

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center
11300 Stanford Avenue

January 10, 2006

Council Chamber

ROLL CALL: COUNCIL MEMBER KREBS, COUNCIL MEMBER LEYES, COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN, MAYOR DALTON

All members present.

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). Agenda item descriptions are intended to give a brief general description of the item to advise the public of the item's general nature. The City Council may take legislative action it deems appropriate with respect to the item and is not limited to the recommended action indicated in staff reports or the agenda.

Closed Session

6:15 p.m.

1. CLOSED SESSION: None.

Open Session

7:22 p.m.

INVOCATION: Les Jones, Deputy City Manager.

COUNCIL MEMBERS: COUNCIL MEMBER KREBS, COUNCIL MEMBER LEYES,
COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN,
MAYOR DALTON

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

2. PRESENTATIONS:

- 2.a. Community Spotlight: Recognition of Joe Gomez posthumously for 38 years of dedicated service to the City. (F: 83.1) (XR: 78.1)

ACTION: Recognized.

- 2.b. Community Spotlight: Recognition of Rita Cramer, Sandy Estlow, and Gigi Rodriguez for their volunteer efforts for Hurricane Katrina victims. (F: 83.1) (XR: 78.1)

ACTION: Recognized.

- 2.c. Department update by Administrative Services Director, Kathy Porter. (F: 45.1)

ACTION: Report presented.

3. ORAL COMMUNICATIONS - PUBLIC: (To be held simultaneously with Agency and Sanitary District Oral Communications.)

- 3.a. Ricardo Mireles addressed the City Council concerning traffic accidents he has had. (F: 53.3)

- 3.b. Beatrice Jones addressed the City Council concerning Martin Luther King and various programs being held in the county commemorating his life. (F: 53.3)

- 3.c. James Reade addressed the City Council concerning an Indian Casino in Garden Grove and Anaheim Police Officers. (F: 53.3)

- 3.d. Rosemary Turrell and Raul Gutierrez addressed the City Council requesting the walkway from Santiago High School to Harper Street be closed off because of criminal activities that have occurred at that location. (F: 53.3) (XR: 93.1) (XR: 90.5)

ACTION: Mayor Dalton noted that staff will contact them concerning this issue.

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- 3.e. Linda Luu, Sylvia Kain, Bonnie Robba, and Richard Robba, addressed the City Council concerning Agenda Item 7.a.2., urging the City Council not remove on-street parking on Westminster Avenue, indicating that to do so would be a hardship on the Childtown Preschool at 10531 Westminster Avenue between Euclid Street and Brookhurst and would create unsafe conditions for the children. Mr. Roba also commented that the biggest problem on Westminster Avenue is lack of coordination of the traffic signals. (F: 53.3) (XR: 122.11)

RECESS: 8:28 p.m.

RECONVENE: 8:40 p.m.

- 3.f. Alma Ramirez addressed the City Council indicating that she is fighting discrimination and racism. She also spoke of Police issues. (F: 53.3)

4. WRITTEN COMMUNICATIONS: None.

RECESS: 8:45 p.m.

CONDUCT AGENCY BUSINESS

RECONVENE: 8:53 p.m.

5. CONSENT ITEMS: (It is recommended that Items 5.a. through 5.k. be acted on simultaneously unless separate discussion and/or action is requested by a Council Member.)

- 5.a. Proclamation designating 2006 as the City of Garden Grove's 50th Anniversary year. (F: 83.1)

ACTION: Approved.
(5 Ayes.)

- 5.b. Resolution commending Joe Gomez for his 38 years of dedicated service to the City of Garden Grove as a Public Works Department employee. (F: 52.2) (XR: 78.1)

ACTION: Approved.
(5 Ayes.)

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COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN,
MAYOR DALTON

- 5.c. Final Parcel Map No. 2005-136 for property located at the southeast corner of Garden Grove Boulevard and Rockinghorse Road. (F: 118.PM-2005-136)

ACTION: Approved.
(5 Ayes.)

- 5.d. Agreement with LSA Associates, Inc., to reevaluate and restudy the Harbor Smart Street EA/EIR. (Estimated cost: \$129,560.00) (F: 55) (XR: 23.26a)

ACTION: Approved.
(5 Ayes.)

- 5.e. Agreement with Great-West Life & Annuity Insurance Company for Deferred Compensation Plan administration services. (F: 55) (XR: 78.16)

ACTION: Approved.
(5 Ayes.)

- 5.f. Cooperation, Purchase and Sale Agreement with the Garden Grove Agency for Community Development for conveyance of City-owned property located at 12461 Springdale Street. (Also listed as agenda item No. 4.a. on Agency agenda) (F: A-55.319) (XR: 55)

ACTION: Approved as amended.
(3 Ayes. Rosen and Krebs voted no.)

- 5.g. Cooperation, Purchase and Sale Agreement with the Garden Grove Agency for Community Development for conveyance of City-owned property located at 12851 Westlake Avenue, 10831-51 Acacia Parkway, 13502 Lanning Street and 13501-02 Barnet Way. (Also listed as agenda item No. 4.b. on Agency agenda) (F: A-55.319) (XR: 55)

ACTION: Approved as amended.
(4 Ayes. Krebs voted no.)

- 5.h. Acceptance of Contract as complete for Project No. 7658, Garden Grove Sports Complex at Garden Grove Park. (F: 78.5.Proj.7658)

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ACTION: Approved.
(5 Ayes.)

- 5.i. Resolution appointing Les Jones as City Treasurer. (F: 60.8)

ACTION: Resolution No. 8682-06 adopted.
(5 Ayes.)

- 5.j. Warrants. (F: 60.5)

ACTION: Approved.
(5 Ayes.)

- 5.k. Waiver of full reading of Ordinances listed for adoption.

ACTION: Approved.
(5 Ayes.)

6. PUBLIC HEARINGS:

- 6.a. Development Agreement for Site Plan No. SP-384-05. Synthesis (Fara Lockwood) is requesting approval to construct a 25-unit apartment building on the east side of Dale Street, north of Stanford Avenue, at 12632 Dale Street. The project will use the State Density Bonus Law allowances for density, concessions and incentives, and statewide parking standards. (F: 106.165) (XR: 116.SP-384-05)

ACTION: Hearing held.

- 6.a.1. ORDINANCE NO. 2679, 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 ALWIN LEE (PROPERTY OWNER), AND THE CITY OF
GARDEN GROVE

ACTION: Ordinance passed to second reading.
(4 Ayes. Nguyen voted no.)

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COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN,
MAYOR DALTON

- 6.b. Amendment No. A-125-06. The City of Garden Grove is proposing to amend Title 5 and Title 9 of the Garden Grove Municipal Code relating to smoking (hookah) lounges. (F: 115.A-125-06)

ACTION: Hearing held.

- 6.b.1. ORDINANCE NO. 2680, 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-125-06, AN AMENDMENT TO TITLE 5 AND TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE RELATING TO SMOKING LOUNGES

ACTION: Ordinance passed to second reading.
(5 Ayes.)

7. COMMISSION/COMMITTEE MATTERS:

- 7.a. Recommendations from the Traffic Commission meeting of November 1, 2005. (F: 122.11)

- 7.a.1. Installation of two-way stop on Pentagon Street at Dudman Drive.

ACTION: Approved.
(4 Ayes. Nguyen absent.)

- 7.a.2. Removal of on-street parking on Westminster Avenue from Euclid Street to Magnolia Street for westbound traffic; and from Bushard Street to Euclid Street for eastbound traffic.

ACTION: Continued to January 24, 2006.
(5 Ayes.)

8. ITEMS FOR CONSIDERATION:

- 8.a. Resolution requesting the Orange County Transportation Authority (OCTA) to disburse the right-of-way funds for Harbor Boulevard widening from Banner Drive to Garden Grove Boulevard. (F: 23.18c) (XR: 36.3) (XR: 96.1)

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ACTION: Resolution No. 8683-06 adopted.
(5 Ayes.)

- 8.b. Resolution requesting the Orange County Transportation Authority (OCTA) to disburse the right-of-way funds for Harbor Boulevard Smart Street. (F: 23.18c) (XR: 36.3) (XR: 23.26a)

ACTION: Resolution No. 8684-06 adopted.
(5 Ayes.)

- 8.c. Resolution requesting the Orange County Transportation Authority (OCTA) to disburse the right-of-way funds for Harbor Boulevard/ SR 22 interchange improvements. (F: 23.18c) (XR: 36.3) (XR: 62.2)

ACTION: Resolution No. 8685-06 adopted.
(5 Ayes.)

9. ORDINANCES PRESENTED FOR SECOND READING:

- 9.a. ORDINANCE NO. 2677 for second reading and adoption, by title only, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING PLANNED UNIT DEVELOPMENT NO. PUD-109-05, CHANGING THE ZONING DESIGNATION FROM COMMUNITY CENTER SPECIFIC PLAN-HOSPITAL DISTRICT TO PLANNED UNIT DEVELOPMENT NO. PUD-109-05, AND APPROVING THE APPEAL OF CONDITION NO. 15 OF SITE PLAN NO. SP-378-05 (F: 116.PUD-05) (XR: 116.SP-378-05) (XR: 106.164)

ACTION: Ordinance passed.
(5 Ayes.)

- 9.b. ORDINANCE NO. 2678 for second reading and adoption, by title only, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A DEVELOPMENT AGREEMENT BETWEEN KAISER FOUNDATION HOSPITALS (DEVELOPER) AND THE CITY OF GARDEN GROVE (F: 116.PUD-05) (XR: 116.SP-378-05) (XR: 106.164)

ACTION: Ordinance passed.
(5 Ayes.)

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

- 10.a. Appointments to the Planning Commission and the Neighborhood Improvement and Conservation Commission, as requested by Mayor Pro Tem Rosen. (F: 122.1)

ACTION: Continued to January 24, 2006, to enable receipt of paperwork.
(5 Ayes.)

- 10.b. Council Member Leyes spoke about a sound wall issue along the 22 Freeway that will be coming to the City, noting a concern that a sound wall would potentially impact the auto dealers' visibility and marketability. He also spoke about a 9 percent pay increase for two-thirds of the City employees, which will put pressure on the budget. He suggested that this kind of a cost increase might merit a mid-year budget review. He referenced his remarks at the last City Council meeting concerning the immigration issue, noting that he was not proposing that the City Council discuss it now, but that he will be having some dialogue with members of the community. He noted that he believes the Police Chief is doing an assessment of how we currently are dealing with this issue and what the Sheriff is proposing and how that might impact our operations in Garden Grove. He also noted that Vector Control had an issue before them last month and postponed it. He wonders what our real authority is over an appointed Board member to a term and can we direct our representative how to vote and can we remove that person if we don't like the way that person is operating. He suggested this might be a good topic for the January 31 study session, or maybe just a memo will do. Also, he noted that there is a new State law that requires all local government boards to have ethics training before the end of the year. He noted that he believes it also affects every Commissioner the City Council appoints. Lastly, he wished everyone a Happy New Year and spoke about the City's 50th Anniversary year, noting that the kickoff is tomorrow evening at 5 p.m. at City Hall. (F: 53.1) (XR: 62.2) (XR: 78.1) (XR: 82.2) (XR: 120.1)
- 10.c. Council Member Rosen indicated that the ethics training bill that Council Member Leyes referenced is AB1234, which has ethics training as well as a number of things pertaining to expense reimbursement, noting that he has passed on some comments to the City Manager about an ordinance that has been drafted. He suggested this be discussed at the

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January 31 study session, along with another bill, AB11. He also spoke about the City's 50th Anniversary celebration. (F: 53.1)

- 10.d. Council Member Nguyen commented on the City's 50th Anniversary celebration and wished everyone a Happy New Year. (F: 53.1)
 - 10.e. Council Member Krebs commented on the City's 50th Anniversary celebration. He also congratulated Reverend Schuller of the Crystal Cathedral on his retirement and wished his son well on taking over his father's position. Lastly, he spoke about the passing of Deputy City Manager Les Jones' mother, Marguerite Mary Jones, and asked that the meeting be adjourned in her memory. (F: 53.1) (XR: 46.9)
 - 10.f. Mayor Dalton again cautioned the Council Members to not burden the City staff with the preparation of unnecessary reports. He also commented on Tony Rector's comments made both at this meeting and at the December 13 meeting, noting that he does not remember some of Mr. Rector's allegations. He also indicated that no one has brought a proposal to the City relative to the Casino. He noted that he believes it is important to allow people their full five minutes to speak before the City Council, adding that he will not get into a dialogue with people speaking under Oral Communications. (F: 53.1)
11. ADJOURNMENT: At 11:28 p.m., the meeting was adjourned in memory of Marguerite Mary Jones, mother of Deputy City Manager Les Jones.