

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center
11300 Stanford Avenue

March 23, 2004

6:45 p.m.

Council Chamber

ROLL CALL: COUNCILMAN LEYES, COUNCILMAN ROSEN, COUNCILMAN TRAN,
MAYOR PRO TEM DALTON, MAYOR BROADWATER

Members of the public desiring to speak on any item of public interest, including any item on the agenda except public hearings, must do so during Oral Communications at the beginning of the meeting. Each speaker shall fill out a card stating name and address, to be presented to the City Clerk, and shall be limited to five (5) minutes. Members of the public wishing to address public hearing items shall do so at the time of the public hearing. Additionally, any person requiring auxiliary aids and services due to a disability should contact the City Clerk's office to arrange for special accommodations. (City Council Manual of Procedures, Section D)

INVOCATION: Matthew Fertal, Assistant City Manager.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

1. PRESENTATIONS:

1.a. Community Spotlight: Recognition of Sister City Association Exchange Students who will be visiting Anyang, Korea.

2. ORAL COMMUNICATIONS - PUBLIC: (To be held simultaneously with Agency Oral Communications.)

3. CONSENT ITEMS: (It is recommended that Items 3.a. through 3.l. be acted on simultaneously unless separate discussion and/or action is requested by a Councilmember.)

COUNCILMEMBERS: COUNCILMAN LEYES, COUNCILMAN ROSEN, COUNCILMAN TRAN,
MAYOR PRO TEM DALTON, MAYOR BROADWATER

- 3.a. Approval of Proclamation designating March 28 through April 3, 2004, as National Boys & Girls Club Week in Garden Grove.
- 3.b. Approval of Proclamation designating April 4 through April 10, 2004, as Building Safety Week in Garden Grove.
- 3.c. Approval of Proclamation designating April 18 through April 25, 2004, as Days of Remembrance of the Victims of the Holocaust in Garden Grove.
- 3.d. Approval of Proclamation designating April 19 through April 24, 2004, as Record-A-Thon Week in Garden Grove.
- 3.e. Approval of acquisition of an easement over a portion of real property located at 13092 Harbor Boulevard, Parcels 6-1 and 6-2, for Project No. 7244, Harbor Boulevard/Garden Grove Boulevard Intersection Improvement; authorize the City Manager and City Clerk to execute the pertinent documents; and authorize the Finance Director to draw a warrant in the amount of \$178,500.00 to Mervyn's, a California Corporation, when appropriate to do so.
- 3.f. Approval of Amendment No. 8 to Cooperative Agreement No. C-95-974 with the Orange County Transportation Authority (OCTA), providing an updated project list for funding under the Combined Transportation Funding Programs; and authorize the Mayor and City Clerk to execute the amendment.
- 3.g. Approval of extension of Agreement with Wood Public Affairs for consulting services in connection with the SR-22 Freeway and OCTA; and authorize the Mayor and City Clerk to execute the agreement.
- 3.h. Approval of Master Agreement No. 000326 with the State of California for the construction of five pedestrian-actuated traffic signals and speed signs, Project No. 7115; and authorize the Mayor and City Clerk to execute the agreement.
- 3.i. Approval of Agreement with Harris & Associates for the provision of engineering services on an as-needed basis; and authorize the City Manager and City Clerk to execute the agreement.
- 3.j. Approval of Agreement with California Hazardous Services to replace the underground fuel storage tank monitoring equipment; authorize the

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Mayor and City Clerk to execute the agreement and authorize the Finance Department to issue a purchase order in the amount of \$32,200.00.

3.k. Approval of Minutes of the Regular City Council Meeting held February 24, 2004.

3.l. Approval of Warrants.

4. PUBLIC HEARINGS

4.a. APPEAL OF CONDITIONAL USE PERMIT NO. CUP-127-03 – Hee Sook Lee is requesting approval to allow an existing restaurant (B.C.D. Tofu House, Inc.) currently operating under an Alcoholic Beverage Control Type “41” (On-Sale Beer and Wine, Public Eating Place) License, to expand its permitted hours of operation to 24 hours a day, seven days a week. The site is located in the C-2 (Community Commercial) zone on the southeast corner of Garden Grove Boulevard and Gilbert Street, at 9520 Garden Grove Boulevard.

On December 4, 2003, the City Planning Commission, pursuant to Resolution No. 5399, denied CUP-127-03. On January 2, 2004, an appeal was filed by the appellant, and public hearing on the case was ordered by the City Council to be held on February 10, 2004, at which time it was continued to March 9 and subsequently continued to this date.

4.b. AMENDMENT NO. A-104-04 – The City of Garden Grove is proposing to amend Title 9 of the Garden Grove Municipal Code, Subsection E of Section 9.16.260 “Special Requirements” to reduce the percentage of compact parking allowances.

On February 5, 2004, the City Planning Commission, pursuant to Resolution No. 5404, recommended approval of A-104-04, and public hearing on the case was ordered by the City Council to be held this date.

4.b.1. ORDINANCE NO. , for introduction and first reading, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-104-04,

COUNCILMEMBERS: COUNCILMAN LEYES, COUNCILMAN ROSEN, COUNCILMAN TRAN,
MAYOR PRO TEM DALTON, MAYOR BROADWATER

AN AMENDMENT TO TITLE 9 OF THE CITY OF GARDEN
GROVE MUNICIPAL CODE, SUBSECTION E OF SECTION
9.16.260 RELATING TO COMPACT CAR PARKING SPACE
ALLOWANCES

- 4.c. DEVELOPMENT AGREEMENT IN CONNECTION WITH SITE PLAN
NO. SP-334-03, initiated by De Hua Jr., to construct a 3,670 square
foot addition to an existing 4,470 square foot restaurant (Seafood Place
Chinese Restaurant) and to expand the overall restaurant floor area by
incorporating an adjacent 7,050 square foot vacant retail space for a
combined restaurant floor area of 15,190 square feet. The subject site
is located on the west side of Brookhurst Street, north of Bixby Avenue,
at 12171 and 12181 Brookhurst Street.

On February 5, 2004, the City Planning Commission, pursuant to
Resolution No. 5392, approved SP-334-03 and CUP-120-03, and
recommended approval of the Development Agreement. Public hearing
on the case was ordered by the City Council to be held this date.

- 4.c.1. ORDINANCE NO. for introduction and first reading, by title only,
entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
GARDEN GROVE ADOPTING A DEVELOPMENT AGREEMENT
BETWEEN DE HUA JR. (PROPERTY OWNER) AND THE CITY OF
GARDEN GROVE FOR PROPERTY LOCATED ON THE WEST SIDE
OF BROOKHURST STREET, NORTH OF BIXBY AVENUE, AT 12171
AND 12181 BROOKHURST STREET, PARCEL NOS. 133-111-24,
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5. COMMISSION/COMMITTEE MATTERS: (Motion to approve will include
adoption of each Resolution unless otherwise indicated.)
- 5.a. Recommendation from the Parking and Main Street Commission
concerning the proposed budget for FY 2004-05 for Main Street
Assessment District No. 1.
- 5.a.1. Resolution describing the proposed improvements, directing
the Engineer to prepare the required report, and authorizing
staff to initiate assessment proceedings.

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- 5.a.2. Resolution approving the Engineer's Report, setting the date and time for a public hearing, and authorizing the City Clerk to mail notices and assessment ballots to all affected property owners.
- 6. ITEMS FOR CONSIDERATION: (Motion to approve will include adoption of each Resolution unless otherwise indicated.)
 - 6.a. Award of Contract to Excel Paving Company, for the Street Rehabilitation Project in the western section of the city; and authorize the Mayor and City Clerk to execute the agreement. (Estimated cost: \$931,828.25)
- 7. MATTERS FROM THE MAYOR, CITY COUNCILMEMBERS AND CITY MANAGER:
- 8. CLOSED SESSION:
 - 8.a. Pursuant to Government Code section 54957.6, the City Council will meet with its negotiator (City Manager) regarding the status of labor negotiations with the Employee Association, Employee League, and non-represented Management and Central Management employees.
 - 8.b. Pursuant to Government Code section 54957.6, the City Council will meet with its negotiator (City Manager) regarding the status of labor negotiations with the Garden Grove Police Association and Police Middle Management.
 - 8.c. Pursuant to Government Code section 54956.9, the City Council will confer with its legal counsel regarding the status of Bolinger v. City of Garden Grove, et al.
 - 8.d. Pursuant to Government Code section 54957.6(a), the City Council will confer with its Negotiator (Mayor Broadwater and Councilmember Dalton) concerning employee benefits and compensation with respect to the City Manager and City Manager Designate.
- 9. ADJOURNMENT: