

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center
11300 Stanford Avenue

January 27, 2004

6:55 p.m.

Council Chamber

ROLL CALL: COUNCILMAN LEYES, COUNCILMAN ROSEN, COUNCILMAN TRAN,
MAYOR PRO TEM DALTON, 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. 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: Mathew Fertal, Assistant City Manager.

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

1. PRESENTATIONS:

- 1.a. Community Spotlight: Recognition of members of Pacifica High School Senior Student Council Committee for organizing their annual "Adopt-a-Child" holiday party. (F: 52.3)

ACTION: Recognized.

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

- 2.a. Bob Owens addressed the Council, commenting that campaign money is coming to Council candidates from outside the City, noting that the average citizen does not have \$100,000 to run for a Council seat. (F: 53.3)

- 2.b. David Whitmore addressed the Council concerning a problem he had at the Social Security office, commenting that he was physically assaulted by a security guard there and the people who work there do not speak English and failed to address his problems. He also expressed concern about the high-density residential area adjacent to the Social Security office. (F: 53.3)

ACTION: Mayor Broadwater suggested Mr. Whitmore contact his Congressman, Ed Royce and noted that he should have filed a report with the Police Department. Councilman Rosen requested that Mr. Whitmore's comments be forwarded to Congresswoman Loretta Sanchez by way of a tape-recording of this portion of the proceedings.

- 2.c. Joseph Pak, President of the Sister City Association, addressed the Council and expressed his appreciation for the Council's support and cooperation during the recent Anyang students' visit. (F: 53.3) (XR: 102.3)

3. WRITTEN COMMUNICATIONS:

- 3.a. Request from the West Garden Grove Little League for waiver of fees for use of the Showmobile for their Opening Day Ceremony on March 13, 2004. (F: 74.27)

ACTION: Approved.

(5 Ayes.)

- 3.b. Request from the Garden Grove Community Foundation that a bridge loan that was made to the Foundation in the first year of the Renaissance program be forgiven; and that remaining loan balance be spread into three annual payments. (F: 88.1) (XR: 130.15)

ACTION: Approved.

(4 Ayes. Leyes voted no.)

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

- 4.a. Approval of acquisition of an easement over a portion of real property located at 13031-13071 Harbor Boulevard, Parcel 7, for Project No. 7244, Widening and Improvement of the Harbor Boulevard/Garden Grove Boulevard Intersection; 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

\$460,900.00 to Harbor Plaza Center, LLC, when appropriate to do so.
(F: 96.Proj.7244) (XR: 84.1) (XR: A-55.119)

ACTION Approved and authorized.

(5 Ayes.)

- 4.b. Approval of Exoneration of Bond in the amount of \$38,000.00, posted by Brandywine Development Corporation for the construction of work on the sewer improvements on Garden Grove Boulevard for Tract Map No. TR 15933, and acceptance of said improvements for City maintenance. (F: 116.PUD-131-99) (XR: 103.TT.15933)

ACTION: Approved and accepted.

(5 Ayes.)

- 4.c. Approval of Plans and Specifications for Project No. 7264B, Garden Grove Boulevard Raised Median Island Improvements; and authorize advertisement for bids. (F: 96.Proj. 7264B)

ACTION Approved and authorized.

(5 Ayes.)

- 4.d. Approval of Plans and Specifications for Project No. 7237, Phase V, Lampson Avenue Rehabilitation; and authorize advertisement for bids. (F: 96.Proj.7237)

ACTION Approved and authorized.

(5 Ayes.)

- 4.e. Approval for Police Department to apply for a Traffic Safety Grant through the California Office of Traffic Safety, focusing on pedestrian-involved and speed-related collisions. (F: 97.1.03) (XR: 82.1)

ACTION Approved.

(5 Ayes.)

- 4.f. Approval of City's 2004 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)

- 4.g. Approval to appoint Senior Environmental Services Specialist at “E” Step of salary range for this position. (F: 78.1)

ACTION Approved.

(5 Ayes.)

- 4.h. Approval to appoint Community Services Officer at “D” Step of salary range for this position. (F: 78.1)

ACTION Approved.

(5 Ayes.)

- 4.i. Approval of Minutes of Regular City Council Meetings held November 11, November 25, and December 9, and Special Meeting held December 22, 2003. (F: Vault)

ACTION Approved.

(5 Ayes.)

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

ACTION Approved.

(5 Ayes.)

- 4.k. Approval of waiver of full reading of Ordinances listed for adoption.

ACTION Approved.

(5 Ayes.)

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

- 5.a. AMENDMENT NO. A-103-03 – The City of Garden Grove, is requesting to amend the City of Garden Grove Municipal Code (Title 9), Section 9.12.030 of Chapter 9.12 Special Uses, pertaining to the conversion of apartment units to condominiums. (F: 115.A-103-03) (XR: 50.3)

COUNCILMEMBERS: COUNCILMAN LEYES, COUNCILMAN ROSEN, COUNCILMAN TRAN,
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On December 4, 2003, the City Planning Commission, pursuant to Resolution No. 5397, recommended approval of A-103-03, and public hearing on the case was ordered by the City Council to be held this date.

ACTION: Public Hearing held.

5.a.1. ORDINANCE NO. 2621, for introduction and first reading, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVIING AMENDMENT NO. A-103-03, AN AMENDMENT TO TITLE 9 OF THE CITY OF GARDEN GROVE MUNICIPAL CODE SECTION 9.12.030 CONVERSION OF MULTIPLE-FAMILY RESIDENTIAL UNITS

ACTION: Full reading waived. Ordinance passed to second reading.

(5 Ayes.)

6. COMMISSION/COMMITTEE MATTERS:

6.a. Consideration of recommendation from the Traffic Commission meeting of November 4, 2003, to install a three-way stop at the intersection of Blackmer Street and Santa Catalina Avenue. (Continued from meeting of January 13, 2004) (F: 122.11) (XR: 100.2)

ACTION: Tabled.

(5 Ayes.)

7. ORDINANCES PRESENTED FOR SECOND READING:

7.a. ORDINANCE NO. 2620 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 THE RAJANI FAMILY REAL ESTATE PARTNERSHIP AND THE CITY OF GARDEN GROVE FOR PROPERTY LOCATED ON THE NORTH SIDE OF GARDEN GROVE BOUEVARD, EAST OF GALWAY STREET, AT 9757 GARDEN GROVE BOULEVARD, PARCEL NO. 133-371-15

ACTION: Ordinance passed.

(5 Ayes.)

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RECESS: 7:50 p.m.

RECONVENE: 8:23 p.m.

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

- 8.a. Resignation from the Planning Commission – Benjamin H. Freze. (Continued from meeting of January 13, 2004) (F: 122.10a) (VIP)

ACTION: Accepted with regrets.

(5 Ayes.)

- 8.b. Consideration of appointment of Robert Kelleher to the Planning Commission, as requested by Mayor Pro Tem Dalton. (F: 122.10a) (VIP)

ACTION: Appointed.

(5 Ayes.)

- 8.c. Councilman Leyes spoke about grocery store workers' demonstrations that have taken place in the area of Chapman and Brookhurst, and requested information concerning the cost to the City for police presence at these demonstrations. (F: 53.1) (XR: 82.1)

- 8.d. Councilman Leyes spoke about a Home Improvement Holiday program the City of Anaheim is enacting, during which time plan and permit fees will be waived for home improvements; additionally, they are looking at an amnesty period for non-permitted residential improvements. He suggested that Garden Grove might want to look into something somewhat similar in the near future. (F: 53.1) (XR: 35.1)

- 8.e. Councilman Leyes spoke about a state-wide initiative effort co-chaired by Anaheim Mayor Curt Pringle and Former Assembly Speaker Robert Hertzberg wherein the cities would get a larger share of the property taxes and would give up some sales tax and what is left of the vehicle license fees. He requested that staff obtain a copy of that initiative for analysis. (F: 53.1)

- 8.f. Councilman Leyes noted that the City of Anaheim is looking at some serious economic development in the area around the Anaheim Stadium, inviting ideas with no confines. (F: 53.1)

- 8.g. Councilman Dalton expressed support to look into a modified Home Improvement Holiday and amnesty program. (F: 53.1) (XR: 35.1)

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- 8.h. Councilman Rosen expressed his support for some kind of amnesty program for non-permitted homes that comply with codes. (F: 53.1) (XR: 35.1)
- 8.i. Councilman Rosen acknowledged City of Westminster Mayor Pro Tem Andy Quach in the audience. (F: 53.1)
- 8.j. Councilman Tran expressed his support to look into a Home Improvement Holiday and amnesty program for city homeowners. He also expressed appreciation to the Public Works staff for their efforts in planting cherry blossom trees on Brookhurst Street, noting it was a successful public-private partnership with Lee's Sandwiches. (F: 53.1) (XR: 35.1) (XR: 24.1)
- 8.k. At the Mayor's request, the City Clerk spoke about Early Voting that will take place in City Hall from February 3 through February 19 for the March 2 election. (F: 53.1) (XR: 58.1.March 2004)
- 8.l. Mayor Broadwater announced the birth of Gianluca Antonio Berger, grandson of Tony and Emma Lombardi. He also announced that Jennifer Hanson, 1994 Miss Garden Grove and 1994 Miss California, was an award presenter in the 2003 Grammy Awards show. She also has a hit song, "Beautiful Goodbyes." (F: 53.1)
9. CLOSED SESSION:
- 9.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.
- ACTION: Discussed.
- 9.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, Police Middle Management, and Garden Grove Fire Fighters Local 2005.
- ACTION: Discussed.
- 9.c. Pursuant to Government Code section 54957, the City Council will review candidates for appointment to the City Manager position.
- ACTION: Discussed.

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- 9.d. 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.

ACTION: Discussed.

- 9.e. Pursuant to Government Code section 54956.9, the City Council will confer with its Legal Counsel regarding the case of Airport Working Group of Orange County, et al. v. County of Orange, et al., Court of Appeals #D041344. (F: 44.2)

ACTION: Discussed. The Council voted unanimously to approve a settlement agreement in this litigation.

10. ADJOURNMENT: 10:50 p.m.