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, April 11, 2006, at 6:16 p.m.

ROLL CALL: PRESENT: (3) MAYOR DALTON, COUNCIL MEMBERS KREBS, ROSEN

ABSENT: (2) COUNCIL MEMBER LEYES (Joined the meeting at 6:25 p.m.)
COUNCIL MEMBER NGUYEN (Joined the meeting at 6:30 p.m.)

PUBLIC INPUT ON CLOSED SESSION ITEM

There was no input from the public concerning the Closed Session items.

ADJOURN TO CLOSED SESSION

At 6:17 p.m., under the Ralph M. Brown Act, the meeting was adjourned to Closed Session in the Founders Room to discuss the following:

Pursuant to Government Code section 54957.6
CONFERENCE WITH LABOR NEGOTIATORS
City Representative: Matthew Fertal, City Manager
Employee organization: Garden Grove Police Association

Pursuant to Government Code section 54957
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Manager

COUNCIL MEMBER LEYES JOINED THE MEETING AT 6:25 P.M.

COUNCIL MEMBER NGUYEN JOINED THE MEETING AT 6:30 P.M.

RECESS

At 7:32 p.m., the Mayor declared a recess.

RECONVENE IN OPEN SESSION

At 7:39 p.m., the meeting was reconvened in the Council Chamber with Mayor Dalton and all Council Members in attendance, and it was announced that no reportable action was taken and the Closed Session will reconvene after the Open Session.

INVOCATION AND PLEDGE

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

COMMUNITY SPOTLIGHT (F: 52.3) (XR: 78.1)

Mayor Dalton called forward Albert Calleros and presented him with a special memento on his retirement from 31 illustrious years with the City in the Streets Division of the Public Works Department.

Mayor Dalton called forward Michael Adams and presented him with a special memento on his retirement from 38 years of continuous and dependable service with the City in the Community Services Department and the Public Works Department.

DEPARTMENT UPDATE BY PERSONNEL SERVICES DIRECTOR, LES JONES (F: 78.1)

Personnel Services Director Les Jones provided an update of activities in the Police Department.

ORAL COMMUNICATIONS - PUBLIC

David Vill addressed the City Council concerning the fireworks issue, commenting that seniors feel the City is unsafe on the 4th and need the City Council's assurance that they will be safe. (F: 53.3) (XR: 61.6)

Russ McDonald addressed the City Council, noting that he is the Chair of the Fireworks Committee for AARP. He indicated that he would like to meet with Council Member Rosen regarding the fireworks issue and Term Limits. (F: 53.3) (XR: 61.6) (XR: 127.11)

Bob Owens addressed the City Council regarding fireworks and the outside contributions received by the City Council Members, suggesting a $30,000 limit be placed on campaign funds. He also indicated that the Agency members should not be the Council Members, and they should be elected, along with all City commissioners. (F: 53.3) (XR: 61.6)

Charles Mitchell addressed the City Council and expressed his gratitude for the timely submittal of Sanitary District Advisory Commission Agendas and Minutes. He indicated that people should be made aware of what the appeal process is relative to the sewer rates. (F: 53.3) (XR: S-122.1) (XR: S-60.1)

Sara Byars, a senior at Pacifica High School, addressed the City Council and spoke about all the good the sale of fireworks by the school does for the funding of extracurricular programs. (F: 53.3) (XR: 61.6)

Robin Marcario addressed the City Council urging approval of the Agenda item regarding the placement of a Crossing Guard at Lewis Street and Downie Avenue. (F: 53.3) (XR: 78.8) (XR: 122.11)

RECESS

At 8:15 p.m., the Mayor declared a recess.

RECONVENE

At 9:14 p.m., the meeting was reconvened with Mayor Dalton and all Council Members in attendance.

PROCLAMATION – NATIONAL CRIME VICTIMS' RIGHTS WEEK (F: 83.1)

It was moved by Council Member Leyes, seconded by Council Member Rosen, and carried by unanimous vote, that April 23-29, 2006, be and hereby is designated National Crime Victims' Rights Week.

PROCLAMATION – RECORDING FOR THE BLIND & DYSLEXIC'S RECORD-A-THON WEEK (F: 83.1)

It was moved by Council Member Leyes, seconded by Council Member Rosen, and carried by unanimous vote, that April 23-29, 2006, be and hereby is designated Recording for the Blind & Dyslexic's Record-A-Thon Week.

PROCLAMATION – DAYS OF REMEMBRANCE OF THE VICTIMS OF THE HOLOCAUST (F: 83.1)

It was moved by Council Member Leyes, seconded by Council Member Rosen, and carried by unanimous vote, that April 23-30, 2006, be and hereby is designated Days of Remembrance of the Victims of the Holocaust.

PROCLAMATION – VETERAN APPRECIATION MONTH (F: 83.1)

It was moved by Council Member Leyes, seconded by Council Member Rosen, and carried by unanimous vote, that May 2006, be and hereby is designated Veteran Appreciation Month.

PROCLAMATION – PUBLIC SERVICE RECOGNITION WEEK (F: 83.1)

It was moved by Council Member Leyes, seconded by Council Member Rosen, and carried by unanimous vote, that May 1-7, 2006, be and hereby is designated Public Service Recognition Week.

PROCLAMATION – NATIONAL PUBLIC WORKS WEEK (F: 83.1) (XR: 24.1)

It was moved by Council Member Leyes, seconded by Council Member Rosen, and carried by unanimous vote, that May 21-27, 2006, be and hereby is designated National Public Works Week.

RESOLUTION REQUESTING THE ORANGE COUNTY TRANSPORTATION AUTHORITY DISBURSE THE CONSTRUCTION FUNDS FOR THE HARBOR BOULEVARD AND STATE ROUTE 22 INTERCHANGE IMPROVEMENTS (F: 23.18) (XR: 62.2)

Staff report dated April 11, 2006, was introduced.

RESOLUTION NO. 8694-06

It was moved by Council Member Leyes, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 8694-06 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 THE HARBOR BOULEVARD AND STATE ROUTE 22 INTERCHANGE IMPROVEMENTS, be and hereby is adopted.

WARRANTS (F: 60.5)

It was moved by Council Member Leyes, seconded by Council Member Rosen, and carried by unanimous vote, that regular warrants 359013 through 359455 and Wire W247, and payroll warrants 145164 through 145326, Direct Deposits D118680 through D119256, and Wires W1077 through W1080, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

PUBLIC HEARING – DEVELOPMENT AGREEMENT IN CONNECTION WITH SITE PLAN NO. SP-390-06 (F: 106.168) (XR: A-55.127)

Development Agreement in Connection with Site Plan No. SP-390-06, initiated by Ramanlal S. Patel, requesting to expand an existing 17-unit motel by constructing a three-story, 41-unit hotel addition on an approximately 1.31-acre site located at the intersection of Palm Street and Harbor Boulevard at 12812 Palm Street.

On March 2, 2006, the City Planning Commission unanimously adopted a Negative Declaration and approved Site Plan No. SP-390-06, Variance No. V-136-06, and Tentative Parcel Map No. PM-2005-200, and recommended approval of the Development Agreement.

Pursuant to Legal Notice published March 30, 2006, public hearing on the case was ordered by the City Council to be held this date.

Staff report dated April 11, 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 City Council on the matter.

David Terry Lautherboren addressed the City Council and commented that this project is a good idea.

The architect for the project indicated that they have agreed to work to re-landscape and enhance the area as part of their property, in addition to the parcel north of the building.

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

ORDINANCE NO. 2686 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 RAMANLAL S. PATEL (PROPERTY OWNER) AND THE CITY OF GARDEN GROVE

It was moved by Council Member Leyes, seconded by Council Member Nguyen, and carried by unanimous vote, that full reading of Ordinance No. 2686 be waived, and said Ordinance be and hereby is passed to second reading.

RECOMMENDATION FROM THE TRAFFIC COMMISSION MEETING OF MARCH 7, 2006, FOR PLACEMENT OF A CROSSING GUARD AT LEWIS STREET AND DOWNIE AVENUE (F: 78.8) (XR: 122.11)

Staff report dated April 11, 2006, was introduced and reviewed by staff.

After some discussion, Council Member Krebs noted that he finds it difficult to support a crossing guard at this location, commenting that this is inviting something in opposition to the criteria set by the City Council and would be opening up Pandora's Box.

Council Member Krebs moved, seconded by Council Member Rosen, that the placement of a crossing guard at Lewis Street and Downie Avenue, be denied.

Council Member Leyes commented that he is inclined to accept the judgment of the Traffic Commission.

Council Member Rosen commented that this is not a busy street and doesn't need the crossing guard.

The foregoing motion carried by the following vote:

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

AWARD OF CONTRACT TO THUNDERWORKS MOBILE ENGINEERING TECHNOLOGIES FOR MOBILE COMPUTER TERMINALS, CENTER CONSOLES/MOUNTING BRACKETS, AND INSTALLATION; AWARD OF CONTRACT TO VERIZON WIRELESS FOR THE PURCHASE OF 64 WIRELESS CELLULAR AIRCARDS AND YEARLY BROADBAND CELLULAR ACCESS SERVICE FEE; APPROVE PURCHASE OF QUICKVOICE SOFTWARE FROM ADVANCED PUBLIC SAFETY; AND APPROVE ALLOCATION OF $75,000.00 IN FEDERAL SEIZURE FUNDS FOR THE PROJECT (F: 55) (XR: 82.16)

Staff report dated April 11, 2006, was introduced and reviewed by the Police Chief.

It was moved by Council Member Krebs, seconded by Council Member Rosen, and carried by unanimous vote, that the contract be awarded to Thunderworks Mobile Engineering Technologies for the Mobile Computer Terminals, center consoles/mounting brackets and installation labor, and materials in an amount not to exceed $571,753.16; that the contract be awarded to Verizon Wireless for the purchase of 64 V620 wireless cellular aircards and for the yearly broadband cellular access service fee in an amount not to exceed $47,386.20, plus related access fee taxes; that the purchase of the QuickVoice software from Advanced Public Safety (APS) in an amount not to exceed $20,370.00 be approved; that the allocation of $75,000.00 in Federal Seizure funds, in Fund 112 to this project be approved; and that the City Manager and City Clerk are authorized to execute said agreements.

COMMENTS FROM THE MAYOR AND CITY COUNCIL MEMBERS

Council Member Leyes noted that he attended the memorial services for Joyce Johnson and expressed his condolences to the family. (F: 53.1)

Council Members wished Council Member Krebs a Happy Birthday. (F: 53.1)

Council Member Krebs wished a Happy Passover to his Jewish friends and Happy Easter to others. (F: 53.1)

ADJOURN TO CLOSED SESSION

At 9:49 p.m., under the Ralph M. Brown Act, the meeting was again adjourned to Closed Session in the Founders Room to discuss the two matters previously disclosed.

RECONVENE IN OPEN SESSION

At 11:29 p.m., the meeting was reconvened, and it was announced that the matters previously disclosed were discussed, with no reportable action taken.

ADJOURNMENT

At 11:30 p.m., the meeting was declared adjourned.

RUTH E. SMITH
CITY CLERK