

AGENDA

Regular Meeting

GARDEN GROVE CITY COUNCIL

Community Meeting Center
11300 Stanford Avenue

October 26, 2004

6:54 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 and Sanitary District Oral Communications.)

2.a. Peter Meng, Janet Kriem, Jenae Wilson, Tony Flores, John Shaffer, and Scott Preucel addressed the Council concerning flooding in their residences from the overflow of the Belgrave Channel during the rainstorm last weekend.

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COUNCILMAN TRAN, MAYOR PRO TEM DALTON,
MAYOR BROADWATER

ACTION: Staff directed to gather information and set up a meeting at Enders School with the residents to advise them of their options.

- 2.b. Tony Flores also addressed the Council alleging misconduct by a City Council candidate relating to mailings.
- 2.c. Joan Tustison addressed the Council concerning agenda item 7.a., the construction of the Garden Grove Park Sports Complex.
- 2.d. Verla Lambert addressed the Council concerning remarks made by Council candidates concerning the proposed redevelopment plan. suggesting all meetings should be televised for the record.
- 2.e. Nancy Driscoll addressed the Council concerning the West Basin Pond permit revocation by the County.

ACTION: Councilman Dalton indicated he will get a report to Ms. Driscoll by Friday.

- 2.f. Vivian Kirkpatrick and Joe Caggiano addressed the Council concerning agenda item 7.b., the installation of a traffic signal at the intersection of Chapman Avenue and Summerset Place.
- 2.g. Robin Marcario addressed the Council concerning her candidacy for City Council and urging yes votes on Measures 59 and 1A.

3. WRITTEN COMMUNICATIONS:

None.

4. CONSENT ITEMS: (It is recommended that Items 4.a. through 4.h. be acted on simultaneously unless separate discussion and/or action is requested by a Councilmember.)

- 4.a. Proclamation declaring November 21-28, 2004, as National Bible Week. (F: 83.1)

ACTION: Approved.
(5 Ayes.)

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MAYOR BROADWATER

- 4.b. Award of Contract to Digital Electric, Inc., for Project No. 7388, Upgrade of Controls for Booster Pumps at West Garden Grove Reservoir. (Estimated cost: \$195,000.00) (F: 112.12.Proj.7388)

ACTION: Awarded and authorized.
(5 Ayes.)

- 4.c. Award of Contract to New Image Commercial Flooring, Inc., for re-carpeting of the second floor of the City Hall Building. (Estimated cost: \$47,941.42) (F: 60.4) (XR: 48.2)

ACTION: Awarded and authorized.
(5 Ayes.)

- 4.d. Amendment No. 9 to Cooperative Agreement No. C-95-974 with the Orange County Transportation Authority (OCTA), providing an updated project list for funding under the Combined Transportation Funding Programs. (F: 55) (XR: 23.18)

ACTION: Approved and authorized.
(5 Ayes.)

- 4.e. Acceptance of Contract as Complete for Upgrade and Repair of Fence at Central Stores. (F: 55) (XR: 24.1)

ACTION: Approved and authorized.
(5 Ayes.)

- 4.f. Resolution approving and adopting the Joint Powers Benefit Authority Health and Retirement Rollover Plan. (F: 78.16)

ACTION: Resolution No. 8615-04 adopted.
(5 Ayes.)

- 4.g. Approval of warrants. (F: 60.5)

ACTION: Approved.
(5 Ayes.)

- 4.h. Approval of waiver of full reading of Ordinances listed for adoption.

COUNCILMEMBERS: COUNCILMAN LEYES, COUNCILMAN ROSEN,
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ACTION: Approved.
(5 Ayes.)

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

5.a. Amendment No. A-115-04 - The City of Garden Grove is proposing to rezone properties on the east and west sides of Gilbert Street, between Lampson Avenue and Garden Grove Boulevard, from R-1 (Single-Family Residential), with a minimum lot size of 7,200 square feet, to R-1 (Single-Family Residential), with a minimum lot size up to 11,000 square feet. The Gilbert Street addresses proposed to be included in the rezone are as follow: 12501, 12661, 12751, 12822, 12832, 12842, 12652, 12872, 12892, 12902, 12912, and 12922 Gilbert Street.
(F: A-115-04)

On September 2, 2004, the City Planning Commission, pursuant to Resolution No. 5450, recommended approval of A-115-04, with a minimum lot size of 9,000 square feet; and public hearing on the case was ordered by the City Council to be held this date.

ACTION: Hearing held. Motion to rezone certain parcels of land located on the east side of Gilbert Street, between Lampson Avenue and Garden Grove Boulevard to R-1-9000.
(5 Ayes.)

5.a.1. ORDINANCE NO. , for introduction and first reading, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT A-115-04, REZONING PARCELS OF LAND LOCATED ON THE EAST AND WEST SIDES OF GILBERT STREET, BETWEEN LAMPSON AVENUE AND GARDEN GROVE BOULEVARD, PARCEL NOS. 133-311-01, 44; 133-401-38, 133-391-01, 02, 03, 04; 133-381-01, 02, 03, 04 AND 133-381-40, for a minimum lot size of 9,000 square feet.

or

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- 5.a.2. ORDINANCE NO. , for introduction and first reading, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT A-115-04, REZONING PARCELS OF LAND LOCATED ON THE EAST AND WEST SIDES OF GILBERT STREET, BETWEEN LAMPSON AVENUE AND GARDEN GROVE BOULEVARD, PARCEL NOS. 133-311-01, 44; 133-401-38, 133-391-01, 02, 03, 04; 133-381-01, 02, 03, 04 AND 133-381-40, for a minimum lot size of 11,000 square feet.

- 5.b. Amendment No. A-116-04 - The City of Garden Grove is proposing to amend Title 9 of the Garden Grove Municipal Code to adopt the Gilbert Street Overlay Zone for all properties zoned R-1 (Single-Family Residential), located adjacent to Gilbert Street, between Chapman Avenue and Garden Grove Boulevard. (F: 115.A-116.04)

On September 2, 2004, the City Planning Commission, pursuant to Resolution No. 5451, recommended approval of A-116-04; and public hearing on the case was ordered by the City Council to be held this date.

ACTION: Hearing held.

- 5.b.1. ORDINANCE NO. 2641, for introduction and first reading, by title only, entitled

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT A-116-04, AN AMENDMENT TO TITLE 9 OF THE CITY OF GARDEN GROVE MUNICIPAL CODE ADDING SECTION 9.12.120 RELATING TO THE ADOPTION OF THE GILBERT STREET OVERLAY ZONE

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

RECESS: 9:53 p.m.

CONDUCT AGENCY BUSINESS

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

RECONVENE: 10:16 p.m.

6. COMMISSION/COMMITTEE MATTERS:

None.

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

- 7.a. Award of Contract to Taisei Construction Corporation for Project No. 7658, Construction of the Garden Grove Park Sports Complex on the north side of Westminster Avenue between Atlantis Way and Deodara Drive; and adoption of Negative Declaration for the project. (Estimated cost: \$4,162,000.00) (F: 73.5.Proj.7658)

ACTION: Awarded and Resolution No. 8616-04 adopted.
(4 Ayes. Leyes voted no.)

- 7.b. Installation of traffic signal at the intersection of Chapman Avenue and Summerset Place. (F: 100.1) (XR: 20.GPA-4-04)

ACTION: Approved.
(5 Ayes.)

RECESS: 10:36 p.m.

CONDUCT SANITARY BUSINESS

RECONVENE: 11:03 p.m.

8. ORDINANCES PRESENTED FOR SECOND READING:

- 8.a. ORDINANCE NO. 2639 for second reading and adoption, by title only, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING PLANNED UNIT DEVELOPMENT NO. PUD-104-04, CHANGING THE ZONING DESIGNATION FROM HCSP-TCB (HARBOR CORRIDOR SPECIFIC PLAN, TOURIST COMMERCIAL B) TO PLANNED UNIT DEVELOPMENT NO. PUD-104-04, FOR PROPERTY LOCATED ON THE SOUTH SIDE OF CHAPMAN AVENUE, EAST OF HARBOR BOULEVARD, AT 12662 CHAPMAN AVENUE, PARCEL

COUNCILMEMBERS: COUNCILMAN LEYES, COUNCILMAN ROSEN,
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MAYOR BROADWATER

NO. 231-501-15 (F: 20.GPA-4-04) (XR: 116.PUD-104-04)
(XR: 116.SP-349-04) (XR: 103.TT-16732) (XR: 106.152)

ACTION: Ordinance passed.
(5 Ayes.)

- 8.b. ORDINANCE NO. 2640 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 D. R. HORTON (DEVELOPER) AND THE CITY OF GARDEN GROVE FOR PROPERTY LOCATED ON THE SOUTH SIDE OF CHAPMAN AVENUE, EAST OF HARBOR BOULEVARD, AT 12662 CHAPMAN AVENUE, PARCEL NO. 231-501-15 (F: 20.GPA-4-04) (XR: 116.PUD-104-04) (XR: 116.SP-349-04) (XR: 103.TT-16732) (XR: 106.152)

ACTION: Ordinance passed.
(5 Ayes.)

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

- 9.a. Discussion concerning the new make-up of OCTA, as requested by Mayor Broadwater. (F: 53.1) (XR: 23.18)

ACTION: Council Members Rosen and Dalton designated to serve on subcommittee to meet with City of Westminster.
(5 Ayes.)

- 9.b. Discussion concerning the reinstatement of the D.A.R.E. Program, as requested by Councilman Leyes. (F: 53.1) (XR: 82.1)

ACTION: Motion to reinstate the D.A.R.E. Program died for lack of a second.

- 9.c. Discussion concerning an amendment to the General Plan prohibiting casinos and card clubs within city limits, as requested by Councilman Leyes. (F: 53.1)

ACTION: Motion to amend the General Plan to prohibit casinos and card clubs within the city limits died for lack of a second.

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9.d. Councilman Rosen urged yes votes on Ballot Measures 1-A and 62. He also requested the meeting be adjourned in memory of Dr. Rob Soltes.

9.e. Councilman Tran indicated he was recently invited to speak at the Oakland Museum, and he is donating an honorarium of \$300 he received to the Garden Grove Community Foundation.

10. CLOSED SESSION:

None.

11. ADJOURNMENT: 11:25 p.m., in memory of Dr. Rob Soltes, local Optometrist and community volunteer who was killed in Iraq.

HAPPY BIRTHDAY GREETINGS TO SANDY ROSEN