

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center
11300 Stanford Avenue

March 22, 2005

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)

Closed Session

6:17 p.m.

1. CLOSED SESSION:

- 1.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 and the Employee League.

ACTION: Not Discussed.

- 1.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.

ACTION: Discussed after Open Session.

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

Open Session

7:18 p.m.

INVOCATION: Les Jones, Deputy City Manager.

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

2. PRESENTATIONS:

2.a. Community Spotlight: Recognition of the Garden Grove Police Department for being awarded Reaccredited Status in 2004. (F: 52.3) (XR: 82.1)

ACTION: Recognized.

2.b. Community Spotlight: Recognition of Crystal Cathedral Ministries 50th Anniversary. (F: 52.3)

ACTION: Recognized.

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

3.a. Charles Mitchell congratulated the Police Department. He spoke about animals being driven from their homes because of the freeway construction. People have to be aware and protect their pets at home. (F: 53.3)

3.b. Helen Elich commented that rules and regulations should be printed in several languages so that people in the community are aware of the ordinances for property maintenance. She provided pictures of a home that continues to have debris in the front yard. (F: 53.3)

3.c. James Diaz commented that he is the President of the Sycamore Walk Homeowners Association and noted his concerns with allowing beer and wine at the new Los Sanchez Restaurant and if these issues will be addressed, and whether an alternate site had been discussed. He also hoped that the remaining property will be developed for residential use. (F: 53.3) (XR: A-55.301)

4. WRITTEN COMMUNICATIONS: None.

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COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN,
MAYOR DALTON

RECESS: 7:38 p.m.

CONDUCT AGENCY BUSINESS

CONDUCT SANITARY DISTRICT BUSINESS

RECONVENE: 7:41 p.m.

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

5.a. Resolution commending Crystal Cathedral Ministries on their 50th Anniversary. (F: 52.2)

ACTION: Approved.
(5 Ayes.)

5.b. Proclamation declaring April 10, 2005, as the day to support the National Multiple Sclerosis Society in their efforts to end the devastating effects of Multiple Sclerosis. (F: 83.1)

ACTION: Approved.
(5 Ayes.)

5.c. Proclamation declaring April 18-23, 2005, as Recording for the Blind & Dyslexic's Record-A-Thon Week. (F: 83.1)

ACTION: Approved.
(5 Ayes.)

5.d. Denial of claims submitted on behalf of Darnell Jones, Lamar Bell, Jason Bodlek, Adelina O'Campo; and by Randy Rutishauser. (F: 49.2)

ACTION: Claims denied.
(5 Ayes.)

5.e. Amendment No. 10 to Cooperative Agreement No. C-95-974 with the Orange County Transportation Authority. (F: 55) (XR: 23.18)

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COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN,
MAYOR DALTON

ACTION: Approved.
(5 Ayes.)

- 5.f. Amendment to the Joint Agreement for the Implementation and Operation of the Orange County 800 MHz Countywide Coordinated Communications System. (F: 55) (XR: 61.1)

ACTION: Approved.
(5 Ayes.)

- 5.g. Agreement with the Van Hanh Assembly to conduct a Buddha's Birthday Celebration at Garden Grove Park on May 15, 2005. (F: 55) (XR: 73.5) (XR: 42.1a)

ACTION: Approved.
(5 Ayes.)

- 5.h. Award of Contract to Merchants Building Maintenance for custodial maintenance at the City Jail, Police Substations, and the Housing, Cable, and WIA offices. (Estimated cost: \$126,767.00 over three-year period) (F: 55) (XR: 24.1)

ACTION: Awarded.
(5 Ayes.)

- 5.i. Purchase of eight Police patrol cars from Wondries Fleet Group through participation in the Los Angeles County bid. (Estimated cost: \$197,390.40) (F: 24.1) (XR: 82.4)

ACTION: Approved.
(5 Ayes.)

- 5.j. City's 2005 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.
(5 Ayes.)

- 5.k. Minutes of the Adjourned Regular City Council Meeting held February 5, 2005. (F: Vault)

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COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN,
MAYOR DALTON

- ACTION: Approved.
(5 Ayes.)
5.l. Warrants. (F: 60.5)

ACTION: Approved.
(5 Ayes.)

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

ACTION: Approved.
(5 Ayes.)

6. PUBLIC HEARINGS:

- 6.a. GENERAL PLAN AMENDMENT NO. GPA-1-05 (A), AMENDMENT NO. A-118-05, DEVELOPMENT AGREEMENT; AND APPEAL OF SITE PLAN NO. SP-361-05 AND CONDITIONAL USE PERMIT NO. CUP-152-05, initiated by the Vietnamese Buddhism Study Temple in America, requesting to amend the General Plan Land Use designation to Low Density Residential, to rezone the property from Office Professional to R-1-7 (Single Family Residential); along with Site Plan approval to construct a two-story 15,500 square foot Buddhist Temple, and a Conditional Use Permit to operate the religious facility. Also requested is approval of a Development Agreement. The site is located on the southeast corner of Chapman Avenue and Nutwood Street at 10510 Chapman Avenue. (F: 20.GPA-1-05(A)) (XR: 116.PUD-106-05) (XR: 106.160)

On February 3, 2005, the project was deemed denied by the City Planning Commission, with two Commissioners voting in favor of the project and two voting against it. On February 7, 2005, an appeal was filed by a Council Member, and public hearing on the case was ordered by the City Council to be held this date.

ACTION: Hearing held. Appeal denied. Staff will prepare resolution of denial for approval at the next meeting.
(3 Ayes, Nguyen and Rosen voted no.)

- 6.b. GENERAL PLAN AMENDMENT NO. GPA-1-05 (B), PLANNED UNIT DEVELOPMENT NO. PUD-106-05, AND A DEVELOPMENT AGREEMENT, initiated by Scott Gerrity (ACP Management), requesting to amend the

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General Plan Land Use from MX (Mixed Use) to CR (Community Residential) and to rezone the property to Planned Unit Development, along with a Development Agreement to construct 93 senior apartment units. The subject site is located on the north side of Garden Grove Boulevard, west of Sungrove Street, at 12753 to 12781 Garden Grove Boulevard. (F: 20.GPA-1-05(B)) (XR: 116.PUD-106-05) (XR: 106.159)

On February 3, 2005, the City Planning Commission, pursuant to Resolutions No. 5479 and 5480, recommended approval of the requests; and public hearing on the case was ordered by the City Council to be held this date.

ACTION: Hearing held.

6.b.1. Resolution approving General Plan Amendment.

ACTION: Adopted Resolution No. 8633-05.
(5 Ayes.)

6.b.2. ORDINANCE NO. 2656, 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-106-05, CHANGING THE ZONING DESIGNATION FROM HCSP-OP (HARBOR CORRIDOR SPECIFIC PLAN OFFICE PROFESSIONAL) TO PLANNED UNIT DEVELOPMENT NO. PUD-106-05, FOR PROPERTY LOCATED ON THE NORTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF SUNGROVE STREET, AT 12753 TO 12781 GARDEN GROVE BOULEVARD, PARCEL NOS. 231-574-19, 20, 21, AND 22

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

6.b.3. ORDINANCE NO. 2657, 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

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COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN,
MAYOR DALTON

BETWEEN BGN INVESTMENTS, LP. (DEVELOPER), AND THE CITY OF GARDEN GROVE FOR PROPERTY LOCATED ON THE NORTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF SUNGROVE STREET, AT 12753 TO 12781 GARDEN GROVE BOULEVARD, PARCEL NOS. 231-574-19, 20, 21, AND 22

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

- 6.c. AMENDMENT NO. A-119-05 – Primetime Companies, Inc., is requesting to change the zoning designation from Planned Unit Development (PUD-113-96) to C-1 (Neighborhood Commercial) to construct a 4,400 square foot restaurant (Los Sanchez). The site is located on the southeast corner of Garden Grove Boulevard and Rocking Horse Road at 11906 Garden Grove Boulevard. (F: 115.A-119-05)

On February 3, 2005, the City Planning Commission, pursuant to Resolutions No. 5482 and No. 5483, recommended approval of A-119-05, and public hearing on the case was ordered by the City Council to be held this date.

ACTION: Hearing held.

- 6.c.1. ORDINANCE NO. 2658, 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-119-05, CHANGING THE ZONING DESIGNATION FROM PLANNED UNIT DEVELOPMENT RESIDENTIAL (PUD-113-96) TO C-1 (NEIGHBORHOOD COMMERCIAL), FOR PROPERTY ON THE SOUTHEAST CORNER OF GARDEN GROVE BOULEVARD AND ROCKINGHORSE ROAD, AT 11906 GARDEN GROVE BOULEVARD, PARCEL NUMBERS 100-504-1, 2, 3, 26, 27, 28, 30, 49, 50, 51, 66, 75, AND 76

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

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7. COMMISSION/COMMITTEE MATTERS:

7.a. Recommendations from Traffic Commission meeting of March 1, 2005.

7.a.1. Add the intersection of Westminster Avenue and Dawson Street/Hope Street to the Traffic Signal Priority List.
(F: 122.11)

ACTION: Approved.
(5 Ayes.)

7.a.2. Establish adult crossing guards at the intersection of Ward Street and Mast Avenue and on Woodbury Avenue west of Brookhurst Street. (F: 122.11) (XR: 78.8)

ACTION: Staff directed to provide more information. Subcommittee will meet with the School District to discuss the issue of crossing guards.
(5 Ayes.)

8. ITEMS FOR CONSIDERATION: None.

9. ORDINANCES PRESENTED FOR SECOND READING:

9.a. ORDINANCE NO. 2655 for second reading and adoption, by title only, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ESTABLISHING A PARKS, RECREATION, AND ARTS COMMISSION (F: 122.70) (XR: 50.2)

ACTION: Ordinance passed.
(5 Ayes.)

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

10.a. Appointments to City Commissions and Committees. (F: 122.6a)

ACTION: Nila Keith appointed to the Parking and Main Street Commission, as Council Member Leyes' appointee.
(5 Ayes.)

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- 10.b. Adoption of a Resolution urging the State of California to move forward to establish a new Courthouse for the Court of Appeal in the Santa Ana Civic Center, as requested by Council Member Rosen. (F: 88.1)
(XR: 38.1)

ACTION: Adopted Resolution No. 8634-05. Staff directed to mail a copy of the Resolution to City of Santa Ana, Assemblyman Tom Umberg, Assemblyman Van Tran, and Senator Joseph Dunn.
(5 Ayes.)

- 10.c. Council Member Leyes commented that if the Council pursues the requirement that commissioner/committee members be registered voters in the city, they should also pursue a minimum residency requirement to be appointed. (F: 53.1) (XR: 122.1)
- 10.d. Council Member Rosen also agreed and requested that staff provide information and options on how long that residency requirement should be. He also commented that the Euclid on-ramp to the 22 Freeway will reopen on April 2. (F: 53.1) (XR: 122.1)
- 10.e. Council Member Nguyen commented that she was honored to be part of a group that met with Governor Schwarzenegger to discuss his proposed reforms. (F: 53.1)
- 10.f. Mayor Dalton commented regarding the recent Eagle Scout ceremony he attended for Scott Ross. Scott was diagnosed with leukemia and a brain tumor and worked hard to achieve his Eagle Scout award. He asked everyone to keep Scott in their prayers. (F: 53.1)
- 10.g. Mayor Dalton requested that staff prepare a resolution for adoption at the next meeting commemorating the 30th Anniversary of the Vietnamese refugees in Garden Grove. He also directed staff to look at the Municipal Code regarding graffiti and provide a report on how the fines can be increased. (F: 53.1) (XR: 88.1) (XR: 24.5)
- 10.h. Mayor Dalton wished his son Brian a Happy Birthday on March 26.
(F: 53.1)

ADJOURN TO CLOSED SESSION: 10:28 p.m.

11. ADJOURNMENT: 11:45 p.m.