

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center
11300 Stanford Avenue

February 27, 2007

Council Chamber

ROLL CALL: COUNCIL MEMBER BROADWATER, COUNCIL MEMBER DINA NGUYEN,
COUNCIL MEMBER JANET NGUYEN, MAYOR PRO TEM ROSEN,
MAYOR DALTON

Council Member Broadwater absent.

Council Member Janet Nguyen absent at Roll Call but joined the meeting at
5:37 p.m.

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

5:34 p.m.

1. PUBLIC INPUT: (Anyone wishing to address only Closed Session items may do so at this time.)

None.

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2. CLOSED SESSION:

- 2.a. Pursuant to Government Code section 54957
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Manager

ACTION: Discussed. No reportable action taken.

Open Session

6:54 p.m.

RECESS: 6:55 p.m.

RECONVENE: 6:59 p.m.

INVOCATION: Les Jones, Assistant City Manager.

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

3. PRESENTATIONS:

- 3.a. Community Spotlight: Recognition of Lucy Chiem and Jenna Payne for
their life-saving actions. (F: 52.3)

ACTION: Recognized.

- 3.b. Department update by Personnel Services Director, John D.R. Clark.

ACTION: Report presented.

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

- 4.a. Russ McDonald addressed the City Council stating that in his opinion the
fines imposed for the use of illegal fireworks will not address the
concerns about the use of fireworks, and indicated that banning
fireworks is the only resolution he feels will work. (F: 53.3) (XR: 61.6)

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- 4.b. Dante Salazar addressed the City Council congratulating Council Member Janet Nguyen on her victory in the County Supervisor election and praising her leadership in the community. (F: 53.3)
- 4.c. Peter Katz addressed the City Council congratulating Council Member Janet Nguyen on her victory in the County Supervisor election citing the power of each vote. (F: 53.3)
- 4.d. Charles Mitchell addressed the City Council congratulating Council Member Janet Nguyen on her victory in the County Supervisor election. He also suggested that the City look into painting the front portion of medians at intersections where lanes do not line-up, thus helping the drivers see the correct lanes of travel. He praised the Rotary Club for its recent event at the Gem Theater. (F: 53.3)
- 4.e. David Vill, President of the Garden Grove Chapter of AARP, addressed the City Council regarding fireworks and how important banning the sale and use of fireworks in the city is to seniors. (F: 53.3) (XR: 61.6)
- 4.f. Michael Stene addressed the City Council expressing support for the construction of a skateboard park in the City and provided information on the City of Lake Forest's skateboard park. (F: 53.3) (XR: 73.1)
- 4.g. Scott Weimer addressed the City Council congratulating Council Member Janet Nguyen on her victory in the County Supervisor election. He urged the City Council to approve the Garden Grove Community Foundation's request for 90 days to present a plan for the management and operation of the Gem Theater, citing the successful use of the Gem by the Rotary Club for the premiere of "The Ultimate Gift." (F: 53.3) (XR: 87.3)
- 4.h. Paul Garcia, Daniel Morales, Frank Dominguez, and Jesse Acosta addressed the City Council urging the approval of the American GI Forum-Escalante Chapter of Orange County's request for the City to co-host the Annual American Freedom Recognition event at the Community Meeting Center. (F: 53.3) (XR: 88.1)

RECESS: 7:47 p.m.

RECONVENE: 8:02 p.m.

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5. WRITTEN COMMUNICATIONS:

- 5.a. Request from the Garden Grove Community Foundation for approval to pursue a production within the Gem Theater during the 2007 holiday season; and to grant the Foundation 90 days to present a plan for the transitory management and operation of the Theater. (F: 87.3) (XR: 130.15)

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

- 5.b. Request from American GI Forum-Escalante Chapter of Orange County, for the City to co-host the Annual American Freedom Recognition Dinner. (F: 88.1)

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

RECESS: 8:23 p.m.

CONDUCT AGENCY BUSINESS

CONDUCT SANITARY DISTRICT BUSINESS

RECONVENE: 8:27 p.m.

6. CONSENT ITEMS: (It is recommended that Items 6.a. through 6.i. be acted on simultaneously unless separate discussion and/or action is requested by a Council Member.)

- 6.a. Proclamation declaring March 7, 2007, as Arbor Day. (F: 83.1)

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

- 6.b. Proposed 2007-2008 Legislative Platform. (Continued from meeting of January 23, 2007) (F: 67.5)

ACTION: Approved with modifications.
(3 Ayes. Dina Nguyen voted no; Broadwater absent.)

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- 6.c. Acquisition of Right-of-Way over a portion of real property located at 12502 Harbor Boulevard, owned by Samra Brothers, Inc., for the widening and improvement of the Harbor Boulevard/Lampson Avenue intersection. (F: 96.Proj.7281)

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

- 6.d. Adoption of Resolution approving a supplemental wage plan for full-time employees ordered to active duty during a specific military crisis. (F: 78.13)

ACTION: Resolution No. 8762-07 adopted.
(4 Ayes. Broadwater absent.)

- 6.e. Adoption of Resolution establishing policies and procedures for granting a priority for the provision of water services to proposed developments that include housing units affordable to lower income households, as required by Senate Bill 1087. (F: 112) (XR: 24.1)

ACTION: Resolution No. 8761-07 adopted.
(4 Ayes. Broadwater absent.)

- 6.f. City's 2007 Investment Policy; and reappointment of City Treasurer and Deputy City Treasurer/Finance Director as persons responsible for the City's investments. (F: 127.7) (XR: 60.8)

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

- 6.g. Minutes of the Regular City Council Meeting held January 9, 2007. (F: Vault)

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

- 6.h. Warrants. (F: 60.5)

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

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6.i. Waiver of full reading of Ordinances listed.

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

7. PUBLIC HEARINGS:

7.a. Amendment No. A-129-07, amending Title 9 of the Garden Grove Municipal Code Section 9.08.030 (Land Use Matrix (F: 115.A-129 07)

ACTION: Continued to March 13, 2007.

7.b. Amendment No. A-131-07, amending Title 9 of the Garden Grove Municipal Code Section 9.16.060, to modify the residential development standards to establish the maximum number of bathrooms in any residence based upon the number of bedrooms; and proposing an amendment to Section 9.24.030 to allow minor deviations from the maximum number of bathrooms in any residence. (F: 115.A-131-07)

7.b.1. ORDINANCE NO. 2700, 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-131-07, AN AMENDMENT TO TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE

ACTION: Hearing Held. Title of Ordinance read in full and passed to second reading.
(4 Ayes. Broadwater absent.)

8. COMMISSION/COMMITTEE MATTERS: None.

9. ITEMS FOR CONSIDERATION:

9.a. ORDINANCE NO. 2701, for introduction and first reading, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AMENDING SECTIONS OF AND ADDING SECTIONS TO CHAPTER 5.28 OF TITLE 5, AND ADDING CHAPTER 1.22 TO TITLE 1, OF THE

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GARDEN GROVE MUNICIPAL CODE PERTAINING TO REGULATIONS
GOVERNING THE USE OF FIREWORKS IN THE CITY AND ESTABLISHING
ADMINISTRATIVE FINES AND PROCEDURES RELATED THERETO FOR
VIOLATION OF CHAPTER 5.28 (F: 61.6)

ACTION: Title of Ordinance read in full and passed to
second reading.
(4 Ayes. Broadwater absent.)

- 9.b. Agreement with Southern Counties Oil Company/SC Fuels for purchase
of fuel. (Cost: \$800,000 a year for three years) (F: 55) (XR: 24.1)

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

10. ORDINANCES PRESENTED FOR SECOND READING: None.

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

- 11.a. Discussion concerning the feasibility of developing a skateboard park in
Garden Grove, as requested by Council Member Dina Nguyen. (F: 73.1)

ACTION: Discussed. Staff directed to meet with the
proponents of a skateboard park and return to City Council
with information.
(4 Ayes. Broadwater absent.)

- 11.b. Discussion concerning adoption of a dog barking ordinance, as
requested by Mayor Pro Tem Rosen. (F: 55)

ACTION: Discussed. Staff directed to bring back an
Ordinance for consideration at the March 27, 2007,
meeting.
(4 Ayes. Broadwater absent.)

- 11.c. Appointments to City Commissions. (F: 122.1)

ACTION: Continued to meeting of March 13, 2007.

- 11.d. Council Member Rosen congratulated Council Member Janet Nguyen on
her victory in the County Supervisor election. He suggested that a

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more structured process be developed to fill the City Council vacancy, to include a letter of interest and/or applications in sealed envelopes with a deadline and candidate interviews. In response to Charles Mitchell's suggestion, he requested staff provide information to the City Council on the feasibility of painting the front portion of medians at those intersections where the lanes do not line up. (F: 53.1)

- 11.e. Council Member Janet Nguyen congratulated the Rotary Club for their event at the Gem Theater premiering "The Ultimate Gift"; she wished Council Member Broadwater well with his recovery; and thanked the Garden Grove community for their support throughout her political career. (F: 53.1) (XR: 87.3)
- 11.d. Council Member Dina Nguyen congratulated Council Member Janet Nguyen on her victory in the County Supervisor election. (F: 53.1)
- 11.e. Mayor Dalton congratulated Council Member Janet Nguyen on her victory in the County Supervisor election. He requested that Dog Parks be listed on the March 13, 2007, agenda for discussion. In addition, he requested information on graffiti in Garden Grove noting that he has seen an increase in its occurrence. He congratulated the Cable staff for the awards recently received from Western Access Video Awards for their work on behalf of the City of Garden Grove. (F: 53.1) (XR: 73.1) (XR: 24.5)

12. ADJOURNMENT: 9:36 p.m.

The next Regular Meeting of the City Council will be held on Tuesday, March 13, 2007, at 5:30 p.m. in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue.