

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, May 13, 2008, at 6:34 p.m.

ROLL CALL: PRESENT: (4) MAYOR DALTON, COUNCIL MEMBERS  
BROADWATER, JONES, NGUYEN

ABSENT: (1) COUNCIL MEMBER ROSEN

INVOCATION AND PLEDGE

Assistant City Manager Les Jones gave the Invocation. Mayor Dalton led the Pledge of Allegiance to the Flag of the United States of America.

PRESENTATIONS - COMMUNITY SPOTLIGHT

The Mayor and City Council, with gratitude, reverence, and respect for his valor, posthumously recognized U.S. Navy Petty Officer Michael A. Monsoor, Garden Grove Medal of Honor Recipient, for his courageous efforts and ultimate sacrifice; and offered condolences to his family. (F: 52.3)

PRESENTATION BY GINA COUSINEAU REGARDING THE "THANKS MOM MARROW DONOR DRIVE" (F: 52.3)

Gina Cousineau presented information and a video on the importance donated bone marrow was to her son, Evan, and many other patients. She encouraged everyone to become a bone marrow donor, and provided information on an upcoming bone marrow drive.

ORAL COMMUNICATIONS – PUBLIC

David Lautherboren addressed the City Council, regarding a problem he had with someone repainting his curb address without permission and afterwards demanding payment. After refusing to pay, his address was marred with graffiti. (F: 53.3)

Bob Owens addressed the City Council, remarking on the high cost of gas, the war in Iraq, and the Presidential election. (F: 53.3)

David Vill addressed the City Council, announcing an upcoming Orange County Supervisor Candidates Forum sponsored by the Garden Grove Chapter of AARP. He also commented on the recent Grand Jury Report on fireworks. (F: 53.3) (XR: 61.6)

RECESS

At 7:05 p.m., the Mayor declared a recess.

RECONVENE

At 7:17 p.m., the meeting was reconvened with Mayor Dalton and Council Members Broadwater, Jones, and Nguyen present.

PROCLAMATION DECLARING MAY 13, 2008, AS WORLD FALUN DAFA DAY  
(F: 83.1)

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that May 13, 2008, be and hereby is designated as World Falun Dafa Day.

PROCLAMATION DECLARING MAY 31, 2008, AS WORLD NO-TOBACCO DAY  
(F: 83.1)

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that May 31, 2008, be and hereby is designated as World No-Tobacco Day.

PROCLAMATION DECLARING JUNE 4, 2008, AS BRAVO FOR BRAVERY DAY  
(F: 83.1)

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that June 4, 2008, be and hereby is designated as Bravo for Bravery Day.

DENIAL OF CLAIM (F: 49.2)

Staff report dated May 13, 2008, was introduced.

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that the claim submitted by Ronald Granados, City Claim No. 07/08-2753, be and hereby is denied; and staff is directed to send a letter to the claimant in accordance with the requirements of the Government Code.

ACCEPTANCE OF CONTRACT AS COMPLETE ON PROJECT NO. 7264-C,  
GARDEN GROVE BOULEVARD MEDIAN IMPROVEMENTS (F: 96.proj.7264-C)

Staff report dated May 13, 2008, was introduced.

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that Project No. 7264-C, Garden Grove Boulevard Median Improvements on Garden Grove Boulevard from Fern Street to Magnolia Street, be accepted as complete; the Mayor and City Clerk are authorized to execute the Notice of Completion of Public Works Improvement and Work; and the Finance Director is authorized to release the retention payment when appropriate to do so.

ACCEPTANCE OF CONTRACT AS COMPLETE ON PROJECT NO. 7264-D,  
GARDEN GROVE BOULEVARD MEDIAN IMPROVEMENTS (F: 96.proj.7264-D)

Staff report dated May 13, 2008, was introduced.

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that Project No. 7264-D, Garden Grove Boulevard Median Improvements on Garden Grove Boulevard from Harbor Boulevard to Haster Street, be accepted as complete; the Mayor and City Clerk are authorized to execute the Notice of Completion of Public Works Improvement and Work; and the Finance Director is authorized to release the retention payment when appropriate to do so.

FINAL TRACT MAP NO. 16847 AND SUBDIVISION AGREEMENT FOR  
PROPERTY LOCATED AT 14062 FLOWER STREET (F: 103.TT-16847)

Staff report dated May 13, 2008, was introduced.

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that Final

Tract Map No. 16847 and Subdivision Agreement for property located at 14062 Flower Street, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement.

REVIEW OF YEAR-ONE OF FINANCIAL PLAN FOR THE WATER ENTERPRISE  
(F: 112.1) (XR: 24.1)

Staff report dated May 13, 2008, was introduced. This item was submitted for information only, with no action required.

AUTHORIZATION FOR OUT-OF-STATE TRAVEL AND EXPENSE REIMBURSEMENT FOR CITY COUNCIL MEMBERS TO TRAVEL TO MYRTLE BEACH, SOUTH CAROLINA (F: 43.1) (XR: 46.1)

Staff report dated May 13, 2008, was introduced.

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that staff be authorized to make travel arrangements and hotel accommodations for staff and Council Members to attend the Hard Rock Park Grand Opening, be and hereby is approved.

AGREEMENT WITH LINK2GOV (METAVANTE CORPORATION) FOR ELECTRONIC PAYMENT PROCESSING SERVICES (F: 55) (XR: 60.1)

Staff report dated May 13, 2008, was introduced.

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that the three-year Agreement, renewable each year thereafter, by and between the City of Garden Grove and LINK2GOV (Metavante Corporation) to provide electronic payment processing services, be and hereby is approved; and the City Manager or his designee is authorized to execute the agreement and other enabling documents.

AMENDMENT TO AGREEMENT WITH KISER & COMPANY FOR RISK MANAGEMENT CONSULTING SERVICES (F: 55)

Staff report dated May 13, 2008, was introduced.

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that the Amendment to the Agreement by and between the City of Garden Grove and Kiser & Company, to provide risk management consulting services, in the amount not to exceed \$50,001, be and hereby is

approved; and the City Manager and City Clerk are authorized to execute the agreement.

AGREEMENT WITH ALBERT GROVER & ASSOCIATES, INC. TO CONDUCT A CITYWIDE ENGINEERING AND TRAFFIC SURVEY (F: 55) (XR: 24.11)

Staff report dated May 13, 2008, was introduced.

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that the Agreement by and between the City of Garden Grove and Albert Grover & Associates, Inc., to conduct a citywide engineering and traffic survey with Traffic Volume Counts, in the amount not to exceed \$35,990, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement.

AGREEMENT WITH THE COUNTY OF ORANGE SOCIAL SERVICES AGENCY FOR FUNDING FROM THE FAMILIES AND COMMUNITIES TOGETHER GRANT FOR THE CONTINUED OPERATION OF THE MAGNOLIA PARK FAMILY RESOURCE CENTER (F: 55) (XR: 73.8A)

Staff report dated May 13, 2008, was introduced.

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that the Agreement by and between the City of Garden Grove and the County of Orange Social Services Agency, for funding from the Families and Communities Together Grant, for the continued operation of the Magnolia Park Family Resource Center, be and hereby is approved; and the City Manager is authorized to execute the agreement, and make any modifications during the contract period for the operation and implementation of the contract services.

AMENDMENT TO THE AGREEMENT WITH THE CITY OF SANTA ANA IN CONJUNCTION WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY GO LOCAL PROGRAM (F: 55) (XR: 24.1)

Staff report dated May 13, 2008, was introduced.

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that the Amendment to the Cooperative Agreement No. C-6-0782 by and between the City of Garden Grove and the Orange County Transportation Authority (OCTA) GO LOCAL Program, be and hereby is approved.

WEST ORANGE COUNTY WATER BOARD 2008-09 PROPOSED BUDGET  
(F: 112.9)

Staff report dated May 13, 2008, was introduced.

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that the proposed West Orange County Water Board Budget for 2008-09, be and hereby is approved.

RESOLUTION AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR FY 2008/2009 USED OIL RECYCLING BLOCK GRANT (F: 83.1) (XR: 24.13)

Staff report dated May 13, 2008, was introduced.

RESOLUTION NO. 8816-08

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that full reading of Resolution No. 8816-08 be waived, and said Resolution entitled, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AUTHORIZING THE SUBMITTAL OF ALL APPLICATIONS AVAILABLE FOR THE USED OIL RECYCLING BLOCK GRANT FOR THE PERIOD OF JUNE 1, 2008 THROUGH JUNE 1, 2013, be and hereby is adopted.

APPROVAL OF AMENDMENT TO EMPLOYMENT AGREEMENT WITH MATTHEW J. FERTAL FOR SERVICE AS CITY MANAGER (F: 55)

Staff report dated May 13, 2008, was introduced.

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that the Amendment to the Agreement by and between the City of Garden Grove and Matthew J. Fertal for City Manager services, be and hereby is approved.

RESOLUTION COMMEMORATING RANCHO ALAMITOS HIGH SCHOOL'S 50TH ANNIVERSARY (F: 83.1)

Staff report dated May 13, 2008, was introduced.

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that the

Resolution commemorating Rancho Alamitos High School's 50th Anniversary, be and hereby is approved.

MINUTES (F: Vault)

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that the minutes of the Regular Meeting of the City Council held April 8, 2008, be and hereby are approved.

WARRANTS (F: 60.5)

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that Regular Warrants 413177 through 415505, and Wires W375-W381, Wires W382-W414162, and Wires W383-W384; Payroll Warrants 155487 through 155832, Direct Deposits D151490 through D152761, and Wire W1312 thru W1321, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

WAIVER OF FULL READING OF ORDINANCES LISTED

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that the full reading of all Ordinances listed for consideration of adoption be waived.

PUBLIC HEARING - AMENDMENT TO DEVELOPMENT AGREEMENT IN CONNECTION WITH SITE PLAN NO. SP-322-03 (F: 115.A-100-03)  
(XR: 116.SP-322-03)

Amendment to Development Agreement in connection with Site Plan No. SP-322-03. The Applicant, Development One Services, Inc., on behalf of the Orange County Vector Control, requested an extension to the Development Agreement for one year through July 8, 2008.

Staff report dated May 13, 2008, was introduced and reviewed by staff.

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

Bob Owens inquired as to the responsibilities of the Vector Control.

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

At the request of the Development One Services, Inc. representative, the Council Members agreed to extend the Development Agreement to July 8, 2009.

ORDINANCE NO. 2725 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 AN AMENDMENT TO A DEVELOPMENT AGREEMENT BETWEEN ORANGE COUNTY VECTOR CONTROL (PROPERTY OWNER) AND THE CITY OF GARDEN GROVE

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that full reading of Ordinance No. 2725 be waived.

Council Member Broadwater moved, seconded by Council Member Jones, and carried by unanimous vote of those present, that Ordinance No. 2725 be and hereby is passed, as amended, to second reading.

RECOMMENDATION FROM THE TRAFFIC COMMISSION TO REMOVE THE EXISTING NO PARKING SIGNS AND THE ROAD CLOSURE ON WILSON STREET FROM GARDEN GROVE BOULEVARD TO LARSON AVENUE  
(F: 122.11) (XR: 100.1)

Staff report dated May 13, 2008, was introduced and reviewed by staff.

Council Member Nguyen indicated she lives within 500 feet of the area being considered, and would be recusing herself from the discussion due to a potential conflict of interest.

COUNCIL MEMBER NGUYEN LEFT THE MEETING AT 7:26 P.M.

RESOLUTION NO. 8817-08

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote of those present, that full reading of Resolution No. 8817-08 be waived, and said Resolution entitled, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, DIRECTING THE REMOVAL OF THE TEMPORARY RESTRICTION OF SOUTHBOUND VEHICULAR TRAFFIC ON WILSON STREET, be and hereby is adopted.



COUNCIL MEMBER NGUYEN RETURNED TO THE MEETING AT 7:28 P.M.

GENERAL PLAN UPDATE BY THE COMMUNITY DEVELOPMENT DEPARTMENT  
(F: 20.1)

Staff report dated May 13, 2008, was introduced and reviewed by staff. A PowerPoint presentation was provided outlining the development needs within the community and the role the General Plan plays in the process of addressing those needs. Staff outlined the process, including community workshops and Planning Commission study sessions. The Consultant is preparing the Administrative Draft of the General Plan, with the release date for public review scheduled for May 28, 2008. Planning Commission hearings are scheduled for June 19, 2008, and July 17, 2008, and the City Council hearing is scheduled for August 12, 2008.

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

Council Member Broadwater requested information on ordinances passed by other local cities regarding medical marijuana facilities. He also requested information on the sale of used cars on the street, commenting parts of the city look like a used car lot. (F: 53.1)

Council Member Nguyen encouraged everyone to support the bone marrow drive, and reminded the citizens of the Strawberry Festival held over Memorial Day weekend. In response to Mr. Lautherboren's concerns, she asked staff to provide information regarding the curb painter permit process. She further requested the Grand Jury Report on fireworks be listed on an upcoming City Council meeting; and inquired about the possibility of televising the Mayor's State of the City Address. Lastly, she offered her condolences to Council Member Rosen and his family. (F: 53.1) (XR: 61.6)

Council Member Jones offered his condolences to Council Member Rosen and his family. (F: 53.1)

Mayor Dalton commented on the presentation regarding becoming a bone marrow donor by Gina Cousineau, and encouraged the community to become involved in this worthwhile cause. He announced the upcoming King of Kings Lutheran Church free band concert. In conclusion, he offered his condolences to the Lane Family, Biechele Family, and Council Member Rosen and his family, on the loss of their loved ones. (F: 53.1)

ADJOURNMENT

At 7:58 p.m., the meeting was declared adjourned in memory of Don Lane, Joel Biechele, and Manuel Rosen. (F: 46.9)

KATHLEEN BAILOR  
CITY CLERK