

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center
11300 Stanford Avenue

May 8, 2007

Council Chamber

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

Member 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

5:35 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. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

COUNCIL MEMBERS: COUNCIL MEMBER BROADWATER, COUNCIL MEMBER JONES,
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(Subdivision (a) of Section 54956.9)

Vietnamese Buddhism Study Temple in America, et al. v. City of Garden Grove, et al.

United States District Court Case No. SACV06-728 CJC.

ACTION: Discussed. No reportable action taken.

Open Session

6:49 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 Garden Grove Police Officer Richard Desbiens; Matt Verga; Al Malm; and John Knaack for their life-saving efforts in a recent accident on the 22 Freeway. (F: 52.3) (XR: 61.1) (XR: 82.1)

ACTION: Recognized.

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

- 4.a. David Vill, along with Russ McDonald, Edith Brenner, Sharon Tanihara, and Rosemary McQuinney, members of the local chapter of AARP, addressed the City Council, urging the banning of the sale and use of fireworks in the city. (F: 53.3) (XR: 61.6)
- 4.b. Verla Lambert addressed the City Council concerning the California Environmental Quality Act (CEQA), noting that the removal of trees from the medians has a direct environmental impact on the city. (F: 53.3) (XR: 24.4)
- 4.c. Vicki Shanklin addressed the City Council, urging the trees in the medians and right-of-ways be saved. She also corrected remarks she

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made at a previous City Council meeting about traffic accidents outside the Senior Center, noting that she had been misinformed. (F: 53.3) (XR: 24.4)

ACTION: Staff responded about the removal of the trees, citing health and safety issues.

5. WRITTEN COMMUNICATIONS: None.

RECESS: 7:12 p.m.

RECONVENE: 7:46 p.m.

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

6.a. Award of Contract to Mapon, Inc., dba Ace Roofing Systems, for roof replacement at Fire Station #4. (Cost: \$35,300) (F: 55) (XR: 24.1)

ACTION: Approved.
(5 Ayes.)

6.b. Agreement with Interwest Consulting Group for building inspection services. (Cost: Not to exceed \$75,000) (F: 55) (XR: 35.1)

ACTION: Approved.
(5 Ayes.)

6.c. Agreement with Gary Maiten Consulting to serve as jail and police vehicle fleet services consultant/coordinator. (Cost: Not to exceed \$42,240) (F: 55) (XR: 82.1)

ACTION: Continued to June 12, 2007.
(5 Ayes.)

ACTION: Motion to reconsider vote previously taken to continue.
(5 Ayes.)

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ACTION: Approved.
(5 Ayes.)

- 6.d. Agreement with Valley Power Systems, Inc., for the repair and maintenance of the City's natural gas engines. (Cost: \$100,000 annual) (F: 55) (XR: 24.1)

ACTION: Approved.
(5 Ayes.)

- 6.e. Agreement with the County of Orange Social Services Agency for funding from the Families and Communities Together grant for the continued operation of the Magnolia Park Family Resource Center. (F: 55) (XR: 73.8a)

ACTION: Approved.
(5 Ayes.)

- 6.f. Award of Service Agreement for employee uniform service to Unifirst Corporation. (Cost: \$38,899.12 annual cost, plus \$5,834.87 contingency fund) (F: 55) (XR: 24.1)

ACTION: Approved.
(5 Ayes.)

- 6.g. Award of Purchase to Kustom Imprints for sports apparel, on an as-needed basis, for Community Services Department youth and adult recreation programs. (Cost: Not to exceed annual cost of \$24,193, plus \$8,064 contingency fund) (F: 55) (XR: 87.1)

ACTION: Approved.
(5 Ayes.)

- 6.h. Adoption of resolution authorizing submittal of an application to the California Integrated Waste Management Board for FY 2007/2008 Used Oil Recycling Block Grant. (F: 89.2) (XR: 24.1)

ACTION: Resolution No. 8773-07 adopted.
(5 Ayes.)

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- 6.i. Authorization for travel and expense reimbursement for City Council travel to Montreal, Canada, July 25-29, 2007. (F: 46.1)

ACTION: Approved.
(5 Ayes.)

- 6.j. Minutes of Regular City Council Meeting held March 13, 2007, and Adjourned Regular Meeting held March 20. (F: Vault)

ACTION: Approved as amended, to include additional remarks made by Council Member Nguyen during discussion concerning Amendment No. A-129-07.
(4 Ayes. Jones abstained.)

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

ACTION: Approved.
(5 Ayes.)

- 6.l. Waiver of full reading of Ordinances listed.

ACTION: Approved.
(5 Ayes.)

7. PUBLIC HEARINGS:

- 7.a. Adoption of 2007-08 Action Plan for the use of HUD Funds. (F: 117.10)

ACTION: Hearing held. Approved.

- 7.b. Amendment No. A-133-07, amending Section 9.12.050B of Title 9 of the Garden Grove Municipal Code regarding the Main Street Retail Overlay (H-R) zone Permitted Uses, to allow housing above existing commercial establishments on properties located along the east and west sides of Main Street, between Garden Grove Boulevard and Acacia Parkway. (F: 115.A-133-07)

ACTION: Hearing held.

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ACTION: Motion and second to take off calendar until the Downtown Business Association lawsuit is resolved or until a Council Member requests it be brought back.

ACTION: Substitute motion and second to approve.

ACTION: Original motion withdrawn.

ACTION: Substitute motion died for lack of a second.

ACTION: Motion to continue deliberation until June 12, 2007 and place the Downtown Business Association lawsuit on the June 12 agenda for discussion in Closed Session. (4 Ayes. Dalton voted no.)

- 7.b.1. ORDINANCE NO. _____, 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-133-07, AN AMENDMENT TO TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE (F: 115.A-133-07)

8. COMMISSION/COMMITTEE MATTERS: None.

9. ITEMS FOR CONSIDERATION:

- 9.a. Adoption of Measure M Seven-Year Capital Improvement Program, and submittal of approved documentation to OCTA. (F: 23.18c)

ACTION: Approved.
(5 Ayes.)

- 9.b. Award of contract to GTA Construction, Inc., for 2nd floor tenant improvement of the Police Building. (Cost: Not to exceed \$520,000) (F: 55) (XR: 82.1)

ACTION: Approved.
(5 Ayes.)

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- 9.c. Initiation of proceedings for Main Street Assessment District No. 1 for FY 2007-08, approving the Engineer's Report and setting the public hearing for June 26, 2007. (F: 31.4) (XR: 122.6)

ACTION: Resolution No. 8774-07 adopted.
(5 Ayes.)

- 9.d. Adoption of Ordinances describing the program of the Agency for Community Development to acquire real property by eminent domain, pursuant to Senate Bill 53. (F: A-46.1)

- 9.d.1. ORDINANCE NO. 2709, for introduction and first reading, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, DESCRIBING THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT'S PROGRAM TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN WITHIN THE GARDEN GROVE COMMUNITY PROJECT AS REQUIRED BY SECTION 33342.7 OF THE CALIFORNIA HEALTH AND SAFETY CODE (F: A-48.25) (XR: A-46.1)

ACTION: Title read in full. Full reading waived.
Ordinance passed to second reading.
(5 Ayes.)

- 9.d.2. ORDINANCE NO. 2710, for introduction and first reading, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, DESCRIBING THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT'S PROGRAM TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN WITHIN THE BUENA-CLINTON REDEVELOPMENT PROJECT AREA AS REQUIRED BY SECTION 33342.7 OF THE CALIFORNIA HEALTH AND SAFETY CODE (F: A-48.14) (XR: A-46.1)

ACTION: Title read in full. Full reading waived.
Ordinance passed to second reading.
(5 Ayes.)

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10. ORDINANCES PRESENTED FOR SECOND READING:

- 10.a. ORDINANCE NO. 2708 for second reading and adoption, by title only, waiving full reading, entitled
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING CODE AMENDMENT NO. A-132-07, AN AMENDMENT TO TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE
(F: 115.A-132-07)

ACTION: Title read in full. Full reading waived.
Ordinance adopted.
(5 Ayes.)

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

- 11.a. Appointment of Commissioner to fill vacancy on the Neighborhood Improvement and Conservation Commission. (F: 122.4a)

ACTION: Gigi Horowitz appointed.
(5 Ayes.)

- 11.b. Appointments to various City Council Committees and Ad Hoc Committees. (F: 46.1) (VIP)

ACTION: Mayor Dalton and Council Member Rosen appointed as Representatives to the Garden Grove Boulevard Business Area Committee.
(5 Ayes.)

ACTION: Mayor Dalton appointed as Representative and Council Member Broadwater appointed as Alternate to the Fire Training Joint Powers Authority.
(5 Ayes.)

ACTION: Council Member Rosen reappointed as Representative to the Orange County Council of Governments.
(5 Ayes.)

ACTION: Council Member Broadwater appointed as Representative and Council Member Nguyen appointed as

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Alternate to the Orange County Public Library Advisory Board.
(5 Ayes.)

ACTION: Mayor Dalton reappointed as Representative to the Orange County Transportation Authority Measure "M" Growth Management Elected Officials Forum.
(5 Ayes.)

ACTION: Council Member Broadwater appointed as Representative to the Orange County Water District Master Plan Advisory Group.
(5 Ayes.)

ACTION: Mayor Dalton reappointed as Representative and Council Member Rosen reappointed as Alternate to the West Orange County Water Board.
(5 Ayes.)

- 11.c. Council Member Rosen wished Britney Ramirez a Happy Sweet Sixteen Birthday. (F: 53.1)
- 11.d. Council Member Nguyen requested graffiti issue be placed on the June 12 agenda for discussion. (F: 53.1) (XR: 24.5)
- 11.e. Mayor Dalton requested that Officer Bermudez present a report on graffiti situation at the meeting on June 12; that the City Attorney prepare a report concerning maximum penalties, cameras, and other penalties set for families and parents of minor offenders. (F: 53.1) (XR: 82.1) (XR: 24.5)
- 11.f. Council Member Nguyen wished all mothers a Happy Mothers Day and a Happy Birthday to Miss Ramirez. (F: 53.1)
- 12. ADJOURNMENT: 9:08 p.m. in memory of Jong Ho Pak, Planning Commissioner Joseph Pak's father. (F: 46.9)

There will not be a City Council meeting on May 22, 2007. There will be a Special City Council Meeting held on Tuesday, May 29, 2007, at 6:30 p.m. in the "A" Room of the Garden Grove Community Meeting Center, 11300 Stanford Avenue.