

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center  
11300 Stanford Avenue

March 11, 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: Matthew Fertal, Assistant City Manager.

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

1. PRESENTATIONS:

- 1.a. Community Spotlight: Recognition of Rotary Club of Garden Grove; Garden Grove Disposal; and Garden Grove Strawberry Festival Association, major sponsors of the Garden Grove Community Sports and Recreation Complex. (F: 52.3) (XR: 73.12a)

ACTION: Recognized.

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

- 2.a. Carolyn Baxter addressed the Council expressing opposition to Agenda Item 6.f. (F: 53.3) (XR: 130.14) (XR: 94.1)

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- 2.b. Katherine Dennis addressed the Council requesting clarification of Agenda Item 6.f., expressing concern that the Communist flag will also be flown. (F: 53.3) (XR: 130.14) (XR: 94.1)
- 2.c. Fred Frueh addressed the Council concerning Agenda Item 6.f., indicating this matter should be addressed at the Federal level rather than the local level. (F: 53.3) (XR: 130.14) (XR: 94.1)
- 2.d. Toan Thai, Tammy Tran (representing Assemblymember Lou Correa), Ronnie Guyer (former Vietnam veteran), Charles Mitchell, Mindy Nguyen (representing the Vietnamese Community of Southern California), Hoa Van Pham, Leslie K. Le, Xuan Vu (representing the Vietnamese American Public Affairs Committee), Hien Tran, Dietrich Nicholson, Tony Flores, Nguyen Phuong Hung, and Marily Nguyen addressed the Council, urging support for the adoption of the proposed Resolution in Agenda Item 6.f. (F: 53.3) (XR: 130.14) (XR: 94.1)

RECESS: 8:11 p.m.

RECONVENE: 8:36 p.m.

INTRODUCTIONS: Mayor Broadwater recognized members of Cub Scout Pack 507 in the audience.

- 2.e. Jeff Lee addressed the Council concerning the upcoming letter carriers food drive, requesting the adoption of a proclamation declaring Saturday, May 10, as Food Drive Day, and requesting approval for banners to be hung throughout the city. (F: 53.3) (XR: 83.1) (XR: 94.1)

ACTION: Mayor suggested Mr. Lee meet with staff concerning banner regulations and a proclamation.

- 2.f. Kathy Evans addressed the Council alleging mixed messages are being sent about City Codes, in particular fence and wall heights, alleging the City budget is being balanced by fining citizens unjustly for code violations. (F: 53.3) (XR: 80.2)
- 2.g. Mark Langenfeld addressed the Council on behalf of the Chapman Villas Homeowners Association, presenting a petition with 32 signatures requesting removal of the bike lane on the north side of Chapman Avenue between Dale and Magnolia, indicating there is a shortage of parking and cars are being towed. (F: 53.3) (XR: 122.11)

ACTION: Referred to Traffic Commission.

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- 2.h. Loretta Evans addressed the Council, indicating that she was cited for the height of her front yard security fence, which she believes is unjust. (F: 53.3) (XR: 80.2)

ACTION: Mayor directed that Code Enforcement send Mrs. Evans a letter advising her of the appeal process, and that he be provided with a copy of that letter.

- 2.i. Verla Lambert addressed the Council, alleging that the Neighborhood Improvement and Conservation Commission has not met since last year, noting that she wants to address the commission concerning the City's enforcement codes. (F: 53.3) (XR: 122.3) (XR: 80.2)

3. WRITTEN COMMUNICATIONS:

- 3.a. Request from Garden Grove Relay For Life Executive Committee for waiver or decrease of fees for use of the Community Meeting Center for Kick-Off Event on April 25, 2003; and for use of the Showmobile on July 26-27, 2003, at Garden Grove High School. (F: 88.1) (XR: 48.4) (XR: 74.27)

ACTION: Tom Volt, Garden Grove Disposal, announced that he will pay the CMC fees.

ACTION: Use of Showmobile approved.

(5 Ayes.)

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

- 4.a. Approval of Proclamation designating April 2003, as Autism Awareness Month. (F: 83.1)

ACTION: Approved.

(5 Ayes.)

- 4.b. Approval of Proclamation designating April 26, 2003, as Soroptimists Making a Difference Day. (F: 83.1)

ACTION: Approved.

(5 Ayes.)

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- 4.c. Denial of Claims submitted by Nigel Reynolds, and by attorneys on behalf of Phong and Van Duong. (F: 49.2)

ACTION: Denied.

(5 Ayes.)

- 4.d. Approval of Grant Contract for funding under the 2000 Park Bond Act Per Capita Grant Program for the Community Sports and Recreation Complex project at West Haven Park; and authorize the City Manager to execute the contract. (F: 73.12a) (XR: 97.4.01)

ACTION: Approved and authorized.

(4 Ayes. Leyes voted no.)

- 4.e. Approval of Agreement with Ron Yeo, Architect, for the preparation of amended construction drawings for the Gem Theater elevator; and authorize the Mayor and City Clerk to execute the agreement. (F: 55) (XR: 87.3a)

ACTION: Continued to March 25, 2003, to obtain a legal opinion on the ADA requirements and their application to this project.

(5 Ayes.)

- 4.f. Approval of Agreement with the City of Westminster for rehabilitation of a shared portion of Ward Street from Hazard Avenue to Mast Avenue; and authorize the Mayor and City Clerk to execute the agreement. (F: 55) (XR: 96.1)

ACTION: Approved and authorized.

(5 Ayes.)

- 4.g. Approval of Agreement with Rosenow Spevacek Group, Inc., to provide affordable housing monitoring services; and authorize the City Manager and City Clerk to execute the agreement. (F: 55) (XR: 117.10I)

ACTION: Approved and authorized.

(5 Ayes.)

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- 4.h. Approval for One Stop Youth Cafe to submit applications for special youth grants to various companies, foundations and/or non-profit groups to enhance its programs. (F: 78.4a)

ACTION: Approved.

(5 Ayes.)

- 4.i. Approval of Minutes of Regular City Council Meeting held January 14, 2003. (F: Vault)

ACTION: Approved as amended.

(5 Ayes.)

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

ACTION: Approved.

(5 Ayes.)

RECESS: 9:06 p.m.

RECONVENE: 9:09 p.m.

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

- 5.a. Award of Contract to CCS Enterprises for retrofit of Village Green Amphitheater; and authorize the Mayor and City Clerk to execute the contract. (Estimated cost: \$282,524.00) (F: 55) (XR: 87.5)

ACTION: Awarded and authorized.

(5 Ayes.)

- 5.b. Consideration of amending the City's contract with the Public Employees Retirement System (PERS) to eliminate the employee cost-sharing agreement of 1% amendment that non-safety employees agreed to in 1995. (F: 78.12)

- 5.b.1. Resolution of Intent to approve amendment to contract.

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ACTION: Resolution No. 8487-03 adopted.

(5 Ayes.)

- 5.b.2. ORDINANCE NO. 2598, for introduction and first reading, by title only, entitled.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM

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

(5 Ayes.)

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

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

ACTION: Report presented.

- 6.b. Consideration of appointment of elected official to serve as Legislative Liaison to Orange County Division of California Cities, as requested by Mayor Broadwater. (F: 74.11) (VIP)

ACTION: Appointed Councilman Dalton as Legislative Liaison.

(5 Ayes.)

ACTION: Staff directed to place Renewal of City membership in the Orange County Division of the League of California Cities on the March 25 agenda for discussion.

- 6.c. Consideration of recommendation from Council Ad-Hoc Committee regarding City co-sponsorship of the Cub Scout Push Cart Derby on April 27, 2003. (F: 88.1)

ACTION: Approved City co-sponsorship and payment of street closure costs for Push Cart Derby.

(5 Ayes.)

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- 6.d. Consideration of joining a proposed Joint Powers Authority with Gateway Cities for the development of a magnetic levitation transportation system along the PE Right of Way to connect Orange and Los Angeles Counties. (F: 36.3)

ACTION: Consensus to continue to March 25, 2003.

- 6.e. Discussion regarding Megan's Law and the City's participation in the countywide program to provide information on sex offenders through the County web site, as requested by Councilman Leyes. (F: 82.1)

ACTION: Staff to research further, including developing our own City internet program, with answers to cost and liability issues, and bring back in four weeks.

(5 Ayes.)

- 6.f. Consideration of adoption of a Resolution recognizing the official flag of the Vietnamese American Community, as requested by Councilman Rosen. (F: 94.1) (XR: 130.14)

ACTION: Full reading waived. Resolution No. 8486-03 adopted, as amended.

(5 Ayes.)

- 6.g. Request by Councilman Leyes that discussion of the proposed reduction in the basin production percentage and increase in the replenishment assessment proposed by the Orange County Water District be placed on the March 25 agenda. (F: 53.1) (XR: 112.6)

- 6.h. Request by Councilman Leyes that Police Color Guard develop guidelines on flag protocol for public sector. (F: 53.1) (XR: 94.1) (XR: 82.1)

- 6.i. Request by Councilman Leyes that a Resolution supporting the President and our military in Iraq be placed on the March 25 agenda for consideration. (F: 53.1)

- 6.j. Request by Councilman Leyes that staff take a look at the City code as it relates to fences and security fences and possible appropriate exceptions thereto. (F: 53.1)

- 6.k. Councilman Rosen wished his daughter Jessica a Happy 12<sup>th</sup> Birthday. (F: 53.1)

- 6.l. Councilman Dalton wished his daughter Paula a Happy Birthday. (F: 53.1)

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6.m. Mayor Broadwater commented that the message that was given by the citizens when the Community Project Area amendment was considered was to use code enforcement, rather than redevelopment, to clean up neighborhoods. (F: 53.1) (XR: A-48.25) (XR: 80.2)

7. CLOSED SESSION:

7.a. Pursuant to Government Code section 54956.9(c), the City Council will confer with its Legal Counsel regarding one matter.

ACTION: Not discussed.

8. ADJOURNMENT: 10:26 p.m.

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