

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center  
11300 Stanford Avenue

May 11, 2004

6:50 p.m.

Council Chamber

ROLL CALL: COUNCILMAN LEYES, COUNCILMAN ROSEN, COUNCILMAN TRAN,  
MAYOR PRO TEM DALTON, 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. 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)*

INVOCATION: Les Jones, Deputy City Manager.

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

1. PRESENTATIONS:

- 1.a. Community Spotlight: Recognition of 2004 Cypress College Foundation Americana Awards winners, Thomas and Margaret England. (F: 52.3)

ACTION: Recognized.

- 1.b. Community Spotlight: Recognition of Teresa Gamba, retiring from the City of Garden Grove after 35 years of service. (F: 52.3) (XR: 78.6)

ACTION: Recognized.

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2. ORAL COMMUNICATIONS - PUBLIC: (To be held simultaneously with Agency and Sanitary District Oral Communications.)
  - 2.a. Charles Mitchell commented that we have a responsibility to provide a peaceful resolution to problems. Other countries like Vietnam do not recognize human rights, and people in our community resent their representatives visiting. He urged Council to approve the resolution listed as item 8.b. (F: 53.3) (XR: 53.1) (XR: 117.1)
  - 2.b. Robert Righetti commented regarding remarks that were made at a previous meeting when the agreement with Engineering Resources of Southern California was approved. His company provides the level of service that exceeds expectation, and the allegations in the letter from G. W. Builders are false. (F: 53.3) (XR: 53.1) (XR: 117.1)
  - 2.c. Ronnie Guyer commented that 56 cities have now followed the Council's lead and adopted the flag of Free Viet Nam. The Vietnamese people are an example of the love of freedom. He urged the Council to approve the Resolution listed as item 8.b. (F: 53.3) (XR: 53.1) (XR: 117.1)
  - 2.d. Bob Owens commented regarding the communists in WW II. There are 60,000 names on the Monument of the Americans that died in the Vietnam War. He was opposed to the Vietnamese Communist Delegation visiting Garden Grove, and urged approval of the Resolution listed as item 8.b. (F: 53.3) (XR: 53.1) (XR: 117.1)
  - 2.e. Tony Flores commented that he is also in favor of the Resolution listed as item 8.b. He commented regarding the budget and the reduction in the number of police officers. He requested that the Council consider adopting resolutions regarding eminent domain, and campaign reform, and address the beautification of Lampson between Manley and Knott. (F: 53.3) (XR: 53.1) (XR: 117.1)
  - 2.f. Tri Ta commented that he represents the Vietnamese Community of Southern California and urged the Council to pass the Resolution listed as item 8.b., noting that the communists of Vietnam have continually violated human rights. He became a citizen and pays taxes. Vietnamese-American citizens do not want their money to go for the Vietnamese Communist Delegation visiting this country. (F: 53.3) (XR: 53.1) (XR: 117.1)

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- 2.g. Chan Nguyen thanked the 60,000 Americans who gave up their lives in Vietnam. Many Vietnamese are trying to get a little bit of freedom for their country, and millions of Vietnamese people are dying for freedom. He urged the Council not to let the communist come to this country. (F: 53.3) (XR: 53.1) (XR: 117.1)
- 2.h. Leslie Le commented that he came to this country because he wants freedom. He is a citizen of this country, and escaped from the communists in Vietnam. It is a slap to the face of the Vietnamese Americans to let the communist come here. (F: 53.3) (XR: 53.1) (XR: 117.1)
- 2.i. Andy Quach, Councilman from Westminster, urged the Council to approve the Resolution listed as item 8.b. For the Vietnamese Communist Delegation to parade their motorcade through Garden Grove and Westminster is a slap in the face of the Vietnamese citizens. Freedom to visit this country cannot be denied, but we can exercise our freedom of speech and tell them they are not welcome. (F: 53.3) (XR: 53.1) (XR: 117.1)

3. WRITTEN COMMUNICATIONS:

- 3.a. Request from the Garden Grove Pop Warner Football 2004 Executive Board for assistance with upgrades to the field and restrooms at Garden Grove Park. (F: 88.1) (XR: 73.5)

ACTION: Approved repairs to the restrooms with the need for security so that they are not vandalized. Schedule discussion and cost of further upgrades to Garden Grove Park for a future work session.  
(5 Ayes.)

- 3.b. Request from Metro Cities Fire Authority to appoint Board Member to represent the City of Garden Grove. (F: 61.8) (XR: 43.1)

ACTION: Appointed City Manager Matthew Fertal.  
(5 Ayes.)

RECESS: 8:18 p.m.

RECONVENE: 8:47 p.m.

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

4.a. Approval of Proclamation designating May 2004, as National Mental Health Month. (F: 83.1)

ACTION: Approved.  
(5 Ayes.)

4.b. Approval of Proclamation designating May 2004, as Water Awareness Month. (F: 83.1) (XR: 24.12)

ACTION: Approved.  
(5 Ayes.)

4.c. Approval of Proclamation designating May 16-22, 2004, as Small Business Week. (F: 83.1)

ACTION: Pulled. Staff directed to ask the Chamber of Commerce to write the proclamation.  
(5 Ayes.)

4.d. Approval of Agreement with GRW & Son, Inc., for construction management services in connection with Project No. 7244, Garden Grove Boulevard/Harbor Boulevard Intersection Improvement; and authorize the Mayor and City Clerk to execute the agreement. (F: 96.Proj.7244)

ACTION: Approved and authorized.  
(5 Ayes.)

4.e. Award of Contract to Flores Sierra Contractors for the demolition of structures at 13832 Newhope and 10691 Walnut; and authorize the City Manager and City Clerk to execute the pertinent documents. (Estimated cost: \$25,977.00) (F: 55) (XR: 57.1) (XR: 60.4)

ACTION: Approved and authorized.  
(5 Ayes.)

4.f. Adoption of Resolution establishing a policy regarding the use of development agreements for large-scale projects. (F: 106.1)

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ACTION: Resolution No. 8566-04 adopted.  
(5 Ayes.)

- 4.g. Award of Purchase Order to Richardson Electronics and Cambridge Computer to provide and install a digital surveillance camera system and a digital storage system in the Police Department's Jail Facility. (Estimated cost: \$46,197.25) (F: 55) (XR: 82.1)

ACTION: Approved and awarded.  
(5 Ayes.)

- 4.h. Award of Purchase Order to Raymond Handling Solutions for one forklift - Public Works Department. (Estimated Cost: \$30,746.46) (F: 60.4) (XR: 24.1)

ACTION: Approved and awarded.  
(5 Ayes.)

- 4.i. Approval of Minutes of the Regular City Council Meeting held April 13, 2004. (F: Vault)

ACTION: Approved.  
(5 Ayes.)

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

ACTION: Approved.  
(5 Ayes.)

- 4.k. Approval of waiver of full reading of Ordinances listed for adoption.

ACTION: Approved.  
(5 Ayes.)

5. PUBLIC HEARINGS:

- 5.a. Joint Public Hearing with the Garden Grove Agency for Community Development to consider a Disposition and Development Agreement with Laing Pacific I, LLC, for the acquisition, sale, and development of property located on the south side of Katella Avenue, west of Gilbert Street. The developer is proposing to construct approximately 42

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detached single-family residential units on the 4.59-acre site.  
(F: A-55.299)

ACTION: Hearing held. Agency Resolution No. 639 and  
Council Resolution No. 8567-04 adopted.  
(5 Ayes.)

RECESS: 9:07 p.m.

CONDUCT AGENCY BUSINESS

CONDUCT SANITARY DISTRICT BUSINESS

RECONVENE: 9:35 p.m.

6. ITEMS FOR CONSIDERATION:

- 6.a. Adoption of a Resolution authorizing the Public Works Director to execute and sign various State documents required for highway projects. (F: 24.1) (XR: 62.2)

ACTION: Resolution No. 8568-04 adopted.  
(5 Ayes.)

- 6.b. Adoption of Resolutions approving salary plan and benefit increases for City employee groups.

- 6.b.1. Resolution amending Memorandum of Understanding with the Garden Grove Police Association. (F: 78.8B)

ACTION: Resolution No. 8569-04 adopted.  
(4 Ayes, Leyes voted no.)

- 6.b.2. Resolution amending Memorandum of Understanding with the Garden Grove Chapter of the Orange County Employees Association. (F: 78.13C)

ACTION: Resolution No. 8570-04 adopted.  
(5 Ayes.)

- 6.c. Adoption of Resolution of Intention to proceed with Alley Vacation No. AV-104-04 to vacate a portion of an alley located west of Flower

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Street and south of Park Avenue, abutting the rear of properties located at 12811 and 12851 Flower Street, and 10282 Park Avenue, and setting the public hearing date for June 22, 2004. (F: 110.AV-104-04)

ACTION: Resolution No. 8571-04 adopted.  
(5 Ayes.)

- 6.d. Adoption of Resolution of Intention to proceed with Alley Vacation No. AV-105-04 to vacate a portion of the alley located at the rear of property located on the south side of Chapman Avenue, east of Nutwood Street, at 10602 Chapman Avenue, and setting the public hearing date for June 22, 2004. (F: 110.AV-105-04)

ACTION: Resolution No. 8572-04 adopted.  
(5 Ayes.)

- 6.e. Consideration of amending the City Municipal Code to allow the expansion of the Parking and Main Street Commission from five to seven members. (F: 122.6) (XR: 50.2)

- 6.e.1. ORDINANCE NO. 2627, for introduction and first reading, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE EXPANDING THE PARKING AND MAIN STREET COMMISSION

ACTION: Full reading waived. Ordinance passed to second reading.  
(4 Ayes, Leyes absent.)

7. ORDINANCES PRESENTED FOR SECOND READING:

- 7.a. ORDINANCE NO. 2625, for second reading and adoption, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADDING SECTION 9.08.100 AND PARAGRAPH 12 TO SUBSECTION D OF SECTION 9.24.030 TO THE GARDEN GROVE MUNICIPAL CODE, RELATING TO THE ESTABLISHMENT OF REGULATIONS FOR THE SITING OF WIRELESS TELECOMMUNICATIONS FACILITIES (F: 115.A-105-04) (XR: 50.3) (XR: 121.2G)

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ACTION: Ordinance passed.  
(5 Ayes.)

- 7.b. ORDINANCE NO. 2626, for second reading and adoption, by title only,  
entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN  
GROVE AMENDING CHAPTER 1.04, "PENALTY PROVISIONS" OF THE  
MUNICIPAL CODE RELATING TO THE ESTABLISHMENT OF  
INFRACTIONS AS AN ALTERNATE FORM OF PENALTY FOR MUNICIPAL  
CODE VIOLATIONS (F: 50.2)

ACTION: Ordinance passed.  
(5 Ayes.)

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

- 8.a. Consideration of appointments to the Parking and Main Street  
Commission, as requested by Mayor Broadwater. (F: 122.6A)

ACTION: Appointed Gary Brown and Phil Fabian.  
(4 Ayes, Leyes absent.)

- 8.b. Adoption of a Resolution relating to representatives and officials from  
the Socialist Republic of Vietnam traveling in or through the City of  
Garden Grove, as requested by Mayor Broadwater. (F: 53.1)  
(XR: 117.1)

ACTION: Adopted Resolution No. 8565-04, as amended.  
(5 Ayes.)

- 8.c. Selection of Councilmember to attend City Selection Committee Meeting  
on May 13, 2004, as requested by Mayor Broadwater. (F: 23.4)

ACTION: Selected Mayor Broadwater.  
(5 Ayes.)

- 8.d. Councilman Leyes commented that the Governor is expected to make  
an announcement on Wednesday regarding the amendments to the  
budget. It is expected that the Governor has negotiated cuts with the  
education establishment to save some money. It also includes over a



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\$1 billion reduction to counties and cities. This will mean a double hit for the cities, once by the state and the second by the county.  
(F: 53.1)

- 8.e. Councilman Dalton requested that the meeting be adjourned in memory of a long-time resident Larry Parker. He sent condolences to his wife Marilyn and family. And that it be adjourned in memory of Ron Weigand, who was a Captain and retired from the Garden Grove Police Department. He came back to work after retirement and helped with recruitments and the background check process. (F: 53.1) (XR: 46.9)
- 8.f. Councilman Rosen commented that appointments were made to the City's 50<sup>th</sup> Anniversary Committee, and his appointee has not heard anything of when meetings will be held. (F: 53.1) (XR: 122.75)
- 8.g. Councilman Tran requested that the resolution by him and Councilman Leyes regarding eminent domain be placed on the next agenda.  
(F: 53.1) (XR: 127.1) (XR: A-127.1)
- 8.h. Mayor Broadwater commented that he recently had the opportunity to attend the Mayor's Prayer Breakfast while visiting in Branson, Missouri. It was nice but nothing compared to the excellent breakfast by Garden Grove's staff. (F: 53.1) (XR: 45.5)

9. CLOSED SESSION:

- 9.a. Pursuant to Government Code section 54956.9, the City Council will confer with its Legal Counsel regarding the status of Garden Grove v. Orange County Transportation Authority.

ACTION: Discussed.

- 10. ADJOURNMENT: At 10:36 p.m. the meeting was adjourned in memory of Larry Parker and Ron Weigand. (F: 46.9)

**PLEASE NOTE THAT THERE WILL NOT BE A CITY COUNCIL MEETING ON THE  
REGULAR MEETING DATE OF TUESDAY, MAY 25, 2004.**