

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center  
11300 Stanford Avenue

June 8, 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: Les Jones, Deputy City Manager.

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

1. PRESENTATIONS:

- 1.a. Community Spotlight: Recognition of Alex Valenzuela, Sr., Alex Valenzuela, Jr., and Ervin Dubrul for heroism displayed during a car fire.
- 1.b. Presentation of Quarterly Report by Garden Grove Chamber of Commerce.

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

RECESS

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

---

CONDUCT AGENCY BUSINESS

RECONVENE

3. CONSENT ITEMS: (It is recommended that Items 3.a. through 3.j. be acted on simultaneously unless separate discussion and/or action is requested by a Councilmember.)
  - 3.a. Recognition of May 16-22, 2004, as Small Business Week. (Continued from meeting of May 11, 2004)
  - 3.b. Approval of Exoneration of Subdivision Improvement Bonds, posted by Burke Real Estate Group, for Final Parcel Map No. PM 2002-196, located on the southeast corner of Knott Street and Patterson Drive; and acceptance of public improvements on Knott Street and Patterson Drive for City maintenance.
  - 3.c. Approval of Plans and Specifications for Project No. 7122 – Construction of Medians on Lampson Avenue between Knott Street and Lamplighter Street; and authorize the City Clerk to advertise for bids.
  - 3.d. Approval of Agreement with the Orange County Sheriff's Department for forensics services; and authorize the Mayor and City Clerk to execute the agreement.
  - 3.e. Approval of Renewal of Agreement with Correctional Systems, Inc., to provide jail booking and security services; and authorize the City Manager and City Clerk to execute the agreement.
  - 3.f. Acceptance of Contract as complete on Project No. 7257, Haster/Chapman Intersection Improvements; authorize the Mayor and City Clerk to execute documents; and authorize the Finance Director to release the retention payment when appropriate to do so.
  - 3.g. Resolution authorizing the submittal of an application to the California Integrated Waste Management Board for a FY 2004/2005 Used Oil Recycling Block Grant.
  - 3.h. Approval of Minutes of the Regular City Council meetings held April 27 and May 11, 2004.

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

---

- 3.i. Approval of warrants.
- 3.j. Approval of waiver of full reading of Ordinances listed for adoption.
- 4. PUBLIC HEARINGS: (Motion to approve will include adoption of each Resolution unless otherwise indicated.)
  - 4.a. MAIN STREET ASSESSMENT DISTRICT NO. 1 – FISCAL YEAR 2004-05 ASSESSMENTS
    - 4.a.1. Hearing of Protests for Assessment Increase.
    - 4.a.2. Tabulation of Assessment Ballots.
    - 4.a.3. Adoption of Resolution confirming proceedings.
  - 4.b. GARDEN GROVE CITY STREET LIGHTING DISTRICT, STREET LIGHTING DISTRICT NO. 99-1, AND PARK MAINTENANCE DISTRICT – FISCAL YEAR 2004-05
    - 4.b.1. Hearing of Protests.
    - 4.b.2. Adoption of Resolutions confirming proceedings.
  - 4.c. AMENDMENTS TO TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE PERTAINING TO MECHANICAL EQUIPMENT IN RESIDENTIAL ZONES, CHANGE OF OWNERSHIP FOR ABC LICENSED ESTABLISHMENTS, FLOOD HAZARD OVERLAY ZONE, RESIDENTIAL FIXTURES IN THE REQUIRED FRONT YARD, AND RESIDENTIAL SIGNAGE
    - 4.c.1. AMENDMENT NO. A-106-04 – The City of Garden Grove is proposing to amend the Municipal Code (Title 9) to allow ground-mounted mechanical equipment in the side or rear setbacks on properties improved with a single-family home.

On April 15, 2004, the City Planning Commission, pursuant to Resolution No. 5414, recommended approval of A-106-04; and public hearing on the case was ordered by the City Council to be held this date.

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

---

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-106-04, AN AMENDMENT OF TITLE 9 OF THE CITY OF GARDEN GROVE MUNICIPAL CODE SECTION 9.16.040G TO ALLOW GROUND-MOUNTED MECHANICAL EQUIPMENT IN THE SIDE OR REAR SETBACKS ON PROPERTIES IMPROVED WITH A SINGLE-FAMILY HOME AND DELETING THE REQUIREMENT OF APPROVAL OF A DIRECTOR'S REVIEW FOR ENCROACHING INTO THE REQUIRED SETBACK WITH MECHANICAL EQUIPMENT

- 4.c.2. AMENDMENT NO. A-107-04 – The City of Garden Grove is proposing to amend the Municipal Code (Title 9) concerning requirements for conditional use permit (CUP) approval for a change of business ownership for existing establishments operating with a CUP approved before January 1, 1986 and requiring approval of a new conditional use permit if an investigation is required to be conducted by the Department of Alcoholic Beverage Control.

On April 15, 2004, the City Planning Commission, pursuant to Resolution No. 5415, recommended approval of A-107-04; and public hearing on the case was ordered by the City Council to be held this date.

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-107-04, AN AMENDMENT OF TITLE 9 OF THE CITY OF GARDEN GROVE MUNICIPAL CODE, PARAGRAPH 9 OF SUBSECTION B, SECTION 9.08.080 RELATING TO ALCOHOLIC BEVERAGE SALES AND CHANGES IN OWNERSHIP

- 4.c.3. AMENDMENT NO. A-108-04 – The City of Garden Grove is proposing to amend the Municipal Code (Title 9) to update the flood hazard zone information to be consistent with the new

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

---

maps issued to the City and with the flood zone designations within the City.

On April 15, 2004, the City Planning Commission, pursuant to Resolution No. 5416, recommended approval of A-108-04; and public hearing on the case was ordered by the City Council to be held this date.

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-108-04, AN AMENDMENT OF TITLE 9 OF THE CITY OF GARDEN GROVE MUNICIPAL CODE SECTION 9.12.080 FLOOD HAZARD OVERLAY ZONE

- 4.c.4. AMENDMENT NO. A-109-04 – The City of Garden Grove is proposing to amend the Municipal Code (Title 9) to clarify the development standards for garden furniture, decorative amenities, and statuary in the required front yards of R-1 (Single Family Residential) properties.

On April 15, 2004, the City Planning Commission, pursuant to Resolution No. 5417, recommended approval of A-109-04; and public hearing on the case was ordered by the City Council to be held this date.

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-109-04, ADDING SUBSECTION H TO SECTION 9.16.040 AND PARAGRAPH 12 TO SUBSECTION D OF SECTION 9.24.030 OF, AND AMENDING SUBSECTION A OF SECTION 9.08.040 OF, THE GARDEN GROVE MUNICIPAL CODE RELATING TO THE REGULATION OF FIXTURES IN THE REQUIRED FRONT YARDS OF SINGLE FAMILY RESIDENTIAL PROPERTIES IN THE CITY

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

---

- 4.c.5. AMENDMENT NO. A-110-04 – The City of Garden Grove is proposing to amend the Municipal Code (Title 9) to expand and clarify the definitions for signage and how to calculate the area of signs. The amendment also establishes design standards for signage on properties developed with one single-family dwelling and will apply to single-family homes in any of the residential zones.

On April 15, 2004, the City Planning Commission, pursuant to Resolution No. 5418, recommended approval of A-110-04; and public hearing on the case was ordered by the City Council to be held this date.

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-110-04, AMENDING SUBSECTION C OF SECTION 9.04.060, AND ADDING SECTION 9.16.365 RELATING TO ESTABLISHMENT OF DESIGN CRITERIA FOR SIGNS ON PROPERTY ZONED FOR RESIDENTIAL USES AND DEVELOPED WITH ONE SINGLE FAMILY DWELLING

- 4.d. DEVELOPMENT AGREEMENT IN CONNECTION WITH SITE PLAN NO. SP-320-03, initiated by Michael M. Dao, Inc., requesting to expand an existing 14,500 square foot medical office building on an 85,954 square foot site, with a two-story, 16,000 square foot office addition, on the northwest corner of Westminster Avenue and Atlantis Way, at 9191 Westminster Avenue.

On April 15, 2004, the City Planning Commission, pursuant to Resolution No. 5421, adopted a negative declaration approving SP-320-03 and recommended approval of the Development Agreement. Public hearing on the case was ordered by the City Council to be held this date.

- 4.d.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

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

---

BETWEEN MICHAEL M. DAO, M.D. (PROPERTY OWNER) AND  
THE CITY OF GARDEN GROVE FOR PROPERTY LOCATED AT  
THE NORTHWEST CORNER OF WESTMINSTER AVENUE AND  
ATLANTIS WAY, AT 9191 WESTMINSTER AVENUE, PARCEL  
NO. 089-401-22

5. ITEMS FOR CONSIDERATION: (Motion to approve will include adoption of each Resolution unless otherwise indicated.)
  - 5.a. Award of Contract to R. J. Noble Company for Project No. 7237, Phase V of Rehabilitation of Lampson Avenue between Dale Street and Magnolia Street; and authorize the City Manager and City Clerk to execute the contract. (Estimated cost: \$564,430.00)
  - 5.b. Award of Contract to All American Asphalt for Project No. 7237, Phase VI of Four Arterial Street Rehabilitations at Various Locations in the City; and authorize the City Manager and City Clerk to execute the contract. (Estimated cost: \$2,251,607.75)
  - 5.c. Resolution requesting the Orange County Transportation Authority to allocate Combined Transportation Program funds for Harbor Boulevard widening north of Chapman Avenue.
  - 5.d. Consideration of City co-sponsorship of the Main Street Car Show. (Continued from meeting of April 13, 2004)
6. ORDINANCE PRESENTED FOR SECOND READING:
  - 6.a. ORDINANCE NO. 2627 for second reading and adoption, by title only, entitled  
  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE EXPANDING THE PARKING AND MAIN STREET COMMISSION
7. MATTERS FROM THE MAYOR, CITY COUNCILMEMBERS AND CITY MANAGER:
8. CLOSED SESSION:
  - 8.a. Pursuant to Government Code section 54956.9, the City Council will confer with its Legal Counsel regarding the status of Garden Grove v. Orange County Transportation Authority.

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

---

9. ADJOURNMENT: