

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center
11300 Stanford Avenue

July 13, 2004

7:00 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 Paul Cosgrove and Betty Lee Berg, 2004 Strawberry Ball King and Queen. (F: 52.3) (XR: 87.7)

ACTION: Recognized.

- 1.b. Community Spotlight: Recognition of Diego Urbina, Boys and Girls Club of Garden Grove "2004 Youth of the Year." (F: 52.3)

ACTION: Recognized.

COUNCILMEMBERS: COUNCILMAN LEYES, COUNCILMAN ROSEN,
COUNCILMAN TRAN, MAYOR PRO TEM DALTON,
MAYOR BROADWATER

- 1.c. Presentation by Team ANGEL concerning their fundraising endeavor to raise money for the Leukemia and Lymphoma Society. (F: 52.3)

ACTION: Presentation made.

8. CLOSED SESSION:

- 8.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.

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

- 2.a. Craig Durfey addressed the Council concerning the need for funding for a GPS watch amber alert to track autistic and Alzheimer afflicted individuals who wander away. (F: 53.3)

3. CONSENT ITEMS: (It is recommended that Items 3.a. through 3.o. be acted on simultaneously unless separate discussion and/or action is requested by a Councilmember.)

- 3.a. Denial of claims submitted by State Farm Insurance Company for Cynthia Cowan, Serafin Vidovic, and Cynthia Cowan; claims submitted on behalf of Donald Cordill as a Successor in interest to Marie Cordell, and Donald Cordill; David Gunther; Thuy Ngo; Kee Quesenberry and Chung Kim; Anwar Alameddine and Lena Ayvazian; and Marvin Manley; and claims submitted by James Rederburg and by Lynda Knott and Norman Ross. (F: 49.2)

ACTION: Denied.

(5 Ayes.)

- 3.b. Acquisition of an easement over a portion of real property located at 12251 Garden Grove Boulevard, Parcel 5, for Project No. 7244, Harbor Boulevard/Garden Grove Boulevard Intersection Improvement; authorize the City Manager and City Clerk to execute the pertinent documents; and authorize the Finance Director to draw a warrant in the

COUNCILMEMBERS: COUNCILMAN LEYES, COUNCILMAN ROSEN,
COUNCILMAN TRAN, MAYOR PRO TEM DALTON,
MAYOR BROADWATER

amount of \$175,100.00 to the seller and leaseholders, when appropriate to do so. (F: 96.Proj.7244) (XR: 84.1)

ACTION: Approved and authorized.

(5 Ayes.)

- 3.c. Final Tract Map No. TR 16433 and Subdivision Agreement for property located on the east side of Gilbert Street and north of Stanford Avenue; accept the Subdivision Improvement Bonds; and authorize the Mayor and City Clerk to execute the agreement. (F: 103.TT.16433)

ACTION: Approved and authorized.

(5 Ayes.)

- 3.d. Adoption of Negative Declaration for Project No. 7140, Construction of a Right-turn Lane on Euclid Street at the eastbound SR 22 Freeway on-ramp. (F: 96.Proj.7140)

ACTION: Approved.

(5 Ayes.)

- 3.e. Award of Contract to Warvi Construction, Inc., for a kitchen remodel at Fire Station No. 1; and authorize the Mayor and City Clerk to execute the agreement. (Estimated cost: \$39,890.00) (F: 55) (XR: 61.1)

ACTION: Awarded and authorized.

(5 Ayes.)

- 3.f. Award of Contract to Griffith Company for Project No. 7122, Lampson Avenue Median Construction between Knott Street and Lamplighter Street; and authorize the City Manager and City Clerk to execute the agreement. (Estimated cost: \$177,695.00) (F: 96.Proj.7122)

ACTION: Awarded and authorized.

(5 Ayes.)

COUNCILMEMBERS: COUNCILMAN LEYES, COUNCILMAN ROSEN,
COUNCILMAN TRAN, MAYOR PRO TEM DALTON,
MAYOR BROADWATER

- 3.g. Agreement renewal with Esgil Corporation for building plan check services on an as-needed basis; and authorize the Mayor and City Clerk to execute the agreement. (F: 55) (XR: 80.1)

ACTION: Continued to July 27, 2004, for a report showing the breakdown of how many hours they worked and how much money was paid out in the past year; and whether any complaints were received concerning their work.

(5 Ayes.)

- 3.h. Settlement and Cooperative Agreements with Orange County Transportation Authority (OCTA) for the construction of improvements to the SR 22 project with OCTA; and authorize the Mayor and City Clerk to execute the agreements. (F: 55) (XR: 62.2) (XR: 23.18C)

ACTION: Approved and authorized.

(5 Ayes.)

- 3.i. Rejection of single bid for services to trim oleander bushes at various locations for FY 2004-05; and authorize Purchasing to re-bid the project. (F: 24.1) (XR: 60.5)

ACTION: Approved and authorized.

(5 Ayes.)

- 3.j. Rejection of all bids received for the Harbor Boulevard/Garden Grove Boulevard Intersection Improvement Project. (F: 96.Proj.7244)

ACTION: Approved.

(5 Ayes.)

- 3.k. Documentation for the November 2, 2004, General Municipal Election, calling and giving notice for the offices of Mayor and two members of the City Council; requesting the County of Orange to provide certain services in connection with the election; and adopting regulations for the Candidate's Statement of Qualifications. (F: 58.2.2004)

COUNCILMEMBERS: COUNCILMAN LEYES, COUNCILMAN ROSEN,
COUNCILMAN TRAN, MAYOR PRO TEM DALTON,
MAYOR BROADWATER

ACTION: Resolutions No. 8591-04, No. 8592-04, and
No. 8593-04 adopted.

(5 Ayes.)

- 3.l. West Orange County Water Board Proposed Budget for Fiscal Year
2004-05. (F: 112.9)

ACTION: Approved.

(5 Ayes.)

- 3.m. Minutes of the Regular City Council meeting held June 8, 2004.
(F: Vault)

ACTION: Approved.

(5 Ayes.)

- 3.n. Warrants. (F: 60.5)

ACTION: Approved.

(5 Ayes.)

- 3.o. Waiver of full reading of Ordinances listed for adoption.

ACTION: Approved.

(5 Ayes.)

RECESS: 8:18 p.m.

RECONVENE: 12:25 a.m. on July 14, 2004.

5. ITEMS FOR CONSIDERATION:

- 5.a. Selection of Garden Grove's Emergency Ground Ambulance provider;
authorize staff and the City Attorney to meet with provider and
negotiate an agreement consistent with the provider proposal; and

COUNCILMEMBERS: COUNCILMAN LEYES, COUNCILMAN ROSEN,
COUNCILMAN TRAN, MAYOR PRO TEM DALTON,
MAYOR BROADWATER

authorize the Mayor and City Clerk to execute the agreement. (F: 55)
(XR: 26.1)

ACTION: Selected CARE Ambulance; authorized staff and the City Attorney to meet with provider and negotiate an agreement consistent with the proposal; and authorize the Mayor and City Clerk to execute the agreement.

(5 Ayes.)

4. PUBLIC HEARINGS: (Motion to approve will include adoption of each Resolution unless otherwise indicated.)

4.a. APPEAL OF SITE PLAN NO. SP-336-03. The appellant, Ajit Dighe/The Practice, is requesting approval to construct a single-story 9,950 square foot commercial building on a site within a commercial Planned Unit Development located on the west side of Valley View Street, south of Chapman Avenue, at 12101 Valley View Street. (F: 116.SP-336-03)

The City Planning Commission, pursuant to Resolution No. 5419, denied SP-336-03 on May 5, 2004. On May 24, 2004, an appeal was filed by the appellant, and public hearing on the case was ordered by the City Council to be held this date.

ACTION: Hearing continued to July 27, 2004.

(5 Ayes.)

4.b. AMENDMENT NO. A-111-04 AND GENERAL PLAN AMENDMENT NO. GPA-2-04. The applicant, Vernon Enterprises, is proposing to construct an approximately 9,500 square foot commercial building at the southwest corner of Chapman Avenue and Haster Street, at 12972 Chapman Avenue. A-111-04 proposes to change the zoning designation from R-1 (Single-Family Residential) to C-1 (Neighborhood Commercial); and GPA-2-04 proposes to change the land use designation of the site from Low Density Residential to Light Commercial. (F: 115.A-111-04) (XR: 20.GPA-2-04)

The City Planning Commission, pursuant to Resolution No. 5430, recommended approval of A-111-04 and GPA-2-04 on May 20, 2004,

COUNCILMEMBERS: COUNCILMAN LEYES, COUNCILMAN ROSEN,
COUNCILMAN TRAN, MAYOR PRO TEM DALTON,
MAYOR BROADWATER

and public hearing on the case was ordered by the City Council to be held this date.

ACTION: Hearing held.

- 4.b.1. ORDINANCE NO. 2633, for introduction and first reading, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING A ZONE CHANGE AMENDMENT CHANGING THE ZONING DESIGNATION FROM R-1 (SINGLE-FAMILY RESIDENTIAL) ZONE TO C-1 (NEIGHBORHOOD COMMERCIAL) ZONE, FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CHAPMAN AVENUE AND HASTER STREET AT 12972 CHAPMAN AVENUE, PARCEL NOS. 231-311-15, 16, 17, 18 AND 19

ACTION: Ordinance passed to second reading.

(5 Ayes.)

- 4.b.2. Resolution approving the General Plan Amendment.

ACTION: Resolution No. 8594-04 adopted.

(5 Ayes.)

6. ORDINANCES PRESENTED FOR SECOND READING:

- 6.a. ORDINANCE NO. 2631 for second reading and adoption, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-106-04, AN AMENDMENT OF TITLE 9 OF THE CITY OF GARDEN GROVE MUNICIPAL CODE SECTION 9.16.040G TO ALLOW GROUND-MOUNTED MECHANICAL EQUIPMENT IN THE SIDE OR REAR SETBACKS ON PROPERTIES IMPROVED WITH A SINGLE-FAMILY HOME AND DELETING THE REQUIREMENT OF APPROVAL OF A DIRECTOR'S REVIEW FOR ENCROACHING INTO THE

COUNCILMEMBERS: COUNCILMAN LEYES, COUNCILMAN ROSEN,
COUNCILMAN TRAN, MAYOR PRO TEM DALTON,
MAYOR BROADWATER

REQUIRED SETBACK WITH MECHANICAL EQUIPMENT
(F: 115.A-106-04) (XR: 50.3)

ACTION: Ordinance passed.

(5 Ayes.)

- 6.b. ORDINANCE NO. 2632 for second reading and adoption, by title only,
entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN
GROVE ESTABLISHING THE AMOUNT OF MONEY FOR PARAMEDIC
SERVICES THAT MUST BE RAISED BY AN AD VALOREM TAX OVERRIDE
AND THE SETTING OF THE TAX RATE OF SAID OVERRIDE (F: 60.11)

ACTION: Ordinance passed.

(5 Ayes.)

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

- 7.a. Discussion concerning City's vote on Orange County Vector Control
District ballots for a proposed additional assessment to fund Red
Imported Fire Ant control services and to respond to new diseases such
as the West Nile Virus, as requested by Councilman Leyes. (Continued
from meeting of June 8, 2004) (F: 53.1) (XR: 23.20)

ACTION: Direction given to vote against the assessment.

(4 Ayes. Broadwater voted no.)

- 7.b. Discussion regarding support of Countywide vote on CenterLine, as
requested by Councilman Leyes. (F: 53.1) (XR: 23.18F)

ACTION: Continued to July 27, 2004, for a decision on
whether to place on the ballot.

(4 Ayes. Leyes voted no.)

COUNCILMEMBERS: COUNCILMAN LEYES, COUNCILMAN ROSEN,
COUNCILMAN TRAN, MAYOR PRO TEM DALTON,
MAYOR BROADWATER

- 7.c. Appointment of initial five members to serve on the City's 50th Anniversary Blue Ribbon Committee, as requested by Councilman Rosen. (F: 122.75)

ACTION: Appointed Janine Fowler, Connie Margolin, Ken Nguyen, Joseph Ryan, and Larry Squires.

(5 Ayes.)

- 7.d. Councilman Leyes reported on the Symphony Under the Stars that was held on July 10 and reminded everyone of concerts in the park throughout the summer months. He also commented on the programs in the Amphitheater. (F: 53.1)
- 7.e. Councilman Rosen noted that the Fenians will be appearing at Eastgate Park on July 15. (F: 53.1)
- 7.f. Mayor Broadwater requested information concerning the TET Festival receipts, what charity groups they donate funds to, and how much money they raise. He would also like a copy of their contract. (F: 53.1) (XR: 42.8a)

9. ADJOURNMENT: 1:35 a.m. on July 14, 2004.