Robba, addressed the City Council concerning Agenda Item 7.a.2., the Traffic Commission's recommendation to remove on-street parking on Westminster Avenue from Euclid Street to Magnolia Street for westbound traffic and from Bushard Street to Euclid Street for eastbound traffic. They urged the City Council not to remove on-street parking on Westminster Avenue, indicating that to do so would be a hardship for the Childs Town Preschool at 10531 Westminster Avenue between Euclid Street and Brookhurst and would create unsafe conditions for the children. A petition bearing 139 signatures was submitted, opposing the elimination of all street parking on Westminster Avenue between Euclid and Magnolia. Mr. Roba also commented that the biggest problem on Westminster Avenue is lack of coordination of the traffic signals. (F: 53.3) (XR: 122.11)

RECESS

At 8:28 p.m., the Mayor declared a recess.

RECONVENE

At 8:40 p.m., the meeting was reconvened with Mayor Dalton and all Council Members in attendance.

ORAL COMMUNICATIONS – PUBLIC (CONTINUED)

Alma Ramirez addressed the City Council, indicating that she is fighting discrimination and racism. She also spoke of Police issues. (F: 53.3) (XR: 82.1)

RECESS

At 8:45 p.m., the Mayor declared a recess.

RECONVENE

At 8:53 p.m., the meeting was reconvened with Mayor Dalton and all Council Members in attendance.

PROCLAMATION DESIGNATING 2006 AS THE CITY OF GARDEN GROVE'S 50TH ANNIVERSARY YEAR (F: 83.1)

It was moved by Council Member Rosen, seconded by Council Member Krebs, and carried by unanimous vote, that 2006 be and hereby is designated as the City of Garden Grove's 50th Anniversary Year.

RESOLUTION COMMENDING JOE GOMEZ FOR HIS 38 YEARS OF DEDICATED SERVICE TO THE CITY OF GARDEN GROVE AS A PUBLIC WORKS DEPARTMENT EMPLOYEE (F: 52.2) (XR: 78.1)

It was moved by Council Member Rosen, seconded by Council Member Krebs, and carried by unanimous vote, that the Resolution commending Joe Gomez for his 38 years of dedicated service to the City of Garden Grove as a Public Works Department employee, be and hereby is approved.

FINAL PARCEL MAP NO. 2005-136 FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF GARDEN GROVE BOULEVARD AND ROCKINGHORSE ROAD (F: 118.PM-2005-136)

Staff report dated January 10, 2006, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Krebs, and carried by unanimous vote, that the Final Parcel Map No. 2005-136 for property located at the southeast corner of Garden Grove Boulevard and Rockinghorse Road, be and hereby is approved.

AGREEMENT WITH LSA ASSOCIATES, INC., TO REEVALUATE AND RESTUDY THE HARBOR SMART STREET EA/EIR (F: 55) (XR: 23.26a)

Staff report dated January 10, 2006, was introduced.

It was moved by Council Member Krebs, seconded by Council Member Leyes, and carried by unanimous vote, that the Agreement

by and between the City of Garden Grove and LSA Associates, Inc., to reevaluate and restudy the Harbor Smart Street EA/EIR, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement.

AGREEMENT WITH GREAT-WEST LIFE & ANNUITY INSURANCE COMPANY FOR DEFERRED COMPENSATION PLAN ADMINISTRATION SERVICES (F: 55)
(XR: 78.16)

Staff report dated January 10, 2006, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Krebs, and carried by unanimous vote, that the Agreement by and between the City of Garden Grove and Great-West Life & Annuity Insurance Company for deferred compensation plan administration services, be and hereby is approved; and the City Manager is authorized to execute the agreement.

COOPERATION, PURCHASE, AND SALE AGREEMENT WITH THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT FOR CONVEYANCE OF CITY-OWNED PROPERTY LOCATED AT 12461 SPRINGDALE STREET
(F: A-55.319) (XR: 55)

This item was discussed concurrently with the Agency for Community Development.

Council Member Leyes inquired that inasmuch as Springdale Street is not in the Agency project area, what is the rationale for doing this.

The City Manager noted that in part this is a way to provide relocation sites or to further the housing objectives for relocation obligations.

In response to an inquiry by Council Member Leyes, staff noted that this land would not be made available to other cities and agencies in this transaction.

Council Member Krebs commented that he fails to see the logic of giving the land to the Agency. It should be put out to bid for sale, with the proceeds being added to the City's General Fund.

Council Member Nguyen commented that the Agency would reimburse the City upon the sale of the land.

Council Member Rosen expressed his agreement with Council Member Krebs, noting that he does not see the advantage either.

The City Manager noted that the proceeds of the sale would end up in the City's General Fund, and this is not a new process. By facilitating the sale through the Agency, there is more control over the buyer and the developer. He further noted that the proceeds would not be subject to tax increment and should be explored for relocation.

Council Member Rosen commented that he does not see a relocation taking place to Springdale Street occurring.

Council Member Leyes noted that the Green's Glass relocation site was Single-Family residential and was rezoned to accommodate Green's Glass.

The City Attorney clarified that the agreement will be amended to reflect that upon the sale of the properties, all proceeds will be paid to the City's General Fund.

Council Member Nguyen moved, seconded by Council Member Leyes, that the Cooperation, Purchase, and Sale Agreement with the Garden Grove Agency for Community Development for the conveyance of City-owned property located at 12461 Springdale Street, be and hereby is approved, as amended; the Mayor and City Clerk are authorized to execute the Agreement when appropriate to do so; and the City Manager and City Clerk are authorized to execute the Grant Deed on behalf of the City. Said motion carried by the following vote:

AYES:	COUNCIL MEMBERS: (3)	DALTON, LEYES, NGUYEN
NOES:	COUNCIL MEMBERS: (2)	KREBS, ROSEN
ABSENT:	COUNCIL MEMBERS: (0)	NONE

COOPERATION, PURCHASE, AND SALE AGREEMENT WITH THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT FOR CONVEYANCE OF CITY-OWNED PROPERTY LOCATED AT 12851 WESTLAKE AVENUE, 10831-51 ACACIA PARKWAY, 13502 LANNING STREET, AND 13501-02 BARNETT WAY (F: A-55.319) (XR: 55)

This item was discussed concurrently with the Agency for Community Development.

Staff report dated January 10, 2006, was introduced and reviewed by staff.

Council Member Rosen noted that the agreement should be amended with the same language as noted for the previous agreement.

Council Member Krebs noted that he has the same concern with this agreement.

Council Member Rosen noted that these are narrow parcels and are different than the Springdale one and should be sold at the earliest opportunity.

Council Member Leyes reiterated that the Agency has more control than the City has on the selection of a project and developer.

Council Member Nguyen moved, seconded by Council Member Leyes, that the Cooperation, Purchase, and Sale Agreement with the Garden Grove Agency for Community Development for the conveyance of City-owned property located at 12851 Westlake Avenue, 10831-51 Acacia Parkway, 13502 Lanning Street, and 13501-02 Barnett Way, be and hereby is approved, as amended; the Mayor and City Clerk are authorized to execute the Agreement when appropriate to do so; and the City Manager and City Clerk are authorized to execute the Grant Deed on behalf of the City. Said motion carried by the following vote:

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

PROJECT NO. 7658, GARDEN GROVE SPORTS COMPLEX AT GARDEN GROVE PARK – ACCEPTANCE OF CONTRACT AS COMPLETE (F: 78.5 Proj.7658)

Staff report dated January 10, 2006, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Krebs, and carried by unanimous vote, that Project No. 7658, Garden Grove Sports Complex at Garden Grove Park, be and hereby is accepted as complete; and the City Manager and City Clerk are authorized to execute the Notice of Completion.

APPOINTMENT OF LES JONES CITY TREASURER (F: 60.8)

Staff report dated January 10, 2006, was introduced.

RESOLUTION NO. 8682-06

It was moved by Council Member Nguyen, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 8682-06 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE REPEALING RESOLUTION NO. 8380-01 AND APPOINTING A CITY TREASURER, be and hereby is adopted.

WARRANTS (F: 60.5)

It was moved by Council Member Rosen, seconded by Council Member Krebs, and carried by unanimous vote, that regular warrants 350484 through 352643 and Wires W225 – W230; and payroll warrants 143857 through 144217, Direct Deposits D114713 through D115836 and Wires W1043 through W1054, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

APPOINTMENTS TO THE PLANNING COMMISSION AND THE NEIGHBORHOOD IMPROVEMENT AND CONSERVATION COMMISSION, AS REQUESTED BY MAYOR PRO TEM ROSEN (F: 122.10a) (XR: 122.4a)

Council Member Rosen indicated that his Planning Commission appointee Susan Barry and Council Member Krebs' Neighborhood Improvement and Conservation Commission appointee have agreed to swap positions.

Council Member Nguyen indicated she would like to have something formal from the two individuals concerning their intent and moved to continue this matter for two weeks and come back with formal applications.

Council Member Leyes seconded the motion. He commented that the appointments were made for two-year terms and there should be formal resignations to act upon to allow for vacancies to occur out of respect for the process. He further commented that he voted against the ordinance addressing Commission appointments when it was before the City Council.

Mayor Dalton noted that a two-week continuance would satisfy the paperwork.

The motion to continue this matter to the City Council meeting of January 24, 2006, to enable receipt of paperwork, carried by unanimous vote.

PUBLIC HEARING – DEVELOPMENT AGREEMENT IN CONNECTION WITH SITE PLAN NO. SP-384-05 (F: 106.165) (XR: 116.SP-384-05)

Development Agreement in Connection with Site Plan No. SP-384-05, initiated by Synthesis (Fara Lockwood) to construct a 25-unit apartment building on the east side of Dale Street, north of Stanford Avenue, at 12632 Dale Street. The project will use the State Density Bonus Law allowances for density, concessions and incentives, and statewide parking standards.

On November 17, 2005, the City Planning Commission, pursuant to Resolution No. 5522, approved SP-384-05, and recommended approval of the Development Agreement. Pursuant to Legal Notice published December 29, 2005, public hearing on the case was ordered by the City Council to be held this date.

Staff report dated January 10, 2006, was introduced, and staff reviewed the background information concerning this project.

Mayor Dalton declared the public hearing opened and asked if anyone wished to address the Council on the matter.

Fara Lockwood, the project manager/architect, and Alwin Lee, owner, addressed the City Council. Mr. Lee noted that there is not enough affordable housing. They are committed and willing to dedicate 35 percent to the low income housing market. They believe this apartment will help the residents achieve a better life style and a safer environment. They asked the City Council to approve the project and make the concept a reality.

Keith Caires, a property owner adjacent to the subject property, addressed the City Council and spoke about parking issues in the area of this proposed development. He suggested that street sweeping in this area be changed from 5 a.m.-9 a.m. to 8 a.m.-12 noon so they can park their vehicles on the street in front of their dwellings in a safe situation where they can oversee them, noting that when they park them offsite crime issues have resulted.

Susan Cannon addressed the City Council, reiterating the same concerns that Mr. Caires raised. She also requested that their street sweeping hours be changed.

Mayor Dalton indicated that staff will look into their street sweeping concerns.

Alfredo Cabrera addressed the Council, noting that he is appearing on behalf of his parents who have lived in the neighborhood for ten years. He noted that they are not supportive of the proposed development. They want homes in the area, not apartments, noting that the surrounding area is all residential homes. He indicated there presently are parking problems and this project will exacerbate the issue. He suggested town homes be built on this site rather than apartments; however, single-family residential would be their preference.

There being no further comments from the audience, the public hearing was declared closed.

In response to an inquiry by Council Member Rosen, the City Attorney indicated that the Site Plan is not before the City Council at this time, and it would be difficult to reject the Development Agreement. State law supercedes City law in this regard.

Discussion ensued relative to parking concerns, and staff noted that the State Density Bonus Law requires no guest spaces for these types of projects. There are 52 parking spaces on site plus two additional spaces on the site, as required by the State Density Bonus Law.

Council Member Leyes requested a tutorial on the Density Bonus Law that was enacted to promote affordable housing, noting that such information would enable the City Council to be more vigilant at the Planning Commission level for the option of appealing it to the City Council. He noted that this proposal before the City Council exercised the full value of the State law to the benefit of the developer.

Council Member Nguyen commented that lots of parking problems exist in the subject area, and this project will negatively impact the area even further. She could be more supportive of this project if there were more options for the current residents there.

Council Member Rosen commented that apartments, density, and parking issues are protected by the Density Bonus Law and are not legitimate reasons to deny the project, and he moved approval of the Development Agreement because State Law says that based upon what is before the City Council, this project has to be approved unless there is some reason unrelated to all that.

Mayor Dalton seconded the motion, noting that the City Council cannot go against the law.

ORDINANCE NO. 2679 was introduced for first reading and the title read in full, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A DEVELOPMENT AGREEMENT BETWEEN ALWIN LEE (PROPERTY OWNER) AND THE CITY OF GARDEN GROVE

Council Member Rosen moved, seconded by Mayor Dalton, that full reading of Ordinance No. 2679 be waived, and said Ordinance be and hereby is passed to second reading. Upon the following vote:

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

NOES: COUNCIL MEMBERS: (1) NGUYEN

ABSENT: COUNCIL MEMBERS: (0) NONE

Ordinance No. 2679 was declared passed to second reading.

PUBLIC HEARING – AMENDMENT NO. A-125-06 (F: 115.A-125-06)

The City of Garden Grove is proposing to amend Title 5 and Title 9 of the Garden Grove Municipal Code relating to smoking (hookah) lounges.

On January 5, 2006, the City Planning Commission, pursuant to Resolution No. 5529, recommended approval of Amendment No. A-125-06; and pursuant to Legal Notice published December 29, 2005, public hearing on the case was ordered by the City Council to be held this date.

Staff report dated January 10, 2006, was introduced, and staff reviewed the background information concerning this matter. The Police Chief also presented a report, and it was noted that Conditional Use Permits would provide control measures for these establishments. It was further noted that the existing establishments would not be required to have a Conditional Use Permit and would be grandfathered in; however, they would have to abide by the rest of the requirements of the Ordinance.

The Police Chief indicated that this is a fair approach for the four businesses that are doing business here; and if the City Council approves the staff recommendations for a CUP process for any new businesses, the Police Department will be able to handle things very well.

In response to an inquiry by Council Member Rosen concerning the relocation of one of the businesses and why they would not have

been covered by the moratorium, the City Attorney indicated that he will explore that with the Police Department as to whether they would now be required to adhere to the requirement for a Conditional Use Permit.

Mayor Dalton declared the public hearing opened and asked if anyone wished to address the Council on the matter.

Verla Lambert addressed the City Council, inquiring whether there is sufficient Police support to enforce this. She inquired why the existing establishments must be grandfathered in and suggested the grandfather clause only be for six months to a year to give them time to comply with the regulations of the Ordinance.

Benny Diaz addressed the City Council, requesting this matter be tabled to enable the businesses to express their comments.

Robin Marcario addressed the City Council, noting there should be consistency, and she noted her agreement with Mrs. Lambert relative to giving the existing businesses one year to comply.

There being no further comments from the audience, the public hearing was declared closed.

Council Member Leyes noted that he is not sure the City will get many requests for adult smoking lounges; however, this is a good approach, and he can support it.

Council Member Rosen noted that the Police Department is trying to address this issue before it becomes a crisis, referencing the previous issue relative to the operation of cyber cafes. This ordinance restricts the time and place without outlawing the establishments and is a good measure of control.

Mayor Dalton noted that cyber cafes and smoking lounges are not inherently bad but need to be regulated, and this ordinance sets out restrictions so the quality of life for those around the businesses are not adversely affected.

ORDINANCE NO. 2680 was introduced for first reading and the title read in full, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-125-06, AN AMENDMENT TO TITLE 5 AND TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE RELATING TO SMOKING LOUNGES

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Ordinance No. 2680 be waived, and said Ordinance be and hereby is passed to second reading.

COUNCIL MEMBER NGUYEN LEFT THE MEETING AT 10:48 P.M.

RECOMMENDATION FROM THE TRAFFIC COMMISSION TO INSTALL A TWO-WAY STOP ON PENTAGON STREET AT DUDMAN DRIVE (F: 122.11)

Staff report dated January 10, 2006, was introduced

Council Member Krebs moved, seconded by Council Member Leyes, that the installation of a two-way stop on Pentagon Street at Dudman Drive be and hereby is approved, as recommended by the Traffic Commission at its meeting of November 1, 2005. Said motion carried by the following vote:

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

RECOMMENDATION FROM THE TRAFFIC COMMISSION FOR REMOVAL OF ON-STREET PARKING ON WESTMINSTER AVENUE FROM EUCLID STREET TO MAGNOLIA STREET FOR WESTBOUND TRAFFIC; AND FROM BUSHARD STREET TO EUCLID STREET FOR EASTBOUND TRAFFIC (F: 122.11)

Staff report dated January 10, 2006, was introduced

COUNCIL MEMBER NGUYEN REJOINED THE MEETING AT 10:51 P.M.

Discussion ensued relative to the street parking concerns in the vicinity of the Childs Town Preschool and the noticing requirements for the Traffic Commission hearing.

It was moved by Council Member Leyes, seconded by Council Member Krebs, and carried by unanimous vote, that this matter be continued to the City Council meeting of January 24, 2006.

DISBURSEMENT OF RIGHT-OF-WAY FUNDS BY THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) FOR HARBOR BOULEVARD WIDENING FROM BANNER DRIVE TO GARDEN GROVE BOULEVARD (F: 23.18c) (XR: 36.3) (XR: 96.1)

Staff report dated January 10, 2006, was introduced.

RESOLUTION NO. 8683-06

It was moved by Council Member Krebs, seconded by Council Member Nguyen, and carried by unanimous vote, that full reading of Resolution No. 8683-06 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE REQUESTING THE ORANGE COUNTY TRANSPORTATION AUTHORITY TO ALLOCATE COMBINED TRANSPORTATION PROGRAM FUNDS FOR HARBOR BOULEVARD FROM BANNER DRIVE TO GARDEN GROVE BOULEVARD, be and hereby is adopted.

DISBURSEMENT OF RIGHT-OF-WAY FUNDS BY THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) FOR HARBOR BOULEVARD SMART STREET (F: 23.18c) (XR: 36.3) (XR: 23.26a)

Staff report dated January 10, 2006, was introduced.

RESOLUTION NO. 8684-06

It was moved by Council Member Krebs, seconded by Council Member Nguyen, and carried by unanimous vote, that full reading of Resolution No. 8684-06 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE REQUESTING THE ORANGE COUNTY TRANSPORTATION AUTHORITY TO ALLOCATE COMBINED TRANSPORTATION PROGRAM FUNDS FOR HARBOR BOULEVARD SMART STREET, be and hereby is adopted.

DISBURSEMENT OF RIGHT-OF-WAY FUNDS BY THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) FOR HARBOR BOULEVARD/SR 22 INTERCHANGE IMPROVEMENTS (F: 23.18c) (XR: 36.3) (XR: 62.2)

Staff report dated January 10, 2006, was introduced.

RESOLUTION NO. 8685-06

It was moved by Council Member Krebs, seconded by Council Member Nguyen, and carried by unanimous vote, that full reading of Resolution No. 8685-06 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE REQUESTING THE ORANGE COUNTY TRANSPORTATION AUTHORITY TO ALLOCATE COMBINED TRANSPORTATION PROGRAM FUNDS FOR HARBOR BOULEVARD/SR 22 INTERCHANGE IMPROVEMENTS, be and hereby is adopted.

SECOND READING OF ORDINANCES NO. 2677 AND NO. 2678

It was moved by Council Member Rosen, seconded by Council Member Krebs, and carried by unanimous vote, that full reading of Ordinances No. 2677 and No. 2678 be and hereby is waived.

ORDINANCE NO. 2677 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-109-05, CHANGING THE ZONING DESIGNATION FROM COMMUNITY CENTER SPECIFIC PLAN-HOSPITAL DISTRICT (CCSP-HP) TO PLANNED UNIT DEVELOPMENT NO. PUD-109-05, AND APPROVING THE APPEAL OF CONDITION NO. 15 OF SITE PLAN NO. SP-378-05 (F: 116.PUD-109-05) (XR: 116.SP-378-05) (XR: 106.164)

It was moved by Council Member Krebs, seconded by Council Member Nguyen, and carried by unanimous vote, that Ordinance No. 2677 be and hereby is declared passed.

ORDINANCE NO. 2678 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 KAISER FOUNDATION HOSPITALS (DEVELOPER) AND THE CITY OF GARDEN GROVE (F: 116.PUD-109-05) (XR: 116.SP-378-05) (XR: 106.164)

It was moved by Council Member Krebs, seconded by Council Member Leyes, and carried by unanimous vote, that Ordinance No. 2678 be and hereby is declared passed.

COMMENTS FROM THE MAYOR AND CITY COUNCIL MEMBERS

Council Member Leyes spoke about a sound wall issue along the 22 Freeway that will be coming to the City, noting a concern that a sound wall would potentially impact the auto dealers' visibility and marketability. He also spoke about a 9 percent pay increase for two-thirds of the City employees, which will put pressure on the budget. He suggested that this kind of a cost increase might merit a mid-year budget review. He referenced his remarks at the last City Council meeting concerning the immigration issue, noting that he was not proposing that the City Council discuss it now, but that he will be having some dialogue with members of the community. He noted that he believes the Police Chief is doing an assessment of how we currently are dealing with this issue and what the Sheriff is proposing and how that might impact our operations in Garden

Grove. He also noted that Vector Control had an issue before them last month and postponed it. He wonders what our real authority is over an appointed Board member to a term and can we direct our representative how to vote and can we remove that person if we don't like the way that person is operating. He suggested this might be a good topic for the January 31 study session, or maybe just a memo will do. Also, he noted that there is a new State law that requires all local government boards to have ethics training before the end of the year. He believes it also affects every Commissioner the City Council appoints. Lastly, he wished everyone a Happy New Year and spoke about the City's 50th Anniversary year, noting that the kickoff is tomorrow evening at 5 p.m. at City Hall. (F: 53.1) (XR: 62.2) (XR: 78.1) (XR: 82.2) (XR: 120.1)

Council Member Rosen indicated that the ethics training bill that Council Member Leyes referenced is AB1234, which has ethics training as well as a number of things pertaining to expense reimbursement, noting that he has passed on some comments to the City Manager about an ordinance that has been drafted. He suggested this be discussed at the January 31 study session, along with another bill, AB11. He also spoke about the City's 50th Anniversary celebration. (F: 53.1)

Council Member Nguyen commented on the City's 50th Anniversary celebration and wished everyone a Happy New Year. (F: 53.1)

Council Member Krebs commented on the City's 50th Anniversary celebration. He also congratulated Reverend Schuller of the Crystal Cathedral on his retirement and wished his son well on taking over his father's position. Lastly, he spoke about the passing of Deputy City Manager Les Jones' mother, Marguerite Mary Jones, and asked that the meeting be adjourned in her memory. (F: 53.1) (XR: 46.9)

Mayor Dalton again cautioned the Council Members to not burden the City staff with the preparation of unnecessary reports. He also commented on Tony Rector's comments made both at this meeting and at the December 13 meeting, noting that he does not remember some of Mr. Rector's allegations. He also indicated that no one has brought a proposal to the City relative to the Casino. He noted that he believes it is important to allow people their full five minutes to speak before the City Council, adding that he will not get into a dialogue with people speaking under Oral Communications. (F: 53.1) (XR: 60.12) (XR: A-53.3)

ADJOURNMENT

At 11:28 p.m., the meeting was declared adjourned in memory of Marguerite Mary Jones, mother of Deputy City Manager Les Jones.
(F: 46.9)

RUTH E. SMITH
CITY CLERK