

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center  
11300 Stanford Avenue

October 25, 2005

Council Chamber

ROLL CALL: COUNCIL MEMBER KREBS, COUNCIL MEMBER LEYES, 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.*

Closed Session

1. CLOSED SESSION: None.

Open Session

7:05 p.m.

INVOCATION: Les Jones, Assistant City Manager.

COUNCIL MEMBERS: COUNCIL MEMBER KREBS, COUNCIL MEMBER LEYES,  
COUNCIL MEMBER NGUYEN, MAYOR PRO TEM ROSEN,  
MAYOR DALTON

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

2. PRESENTATIONS:

- 2.a. Community Spotlight: Recognition of the 2005 Garden Grove Strawberry Festival Association Board for a successful Festival. (F: 52.3) (XR: 42.3)

ACTION: Recognized.

- 2.b. Community Spotlight: Recognition of William Dumas for 26 years of dedicated service to the City of Garden Grove. (F: 52.3) (XR: 61.1)

ACTION: Recognized.

- 2.c. Department update by Police Chief, Joe Polisar. (F: 82.1)

ACTION: Report presented.

3. ORAL COMMUNICATIONS - PUBLIC: (To be held simultaneously with Agency and Sanitary District Oral Communications.)

Alberto and Carmen Martinez with Henry Banuelos interpreting commented they will be impacted because of the pillar for the freeway overpass and are being impacted because of the traffic that is being diverted through their neighborhood on Dakota to Magnolia. They are trying to come up with a solution to give themselves more parking and access. They also commented regarding a letter they received from Code Enforcement and are worried that the time is nearing a deadline to get the work done. The Mayor advised that staff will call them regarding all the issues. (F: 53.3) (XR: 80.2) (XR: 62.2)

Henry Banuelos also commented that he has not had luck finding someone at OCTA to speak to regarding the diverted traffic. He noted that the local people in the residential areas are more impacted than the people trying to get to the freeway. Council Member Rosen commented that these are all temporary detours and advised that the project manager at OCTA is Rich Grebner, noting that the project is being designed as it is being constructed. (F: 53.3) (XR: 62.2)

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J. Tilman Williams commented that churches and even the Girl Scouts have a lot of signage up. He wants to put up a sign on Harbor Boulevard for his Esperanto Group and questioned whether there was a cost to him or the churches for the signage. He distributed an article regarding an environment of religious indoctrination at the U. S. Air Force Academy. He requested that the City Council adopt a resolution that there should be a separation between church and state, especially at the military academy. (F: 53.3)

Ray Littrell alleged that funds marked for the Sports Complex were not used and they were returned. He also noted that the City Council failed to make appointments to Park, Recreation, and Arts Commission, which is a violation of Ordinance No. 2604 as well as Government Code Section 12222. He requested that the City Attorney enforce the Government Code because of a willful omission on performing their duties in making appointments. (F: 53.3) (XR: 73.5c) (XR: 122.70)

4. WRITTEN COMMUNICATIONS:

- 4.a. Request from the Garden Grove Community Foundation to appoint a City Council Member to its Board of Directors for a three-year term beginning January 2006. (F: 130.15) (VIP)

ACTION: Appointed Council Member Rosen to a three-year term.

(3 Ayes. Leyes voted no, and Rosen abstained.)

RECESS: 7:55 p.m.

CONDUCT AGENCY BUSINESS

CONDUCT SANITARY DISTRICT BUSINESS

RECONVENE: 8:10 p.m.

5. CONSENT ITEMS: (It is recommended that Items 5.a. through 5.h. be acted on simultaneously unless separate discussion and/or action is requested by a City Council Member.)

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- 5.a. Adoption of Negative Declaration for Project No. 7246, Euclid Street/Hazard Avenue Intersection Improvement project. (F: 96.Proj.7246)

ACTION: Adopted.  
(5 Ayes.)

- 5.b. Adoption of Negative Declaration for Project No. 7265, Brookhurst Street/Garden Grove Boulevard Intersection Improvement project. (F: 96.Proj.7265)

ACTION: Adopted.  
(5 Ayes.)

- 5.c. Agreements with Harbor Pointe Air Conditioning Control Systems and Graycon, Inc., for HVAC systems repair and maintenance as needed. (F: 55) (XR: 24.1)

ACTION: Approved.  
(5 Ayes.)

- 5.d. Acceptance of Contract as complete on Project No. 7117, Traffic Signal Installations and Modifications at Various Locations. (F: 100.Proj.7117)

ACTION: Accepted  
(5 Ayes.)

- 5.e. Katella Cottages/La Favorita Market Settlement and Mutual General Release Agreement (Also listed as item No. 3.b. on the Agency Agenda) (F: A-55.299) (XR: A-55.290)

ACTION: Approved.  
(5 Ayes.)

- 5.f. Minutes of the Regular City Council Meetings held September 13 and September 27, 2005. (F: Vault)

ACTION: Approved.  
(5 Ayes.)

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5.g. Warrants. (F: 60.5)

ACTION: Approved.  
(5 Ayes.)

5.h. Waiver of full reading of Ordinances listed for adoption.

ACTION: Approved.  
(5 Ayes.)

6. PUBLIC HEARINGS:

6.a. Protests on the Weed Abatement Notices for the Fall 2005 Program.  
(F: 113.Fall 2005)

ACTION: Hearing held. Staff authorized to proceed with  
weed abatement.  
(5 Ayes.)

6.b. Appeal of Conditional Use Permit No. CUP-169-05 – Thuan Pham is  
requesting approval to change the type of an existing Alcoholic  
Beverage Control License from a Type "20" (Off-Sale Beer and Wine) to  
a Type "21" (Off-Sale General) for an existing Dee's Mini-Market. The  
site located in the C-1 (Neighborhood Commercial) zone, located on the  
northeast corner of Harbor Boulevard and Trask Avenue, at  
13458 Harbor Boulevard. (Request for continuance to December 13,  
2005.) (F: 51.CUP-169-05)

ACTION: Continued to December 13, 2005.  
(5 Ayes.)

7. COMMISSION/COMMITTEE MATTERS: None.

8. ITEMS FOR CONSIDERATION: None.

9. ORDINANCES PRESENTED FOR SECOND READING:

9.a. ORDINANCE NO. 2669, for second reading and adoption, by title only,  
entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
GARDEN GROVE AUTHORIZING AN AMENDMENT TO THE CONTRACT  
BETWEEN THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AND

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THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC  
EMPLOYEES' RETIREMENT SYSTEM (F: 78.12)

ACTION: Ordinance passed.  
(4 Ayes, Leyes voted no.)

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

- 10.a. Council Member Leyes commented regarding the Sports Complex, noting that there is a belief that money was returned that was not used. He noted that there are more improvements that could be done. He requested a report from staff. Secondly, he commented regarding the OCTA Board voting not to spend any more money on the Centerline project, and that the Pacific Electric right-of-way should again be considered. Most of it is zoned Open Space, and the City should take the opportunity to consider rezoning it while it is in the process of working on a new General Plan. Lastly, he commented that the League of California Cities has endorsed Proposition 76. (F: 53.1) (XR: 73.5c) (XR: 23.18F) (XR: 36.3)
- 10.b. Mayor Pro Tem Rosen wished his wife Sandy a Happy Birthday, and congratulated Deputy City Manager Les Jones and his wife Jill on their Wedding Anniversary. He provided an update that the 22 Freeway will be completed in 2006, and the ramp to the 5 Freeway will be closed for eight months starting November 1. He indicated that OCTA will be hosting a celebration Wednesday morning at the Community Meeting Center to celebrate the half way completion of the 22 Freeway. Lastly he commented regarding the vacancies on the Commissions, and that he and Council Member Krebs made their appointments on the Parks, Recreation, and Arts Commission. He indicated that if the remaining City Council Members do not want to make their appointments, the Commission should be dissolved. He commented regarding amending the ordinance to state that if vacancies are not made in a timely manner, then they would be made by the Mayor or Mayor Pro Tem. (F: 53.1) (XR: 62.2) (XR: 122.1) (XR: 122.70)
- 10.c. Council Member Nguyen congratulated the Korean Festival Association Board for a successful Festival. She noted that there are a lot of shopping carts littering the City. She requested a report on how staff can get rid of them within 24 hours. (F: 53.1) (XR: 42.7a) (XR: 24.8)

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- 10.d. Council Member Krebs commented that Commissioners should be put to work or the Commission should be disbanded. He commented regarding the poor condition of the field at the Sports Complex, and that there is a plan to get it in shape for the soccer tournament. (F: 53.1) (XR: 122.1) (XR: 122.70) (XR: 73.5c)
- 10.e. Mayor Dalton commented that some of the information he received regarding the Sports Complex is that the Grant money was not given to the city. The City was reimbursed as the bills were submitted. He requested that the meeting be adjourned in memory of Joe Gomez and provided an outline of all that Joe accomplished during his almost 40 years of working for the City. (F: 53.1) (XR: 73.5c) (XR: 46.9)
11. ADJOURNMENT: At 8:35 p.m., the meeting was adjourned in memory of Joe Gomez. (F: 46.9)