

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center
11300 Stanford Avenue

August 10, 2004

6:48 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 Garden Grove Chamber of Commerce 2004 Man and Woman of the Year, Jay Mastroianni and Ruth Smith. (F: 52.3) (XR: 42.1)

ACTION: Recognized.

- 1.b. Presentation by the Orange County Sanitation District to the Public Works Department for assistance given during a recent sewage spill on Lampson Avenue near Knott Street. (F: 52.3) (XR: 23.14) (XR: 24.1)

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ACTION: Presented.
(5 Ayes.)

2. ORAL COMMUNICATIONS - PUBLIC: (To be held simultaneously with Agency Oral Communications.)
 - 2.a. Robin Marcario commented regarding the actions at the last Planning Commission meeting. She was in favor of the Agreements with the Orange County Children and Families Commission and Templo Calvario, Inc., listed on this agenda. (F: 53.3) (XR: 122.10)
 - 2.b. Cy LaBree commented regarding the revised Transportation System Improvement Program suggesting that the money for the city's streets should come from the developers. (F: 53.3)
 - 2.c. Ray Littrell commented regarding eminent domain and the Twintree project. He also commented regarding the parking lot on Valley View, indicating that the owners of the bowling alley should not have the burden to fix the parking problem. The developer should fix the parking lot. Additionally, he noted that the School District should be consulted when there is a large development such as the Brookhurst Triangle. (F: 53.3)
 - 2.d. David Lautherboren commented regarding a newspaper article that Michigan is turning decisions on eminent domain in favor of the property owner. He commented regarding a rumor that he heard that land was being acquired for an Indian casino in Garden Grove. He did not oppose this because it is a way to recover and pay off debts. Additionally, he commented regarding his water that sometimes comes out of the tap brown. (F: 53.3) (XR: 24.12)

ACTION: Staff from Public Works will call regarding the condition of his water

- 2.e. Norman Ross commented regarding his criminal record, police harassment, and requested Council assistance to clear his record. (F: 53.3)

RECESS: 7:25 p.m.

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CONDUCT AGENCY BUSINESS

RECONVENE: 7:26 p.m.

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

3.a. Proclamation designating September 2004, as National Alcohol and Drug Addiction Recovery Month. (F: 83.1)

ACTION: Approved.
(5 Ayes.)

3.b. Exoneration of Subdivision Improvement Bonds, posted by Taft Avenue Cottages Associates, LLC, for Tract Map No. TR 16498, located on the east side of Taft Street and north of Trask Avenue; and acceptance of public improvements on Taft Street and the development water system and appurtenant structures for City maintenance. (F: 116.PUD-100-03) (XR: 103.TT-16498) (XR: 116.SP-321-03) (XR: 106.136)

ACTION: Approved and accepted.
(5 Ayes.)

3.c. Revised Traffic Signal Joint Maintenance Agreement with the City of Westminster for the intersection of Westminster Avenue and Deodora Street/Swan Street; and authorize the Mayor and City Clerk to execute the agreement. (F: 55) (XR: 100.1)

ACTION: Approved and authorized.
(5 Ayes.)

3.d. Renewal of Agreement with the Orange County Children and Families Commission for the provision of Health Care Access services at the Magnolia Park Family Resource Center; approve the addition of one full-time Eligibility Technician position; and authorize the City Manager and City Clerk to execute the agreement. (F: 55) (XR: 73.8a)

ACTION: Approved and authorized.
(5 Ayes.)

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- 3.e Amendment No. 1 to the Water Quality Ordinance Implementation Agreement with the Orange County Flood Control District to provide National Pollutant Discharge Elimination System authorized inspector services, under the City's municipal code that governs Stormwater Quality; and authorize the Mayor and City Clerk to execute the amendment. (F: 55) (XR: 112.15)

ACTION: Approved and authorized.
(5 Ayes.)

- 3.f. Agreement with Templo Calvario, Inc., for after school tutoring and enrichment services at the Buena Clinton Family Resource Center; and authorize the City Manager and City Clerk to execute the agreement. (F: 55) (XR: 73.20a)

ACTION: Approved and authorized.
(5 Ayes.)

- 3.g. Award of Purchase to South Coast Fire for one ladder truck for the Fire Department; adoption of Resolution authorizing the award of the Tax-Exempt Lease/Purchase funding to SunTrust Leasing Corporation; and authorize the City Manager or his designee to execute the pertinent documents. (Estimated cost: \$776,202.99) (F: 60.4) (XR: 61.1)

ACTION: Awarded and authorized. Resolution No. 8597-04 adopted.
(5 Ayes.)

- 3.h. Final Progress Payment and Acceptance of Contract as complete for 2003/04 Street Rehabilitation Project; authorize the Mayor and City Clerk to execute documents; and authorize the Finance Director to draw a warrant in the amount of \$448,437.08 to Ben's Asphalt, Inc., and release the retention payment when appropriate to do so. (F: 55) (XR: 24.2)

ACTION: Approved and authorized.
(5 Ayes.)

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3.i. Approval of warrants. (F: 60.5)

ACTION: Approved.
(5 Ayes.)

4. PUBLIC HEARINGS:

4.a. Public Hearing to consider the 2004 Drinking Water Public Health Goal Report. (F: 112.1)

ACTION: Hearing held. Report received and filed.
(5 Ayes.)

5. COMMISSION/COMMITTEE MATTERS:

5.a. Recommendation from the Traffic Commission meeting of July 6, 2004, to restrict on-street parking and add a bike lane on the north side of Chapman Avenue between Magnolia Street and Loreleen Street. (F: 122.11)

ACTION: Approved.
(5 Ayes.)

6. ITEMS FOR CONSIDERATION:

6.a. Consideration of appeal of Site Plan No. SP-336-03 to construct a new single-story commercial building on a site with an existing commercial Planned Unit Development located on the west side of Valley View Street, south of Chapman Avenue, at 12101 Valley View Street. (Continued from meeting of July 27, 2004) (F: 116.SP-336-03)

ACTION: Resolution No. 8598-04 adopted, as amended, approving SP-336-03.
(5 Ayes.)

6.b. Establishment of a 15 MPH speed limit on Main Street from Garden Grove Boulevard to Acacia Parkway; and a 25 MPH speed limit on Main Street from Acacia Parkway to College Street. (F: 100.1) (XR: A-122.5)

6.b.1. ORDINANCE NO. 2634, for introduction and first reading, by title only, entitled

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
GARDEN GROVE ESTABLISHING SPEED LIMITS FOR CERTAIN
DESIGNATED CITY STREETS BASED UPON UPDATED TRAFFIC
AND ENGINEERING SPEED SURVEY

ACTION: Full reading waived. Ordinance passed to second
reading.
(4 Ayes, Rosen voted no.)

6.c. Revised Transportation System Improvement Program. (F: 60.2B)
(XR: 23.18C) (XR: 50.2)

6.c.1. Resolution establishing a Traffic Impact Mitigation Fee for
development within the city.

ACTION: Resolution No. 8599-04 adopted.
(5 Ayes.)

6.c.2. ORDINANCE NO. 2635, for introduction and first reading, by
title only, entitled.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
GARDEN GROVE, CALIFORNIA, ADDING CHAPTER 10.110
ENTITLED "TRAFFIC IMPACT MITIGATION FEE," TO TITLE 10
"VEHICLE AND TRAFFIC" OF THE MUNICIPAL CODE

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

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

7.a. Councilman Dalton commented that the youth basketball program has
gotten so large that the awards ceremony was moved from the
Community Meeting Center to Garden Grove Park. This is one of many
programs that provide something for the youth. When you see it
growing, you see it working. (F: 53.1)

7.b. Councilman Dalton commented that he worked with Bill Morrissey at the
Police Department. Mr. Morrissey's daughter had a baby in June, and

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the baby needed a heart transplant. He reported that the baby is doing great with the new heart. (F: 53.1)

- 7.c. Councilman Rosen wished his wife Sandy a Happy 28th Anniversary. (F: 53.1)
 - 7.d. Councilman Rosen commented that on Friday night you could hear the cars as they are leaving Main Street. He noted that it is disruptive when there is a performance at the Amphitheater and questioned whether something can be done. (F: 53.1) (XR: 45.12)
 - 7.e. Councilman Rosen announced that Macbeth is performing at the Festival Amphitheater until August 21. He urged everyone to attend. (F: 53.1) (XR: 87.5)
 - 7.f. Councilman Rosen invited everyone to attend the two remaining free concerts at Eastgate Park sponsored by the Garden Grove Community Foundation. (F: 53.1)
 - 7.g. Mayor Broadwater wished his wife Peggy a Happy 33rd Anniversary. (F: 53.1)
8. CLOSED SESSION:
None.
9. ADJOURNMENT: At 8:20 p.m., the meeting was adjourned in memory of Kathy Irving, secretary at St. Columban's School. (F: 46.9)

**HAPPY ANNIVERSARY
COUNCILMAN MARK AND SANDY ROSEN**

**HAPPY BIRTHDAY GREETINGS TO
PEGGY BROADWATER AND WANDA LEYES**