

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center
11300 Stanford Avenue

August 14, 2007

Council Chamber

ROLL CALL: COUNCIL MEMBER BROADWATER, COUNCIL MEMBER JONES,
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). 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.

Open Session

6:42 p.m.

INVOCATION: Keith Jones, Public Works Director.

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

1. PRESENTATIONS:

- 1.a. Community Spotlight: Recognition of the 100th Anniversary of the Garden Grove Chamber of Commerce.

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ACTION: Recognized.

- 1.b. Community Spotlight: Recognition of the 2007 Strawberry Ball King and Queen, Harry Davies and Gail Eadens.

ACTION: Recognized.

2. ORAL COMMUNICATIONS - PUBLIC: (To be held simultaneously with Agency Oral Communications.)
 - 2.a. Hung Nguyen, Pham Van Pho, Scott Le, Dr. Vinh Xuan Nguyen, Neil Nguyen, Rev. Van Tran, Lac Tan Nguyen, Than Hien Tran, Trung Nguyen, Rev. Binh Nguyen, Jessica Le, Linh Nguyen, Lan Nguyen, Peter Vu, Nguyen Hung, Bo Bui, and Quynh Nguyen addressed the City Council/Agency, expressing their opposition to placing a casino in Garden Grove, citing issues of traffic, noise, gambling addictions, breakdown of family units, surge in crime, and other social issues.
 - 2.b. David Lautherboren addressed the City Council/Agency in support of a casino in Garden Grove.

RECESS: 7:45 p.m.

RECONVENE: 7:50 p.m.

- 2.c. Peter Katz addressed the City Council on behalf of the Garden Grove Downtown Business Association, expressing their concern about the ongoing weekly protests on Main Street against the Vietnamese Newspaper, citing their lack of permits and improper display of the American flag.
- 2.d. Peggy Bergin addressed the City Council/Agency, noting that she is opposed to the building of a casino because of all the lights that would be shining into her home and because of parking issues. She then shared information about a small town she recently visited in Georgia, speaking about their trees, medians, skatepark, bike trails, and summer reading program. Lastly, she expressed concern about the removal of green medians in her neighborhood.
- 2.e. David Vill addressed the City Council about the forum AARP held in July with regard to their opposition to fireworks. He indicated their chapter

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will be starting a fund next month to help the residents who lost their home because of fireworks on July Fourth.

- 2.f. Charles Mitchell addressed the City Council/Agency, urging that the issue of bringing a casino to Garden Grove be looked at logically, taking all facets of the matter into consideration; additionally, he referenced the unsuccessful "blue laws" of the past that were put into place to govern the behavior of individuals. He also provided information on the American Legion and urged people to attend their meeting.
- 2.g. Terri Whitney addressed the City Council/Agency, noting that she and her neighborhood are not supportive of a casino in the city. She also complained about an ongoing sewage smell at Nelson Street and Garden Grove Boulevard.

RECESS TO CLOSED SESSION: 8:41 p.m.

RECONVENE IN OPEN SESSION: 9:40 p.m.

2. ORAL COMMUNICATIONS – PUBLIC (CONTINUED):

None.

RECESS: 9:41 p.m.

CONDUCT AGENCY BUSINESS

RECONVENE: 9:42 p.m.

3. WRITTEN COMMUNICATIONS: None.

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 Council Member.)

- 4.a Proclamation declaring September 24, 2007, as Family Day – A Day to Eat Dinner With Your Children.

ACTION: Approved.
(5 Ayes.)

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- 4.b. Resolution commemorating the 100th Anniversary of the Garden Grove Chamber of Commerce.

ACTION: Approved.
(5 Ayes.)

- 4.c. Acquisition of Right-of-Way at 13632 Euclid Street for the widening and improvement of a right-turn lane on northbound Euclid Street to the eastbound State Route 22 on-ramp, Project No. 7140. (Cost: \$8,575)

ACTION: Approved.
(5 Ayes.)

- 4.d. Agreement with Gardner Tractor Service for the provision of oleander trimming and storm drain maintenance. (Cost: \$68,378.04 per year for three years)

ACTION: Approved.
(5 Ayes.)

- 4.e. Agreement with Patscheck Construction for site demolition of the Buena Clinton roller hockey rink in preparation for the construction of the new Buena Clinton Youth and Family Center. (Cost: \$49,820 in grant funding)

ACTION: Approved.
(5 Ayes.)

- 4.f. Cooperative Agreement with the City of Westminster for the rehabilitation of Trask Avenue from Beach Boulevard to Newland Avenue. (Cost: \$44,955.13 in Measure M funds)

ACTION: Approved.
(5 Ayes.)

- 4.g. Service Agreement with PCC Network Solutions to install a Structured Cabling System for the Police Department headquarters. (Cost: \$48,999.90)

ACTION: Approved.
(5 Ayes.)

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4.h. West Orange County Water Board 2007-08 proposed budget.

ACTION: Approved.
(5 Ayes.)

4.i. Minutes of the Regular Meetings of the City Council held July 10 and July 24, 2007, and Special Meetings held July 22 and July 24.

ACTION: Approved, with correction to July 22 minutes.
(5 Ayes.)

4.j. Warrants.

ACTION: Approved.
(5 Ayes.)

4.k. Waiver of full reading of Ordinances listed.

ACTION: Approved.
(5 Ayes.)

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

5.a. Appeal of Planning Commission's Approval of Conditional Use Permit No. CUP-205-07. The applicant is requesting approval to expand the operations of an existing trade school to include the entire freestanding building located on the north side of Westminster Avenue, east of Brookhurst Street, at 10121 Westminster Avenue. (Continued from meeting of July 10, 2007)

ACTION: Continued to September 11, 2007.
(5 Ayes.)

5.b. Proposed adjustments of various City fees. (Continued from meeting of June 26, 2007)

ACTION: Resolution No. 8791-07 adopted, as modified. In Lieu Park Fees portion to be brought back
(5 Ayes on all but Classification V of Community Meeting

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Center fees and Drainage fees, for which Council Member Nguyen voted no; and on Code Enforcement Reinspection fees, for which Council Member Broadwater voted no.)

6. COMMISSION/COMMITTEE MATTERS: None.

7. ITEMS FOR CONSIDERATION:

7.a. Acceptance of 2006 Assistance to Firefighters - Fire Prevention and Safety Grant Award in amount of \$45,384 for education materials. (City matching funds: \$11,346)

ACTION: Approved.
(5 Ayes.)

7.b. Acceptance of 2007 Assistance to Firefighters grant in the amount of \$60,929; with award of purchases of 11 Automated External Defibrillators to ZOLL, and 26 Dual EBSS Retrofit Kits to Fisher Scientific, in the amounts of \$48,622 and \$27,539, respectively. (City matching funds: \$15,232)

ACTION: Approved.
(5 Ayes.)

8. ORDINANCES PRESENTED FOR SECOND READING:

8.a. ORDINANCE NO. 2715 for second reading and adoption, by title only, waiving full reading, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO PROVIDE MILITARY SERVICE CREDIT AS PRIOR SERVICE

ACTION: Full reading waived. Ordinance title read in full. Ordinance passed.
(5 Ayes.)

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

- 9.a. Council Member Broadwater requested that the City Attorney draw up paperwork for placing a ballot measure on the February ballot to change Garden Grove from a General Law City to a Charter City for discussion at the August 28 meeting. He asked staff about the sewage smell at Garden Grove Boulevard and Nelson Street. Staff noted that it is the County's pipeline. Council Member Broadwater asked staff to speak to the County about the matter and fix it. He wished his wife Peggy a Happy Birthday.
- 9.b. Council Member Rosen wished his wife Sandy a Happy Anniversary.
- 9.c. Council Member Nguyen wished Council Member Rosen and his wife a Happy Anniversary and Peggy Broadwater a Happy Birthday. She asked staff to look into the availability of emergency funds for the victim of the July Fourth fire.
- 9.d. Mayor Dalton wished Council Member Rosen and his wife a Happy Anniversary and Peggy Broadwater a Happy Birthday.

10. CLOSED SESSION:

- 10.a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(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.

11. ADJOURNMENT: 10:38 p.m.

HAPPY ANNIVERSARY TO MAYOR PRO TEM ROSEN AND HIS WIFE SANDY

HAPPY BIRTHDAY TO COUNCIL MEMBER BROADWATER'S WIFE PEGGY

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The next Regular Meeting of the City Council will be held on Tuesday, August 28, 2007, at 6:30 p.m. in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue.