

MINUTES

GARDEN GROVE CITY COUNCIL

A Regular Meeting of the City Council of the City of Garden Grove was called to order in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, on Tuesday, June 8, 2004, at 6:52 p.m.

ROLL CALL: PRESENT: (5) MAYOR BROADWATER, COUNCILMEMBERS
DALTON, LEYES, ROSEN, TRAN

ABSENT: (0) NONE

ALSO PRESENT: City Manager, Matthew Fertal; Deputy City Manager, Les Jones; Administrative Services Director, Kathy Porter; Community Development Director, Susan Emery; Community Services Director, Cal Rietzel; Finance Director, Kingsley Okereke; Fire Chief, Keith Osborn; Personnel Services Director, Steve Larson; Police Chief, Joe Polisar; Public Works Director, Keith Jones; City Attorney, John Shaw; and City Clerk, Ruth Smith.

INVOCATION AND PLEDGE

Deputy City Manager Les Jones gave the Invocation. Councilman Tran led the Pledge of Allegiance to the Flag of the United States of America.

A moment of silence was held to remember former President Ronald Reagan, following which Mayor Broadwater and each Councilmember shared their thoughts and paid their tributes on the passing of the former President. (F: 53.1)

Councilman Leyes announced that a candlelight vigil will be held on Thursday at the Calvary Chapel on Knott Street from 6 p.m. to 10 p.m., and he encouraged everyone to attend. He also noted that there would be a book of remembrance in City Hall for individuals to share their tributes, following which the book will be forwarded to the family. (F: 53.1)

Councilman Leyes further commented that inasmuch as President Reagan was a sports commentator at one time, it might be

appropriate to name the Youth Sports Center Gymnasium in his honor. (F: 53.1) (XR: 73.12a)

Mayor Broadwater indicated that Denis Witcher, former long-time Garden Grove resident and active member of the Garden Grove Historical Society, recently passed away, and he requested that the meeting be adjourned in his memory. Further, he indicated that Mr. Witcher worked in the White House for former President Ronald Reagan. (F: 53.1) (XR: 46.9)

PRESENTATION – COMMUNITY SPOTLIGHT

Mayor Broadwater called forward Alex Valenzuela, Sr., Alex Valenzuela, Jr., and Ervin Dubrul, City Public Works employees, and presented them with Certificates of Appreciation and small gifts in honor of their noble efforts and willingness to put their own safety aside to help a family during a recent car fire. (F: 52.3) (XR: 78.9)

PRESENTATION

Mayor Broadwater called forward Bob Fish, Garden Grove Chamber of Commerce Chair of the Board, who detailed the accomplishments of the Chamber over the past year. (F: 52.3) XR: 42.1

ORAL COMMUNICATIONS – PUBLIC

Norman Ross addressed the Council concerning the complaints he has filed against the City, and his alleged mistreatment, noting that he still has not received a response on his claims. He also asked that his belongings that were taken by the Police Department be returned to him. (F: 53.3) (XR: 49.2) (XR: 82.1)

Mayor Broadwater indicated he would look into this matter.

RECESS

At 7:28 p.m., the Mayor declared a recess.

RECONVENE

At 7:40 p.m., the meeting was reconvened with Mayor Broadwater and all Councilmembers in attendance.

RECOGNITION OF SMALL BUSINESS WEEK

This matter was continued from the meeting of May 11, 2004, for additional information. A communication from the Garden Grove Chamber of Commerce detailing the information was introduced.

It was moved by Councilman Rosen, seconded by Councilman Dalton, and carried by unanimous vote, that May 16-22, 2004, be and hereby is recognized as Small Business Week. (F: 83.1)
(XR: 42.1)

EXONERATION OF SUBDIVISION IMPROVEMENT BONDS FOR FINAL PARCEL MAP NO. PM 2002-196, LOCATED ON THE SOUTHEAST CORNER OF KNOTT STREET AND PATTERSON DRIVE (F: 116.PUD-144-02) (XR: 106.135) (XR: 118.PM-2002-196)

Staff report dated June 8, 2004, was introduced.

It was moved by Councilman Rosen, seconded by Councilman Dalton, and carried by unanimous vote, that the exoneration of subdivision improvement bonds, posted by Burke Real Estate Group, and acceptance of public improvements for City maintenance, for Parcel Map No. PM-2002-196, located on the southeast corner of Knott Street and Patterson Drive, be and hereby are authorized.

PROJECT NO. 7122 – CONSTRUCTION OF MEDIANS ON LAMPSON AVENUE BETWEEN KNOTT STREET AND LAMPLIGHTER STREET - PLANS AND SPECIFICATIONS (F: 96.Proj.7122)

Staff report dated June 8, 2004, was introduced.

Councilman Leyes noted that the landscaping along Lampson Avenue westerly toward Valley View Street is meager and bleak looking. He commented that he would like to see the City find funding to improve that area.

It was moved by Councilman Leyes, seconded by Councilman Rosen, and carried by unanimous vote, that plans and specifications for the above-titled project be and hereby are approved, and the City Clerk is authorized to advertise for bids.

AGREEMENT WITH THE ORANGE COUNTY SHERIFF'S DEPARTMENT FOR FORENSICS SERVICES (F: 55) (XR: 82.1)

Staff report dated June 8, 2004, was introduced.

It was moved by Councilman Rosen, seconded by Councilman Dalton, and carried by unanimous vote, that the Agreement by and between the City of Garden Grove and the Orange County Sheriff's Department to provide forensics services to the City, be and hereby is approved; and the Mayor and City Clerk are authorized to execute the agreement.

RENEWAL OF AGREEMENT WITH CORRECTIONAL SYSTEMS, INC., TO PROVIDE JAIL BOOKING AND SECURITY SERVICES (F: 55) (XR: 82.1)

Staff report dated June 8, 2004, was introduced.

It was moved by Councilman Rosen, seconded by Councilman Dalton, and carried by unanimous vote, that the Agreement by and between the City of Garden Grove and Correctional Systems, Inc., to provide jail booking and security services to the City, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement.

PROJECT NO. 7257 – HASTER/CHAPMAN INTERSECTION IMPROVEMENTS - ACCEPTANCE OF CONTRACT AS COMPLETE (F: 96.Proj.7257)

Staff report dated June 8, 2004, was introduced.

It was moved by Councilman Rosen, seconded by Councilman Dalton, and carried by unanimous vote, that the contract on Project No. 7257, Haster/Chapman Intersection Improvements, be accepted as complete as of this date; the Mayor and City Clerk are authorized to execute the appropriate documents; and the Finance Director is authorized to release the retention payment to P.A. Engineering, Inc., when appropriate to do so.

SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR A FY 2004/05 USED OIL RECYCLING BLOCK GRANT (F: 24.13)

Staff report dated June 8, 2004, was introduced.

RESOLUTION NO. 8573-04

It was moved by Councilman Rosen, seconded by Councilman Dalton, and carried by unanimous vote, that full reading of Resolution No. 8573-04 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR

USED OIL RECYCLING BLOCK GRANT, FISCAL YEAR 2004/2005 (10TH CYCLE), be and hereby is adopted.

MINUTES (F: Vault)

It was moved by Councilman Leyes, seconded by Councilman Rosen, and carried by unanimous vote, that the minutes of the Regular City Council Meeting held April 27, 2004, be and hereby are approved as presented; and the minutes of the Regular City Council Meeting held May 11, 2004, be and hereby are approved, as amended to reflect on page 15 that the amendments to the budget include over a \$1 billion reduction to the counties and cities, which will mean a double hit for the cities, "once for the general fund and also for the Redevelopment Agency."

WARRANTS (F: 60.5)

It was moved by Councilman Rosen, seconded by Councilman Dalton, and carried by unanimous vote, that regular warrants 312163 through 314069 and wires W142 through W144; and payroll warrants 134629 through 135030, Direct Deposits D91001 through D92089, and wires W847 through W854, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

PUBLIC HEARING TO CONSIDER MAIN STREET ASSESSMENT DISTRICT NO. 1 – FISCAL YEAR 2004-05 ASSESSMENTS (F: 31.4) (XR: A-31.2)

Staff report dated June 8, 2004, was introduced, and it was noted that because expenditures have risen, the District 1 fund balance is shrinking from rising maintenance costs. The proposed budget approved by the Parking and Main Street Commission assumed an increase in the assessment. That budget requires a linear foot assessment of \$29.90, which is equivalent to a \$10 increase in the levy. After receiving testimony, if any, regarding the proposed assessment, the protest hearing should be closed and the Assessment Engineer directed to count the assessment ballots. A majority protest exists if there are more ballots cast opposing than favoring the proposed increase in assessment, weighted by the assessment amount.

In response to an inquiry by Mayor Broadwater, staff indicated that the assessment fee pays for all the maintenance of Main Street, including trash collection.

Councilman Rosen commented that if the assessment district did not pay for the trash collection, the business owners would be treated like every other business in the city and would pay for their own trash collection.

Mayor Broadwater declared the public hearing opened and asked if anyone wished to address the Council on the matter.

There being no response from the audience, the public hearing was declared closed. Whereupon this item was recessed to provide for the tabulation of the Assessment Ballots by the Assessment Engineer.

PUBLIC HEARING TO CONSIDER GARDEN GROVE CITY STREET LIGHTING DISTRICT, STREET LIGHTING DISTRICT NO. 99-1, AND PARK MAINTENANCE DISTRICT – FISCAL YEAR 2004-05 (F: 69.2.FY 2004-05) (XR: 31.5)

Staff report dated June 8, 2004, was introduced.

Mayor Broadwater declared the public hearing opened and asked if anyone wished to address the Council on the matter.

There being no response from the audience, the public hearing was declared closed.

RESOLUTION NO. 8574-04

Councilman Rosen moved, seconded by Councilman Tran, that full reading of Resolution No. 8574-04 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE MAKING DETERMINATIONS AND CONFIRMING THE DIAGRAM AND ASSESSMENT FOR 2004-2005 FISCAL YEAR FOR THE CITY OF GARDEN GROVE STREET LIGHTING DISTRICT, be and hereby is adopted. Upon the following vote:

AYES: COUNCILMEMBERS: (5) DALTON, LEYES, ROSEN, TRAN,
BROADWATER

NOES: COUNCILMEMBERS: (0) NONE

ABSENT: COUNCILMEMBERS: (0) NONE

said Resolution No. 8574-04 was declared adopted.

RESOLUTION NO. 8575-04

Councilman Rosen moved, seconded by Councilman Tran, that full reading of Resolution No. 8575-04 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE MAKING DETERMINATIONS AND CONFIRMING THE DIAGRAM AND ASSESSMENT FOR 2004-2005 FISCAL YEAR FOR THE CITY OF GARDEN GROVE STREET LIGHTING DISTRICT 99-1, be and hereby is adopted. Upon the following vote:

AYES: COUNCILMEMBERS: (5) DALTON, LEYES, ROSEN, TRAN, BROADWATER

NOES: COUNCILMEMBERS: (0) NONE

ABSENT: COUNCILMEMBERS: (0) NONE

said Resolution No. 8575-04 was declared adopted.

RESOLUTION NO. 8576-04

Councilman Rosen moved, seconded by Councilman Tran, and carried by unanimous vote, that full reading of Resolution No. 8576-04 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE MAKING DETERMINATIONS FOR THE CITY OF GARDEN GROVE PARK MAINTENANCE DISTRICT AND CONFIRMING THE DIAGRAM AND ASSESSMENT FOR 2004-2005 FISCAL YEAR, be and hereby is adopted. Upon the following vote;

AYES: COUNCILMEMBERS: (5) DALTON, LEYES, ROSEN, TRAN, BROADWATER

NOES: COUNCILMEMBERS: (0) NONE

ABSENT: COUNCILMEMBERS: (0) NONE

said Resolution No. 8576-04 was declared adopted.

PUBLIC HEARING TO CONSIDER AMENDMENTS TO TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE PERTAINING TO MECHANICAL EQUIPMENT IN RESIDENTIAL ZONES, CHANGE OF OWNERSHIP FOR ABC LICENSED ESTABLISHMENTS, FLOOD HAZARD OVERLAY ZONE, RESIDENTIAL FIXTURES IN THE REQUIRED FRONT YARD, AND RESIDENTIAL SIGNAGE
(F: 115.A-106-04) (XR: 50.3)

Amendment No. A-106-04, initiated by the City of Garden Grove, proposing to amend the Municipal Code (Title 9) to allow ground-

mounted mechanical equipment in the side or rear setbacks on properties improved with a single-family home.

The City Planning Commission, pursuant to Resolution No. 5414, recommended approval of A-106-04 on April 15, 2004; and pursuant to Legal Notice published May 20 and May 27, 2004, public hearing on the case was ordered by the City Council to be held this date.

Amendment No. A-107-04, initiated by the City of Garden Grove, proposing to amend the Municipal Code (Title 9) concerning requirements for conditional use permit (CUP) approval for a change of business ownership for existing establishments operating with a CUP approved before January 1, 1986 and requiring approval of a new conditional use permit if an investigation is required to be conducted by the Department of Alcoholic Beverage Control. (F: 115.A-107-04) (XR: 50.3)

The City Planning Commission, pursuant to Resolution No. 5415, recommended approval of A-107-04 on April 15, 2004; and pursuant to Legal Notice published May 20 and May 27, 2004, public hearing on the case was ordered by the City Council to be held this date.

Amendment No. A-108-04, initiated by the City of Garden Grove, proposing to amend the Municipal Code (Title 9) to update the flood hazard zone information to be consistent with the new maps issued to the City and with the flood zone designations within the city. (F: 115.A-108-04) (XR: 50.3)

The City Planning Commission, pursuant to Resolution No. 5416, recommended approval of A-108-04 on April 15, 2004; and pursuant to Legal Notice published May 20 and May 27, 2004, public hearing on the case was ordered by the City Council to be held this date.

Amendment No. A-109-04, initiated by the City of Garden Grove, proposing to amend the Municipal Code (Title 9) to clarify the development standards for garden furniture, decorative amenities, and statuary in the required front yards of R-1 (Single Family Residential) properties. (F: 115.A-109-04) (XR: 50.3)

The City Planning Commission, pursuant to Resolution No. 5417, recommended approval of A-109-04 on April 15, 2004; and pursuant to Legal Notice published May 20 and May 27, 2004, public

hearing on the case was ordered by the City Council to be held this date.

Amendment No. A-110-04, initiated by the City of Garden Grove, proposing to amend the Municipal Code (Title 9) to expand and clarify the definitions for signage and how to calculate the area of signs. The amendment also establishes design standards for signage on properties developed with one single-family dwelling and will apply to single-family homes in any of the residential zones. (F: 115.A-110-04) (XR: 50.3)

The City Planning Commission, pursuant to Resolution No. 5418, recommended approval of A-110-04 on April 15, 2004; and pursuant to Legal Notice published May 20 and May 27, 2004, public hearing on the case was ordered by the City Council to be held this date.

Staff report dated June 8, 2004, was introduced and staff provided background information on all five amendments and clarified some points for Councilmembers.

Councilman Leyes expressed concern relative to A-109-04, commenting that residents could be penalized for having a wishing well, gazebo, or a porch swing in their front yards, suggesting that a little more thought be given to this proposed amendment.

Councilman Rosen expressed concern about how A-110-04 would affect the placement of political signs on residential properties.

Mayor Broadwater declared the public hearing opened and asked if anyone wished to address the Council on the matter.

Dale Washington addressed the Council concerning A-109-04, indicating that the City should stay out of people's front yards, suggesting that this becomes a Constitutional issue and noting that barbecues and signs would be a violation.

Ray Littrell addressed the Council concerning A-106-04, expressing concern about public safety issues.

Peggy Bergin addressed the Council concerning A-109-04, expressing concern that Christmas ornaments in the front yard might be a violation.

There being no further response from the audience, the public hearing was declared closed.

Councilman Rosen commented relative to A-106-04, expressing concern that pool and air conditioning equipment generate noise; and perhaps an analysis should be made of the decibel noise from that equipment located in side or rear setbacks where houses are very close together. Further, he suggested that more time is needed to measure decibel levels and perhaps consider other options.

It was moved by Councilman Rosen, seconded by Councilman Leyes, and carried by unanimous vote, that Amendment No. A-106-04 be continued to June 22, 2004, for additional information.

ORDINANCE NO. 2628 was introduced for first reading and the title read in full, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-107-04, AN AMENDMENT OF TITLE 9 OF THE CITY OF GARDEN GROVE MUNICIPAL CODE, PARAGRAPH 9 OF SUBSECTION B, SECTION 9.08.080 RELATING TO ALCOHOLIC BEVERAGE SALES AND CHANGES IN OWNERSHIP

It was moved by Councilman Rosen, seconded by Councilman Dalton, and carried by unanimous vote, that full reading of Ordinance No. 2628 be waived, and said Ordinance be and hereby is passed to second reading.

ORDINANCE NO. 2629 was introduced for first reading and the title read in full, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-108-04, AN AMENDMENT OF TITLE 9 OF THE CITY OF GARDEN GROVE MUNICIPAL CODE SECTION 9.12.080 FLOOD HAZARD OVERLAY ZONE

It was moved by Councilman Leyes, seconded by Councilman Dalton, and carried by unanimous vote, that full reading of Ordinance No. 2629 be waived, and said Ordinance be and hereby is passed to second reading.

Councilman Leyes commented relative to A-109-04, suggesting that this needs more thought for reasons he previously indicated, and perhaps quantity of items could be a regulating factor. Councilman

Rosen agreed, noting that even basketball hoops could be a problem.

Mayor Broadwater commented that there are areas in the city where front yard development standards are needed, citing the existing situation on Ocean Breeze.

The City Attorney indicated more thought can be given to this and it could be discussed further at a work session.

Councilman Tran also expressed concern with A-110-04, suggesting both these matters be further refined at staff level, with consideration being paid to potential legal issues.

Councilman Leyes moved, seconded by Councilman Rosen, that Amendment No. A-109-04 and Amendment No. A-110-04 be continued to a time uncertain. Said motion carried by the following vote:

AYES: COUNCILMEMBERS: (4) DALTON, LEYES, ROSEN, TRAN
NOES: COUNCILMEMBERS: (1) BROADWATER
ABSENT: COUNCILMEMBERS: (0) NONE

PUBLIC HEARING – DEVELOPMENT AGREEMENT IN CONNECTION WITH SITE PLAN NO. SP-320-03 (F: 106.151) (XR: 116.SP-320-03)

Development Agreement in connection with Site Plan No. SP-320-03, initiated by Michael M. Dao, Inc., requesting to expand an existing 14,500 square foot medical office building on an 85,954 square foot site, with a two-story, 16,000 square foot office addition, on the northwest corner of Westminster Avenue and Atlantis Way, at 9191 Westminster Avenue.

On April 15, 2004, the City Planning Commission, pursuant to Resolution No. 5421, approved SP-320-03, and recommended approval of the Development Agreement. Pursuant to Legal Notice published May 20, 2004, public hearing on the case was ordered by the City Council to be held this date.

Staff report dated June 8, 2004, was introduced, and staff reviewed the background information concerning this project.

Mayor Broadwater declared the public hearing opened and asked if anyone wished to address the Council on the matter.

Dale Washington addressed the Council, on behalf of the applicant.

There being no further comments from the audience, the public hearing was declared closed.

ORDINANCE NO. 2630 was introduced for first reading and the title read in full, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A DEVELOPMENT AGREEMENT BETWEEN MICHAEL M. DAO, M.D. (PROPERTY OWNER) AND THE CITY OF GARDEN GROVE FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF WESTMINSTER AVENUE AND ATLANTIS WAY, AT 9191 WESTMINSTER AVENUE, PARCEL NO. 089-401-22

It was moved by Councilman Rosen, seconded by Councilman Tran, and carried by unanimous vote, that full reading of Ordinance No. 2630 be waived, and said Ordinance be and hereby is passed to second reading.

PUBLIC HEARING TO CONSIDER MAIN STREET ASSESSMENT DISTRICT NO. 1 – FISCAL YEAR 2004-05 ASSESSMENTS (CONTINUED) (F: 31.4) (XR: A-31.2)

The City Clerk announced the results of the tabulation of the Assessment Ballots, indicating that the vote was 21.5 percent in favor and 78.5 percent against, so there is a majority protest. Therefore, the assessment increase cannot be levied.

Mayor Broadwater inquired what would happen if there were not enough funds to cover the improvements on Main Street.

The City Manager responded that this year the assessment will remain the same and the City will draw on the reserve to cover the shortfall. Trash collection fees have increased and are a major cost factor. Next year when this comes up again for consideration, some services may have to be reduced or the Assessment District terminated.

Mayor Broadwater suggested the members of the Assessment District be notified about possibly eliminating the District.

In response to an inquiry by Councilman Leyes, the assessment engineer indicated that 22 out of 30 ballots were returned.

Staff noted that the reserve is estimated to be about \$50,000, and it will be necessary to draw down about half of that amount in FY 2004-05 to cover costs.

The City Manager noted that staff will explore all possibilities and will take a look at this again next year.

It was moved by Councilman Leyes, seconded by Councilman Rosen, and carried by unanimous vote, that staff bring back to the June 22, 2004 City Council meeting a modified Engineer's Report and resolution showing no increase in the assessments levied for FY 2004-05.

AWARD OF CONTRACT ON PROJECT NO. 7237, - PHASE V OF REHABILITATION OF LAMPSON AVENUE BETWEEN DALE STREET AND MAGNOLIA STREET (F: 96.Proj.7237 Phase V)

Staff report dated June 8, 2004, was introduced.

It was moved by Councilman Tran, seconded by Councilman Dalton, and carried by unanimous vote, that R. J. Noble Company be and hereby is determined to be the lowest acceptable bidder in connection with Project No. 7237, Phase V of Rehabilitation of Lampson Avenue between Dale Street and Magnolia Street; and that contract for said project be and hereby is awarded to said company in the amount of \$564,430.00, in accordance with the terms of the City's plans and specifications and the bid submitted by said company; that all other bids be and hereby are rejected; and the City Manager and City Clerk are authorized to execute said contract.

AWARD OF CONTRACT ON PROJECT NO. 7237, - PHASE VI OF FOUR ARTERIAL STREET REHABILITATIONS AT VARIOUS LOCATIONS IN THE CITY (F: 96.Proj.7237 Phase VI)

Staff report dated June 8, 2004, was introduced.

It was moved by Councilman Dalton, seconded by Councilman Tran, and carried by unanimous vote, that All American Asphalt be and hereby is determined to be the lowest acceptable bidder in connection with Project No. 7237, Phase VI of Four Arterial Street Rehabilitations at Various Locations in the City; and that contract for said project be and hereby is awarded to said company in the amount of \$2,251,607.75, in accordance with the terms of the City's plans and specifications and the bid submitted by said company;

that all other bids be and hereby are rejected; and the City Manager and City Clerk are authorized to execute said contract.

RESOLUTION REQUESTING THE ORANGE COUNTY TRANSPORTATION
AUTHORITY TO ALLOCATE COMBINED TRANSPORTATION PROGRAM FUNDS
FOR HARBOR BOULEVARD WIDENING NORTH OF CHAPMAN AVENUE
(F: 96.Proj. 7135)

Staff report dated June 8, 2004, was introduced.

RESOLUTION NO. 8577-04

It was moved by Councilman Dalton, seconded by Councilman Rosen, and carried by unanimous vote, that full reading of Resolution No. 8577-04 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE REQUESTING THE ORANGE COUNTY TRANSPORTATION AUTHORITY TO ALLOCATE COMBINED TRANSPORTATION PROGRAM FUNDS FOR HARBOR BOULEVARD AT CHAPMAN AVENUE IMPROVEMENT PROGRAM, be and hereby is adopted.

CONSIDERATION OF CITY CO-SPONSORSHIP OF THE MAIN STREET CAR
SHOW (F: 88.1) (XR: A-122.5)

Staff report dated June 8, 2004, was introduced, and it was noted that this item was continued from the meeting of April 13, 2004.

Mayor Broadwater commented that the \$2 million deductible that is required will hurt the quality of life in Garden Grove and will ultimately destroy the Strawberry Festival parade. He noted that it is not fair to either the City or to the four festivals that occur in the city. He requested an extensive review of insurance company providers and the deductible amount. He further commented that the Car Show is a positive event for the city.

Councilman Leyes commented that it is a question of exposure for the City inasmuch as people sue all the time. He noted that he has gotten calls about the Strawberry Festival insurance requirements, and perhaps there are options to protect the citizens from liability and help the organizations. He suggested staff might survey other cities and perhaps form insurance pools with our neighboring cities. He also suggested this be discussed as a study session topic.

Councilman Rosen expressed some concern about the high number of giveaways the Car Show provides.

Discussion ensued relative to both the \$1 million and the \$2 million dollar deductibles, and the City Manager suggested that only a \$1 million deductible be required of the Car Show this year.

Councilman Leyes requested information explaining why the \$1 and \$2 million deductible.

It was moved by Mayor Broadwater, seconded by Councilman Leyes, and carried by unanimous vote, that this matter be continued to June 22, 2004, for further information.

SECOND READING OF ORDINANCE NO. 2627

It was moved by Councilman Rosen, seconded by Councilman Dalton, and carried by unanimous vote, that full reading of Ordinance No. 2627 be waived.

ORDINANCE NO. 2627 was presented for second reading and adoption and the title read in full, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE EXPANDING THE PARKING AND MAIN STREET COMMISSION (F: 122.6) (XR: 50.3)

Councilman Tran moved, seconded by Councilman Dalton, and carried by unanimous vote, that Ordinance No. 2627 be and hereby is declared passed. Said motion carried by the following vote:

AYES: COUNCILMEMBERS: (4) DALTON, ROSEN, TRAN, BROADWATER
NOES: COUNCILMEMBERS: (0) NONE
ABSENT: COUNCILMEMBERS: (0) NONE
ABSTAIN: COUNCILMEMBERS: (1) LEYES

MATTERS FROM THE MAYOR AND CITY COUNCILMEMBERS

Councilman Leyes spoke about the Vector Control ballots that citizens will be receiving to vote on a proposed tax increase, noting his opposition and urging residents to also vote against it. Inasmuch as the City will be voting on this, he asked that this be placed on the July 13, 2004, agenda for discussion. (F: 53.1) (XR: 23.20)

Councilman Leyes announced a candlelight vigil to be held to honor the memory of former President Ronald Reagan on June 10, 2004, from 6 p.m. to 8 p.m. at Calvary Chapel in Garden Grove. (F: 53.1)

Councilman Dalton announced Happy Birthday greetings to his grandsons Tyler and William III. He also asked that the meeting be

adjourned in memory of Charles Coleman, a long-time Garden Grove resident who passed away after a lengthy illness. (F: 53.1)
(XR: 46.9)

Councilman Rosen announced Happy Birthday greetings to his daughter, Rachel. (F: 53.1)

Mayor Broadwater announced the passing of City of Stanton Councilman Harry Dotson's wife, Natalie. On a happier note, he wished his wife, Peggy, a Happy 33rd Anniversary. (F: 53.1)

ADJOURN TO CLOSED SESSION

At 9:24 p.m., the meeting was adjourned to Closed Session, under the Ralph M. Brown Act, and it was announced that pursuant to Government Code section 54956.9, the City Council would confer with its Legal Counsel regarding the status of Garden Grove v. Orange County Transportation Authority.

RECONVENE IN OPEN SESSION

At 9:49 p.m., the meeting was reconvened in Open Session, and it was announced that the matter previously disclosed was discussed and no others.

ADJOURNMENT

At 9:50 p.m., the meeting was declared adjourned in memory of former President Ronald Reagan, Denis Witcher, Charles Coleman, and Natalie Dotson. (F: 46.9)

RUTH E. SMITH
CITY CLERK