

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, June 14, 2005, at 7:04 p.m.

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

ABSENT: (0) NONE

ALSO PRESENT: City Manager, Matthew Fertal; Deputy City Manager, Les Jones; Administrative Services Director, Kathy Porter; Community Development Director, Susan Emery; Community Services Director, Cal Rietzel; Fire Chief, Keith Osborn; Personnel Services Manager, Linda Cahill (representing Personnel Director); Police Chief, Joe Polisar; 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. The Pledge of Allegiance to the Flag of the United States of America was led by Council Member Rosen.

PRESENTATIONS – COMMUNITY SPOTLIGHT (F: 52.3) (XR: 122.1)

Mayor Dalton called forward Wendi Vankeirsbulck, Central County Regional Occupation Program's "Business Leader of the Year," and presented her with a Certificate of Recognition and a small gift for her tireless efforts in providing opportunities to students, and serving as a positive role model for future professionals.

PRESENTATIONS – COMMUNITY SPOTLIGHT (F: 52.3)

Mayor Dalton called forward Ryan Dougherty, Bryan Le, Greg Long, and Brett Williamson, Ralston Intermediate School Students, and presented them with Certificates of Recognition and small gifts for displaying honesty and integrity in recovering missing bags

containing money collected from Coca-Cola Company vending machines and turning them over to the Police Department.

ORAL COMMUNICATIONS - PUBLIC

Beatrice Jones addressed the Council regarding Flag Day and the meaning of Juneteenth Independence Day. (F: 53.3)

Tony Flores, President of the West Garden Grove Residents Association, addressed the Council concerning the issue of representation and the process of City Council appointments, noting that they are looking forward to establishing Council Districts. (F: 53.3)

Duane Roberts, Vice President of the Unitarian Church of Orange County, addressed the Council, noting that he is an activist and demonstrator and helped to organize the demonstration against the speaker at the Women's Club on May 25, 2005. He spoke about alleged police hostility at that event. (F: 53.3)

Scott Larson, adjunct instructor of Ethics and Philosophy at Santiago Canyon College and activist, addressed the Council concerning the May 25, 2005, incident at the Women's Club. He called for an independent investigation of alleged police misconduct there and cited alleged incidents, noting that people were only exercising their Constitutional rights. He provided the City Council with DVD's showing segments of the video that he took on the 25th. (F: 53.3) (XR: 82.1)

Robin Marcario addressed the City Council expressing her appreciation concerning the agenda item about the OCTA Right-of-Way improvements at Shelley/Kensington and Gutosky Park, and she thanked the Council Members for bringing this about. She commented that this is a well maintained community; however, our sewer infrastructure is in need of repair. The fee increase recently approved by the Orange County Sanitation District will not address this concern. (F: 53.3) (XR: 73.proj.7665)

J. Tilman Williams addressed the City Council about a hate message on the sidewalk across from his residence on Chapman Avenue. He asked that this be removed. (F: 53.3)

Christina Straub addressed the City Council, requesting an ordinance be enacted to prohibit the parking and storing of recreational vehicles on City streets, noting that the cities of Fountain Valley and Westminster have such ordinances. (F: 53.3) (XR: 75.1)

Ray Littrell addressed the City Council concerning the large amount of money candidates raise in an election to have a job that pays so little. He expressed his support for Council districting, commenting that the cost to run for office would be one-sixth of the present cost.

Greg Beard addressed the City Council, expressing his support for Council districts because the west end of the city has no representation on the City Council. He also commented that if the City restricts the parking of recreational vehicles on city streets, the people from the west end would fight it. He also spoke of traffic violations in his neighborhood and the lack of police visibility there to enforce the traffic laws. He also spoke of the need for bike lanes on Springdale. (F: 53.3) (XR: 75.1)

George Brietigam addressed the City Council, expressing his support for Council districts, commenting that there would have been more support for the sound walls along the 22 Freeway if the City Council were made up of representatives from districts in the city. He also alleged that the people looking at the City's financial picture are puppets to bring casinos into the city. He asked that this be discussed in an open forum. Lastly, he accused Council Member Nguyen of attacking the youth of the city at the City Council meeting held on May 31, 2005. (F: 53.3)

Council Member Rosen commented that the police had a job to do at the incident at the Women's Club. He also commented that Mr. Brietigam, past Mayor Broadwater, and he all deserved some credit for the installation of the sound wall along the 22 Freeway, noting that everyone was fighting for that wall, and the outcome would not have been as positive if there were Council districts because only those in that particular area would have been supportive.

Council Member Nguyen commented that she was offended by Mr. Brietigam's allegation that she had attacked the youth of the city at the last City Council meeting. She explained that she had expressed concern about what the various city festivals in actuality were costing the City by the heavy use of public safety and services.

David Lautherboren addressed the City Council concerning bus diesel fumes in the hotel parking lot, non-operational vehicles parked in driveways, blighted conditions, including trash cans left in plain sight and unmaintained yards. (F: 53.3)

Theresa Dang addressed the City Council, indicating that she was run over by a mini van at the May 25 demonstration at the Women's

Club and the driver was released. She asked that an investigation be conducted into alleged police misconduct. (F: 53.3) (XR: 82.1)

Esmeralda Serrano addressed the City Council, alleging hostile and aggressive police behavior at the Women's Club demonstration on May 25th and requested that this be looked into. (F: 53.3) (XR: 82.1)

Nauí Huitzilopochtú addressed the City Council, noting that he was present at the demonstration on May 25, and alleging that the person that ran over the people is a racist. (F: 53.3) (XR: 82.1)

RECESS

At 8:04 p.m., the Mayor declared a recess.

RECONVENE

At 8:29 p.m., the meeting was reconvened with Mayor Dalton and all Council Members in attendance.

AWARD OF CONTRACT TO YOCUM BUSINESS FURNISHINGS FOR SYSTEMS FURNITURE FOR THE POLICE ANNEX BUILDING (F: 55) (XR: 82.1)

Staff report dated June 14, 2005, was introduced.

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that Yocum Business Furnishings be and hereby is determined to be the lowest acceptable bidder in connection with providing systems furniture for the Police Annex Building, and that contract for said project be and hereby is awarded to said company in the sum of \$113,433.26, 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 ARCHETYPE INTERNATIONAL FOR INTERIOR SPACE PLANNING AND ARCHITECTURAL SERVICES FOR THE REMODEL OF THE UPSTAIRS INVESTIGATION AREA OF THE POLICE FACILITY (F: 55) (XR: 82.1)

Staff report dated June 14, 2005, was introduced.

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that ARCHETYPE

International be and hereby is determined to be the lowest acceptable bidder in connection with providing interior space planning and architectural services for the remodel of the upstairs Investigation area of the Police facility located at 11301 Acacia Parkway, and that contract for said project be and hereby is awarded to said company in the sum of \$30,645.00, 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.

AMENDMENT TO THE AGREEMENT WITH TEMPLO CALVARIO, INC., FOR THE PROVISION OF AFTER-SCHOOL TUTORING AND COMMUNITY INVOLVEMENT PROGRAMS AT THE BUENA CLINTON FAMILY RESOURCE CENTER (F: 55) (XR: 73.20a)

Staff report dated June 14, 2005, was introduced.

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that the Amendment to the Agreement with Templo Calvario, Inc., for the provision of after-school tutoring and community involvement programs at the Buena Clinton Family Resource Center, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the amendment.

AGREEMENT WITH THE COUNTY OF ORANGE FOR THE 2005-06 OPERATION OF WORKFORCE INVESTMENT ACT YOUTH PROGRAMS ADMINISTERED THROUGH THE PERSONNEL SERVICES YOUTH EMPLOYMENT DIVISION (YOUTH CAFÉ) (F: 55) (XR: 78.4)

Staff report dated June 14, 2005, was introduced.

Council Member Nguyen requested that staff provide information concerning how the money is being spent, along with an outline of the budget.

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 the County of Orange for the operation of Workforce Investment Act Youth Programs administered through the Personnel Services Youth Employment Division (Youth Café), be and hereby is approved; and the City Manager, or his designee, and City Clerk are authorized to execute the agreement; further, that the City Manager or his designee be authorized to sign any amendments to these contracts

or subcontracts related to the delivery of training under this contract.

AGREEMENT WITH TURBO DATA SYSTEMS, INC., TO PROVIDE PARKING CITATION-PROCESSING SERVICES FOR THE STREET SWEEPING PROGRAM FOR FYS 2005-07 (F: 55) (XR: 24.3)

Staff report dated June 14, 2005, 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 Turbo Data Systems, Inc., to provide parking citation-processing services for the Street Sweeping Program for FYS 2005-06, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement.

PROJECT NO. 7665, OCTA RIGHT-OF-WAY IMPROVEMENTS AT SHELLEY/KENSINGTON AND GUTOSKY PARK - ACCEPTANCE OF CONTRACT AS COMPLETE) (F: 73.Proj.7665)

Staff report dated June 14, 2005, was introduced.

Council Member Rosen moved, seconded by Council Member Nguyen, that Project No. 7665, OCTA Right-of-Way Improvements at Shelley/Kensington and Gutosky Park, be accepted as complete as of this date; the Finance Director is authorized to release the retention payment to Micon Construction, Inc., when appropriate to do so; and the City Manager and City Clerk are authorized to execute the Notice of Completion. Said motion carried by the following vote:

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

RESOLUTION APPROVING A SUPPLEMENTAL WAGE PLAN FOR FULL-TIME EMPLOYEES ORDERED TO ACTIVE DUTY DURING A MILITARY CRISIS (F: 78.1)

Staff report dated June 14, 2005, was introduced.

RESOLUTION NO. 8645-05

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 8645-05 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING A SUPPLEMENTAL WAGE PLAN FOR FULL-TIME CITY EMPLOYEES ORDERED TO ACTIVE DUTY DURING SPECIFIC LISTED CRISIS AND RESCINDING RESOLUTION NO. 8398-01, be and hereby is adopted.

RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR A FY 2005/2006 USED OIL RECYCLING BLOCK GRANT (F: 24.13)

Staff report dated June 14, 2005, was introduced.

RESOLUTION NO. 8646-05

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 8646-05 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR USED OIL RECYCLING BLOCK GRANT, FISCAL YEAR 2005/2006 (11TH CYCLE), be and hereby is adopted.

WEST ORANGE COUNTY WATER BOARD PROPOSED BUDGET FOR FISCAL YEAR 2005/06 (F: 112.9)

Staff report dated June 14, 2005, was introduced.

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that the West Orange County Water Board Proposed Budget for Fiscal Year 2005/06, be and hereby is approved.

MINUTES (Vault)

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that the Minutes of the Regular City Council Meetings held April 12, April 26, and May 10, 2005, and Special Meeting held May 31, 2005, be and hereby are approved.

WARRANTS (F: 60.5)

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that regular warrants 335924 through 338016 and Wire W196, and payroll warrants 140475 through 140837, Direct Deposits D105750 through D106850, and Wires W974 through W982, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

PUBLIC HEARING - APPEAL OF SITE PLAN NO. SP-367-05
(F: 116.SP-367-05)

Appeal of Site Plan No. SP-367-05. The applicant is requesting to construct a new 8,300 square foot two-story commercial building with seven tenant spaces on a half-acre lot that includes a Parking Management Plan for shared parking with the adjacent commercial center. The subject property is located in the C-1 zone (Neighborhood Commercial) at the southwest corner of Lampson Avenue and Manley Street at 5262 Lampson Avenue.

On April 21, 2005, the City Planning Commission, pursuant to Resolution No. 5492, approved SP-367-05. On April 28, 2005, an appeal was filed by a Council Member; and pursuant to Legal Notice published June 2, 2005, public hearing on the case was ordered by the City Council to be held this date.

Staff report dated June 14, 2005, was introduced, and staff reviewed the background information concerning this proposed project.

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

Jim Tsou, the applicant, addressed the City Council and distributed additional views of the proposed project. He noted that the site has remained vacant for 17 years, and he believes his project will increase the surrounding property values. He commented that local neighborhood traffic would not be affected by this project, and that two-story structures already exist in the neighborhood. He also noted that a site plan with a two-story building and larger square footage was previously approved in 1989 but was never constructed.

Gayle Hunting addressed the City Council commenting that a two-story residential structure and a two-story business are different. The site is an eyesore, and they are looking for responsible

development there. A two-story building is inconsistent with the tone of the neighborhood, and 97 percent of the households in the area are opposed to this project. Additionally, parking will also be a problem. The neighborhood is asking for a more compatible plan.

Martin Mikkelsen addressed the City Council, expressing concerns about off-site parking because there are not enough on-site parking spaces. The back of the business faces the houses across the street, and signage is on the back of the building advertising to the neighbors. A one-story building would be acceptable.

Tina Condon addressed the City Council expressing concern that this project would decrease the property values in the surrounding neighborhood. She is opposed to a two-story structure, and lighted signs and windows in the back of the building. A single-story commercial would be okay. She expressed concern about trash buildup and graffiti in the rear of the building, and that employees would park in the surrounding neighborhood.

John Silva addressed the City Council and presented a handout citing transportation safety impacts of this project at Manley and Lampson and laying out recommendations, noting that this report now puts the City on notice about traffic issues.

John Abrego addressed the City Council, noting his opposition to this project, commenting that the parking lot is inadequate and unsightly. He added that he is not opposed to responsible development of the property.

Kris Beard addressed the City Council, commenting that there is a negative business environment surrounding this proposed project, with criminal activity occurring in businesses in the center. The property needs to be improved in its entirety, and a one-story office building would offer the least negative impact. He requested that this matter be referred back to the Planning Commission for a more responsible development better suited to the environment.

Tony Flores addressed the City Council concerning the definition of a blighted area. He commented that crime concerns need to be addressed, and he urged the City Council to listen to the people.

Lauren Jeffers addressed the City Council, commenting that this project would impact the heart and tone of the neighborhood. A well-planned parking lot with one-story buildings is needed there, and she would strongly support a one-story project at that site. She requested that this project be returned to the Planning Commission.

Kristi Wry addressed the City Council on behalf of the children in the neighborhood. She noted concerns about traffic and parking issues and asked for speed bumps on Manley to keep the children safe.

Noreen Pisani addressed the City Council, citing concerns about inadequate parking and safety of the children. She is against a two-story building at that location.

George Brietigam addressed the City Council, noting that a strip mall in that area is not good. He expressed concern for the safety of the children in the area; however, he supports development there. He requested this be referred back to the Planning Commission, and suggested dialogue between the developer and the neighbors to come to a solution.

Greg Beard addressed the City Council, commenting that Lampson Avenue is a high-traffic area. He suggested the building be placed further back on the lot, and he spoke about left-turn signals and no-turn-on-red signs, and suggested a Welcome to Garden Grove sign be placed there. He indicated that the proposed building stands out like a sore thumb. He requested this be referred back to the Planning Commission for a look at the whole picture.

Russell Arens addressed the City Council, commenting that only bad business is bad for the property values. He noted that the lot is blighted, and he is supportive of improving rundown properties.

Wendy Lindner, Lolita Henderly and Beverly Vogel addressed the City Council, all noting their opposition to the two-story structure, but also commenting that a one-story would be all right.

Dennis Liindner addressed the City Council, noting his opposition to the two-story structure, commenting that the property needs improving, but not this way.

Joe James addressed the City Council and asked the Council Members to visit the site and see the issues for themselves. He expressed concern about traffic ramifications and suggested the building should front on the main street.

Dorothy Tsou, wife of the applicant, addressed the City Council, indicating that they would like to operate their dental practice in their building and they would properly maintain the building and would rent to upstanding people.

Gus Modaffari addressed the City Council, noting that he has owned the lot for 13 years, and further noting that the soil was contaminated and was released in May of 2004. He also spoke about the alleged criminal activity in a chiropractic office in the Center, commenting that business owner can only be evicted if convicted of a wrongful act. He urged the City Council to allow Mr. Tsou to go forward with his plan. He wants to revitalize the Center and would restripe the parking lot and change the façade of the buildings. He noted that his partner and he strongly support this project.

Mayor Dalton was given a stack of cards of people in the audience who had come to speak on this issue. He read through each of the names, and the ones still present commented that they were not in favor of the two-story project for the same reasons as previously stated by the people who had already addressed the issue.

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

Council Member Krebs commented on the quality of the photos that were distributed by one of the speakers. He inquired whether the residents have sat down with the developer to talk about their issues. The developer responded that he has attempted to speak with some of the residents, but they have not been responsive to that. Council Member Krebs went on to say that he visited the site two times to observe the traffic. He suggested that there could be a better design and placement of the building. And because of the opposition from the neighborhood, he will vote against the project.

Council Member Leyes noted that he did not appeal this matter because he is opposed to the project. He appealed it so as to expedite the matter. He noted that the site is an eyesore and the contamination issue has been a nightmare. He also noted that there has been some progress since the appeal was filed. There has been some design work so the building is not as monolithic. However, he agrees that the two-story structure is incompatible with the neighborhood. He would like the matter referred back to the Planning Commission for consideration of a little bigger one-story commercial building. He applauded the neighbors for their very constructive comments.

Council Member Rosen inquired why this property was zoned commercial rather than residential, noting that would be the ultimate solution. He visited the site, and the businesses indicated 95 percent of their customers are opposed to this building. A two-

story structure fronting the street is too large, is out of place, and is incompatible with the neighborhood. The owners should look at alternatives. He suggested it be referred back to the Planning Commission.

Council Member Nguyen asked if a one-story, 6,000 square foot structure would meet the parking requirement.

The City Manager responded that the structure would require more land area, so it would need to be drawn out.

Council Member Nguyen commented that the project is a good one, but there are concerns. Traffic is a serious issue in the area. She noted that this needs to go back to the Planning Commission, and the applicant needs to have dialogue with the residents.

Mayor Dalton commented that he will request more police surveillance in the area. The Center needs fixing, and the only way to make buildings work these days is to go up. However, it needs to be compatible with the surrounding neighborhood, and this clearly does not fit. However, something needs to be done at that location because it is an entrance to the city. The Planning Commission can work with them further.

The City Attorney noted that a Resolution would be drafted disapproving the Site Plan, with a finding of incompatibility with the neighborhood.

It was moved by Council Member Leyes, seconded by Council Member Krebs, and carried by unanimous vote, that the Site Plan be disapproved, with a finding of incompatibility with the neighborhood, without prejudice.

RECESS

At 10:43 p.m., the Mayor declared a recess.

RECONVENE

At 11:00 p.m., the meeting was reconvened with Mayor Dalton and all Council Members in attendance.

RECOMMENDATION FROM THE TRAFFIC COMMISSION MEETING OF MAY 3, 2005 (F: 122.11)

Staff report dated June 14, 2005, was introduced.

It was moved by Council Member Krebs, seconded by Council Member Nguyen, and carried by unanimous vote, that the recommendation from the Traffic Commission to establish a "No Left Turn" on Woodbury Road at Harbor Boulevard from 4 p.m. to 6 p.m. Monday through Friday, be and hereby is approved.

AFFORDABLE HOUSING LOAN AGREEMENT WITH TAMERLANE ASSOCIATES FOR THE PURCHASE OF A MULTI-FAMILY RENTAL APARTMENT PROPERTY LOCATED AT 12141 TAMERLANE DRIVE (F: 117.165)

Staff report dated June 14, 2005, was introduced, and staff provided background information concerning this property.

It was moved by Council Member Nguyen, seconded by Council Member Rosen, and carried by unanimous vote, that the Affordable Housing Loan Agreement by and between the City of Garden Grove and Tamerlane Associates, LLC, for the purchase of a multi-family rental apartment property located at 12141 Tamerlane Drive, for an estimated cost of \$593,457.00, be and hereby is approved.

FOURTH AMENDMENT TO THE AGREEMENT WITH THE COUNTY OF ORANGE, SHERIFF-CORONER, TO PROVIDE FORENSICS SERVICES FOR FY 2005-06 (F: 55) (XR: 82.1)

Staff report dated June 14, 2005, was introduced.

It was moved by Council Member Krebs, seconded by Council Member Nguyen, and carried by unanimous vote, that the Fourth Amendment to the Agreement by and between the City of Garden Grove and the County of Orange, Sheriff-Coroner, to provide forensics services for FY 2005-06, at an estimated cost of \$348,656.00, be and hereby is approved.

INITIATION OF PROCEEDINGS FOR MAIN STREET ASSESSMENT DISTRICT NO. 1 FOR FY 2005-06, APPROVING THE ENGINEER'S REPORT AND SETTING PUBLIC HEARING (F: 31.4) (XR: 122.6)

Staff report dated June 14, 2005, was introduced. The assessment, currently set at \$19.92 per linear foot, does not meet the requested service level costs for the proposed FY 2005-06 budget. Therefore, utilizing reserve funds will help pay for the cost of services. At the current rate of expenditures, the reserves will be eliminated by FY 2007-08.

RESOLUTION NO. 8647-05

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 8647-05 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DECLARING ITS INTENTION TO ORDER THE MAINTENANCE OF CERTAIN IMPROVEMENTS IN THE "MAIN STREET ASSESSMENT DISTRICT NO. 1" IN THE CITY OF GARDEN GROVE; DESCRIBING THE DISTRICT TO BE BENEFITED, AND TO PAY THE COSTS AND EXPENSES THEREOF; AND SETTING THE TIME AND PLACE FOR THE HEARING ON THE QUESTION OF THE LEVY OF THE PROPOSED ASSESSMENT, be and hereby is adopted, setting the public hearing for July 12, 2005.

PROPOSED ORDINANCE AMENDING NEPOTISM POLICY (F: 78.1)
(XR: 127.1)

Council Member Rosen indicated that he requested that this matter be brought before the City Council. He noted that five years ago he voted to adopt the ordinance that currently is in effect, commenting that in retrospect it was a harmful vote, and it did damage to the city because it prohibited the hiring of two good young men. This new ordinance would in some small way rectify that previous action.

Council Member Krebs expressed his agreement, commenting that it was politically motivated.

Council Member Leyes reviewed the history of the present nepotism policy. He noted that people in power could influence the process by which someone is judged because of the familial relationship, although this has not happened here. He further noted that his vote was not suspect and he thought the adoption of the policy was important to clarify exactly how those relationships exist. He went on to state that one sacrifices some things when one takes a position of public trust. The present policy could use some cleaning up, but he believes repealing it is a mistake. He cautioned that care be given to be certain it does not conflict with state law.

Council Member Nguyen commented that qualified individuals should be permitted to apply for City jobs.

ORDINANCE NO. 2661 was introduced for first reading and the title read in full, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AMENDING PROVISIONS OF SECTION 2.44.440 RELATING TO NEPOTISM POLICY.

Council Member Krebs moved, seconded by Council Member Rosen, that full reading of Ordinance No. 2661 be waived, and said Ordinance be and hereby is passed to second reading. Upon the following vote:

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

said Ordinance No. 2661 was passed to second reading.

APPOINTMENT TO THE HOUSING AUTHORITY (F: H-10.3

It was moved by Council Member Krebs, seconded by Mayor Dalton, and carried by unanimous vote, that James O'Connor be and hereby is appointed to the Housing Authority Board.

APPOINTMENTS TO THE PARKS, RECREATION, AND ARTS COMMISSION (F: 122.70a)

No appointments were made.

REVIEW OF MESSAGE PARLOR ISSUES, AS REQUESTED BY MAYOR DALTON. (F: 53.1)

Mayor Dalton commented that reference was made earlier this evening about criminal activities taking place in a small complex. He commented that prostitution arrests were made at a business that was being fronted by a Chiropractic office. He noted that the City Attorney is currently working on an ordinance to ensure all necessary aspects are covered. This will be brought back to the City Council for consideration on July 12, 2005.

DISCUSSION CONCERNING THE ESTABLISHMENT OF A LEGISLATIVE BODY COMPRISED OF COUNCIL MEMBERS ELECTED BY DISTRICT, AS REQUESTED BY COUNCIL MEMBER LEYES (F: 53.1)

Council Member Leyes noted that a couple of speakers commented on this matter earlier under Oral Communications. He indicated that the proposed initiative was submitted, revised, and resubmitted again. He suggested this be discussed at a future City Council meeting.

The City Attorney briefly reviewed the process, noting that he does not do a legal analysis of the document, but simply provides a ballot

title and summary from the material that was submitted, and he has two weeks to do this, noting that June 21, 2005, is his deadline.

Council Member Rosen requested that copies of the proposed initiative be provided to the Council Members.

MATTERS FROM THE MAYOR, CITY COUNCIL MEMBERS, AND CITY MANAGER:

Council Member Leyes spoke about the Flag Ceremony that was held today at the Historical Society. He noted that Governor Schwarzenegger will be visiting Garden Grove tomorrow, and he spoke about the Governor's call for a Special Election on November 8, 2005, suggesting the City Council might want to place the Council Districting issue on that ballot to save the trouble of collecting signatures, noting that it would also save the City tens of thousands of dollars. Additionally, he noted that five initiatives have qualified for a Special Election in November, and he would like to see at least the three the Governor sponsored on the next City Council agenda for the consideration of the City Council. Lastly, he requested that the meeting be adjourned in memory of Phu Ngoc Nguyen, Aide in Orange County Supervisor Lou Correa's office and advocate for local Vietnamese issues; and in memory of Elisabeth Charron, long time Garden Grove resident and activist.

Council Member Rosen wished his daughter Rachel a Happy 21st Birthday. He also spoke about Phu Ngoc Nguyen.

Council Member Nguyen requested that staff look into having Fire Department personnel check on the status of business licenses while doing their annual inspections at local businesses.

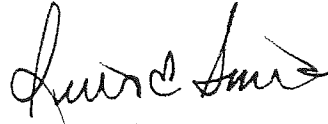
Council Member Krebs spoke about the Scoutorama recently held in Irvine, noting that Garden Grove Scouts were also a part of this impressive event.

Mayor Dalton spoke about a presentation he attended where the Garden Grove Firefighters Association presented a check to the Grossman Burn Center. He also noted that 74 Garden Grove High School Seniors received scholarships because of the 2004 Broad award won by the Garden Grove Unified School District. He also reported that the Orange County Sanitation District voted to increase sewer fees by 31 percent, noting that he voted against the increase. He spoke about the Flag Day program that was held today by the Historical Society and noted that this organization will be holding a Hat Walk on Euclid Street this Saturday, with a cost of \$10, and participants are encouraged to bring a picnic lunch. And

lastly, he spoke about a birthday party he attended for John Agosta, Garden Grove resident who celebrated his 105th birthday.

ADJOURNMENT

At 11:38 p.m., the meeting was declared adjourned in memory of Phu Ngoc Nguyen and Elisabeth Charron.

A handwritten signature in black ink, appearing to read "Ruth E. Smith", with a stylized flourish at the end.

RUTH E. SMITH
CITY CLERK