

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center
11300 Stanford Avenue

January 14, 2003

6:55 p.m.

Council Chamber

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

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.
(City Council Manual of Procedures, Section D)*

INVOCATION: Les Jones, Assistant City Manager.

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

1. PRESENTATIONS:

- 1.a. Community Spotlight: Recognition of Nguyen Chi Thien, renowned Poet and Crusader for Human Rights in Vietnam. (F: 52.3)

ACTION: Recognized.

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

- 2.a. Peggy Moore, Janice Lyle, Marie Anderson, and Mabel Houdyshell, residents of Garden Grove and long-time subscribers, addressed the Council, urging support for the current Grove Theater Center (GTC) management's continued operation of the facilities. (F: 53.3) (XR: 87.3) (XR: 55) (XR: 122.68)

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- 2.b. Diane Streich-Harrell addressed the Council, advising that the parking problems in the residential neighborhood in the vicinity of West Haven Park seem to have been resolved. (F: 53.3) (XR: 75.1) (XR: 73.12)
- 2.c. Jeff Winter, Joy McLean, and Kevin Grimshaw addressed the Council concerning neighborhood issues with signage and the operation of a church in their residential neighborhood at 12541 Ocean Breeze. (F: 53.3) (XR: 80.2)

ACTION: Mayor advised that staff is addressing this issue.

- 2.d. Marge England addressed the Council, inviting citizens to be a part of a League of Women Voters-sponsored forum to discuss *Choices for a Vital Community*, on January 31. (F: 53.3)
- 2.e. Larry Bonham addressed the Council commenting that when the Civic Center pond was cleaned, all the fish died because of the chlorine. Additionally, he was despondent because there are not enough open fields. (F: 53.3)
- 2.f. Tom Bradac addressed the Council, noting that he is a 22-year resident of Garden Grove and is interested in agenda item 6.a. (F: 53.3) (XR: 87.3) (XR: 55) (XR: 122.68)
- 2.g. Laurie Trimper addressed the Council, expressing concern about stacked houses and overcrowding in the city, urging that the large lots and trees be preserved. (F: 53.3)
- 2.h. Chris Rey, resident of Ocean Breeze, addressed the Council concerning the proposed monument signage along Brookhurst Street that was discussed at a previous Council meeting. (F: 53.3) (XR: 94.1)

RECESS: 7:45 P.M. AND RECONVENED IN CLOSED SESSION TO DISCUSS ITEMS LISTED.

RECESS: 8:45 P.M.

RECONVENE: 9:16 P.M. TO CONTINUE WITH ORAL COMMUNICATIONS FROM THE PUBLIC. MAYOR ANNOUNCED THAT CLOSED ITEMS WERE DISCUSSED AND NO FINAL ACTION WAS TAKEN.

- 2.i. Ngoc Ho, GTC youth employee; Lilo Haenisch of Laguna Woods; Denise Moses, actress from Glendale; Lara Lawrence and Patricia Thomas, Garden Grove residents and subscribers; and Sondi Kroeger Foley, actress from Redondo Beach, addressed the Council, urging support for the current Gem Theater Center

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management's continued operation of the facilities. (F: 53.3) (XR: 87.3) (XR: 55)
(XR: 122.68)

2.j. Kevin Cochran and Charles Johanson, GTC operators, addressed the Council requesting support for their continued operation of the Grove Theater Center. Mr. Johanson presented a list of current Board members. (F: 53.3) (XR: 87.3) (XR: 55) (XR: 122.68)

2.k. Ray Littrell addressed the Council concerning agenda item 5.b., alleging insufficient open space for the proposed project; and concerning agenda item 4.f., alleging buildings on Katella may not be vacant. (F: 53.3) (XR: 60.4) (XR: 106.136)

3. WRITTEN COMMUNICATIONS:

3.a. Request from Sister City Association of Garden Grove for City co-sponsorship of Tapestry of Garden Grove on April 24, 2003. (F: 88.1) (XR: 48.4) (XR: 102.1)

ACTION Approved.

(5 Ayes.)

3.b. Request from Garden Grove Cub Pack 507 for City co-sponsorship of 2003 Pushcart Derby, tentatively scheduled for April 27, 2003. (F: 88.1) (XR: 48.4)

ACTION: Appointed Councilmembers Dalton and Rosen to meet with Cub Pack leaders to discuss details and impact.

(5 Ayes.)

4. CONSENT ITEMS: (It is recommended that Items 4.a. through 4.m. be acted on simultaneously unless separate discussion and/or action is requested by a Councilmember.)

4.a. Approval of Resolution commemorating the 50th Anniversary of the Korean War Armistice. (F: 83.1)

ACTION: Approved.

(5 Ayes.)

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COUNCILMAN ROSEN, MAYOR PRO TEMPORE TRAN,
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- 4.b. Denial of claims submitted by Pacific Bell and Will B. King. (F: 49.2)

ACTION: Approved.

(5 Ayes.)

- 4.c. Award of Contract to Allied Industrial Systems, Inc., for the construction of a new modular office building at the Municipal Service Center; and authorize the City Manager and City Clerk to execute the contract. (Estimated cost: \$84,770.00) (F: 55) (XR: 24.1)

ACTION: Reject bids due to budget uncertainty.

(5 Ayes.)

- 4.d. Approval of Agreement with Harris and Associates to provide Street Lighting and Park Maintenance District Services for FY 2003-04; authorize the Mayor and City Clerk to execute the agreement; and authorize staff to proceed with the formation of a new and separate Street Lighting District No. 03-1 to address the energy rate increases by Southern California Edison. (F: 69.2) (XR: 31.5) (XR: 121.2A)

ACTION: Approved and authorized.

(5 Ayes.)

- 4.e. Approval of Loan Agreement with Thomas House Temporary Shelter for the acquisition of properties located at 12591 and 12601 Morningside Avenue; and authorize the City Manager and City Clerk to execute the appropriate documents. (F: 117.10I)

ACTION: Approved and authorized.

(5 Ayes.)

- 4.f. Rejection of all bids received for demolition of 31 unoccupied structures located at Chapman Avenue and Haster Street, Harbor Boulevard south of Chapman Avenue, and Katella Avenue west of Gilbert Street; adoption of Resolution waiving formal bid requirements for demolition of said structures; and authorize the City Manager to expend funds necessary to effect the immediate demolition. (F: 60.4) (XR: 24.1)

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COUNCILMAN ROSEN, MAYOR PRO TEMPORE TRAN,
MAYOR BROADWATER

ACTION: Approved and authorized. Resolution No. 8479-03 adopted.

(5 Ayes.)

- 4.g. Adoption of Resolution denying the appeal and upholding the Planning Commission's denial of Variance No. V-292-02 for property located at 12562 Leroy Avenue. City Council formally denied the appeal at its meeting of November 26, 2002. (F: 111.V-292-02) (XR: 122.10)

ACTION: Resolution No. 8480-03 adopted.

(3 Ayes. Leyes and Tran voted no.)

- 4.h. Adoption of Resolution declaring support for the International Family of Codes as published by the International Code Council. (F: 35.2)

ACTION: Resolution No. 8481-03 adopted.

(5 Ayes.)

- 4.i. Approval of revision of Council Policy No. 300-04. (F: 127.3)

ACTION: Tabled.

(5 Ayes.)

- 4.j. Approval of City's 2003 Investment Policy; and reappointment of City Treasurer and Deputy City Treasurer as persons responsible for the City's investments. (F: 127.7) (XR: 60.8)

ACTION: Approved and reappointments made.

(5 Ayes.)

- 4.k. Award of Purchase Order for Aerial Truck through City of Santa Clarita bidding program – Public Works Department. (Estimated cost: \$78,031.47) (F: 60.4) (XR: 24.1)

ACTION: Awarded.

(5 Ayes.)

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

- 4.l. Approval of Minutes of Regular City Council Meetings of September 24, 2002 (continued from meeting of December 10, 2002), October 8, October 22, and October 29. (F: Vault)

ACTION: Approved.

(5 Ayes.)

- 4.m. Approval of warrants. (F: 60.5)

ACTION: Approved.

(5 Ayes.)

5. PUBLIC HEARINGS: (Motion to approve will include adoption of each Resolution unless otherwise indicated.)

- 5.a. PLANNED UNIT DEVELOPMENT NO. PUD-144-02, AND A DEVELOPMENT AGREEMENT IN CONJUNCTION WITH SITE PLAN NO. SP-315-02, initiated by Burke Real Estate Group, proposing to rezone the southeast corner of Knott Street and Patterson Drive from PUD-103-76 Revised 1992 to PUD-144-02, to accommodate a proposed industrial park development; and approval of a Development Agreement to construct a 77,985 square foot industrial park on a 5.7-acre site located at 11450 Knott Street. (F: 106.135) (XR: 116.PUD-144-02) (XR: 116.PUD-103-76.Rev'92)

On November 21, 2002, the City Planning Commission, pursuant to Resolutions No. 5329 and No. 5330, approved SP-315-02 and recommended approval of PUD-144-02 and the Development Agreement. Public hearing on the case was ordered by the City Council to be held this date.

ACTION: Hearing held.

- 5.a.1. ORDINANCE NO. 2592, for introduction and first reading, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING PLANNED UNIT DEVELOPMENT NO. PUD-144-02, CHANGING THE ZONING DESIGNATION FROM PLANNED UNIT DEVELOPMENT NO. PUD-103-76 REVISED 1992 TO PLANNED UNIT DEVELOPMENT NO. PUD-144-02, FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF KNOTT

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

STREET AND PATTERSON DRIVE AT 11450 KNOTT STREET,
PARCEL NOS. 131-023-17, 23

ACTION: Ordinance passed to second reading.

(5 Ayes.)

5.a.2. ORDINANCE NO. 2593, 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 KV PROPERTY, INC. (PROPERTY OWNER), BURKE REAL ESTATE GROUP (DEVELOPER), AND THE CITY OF GARDEN GROVE FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF KNOTT STREET AND PATTERSON DRIVE AT 11450 KNOTT STREET, PARCEL NOS. 131-023-17, 23

ACTION: Ordinance passed to second reading.

(5 Ayes.)

5.b. PLANNED UNIT DEVELOPMENT NO. PUD-145-02, AND A DEVELOPMENT AGREEMENT IN CONJUNCTION WITH SITE PLAN NO. SP-316-02, initiated by Western Pacific Housing, proposing to rezone approximately 5.28 acres at the southeast corner of Century Boulevard and Taft Street from CCSP/PR51 (Peripheral Residential District Area 51 of the Community Center Specific Plan) to a Residential Planned Unit Development zone; and approval of a Development Agreement to construct 37 detached, two-story, single-family residential units at 13201 Century Boulevard. (F: 106.136) (XR: 116.PUD-145-02)

On December 5, 2002, the City Planning Commission, pursuant to Resolutions No. 5335 and No. 5336, approved SP-316-02 and recommended approval of PUD-145-02 and the Development Agreement. Public hearing on the case was ordered by the City Council to be held this date.

ACTION: Hearing held.

5.b.1. ORDINANCE NO. 2594, for introduction and first reading, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING PLANNED UNIT DEVELOPMENT

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

NO. PUD-145-02, FOR PROPERTY LOCATED ON THE
SOUTHEAST CORNER OF CENTURY BOULEVARD AND TAFT
STREET, AT 13201 CENTURY BOULEVARD, PARCEL NOS. 099-
131-25 & 099-110-12, 13 & 47

ACTION: Ordinance passed to second reading.

(5 Ayes.)

5.b.2. ORDINANCE NO. 2595, 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 WESTERN PACIFIC HOUSING, INC., AND THE CITY
OF GARDEN GROVE FOR PROPERTY LOCATED ON THE
SOUTHEAST CORNER OF CENTURY BOULEVARD AND TAFT
STREET, AT 13201 CENTURY BOULEVARD, PARCEL NOS. 099-
131-25 & 099-110-12, 13 & 47

ACTION: Ordinance passed to second reading.

(5 Ayes.)

5.c. GENERAL PLAN AMENDMENT NO. GPA-3-02, AMENDMENT NO. A-223-02,
AND A DEVELOPMENT AGREEMENT FOR SITE PLAN NO. SP-313-02, initiated
by Dr. John Kim, requesting to change the General Plan designation for the rear
portion of property located at 9618 Garden Grove Boulevard from MDR (Medium
Density Residential) to LC (Light Commercial), and to rezone the rear portion of
the property to C-2 (Community Commercial), and to approve a Development
Agreement to construct two new retail/commercial buildings. The first building is a
proposed 60,400 square foot, two-story building with subterranean parking. The
second building is a 6,350 square foot, one-story retail/commercial pad building.
(F: 106.137) (XR: 20.GPA-3-02) (XR: 115.A-223-02)

On November 21, 2002, the City Planning Commission, pursuant to Resolutions
No. 5314 and 5315, recommended approval of GPA-3-02, A-223-02, and the
Development Agreement. Public hearing on the case was ordered by the City
Council to be held this date.

ACTION: Hearing held.

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

5.c.1. Resolution approving General Plan Amendment No. GPA-3-02.

ACTION: Resolution No. 8482-03 adopted.

(5 Ayes.)

5.c.2. ORDINANCE NO. 2596, for introduction and first reading, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING ZONE AMENDMENT NO. A-223-02, TO REZONE A PARCEL OF LAND FROM THE R-3 (MULTI-FAMILY RESIDENTIAL) ZONE TO THE C-2 (COMMUNITY COMMERCIAL) ZONE, LOCATED ON THE SOUTH SIDE OF GARDEN GROVE BOULEVARD BETWEEN GALWAY STREET AND GILBERT STREET, AT 9618 GARDEN GROVE BOULEVARD, PARCEL NO. 98-222-18

ACTION: Ordinance passed to second reading.

(5 Ayes.)

5.c.3. ORDINANCE NO. 2597, 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 DR. JOHN KIM (PROPERTY OWNER), AND THE CITY OF GARDEN GROVE FOR PROPERTY LOCATED ON THE SOUTH SIDE OF GARDEN GROVE BOULEVARD BETWEEN GALWAY STREET AND GILBERT STREET, AT 9618 GARDEN GROVE BOULEVARD, PARCEL NOS. 98-222-18, 24, 35, 36, 37, 38 & 39

ACTION: Ordinance passed to second reading.

(5 Ayes.)

6. COMMISSION/COMMITTEE MATTERS:

6.a. Consideration of recommendation from the Cultural Arts Ad Hoc Committee regarding the future operation and management of the Village Green Cultural Arts Complex. (F: 87.3) (XR: 122.68) (XR: 55)

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

ACTION: Continued for 30 days to allow for discussions between staff and Grove Theater Center (GTC) management to try to absolve existing communication problems between all parties; to expand GTC Board of Directors to include community members; and to develop methods of providing community groups with access to both facilities for expanded use.

(3 Ayes. Rosen and Broadwater voted no.)

RECESS: Midnight.

CONDUCT AGENCY BUSINESS

RECONVENE: 12:04 a.m.

7. ITEMS FOR CONSIDERATION: (Motion to approve will include adoption of each Resolution unless otherwise indicated.)

- 7.a. Award of Contracts to Nobest, Inc. and Damon Construction Company for concrete repair services to improve sidewalk safety and to assure proper drainage of streets; and authorize the Mayor and City Clerk to execute the agreements. (Estimated cost: \$268,700.00 and \$416,300.00, respectively) (F: 55) (XR: 93.) (XR: 96.1)

ACTION: Consensus to continue because of budget uncertainty.

- 7.b. Submittal of transportation improvement projects to the Orange County Transportation Authority for funding under the Combined Transportation Funding Program. (F: 23.18C) (XR: 96.1) (XR: 100.1)

ACTION: Resolution No. 8483-03 adopted.

(5 Ayes.)

8. MATTERS FROM THE MAYOR, CITY COUNCILMEMBERS AND CITY MANAGER:

- 8.a. Consideration of appointments to Planning Commission and Orange County Vector Control District, as requested by Mayor Broadwater. (F: 122.10A) (XR: 23.20) (VIP)

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

ACTION: Janet Nguyen appointed to the Planning Commission.
Dr. Sheldon Singer reappointed to the Orange County Vector Control
District.

(5 Ayes.)

- 8.b. Request by Councilman Leyes that the City Council take a position in opposition to the State raising vehicle registration fees. (F: 67.5)

ACTION: Discussed. Continued until budget is discussed.

- 8.c. Discussion concerning the Council taking a position on loss of revenue for the expansion of the 22 Freeway, as requested by Councilman Rosen. (F: 67.5)
(XR: 62.1)

ACTION: Continued until budget is discussed.

- 8.d. Discussion concerning participation in lawsuits, as requested by Councilman Rosen. (F: 53.1)

ACTION: Not discussed.

- 8.e. Status report regarding parking issues on West Street and adjacent residential streets. (F: 75.1) (XR: 73.12)

ACTION: No report presented.

9. CLOSED SESSION:

- 9.a. Pursuant to Government Code section 54957.6, the City Council will meet with its negotiator (City Manager) to provide direction regarding the Employee League, Employee Association, and Management employees.

ACTION: Discussed.

- 9.b. Pursuant to Government code section 54956.9, the City Council will confer with its legal counsel regarding OCRAA; City of Garden Grove; et al. v. County of Orange, LA SUP. Case No. 02CC04400.

ACTION: Discussed.

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

- 9.c. Pursuant to Government Code section 54956.9, the City Council will confer with its Legal Counsel regarding Brentwood Distributors, Inc., et al. v. City of Garden Grove.

ACTION: Discussed.

10. ADJOURNMENT: 12:18 a.m., January 15, 2003, in memory of Paul DeNuccio and Lyle Cannon.

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