

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center
11300 Stanford Avenue

April 26, 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

6:15 p.m.

1. PUBLIC INPUT: (Anyone wishing to address only Closed Session items may do so at this time.)
None.
2. CLOSED SESSION:
 - 2.a. Pursuant to Government Code section 54957, the City Council will conduct a performance review of the City Manager.

ACTION: Discussed.

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

Open Session

7:22 p.m.

INVOCATION: Les Jones, Deputy City Manager.

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

3. PRESENTATIONS:

- 3.a. Community Spotlight: Recognition of Master Officer Dale Walker for his 24 years of service to the City of Garden Grove. (F: 52.3) (XR: 82.1)

ACTION: Recognized.
(5 Ayes.)

- 3.b. Community Spotlight: Recognition of the City of Garden Grove Community Services Department for receiving the CPRS Awards for Excellence in the Recreation/Community Services Category and the Creating Community Award of Distinction. (F: 52.3) (XR: 87.1)

ACTION: Recognized.
(5 Ayes.)

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

- 4.a. J. Tilman Williams thanked the Council for assisting in getting his property appraised. (F: 53.3)
- 4.b. Justin Thompson, representing Boy Scout Troop 1103, thanked the City Council for attending the Push Cart Derby held on April 24. (F: 53.3)
- 4.c. Greg Beard also thanked the City Council for attending the Derby and commended the Lemming family for all the time they spend on the event. He also commented that the property on the corner of Lampson and Manley needs to be cleaned up. (F: 53.3)
- 4.d. George Brietigam commented that the City Council's presence at the Derby meant a lot to the boys. He also commented regarding the newspaper article on casinos. Mayor Dalton commented that the article was incorrect. (F: 53.3)

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- 4.e. Scott Evans, Tom Reusing, Charles Johanson, Sondi Foley, Kevin Cochran, spoke in favor of accepting the Grove Theater Center's proposal to fulfill their contractual obligations through June 30, 2006. (F: 53.3) (XR: 87.3)
- 4.f. Seldon Singer provide an update of the current activities of Vector Control, and spoke regarding proposed Assembly Bill 991, urging the City Council to support the current number of city representatives. (F: 53.3) (XR: 23.20)
- 4.g. Verla Lambert commented in favor of Council districts to provide more representation for the citizens. (F: 53.3)
- 4.h. Ray Littrell urged the City Council to take care of the situation at the Gem Theater. (F: 53.3) (XR: 87.3)
- 4.i. Bob Owens commented that the government cares more about every other country than it does its own citizens. (F: 53.3)
- 4.j. Peggy Bergin congratulated Council Member Nguyen on the recent newspaper article, commended staff on a successful Earth Day celebration, commented regarding the newspaper article on city manager salaries, and commented on the newspaper article on Indian casinos. (F: 53.3)
- 4.k. Dr. Eugene Zaluzec spoke in favor of having City Council voting districts, and commented that the United Garden Grove Residents Association was formed to prepare the petition for creating the districts. (F: 53.3)
- 4.l. Bob Walker commented regarding Council Member Rosen's appearance on television, and inquired that if Garden Grove is the 5th largest by population, why is it so broke. He also questioned whether there will be soil mitigation before Los Sanchez is built on Garden Grove Boulevard. (F: 53.3)
- 4.m. John Ramirez commented that he lives in Garden Grove because he was able to find affordable housing. He noted that the last five or six projects that have been built here have included affordable housing. (F: 53.3)

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5. WRITTEN COMMUNICATIONS: None.

RECESS: 8:45 p.m.

CONDUCT AGENCY BUSINESS

CONDUCT SANITARY DISTRICT BUSINESS

RECONVENE: 9:45 p.m.

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

6.a. Proclamation declaring May 2005, as Clean Air Month. (F: 83.1)

ACTION: Approved.
(5 Ayes.)

6.b. Proclamation declaring May 1-8, 2005, as Days of Remembrance in memory of the victims of the Holocaust and in honor of the survivors. (F: 83.1)

ACTION: Approved.
(5 Ayes.)

6.c. Proclamation declaring May 2-8, 2005, as Public Service Recognition Week. (F: 83.1) (XR: 24.1)

ACTION: Approved.
(5 Ayes.)

6.d. Denial of amended claims submitted on behalf of Myrna, Edwin, and Don Gonzalez. (F: 49.2)

ACTION: Claims denied.
(5 Ayes.)

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- 6.e. Issuance of Quitclaim Deed to relinquish a certain easement for waterline purposes, which encumbers real property at 11962 Daniel Avenue, owned by Cuong Chi Nguyen. (F: 84.1) (XR: 112.1)

ACTION: Approved.
(5 Ayes.)

- 6.f. Consultant Agreements with Associated Soils Engineering, Inc., and Geo Environ to perform materials testing services. (F: 55) (XR: 24.1)

ACTION: Approved.
(5 Ayes.)

- 6.g. Amendments to Agreements with the Arab American Council, Garden Grove Strawberry Festival Association, Korean Chamber of Commerce, and the Union of Vietnamese Student Associations, providing new language for the section regarding insurance requirements in each agreement. (F: 55) (XR: 42.9) (XR: 42.3) (XR: 42.7a) (XR: 42.8a)

ACTION: Approved.
(5 Ayes.)

- 6.h. Amendment to the Agreement with the Union of Vietnamese Student Associations (UVSA) to conduct an annual Tet Festival at Garden Grove Park. (F: 55) (XR: 42.8a)

ACTION: Approved.
(5 Ayes.)

- 6.i. Agreements with Bruce Hall Land Surveyor, Inc.; Coast Surveying, Inc.; Norris-Repke, Inc.; and R.T. Quinn & Associates, Inc., to provide land surveying and related services, on an as-needed basis. (F: 55) (XR: 24.1)

ACTION: Approved.
(5 Ayes.)

- 6.j. Minutes of the Regular City Council Meeting held February 22, 2005. (F: Vault)

ACTION: Approved.

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COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN,
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(5 Ayes.)

6.k. Warrants. (F: 60.5)

ACTION: Approved.
(5 Ayes.)

7. PUBLIC HEARINGS:

7.a. Protests on the Spring 2005 Weed Abatement Notices.
(F: 113.1.Spring 2005)

ACTION: Hearing held. Staff directed to proceed.
(5 Ayes.)

7.b. Public Hearings to Amend Title 9 and Title 8 of the Garden Grove
Municipal Code.

ACTION: Hearings held.

7.b.1. AMENDMENT NO. A-120-05. The City of Garden Grove is proposing to amend Title 9 of the Garden Grove Municipal Code, Section 9.16.040 General Requirements and Section 9.16.050 General Development Standards for single family residential properties, amending lot coverage requirements and setbacks for garage structures. (F: 115.A-120-05) (XR: 50.3)

On March 17, 2005, the City Planning Commission, pursuant to Resolution No. 5490, recommended approval of A-120-05; and public hearing on the case was ordered by the City Council to be held this date.

ORDINANCE NO. 2659, 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-120-05, AN AMENDMENT TO TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE MODIFYING THE LOT COVERAGE AND GARAGE SETBACKS FOR THE R-1 (SINGLE FAMILY RESIDENTIAL) ZONE

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

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

- 7.b.2. AMENDMENT NO. A-121-05. The City of Garden Grove is proposing to amend, in its entirety, Chapter 8.47 of Title 8 of the Garden Grove Municipal Code, entitled "Noise Control." (F: 115.A-121-05) (XR: 50.2)

On March 17, 2005, the City Planning Commission, pursuant to Resolution No. 5491, recommended approval of A-121-05; and public hearing on the case was ordered by the City Council to be held this date.

ORDINANCE NO. 2660, 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-121-05, AMENDING CHAPTER 8.47, ENTITLED "NOISE CONTROL," OF TITLE 8 OF THE GARDEN GROVE MUNICIPAL CODE

ACTION: Full reading waived. Ordinance amended to remove the word retail from the definition of commercial use. Ordinance passed to second reading.
(5 Ayes.)

8. COMMISSION/COMMITTEE MATTERS: None.

9. ITEMS FOR CONSIDERATION:

- 9.a. Review of the Gem Theater and the Amphitheater facilities agreements. (Continued from meeting of April 12, 2005) (F: 55) (XR: 87.3)

ACTION: Proposal as outlined in the letter dated April 25 from Grove Theater Center accepted. Staff directed to prepare an amendment to the agreement.
(4 Ayes, Krebs voted no.)

- 9.b. Appointments to the Parks and Recreation Commission. (F: 122.70a)

COUNCIL MEMBERS: COUNCIL MEMBER KREBS, COUNCIL MEMBER LEYES,
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ACTION: Barbara Barker appointed as Council Member
Krebs' appointee.
(5 Ayes.)

10. ORDINANCES PRESENTED FOR SECOND READING: None.

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

- 11.a. Council Member Leyes commended Enrique Brito and Yasuko Joyner for organizing the Earth Day celebration at Twin Lakes Park. He requested another copy of the report regarding Council districts. He also commented that whether having a casino is a good thing or a bad thing is not the issue. The City Manager's Community Financial Working Group is reviewing any potential revenue for the city. (F: 53.1) (XR: 122.76)
- 11.b. Council Member Rosen commented that if the Community Financial Working Group recommends that a casino should be discussed, it will be listed on a City Council agenda. (F: 53.1) (XR: 122.76)
- 11.c. Council Member Nguyen thanked Council Members for attending the dedication of the cherry trees. She commented regarding her visits with Mayor Dalton to businesses in Garden Grove and how impressed she was with these businesses. (F: 53.1)
- 11.d. Council Member Krebs commented that he is a member of the Chamber of Commerce and commended Mayor Dalton and Council Member Nguyen for reaching out to the business community. He commented regarding the casino article in the newspaper and how he was misquoted. (F: 53.1)
- 11.e. Mayor Dalton commented that the Community Financial Working Group was appointed to look at any potential source of revenue for the city. Their recommendations will be discussed at a City Council meeting in open session. He commended the organizers of the Donate Life activity, and invited everyone to attend the Magnolia Park Family Resource Center's 5th Anniversary on Saturday, April 30. He requested that four students from Ralston School be invited for the Community Spotlight. He also commented regarding his visits to Garden Grove businesses and how impressed he was with the businesses. (F: 53.1)

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12. ADJOURNMENT: 10:45 p.m.