

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center
11300 Stanford Avenue

September 14, 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:

None.

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

2.a. Thanh Hien Tran, Timothy Do, Dat Nguyen, Timothy Ngo, Thi Nguyen, Grap Ngo, Herb Lieberman, Tuan Pham, George Vu, Tri Ta, Mike Nguyen, Lac Nguyen, Lan Tran, Peter Nguyen, Nghia Nguyen, Carol McLaughlin, Hung Nguyen, Nicole Nguyen, Veronique Tran, Quy Tu

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Nguyen, and Holly Ngo spoke in support of the UVSA continuing to run the Tet Festival, commenting on the many donations they make to non-profit organizations, and asking for City help to meet the guidelines for distribution of proceeds. (F: 53.3) (XR: 42.8a)

- 2.b. Bob Owens addressed the Council, expressing his support for a casino in Garden Grove, noting that he does not believe the Brown Act was violated by the Council with regard to the talks they held about the casino inasmuch as they were only seeking information. He questioned the unemployment figures recently released and talked about the vast outsourcing that is occurring. (F: 53.3)
- 2.c. Janine Fowler addressed the Council, requesting clarity on the subject of the Gilbert Overlay recently heard by the Planning Commission. She also noted she was impressed with the Union of Vietnamese Student Associations and their activities. (F: 53.3) (XR: 42.8a)
- 2.d. Tony Flores addressed the Council, commenting that the Council should follow the Brown Act rules on Closed Sessions. He also referenced a City pin that was made in Communist China, referencing the recent resolution passed by the Council to "keep the Vietnamese Communists out of Garden Grove." Lastly, he spoke about a school at 5856 Belgrave, which is built close to a condominium complex. He noted that the new owners have not adhered to the Conditional Use Permit, and there is a meeting coming up soon and the condo complex that is 36 feet away was not notified of the meeting. (F: 53.3)
- 2.e. Norman Ross addressed the Council concerning his recent arrest by the Garden Grove Police, alleging their misconduct by not advising him why they were arresting him. He submitted a bill to the City Clerk for the impounding of his vehicle at the time of arrest. (F: 53.3) (XR: 82.1)
- 2.f. Robin Marcario addressed the Council, noting that she is impressed with the volunteer efforts of the Union of Vietnamese Student Associations. She complimented Public Works employees' efforts on the Lampson Avenue project and announced her candidacy for City Council. (F: 53.3) (XR: 42.8a)

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

- 7.a. Discussion concerning reorganization of the Tet Festival Board, as requested by Mayor Broadwater. (F: 53.1) (XR: 42.8a)

ACTION: Subcommittee, composed of Mayor, Councilman Tran, and student representatives, to be set up to develop method of overseeing distribution of funds and amend compliance term; and return with amended agreement on October 12, 2004.

(5 Ayes.)

RECESS: 9:10 p.m.

RECONVENE: 9:30 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. Rejection of all bids received for Project No. 7658, Construction of the Garden Grove Sports Complex located on Westminster Avenue between Atlantis Way and Deodara Drive. (F: 73.Proj.7658) (XR: 73.5)

ACTION: Approved.

(5 Ayes.)

- 3.b. Amendment to the Housing Rehabilitation Agreement with Arroyo Development Partners, LLC, to procure two additional rent-restricted affordable units at the Arroyo Vista Apartments. (F: A-55.225)

ACTION: Approved.

(5 Ayes.)

- 3.c. Amendment to Agreement with the Orange County Transportation Authority (OCTA) for the provision of transportation services for seniors to participate in the Area Agency on Aging senior nutritional program. (F: 55) (XR: 87.8)

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ACTION: Approved.

(5 Ayes.)

- 3.d. Final Progress Payment and Acceptance of Contract as Complete for Amphitheater Tower Reconstruction; authorize the Mayor and City Clerk to execute documents; and authorize the Finance Director to draw a warrant in the amount of \$34,447.50 to Radan Construction, Inc. (F: 60.4) (XR: 87.5)

ACTION: Approved.

(5 Ayes.)

- 3.e. Acceptance of Contract as Complete for Project No. 7264, Median work on Garden Grove Boulevard; street closure of Rancho Way at Trask Avenue; and the installation of traffic lanes on Garden Grove Boulevard. (F: 96.Proj.7264)

ACTION: Approved.

(5 Ayes.)

- 3.f. Request for travel expenses for the Executive Producer for Channel 3 to speak at a cable conference in San Francisco. (F: 45.1)

ACTION: Approved.

(5 Ayes.)

- 3.g. Advanced pay step appointment of new Economic Development Manager to "G" step of salary range for this position. (F: 78.1)

ACTION: Approved.

(5 Ayes.)

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

ACTION: Approved.

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(5 Ayes.)

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

ACTION: Approved.

(5 Ayes.)

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

- 4.a. Joint Public Hearing with the Garden Grove Agency for Community Development to consider a Fourth Amendment to the Disposition and Development Agreement with Sycamore Walk, LLC (The Olson Company) for the disposition and development of a portion of Phase II of the Sycamore Walk project, an approximately 1.54-acre site located on the south side of Garden Grove Boulevard from Rockinghorse Road east to Phase I of the Sycamore Walk residential development. (Continued from meeting of August 24, 2004) (F: A-55.160)

ACTION: Hearing held. Resolution No. 8603-04 adopted.

(5 Ayes.)

RECESS: 9:33 p.m.

CONDUCT AGENCY BUSINESS

RECONVENE: 9:34 p.m.

- 4.b. Public Hearing to consider the allocation of FY 2004-05 State Supplemental Law Enforcement Services Funds in the amount of \$250,926.00 for Law Enforcement Programs. (F: 82.5)

ACTION: Hearing held. Funds to be allocated for Police Department's C-CAT Team and Crime Analysis Unit.

(5 Ayes.)

- 4.c. Public Hearing to consider issuance by the California Statewide Communities Development Authority (CSCDA) of Multifamily Housing Refunding Revenue Bonds to refinance the Crystal View Apartments

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Project, formerly known as Bayport Apartments, located at
12091 Bayport Street. (F: 117.16I)

ACTION: Hearing held. Resolution No. 8604-04 adopted.

(5 Ayes.)

- 4.d. Public Hearing to consider the FY 2003-04 Consolidated Annual Performance and Evaluation Report (CAPER), describing and assessing the housing, economic, and community development activities undertaken over the past year. (F: 117.10D)

ACTION: Hearing held. Report received and filed;
transmittal to HUD recommended.

(5 Ayes.)

- 4.e. Public Hearing to consider General Plan Amendment No. GPA-3-04, Planned Unit Development No. PUD-103-04, and a Development Agreement, initiated by Willow Partners, requesting to change the General Plan Land Use designation from MX (Mixed Use) to CR (Community Residential), to rezone the property to Planned Unit Development, and a Development Agreement to construct an 85-unit senior housing development on the north side of Garden Grove Boulevard, west of Sungrove Street, at 12721 and 12739 Garden Grove Boulevard. (F: 20.GPA-3-04) (XR: 116.PUD-103-04) (XR: 106.153)

On July 15, 2004, the City Planning Commission, pursuant to Resolution No. 5437 and No. 5438, recommended approval of GPA-3-04, PUD-103-04, and a Development Agreement. Public hearing on the case was ordered by the City Council to be held this date.

ACTION: Hearing held.

- 4.e.1. Resolution approving General Plan Amendment No. GPA-3-04.

ACTION: Resolution No. 8605-04 adopted.

(5 Ayes.)

COUNCILMEMBERS: COUNCILMAN LEYES, COUNCILMAN ROSEN,
COUNCILMAN TRAN, MAYOR PRO TEM DALTON,
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- 4.e.2. ORDINANCE NO. 2637, for introduction and first reading, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING PLANNED UNIT DEVELOPMENT NO. PUD-103-04, CHANGING THE ZONING DESIGNATION FROM HCSP-OP (HARBOR CORRIDOR SPECIFIC PLAN OFFICE PROFESSIONAL) TO PLANNED UNIT DEVELOPMENT NO. PUD-103-04, FOR PROPERTY LOCATED ON THE NORTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF SUNGROVE STREET, AT 12721 AND 12739 GARDEN GROVE BOULEVARD, PARCEL NOS. 231-323-18 AND 19

ACTION: Full reading waived. Ordinance passed to second reading.

(5 Ayes.)

- 4.e.3. ORDINANCE NO. 2638, for introduction and first reading, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A DEVELOPMENT AGREEMENT BETWEEN WILLOW PARTNERS (DEVELOPER) AND THE CITY OF GARDEN GROVE FOR PROPERTY LOCATED ON THE NORTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF SUNGROVE STREET, AT 12721 AND 12739 GARDEN GROVE BOULEVARD, PARCEL NOS. 231-323-18 AND 19

ACTION: Full reading waived. Ordinance passed to second reading.

(5 Ayes.)

5. ITEMS FOR CONSIDERATION: (Motion to approve will include adoption of each Resolution unless otherwise indicated.)

- 5.a. Adoption of Resolution authorizing application to the Orange County Transportation Authority for funding under the Transportation Enhancement Activities Program for Harbor Boulevard and Garden Grove Boulevard Intersection Improvements. (F: 36.11)

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

ACTION: Resolution No. 8606-04 adopted.

(5 Ayes.)

6. ORDINANCES FOR SECOND READING:

- 6.a. ORDINANCE NO. 2636 for second reading and adoption, by title only, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A DEVELOPMENT AGREEMENT BETWEEN FIRST PACIFIC INVESTMENT GROUP, INC. (PROPERTY OWNER), AND THE CITY OF GARDEN GROVE FOR PROPERTY LOCATED ON THE SOUTH SIDE OF GARDEN GROVE BOULEVARD, BETWEEN COAST STREET AND MONROE STREET, AT 8252, 8280, 8302 GARDEN GROVE BOULEVARD, PARCEL NOS. 097-011-08, 09, 10 (F: 106.147) (XR: 116.SP-346-04) (XR: 103.TT-16688) (XR: 111.V-114-04)

ACTION: Ordinance passed.

(4 Ayes. Rosen abstained.)

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

MAYOR BROADWATER LEFT THE MEETING ROOM AT 9:48 p.m.

- 7.b. Discussion concerning issues regarding the Hawaiian Cafeteria on Brookhurst Street, as requested by Councilman Leyes. (F: 53.1)

ACTION: Discussed.

MAYOR BROADWATER REJOINED THE MEETING AT 9:53 P.M.

- 7.c. Discussion concerning distribution of Ralph M. Brown Act to Council Members and Commission Members; and proposed language for policies, as requested by Councilman Leyes. (F: 53.1)

ACTION: Discussed.

- 7.d. Discussion concerning holding Closed Sessions at the beginning of the meetings, with listing of items also appearing on the agenda for possible discussion in Open Session, as requested by Councilman Rosen. (F: 53.1)

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ACTION: Discussed.

- 7.e. Discussion concerning feasibility of recording Closed Sessions, as requested by Councilman Dalton. (F: 53.1)

ACTION: Pulled until after new Council seated.

- 7.f. Status report concerning the SR 22 Freeway Expansion and the recent OCTA City Liaison Committee meeting, as requested by Councilman Rosen. (F: 53.1) (XR: 62.2)

ACTION: Report given.

- 7.g. Councilman Leyes spoke about the groundbreaking today for the Shelley/Kensington Park. He also commented on his recent trip to New York City for the Republican Convention. He spoke about his visit to Ground Zero and commented that on his return to Garden Grove he attended a 9-11 Memorial service at the First Christian Church on Chapman Avenue. (F: 53.1)

- 7.h. Councilman Dalton wished his wife Sandy a Happy 43rd Anniversary. (F: 53.1)

- 7.i. Councilman Rosen spoke about the dedication of the Shelly/Kensington Park, noting that in another two weeks the groundbreaking for the new Gutosky Park will be held. He noted that he lobbied OCTA representatives for the two park sites on these rights-of-way, commenting that we should expand our park land. (F: 53.1)

- 7.j. Mayor Broadwater complimented Councilman Rosen on his efforts to expand our parks. He also commented that he recently met with the Guys over 55 Soccer Team at City Hall, noting that next year they will be the Guys over 60 Soccer Team. (F: 53.1)

8. CLOSED SESSION:

None.

9. ADJOURNMENT: 10:42 p.m.

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

HAPPY BIRTHDAY MAYOR BROADWATER

***HAPPY ANNIVERSARY TO
COUNCILMAN BILL AND SANDY DALTON***