

## 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, December 14, 2004 at 7:05 p.m.

ROLL CALL: PRESENT: (5) MAYOR BROADWATER, COUNCIL MEMBERS 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 Manager, Linda Cahill (representing Personnel Director); Police Chief, Joe Polisar; Deputy Police Chief, Scott Jordan; 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. Amy Lee sang the Star Spangled Banner. Harold Wall and Velma Terry, from the H. Louis Lake Senior Center; and Jard and Jace Pluemer, from the Boys and Girls Club, led the Pledge of Allegiance to the Flag of the United States of America.

#### INTRODUCTIONS (F: 52.3)

Mayor Broadwater recognized the Honorable Tom Umberg, Assemblyman, 69<sup>th</sup> District; Ken Maddox, former Garden Grove Council Member and former Assemblyman, 68<sup>th</sup> District; the Honorable Todd Spitzer, Assemblyman, 71<sup>st</sup> District; the Honorable David Carter, Judge of the U.S. District Court for the Central District of California; City of Westminster Council Member Russell Paris; former Orange County Supervisor, William Steiner; Garden Grove Unified School District member Lan Nguyen, and Larry Dick,

Municipal Water District of Orange County Water District, present in the audience.

ORAL COMMUNICATIONS FROM THE PUBLIC REGARDING CERTIFICATION OF THE ELECTION (F: 53.1) (XR: 58.2)

Fawad Yacoob, member of the Islamic Society, addressed the Council, expressing his appreciation to the Mayor and City Council for all they have done for the Islamic community and expressing hope that the incoming Council Members will continue in the same direction.

DECLARATION OF RESULTS OF GENERAL MUNICIPAL ELECTION – RESOLUTION NO. 8621-04 (F: 58.2)

It was moved by Council Member Tran, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 8621-04 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 2, 2004, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW, be and hereby is adopted.

COURTESY OF THE FLOOR EXTENDED TO OUTGOING COUNCIL MEMBER TRAN (F: 53.1) (XR: 58.2)

Council Member Tran thanked the community for providing him the opportunity to be a Council Member, noting it was both an honor and a privilege to have served. He thanked his colleagues, noting that Mayor Broadwater exerted great leadership and will be missed. He also noted that he is certain that Mayor-Elect Dalton will lead the City with capable hands. He commented that Council Member-Elect Nguyen is the youngest woman to serve on the City Council. He indicated that he will be in Garden Grove on a regular basis in his new role as Assemblyman and will be working closely with the City Council and staff.

Former Assemblyman and Council Member Maddox addressed the City Council. He commented that Garden Grove is a good community, and he loved working for the city. He further commented that newly elected Assemblyman Tran will make an incredible Assemblymember.

Assemblyman Tom Umberg addressed the City Council, commenting that he is looking forward to serving with Mayor-Elect Dalton. He

praised Council Member Rosen for his leadership on the City Council, and congratulated all Council Members.

Assemblyman Todd Spitzer addressed the City Council, noting that he is very honored to serve with Assemblyman Tran, further noting that he is making history and represents a significant part of the community. He offered his congratulations to all the newly elected officials.

COURTESY OF THE FLOOR EXTENDED TO OUTGOING MAYOR BROADWATER  
(F: 53.1) (XR: 58.2)

Mayor Broadwater expressed his appreciation to his wife, Peggy, and to his family for all their support. He acknowledged Council Member Leyes and his friend Woody Butterfield for urging him to run for Mayor 12 years ago, and he expressed his appreciation to staff and the many employees who do so much for the city. He touched on his many accomplishments during his tenure in office. He thanked the citizens for allowing him to be the Mayor, noting that he will miss it.

OATH OF OFFICE AND CERTIFICATES OF ELECTION (F: 58.2.2004)

The Honorable Van Tran, Assemblyman, 68<sup>th</sup> District, administered the Oath of Office to Mayor Bill Dalton. The City Clerk presented him with the Certificate of Election, and Mayor Dalton was seated.

The Honorable Tom Umberg, Assemblyman, 69<sup>th</sup> District, administered the Oath of Office to Council Member Rosen. The City Clerk presented him with the Certificate of Election, and Council Member Rosen was seated.

The Honorable David Carter, Judge of the U.S. District Court for the Central District of California, made some brief remarks about Council Member Nguyen, noting that she had been a student of his, and as Council Member is the highest ranking American Vietnamese woman elected official in the nation. Judge Carter administered the Oath of Office to Council Member Nguyen. The City Clerk presented her with the Certificate of Election, and Council Member Nguyen was seated.

COURTESY OF THE FLOOR EXTENDED TO MAYOR DALTON (F: 53.1)  
(XR: 58.2)

Mayor Dalton spoke about his years in the City's Police Department, noting that he retired from that position because he won the

election for City Council Member. He commented that the City Council has hard, tough decisions to make and unfortunately cannot make everyone happy. He expressed his gratitude to his wife, Sandy, his family, the many individuals who helped in his campaign, and the citizens who elected him as Mayor. He indicated that it is his goal for all five City Council Members to work together and do what is best for Garden Grove to make the community a better place.

COURTESY OF THE FLOOR EXTENDED TO COUNCIL MEMBER ROSEN  
(F: 53.1) (XR: 58.2)

Council Member Rosen noted that he has served on the City Council for six years. He noted that they are here this evening because of the trust and confidence expressed by the voters. He noted that voting is a cherished right, and a public officer is a public trust. He thanked the Garden Grove citizens for their confidence in him and thanked Assemblyman Umberg for his comments and for administering the oath. He also thanked his wife, Sandy, and his family, many contributors, and campaign workers. He commented that he would not be on the Council today if it had not been for Mayor Broadwater. He further commented that Mayor Broadwater set the standards on how the City Council conducts itself. He also noted that Van Tran's campaign for Assemblyman will be read about in future history books, noting that he was a positive force on this City Council. He congratulated Council Member Nguyen, noting that she will bring a fresh perspective to the City Council. He also congratulated Mayor Dalton, noting he is not a politician and will make a fine Mayor. He presented his goals for the city, being (1) To continue with the development of the Harbor Corridor; (2) To continue an aggressive stance on redevelopment; (3) To continue "Yes, if...."; not "No, because...."; (4) Expansion of parkland; and (5) Create a Parks and Recreation Commission, noting that Garden Grove is not an island, and suggesting someone be placed on the OCTA board in January. Lastly, he noted that 2006 is the City's 50<sup>th</sup> Anniversary of its incorporation, and we need to keep on the right track for that celebration.

COURTESY OF THE FLOOR EXTENDED TO COUNCIL MEMBER NGUYEN  
(F: 53.1) (XR: 58.2)

Council Member Nguyen commented that this is an important occasion for both her and her family. She thanked the voters and indicated that she is dedicating this evening to her father, who recently passed away. She thanked Judge Carter from whom she learned her passion for public service and expressed her

appreciation to other people throughout her education who inspired her. She also expressed her thanks to former Assemblyman Ken Maddox for his mentoring and support. She thanked the people who helped with her campaign, and she expressed her gratitude to Assemblyman Van Tran for his advice, noting he will do a good job as Assemblyman. She expressed her appreciation to her family for their support and to the Long Beach Chamber of Commerce where she is currently employed. She expressed her appreciation to the voters for the trust they have placed in her.

#### RECESS

At 8:25 p.m., the meeting was recessed for a welcome reception.

#### RECONVENE

At 9:10 p.m., the meeting was reconvened in the Council Chamber.

ROLL CALL: PRESENT: (4) MAYOR DALTON, COUNCIL MEMBERS LEYES,  
NGUYEN, ROSEN

ABSENT: (0) NONE

#### ORAL COMMUNICATIONS - PUBLIC

Charles Mitchell addressed the City Council, commenting that the voters made their choice in the November 2 election. (F: 53.3)  
(XR: 58.2)

George Brietigam addressed the City Council, expressing hope that inasmuch as he was the third highest vote-getter in the Council election, he would be appointed to fill the City Council vacancy, referencing Measure B, an advisory measure passed by the voters in 1990. (F: 53.3) (XR: 58.2)

Verla Lambert addressed the City Council, expressing her congratulations to the new Council. She also handed out books to all members, along with a revised sketch of the International Sports Field vs. a Theme Park. (F: 53.3)

Steve Spry addressed the City Council, urging they appoint George Brietigam to fill the City Council vacancy. (F: 53.3) (XR: 58.2)

Bob Owens addressed the City Council, commenting that George Brietigam is qualified to fill the City Council vacancy. (F: 53.3)  
(XR: 58.2)

Dietrich Nicholson addressed the City Council, urging they appoint George Brietigam to fill the City Council vacancy, commenting that to pick someone who did not run is wrong. (F: 53.3) (XR: 58.2)

Greg Beard addressed the City Council, urging they appoint George Brietigam to fill the City Council vacancy. (F: 53.3) (XR: 58.2)

Kris Beard addressed the City Council, reviewing George Brietigam's accomplishments and urging they appoint him to fill the City Council vacancy. (F: 53.3) (XR: 58.2)

Tony Flores addressed the City Council, referencing packets given to the Council Members that contained signatures in support of his being appointed to the City Council and summarizing his qualifications to be appointed to the City Council vacancy. (F: 53.3) (XR: 58.2)

APPOINTMENT TO VACANT CITY COUNCIL POSITION (F: 58.2) (XR: 46.1)

Council Member Nguyen suggested that this item be tabled and a Special Meeting be called to address this matter. She noted that inasmuch as this is her first meeting, she would like some time to consider those having an interest in the position. She suggested that those individuals interested in the appointment contact the City Clerk.

Council Member Rosen noted that he has given this matter considerable thought. He reviewed the events that occurred in December 1998 that led up to his appointment to the City Council. He indicated that he does not believe the third vote getter should automatically receive the appointment, and he would like to see the City Council fill this vacancy with dignity. He noted that he will support Council Member Nguyen's request to consider this at a later date.

Council Member Leyes also reviewed the historical background of the various appointments made to the City Council. He requested that copies of the advisory Measure B be provided to Council Members. He noted that he could support Council Member Nguyen's motion, inasmuch as this is one of the most important decisions this City Council will make, and applicants should request the appointment.

Mayor Dalton also reviewed the historical background of the various appointments made to the City Council. He noted that he will not

support a Special Election, which would cost in the neighborhood of \$160,000. He noted that he could support the continuance.

It was the consensus of the members that this matter be continued to December 21, 2004, and that interested parties contact the City Clerk and express their interest.

Council Member Rosen requested that the December 21 meeting be televised.

SELECTION OF MAYOR PRO TEM (F: 46.1)

Council Member Nguyen moved, seconded by Mayor Dalton, that Council Member Rosen be and hereby is selected as Mayor Pro Tem.

Council Member Leyes commented that there really is no urgency to select a Mayor Pro Tem now.

Said motion carried by the following vote:

AYES: COUNCILMEMBERS: (3) NGUYEN, ROSEN, DALTON  
NOES: COUNCILMEMBERS: (1) LEYES  
ABSENT: COUNCILMEMBERS: (0) NONE

REQUEST FROM THE CITY OF ANAHEIM TO ADOPT A RESOLUTION SUPPORTING THEIR EFFORTS TO RETAIN THE NAME "ANAHEIM ANGELS" FOR THEIR BASEBALL TEAM (F: 53.4)

A communication from the City of Anaheim City Manager, dated November 22, 2004, was introduced.

RESOLUTION NO. 8622-04

It was moved by Council Member Leyes, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 8622-04 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE SUPPORTING THE CITY OF ANAHEIM'S EFFORTS TO KEEP THE NAME "ANAHEIM ANGELS" AS THE NAME OF THE ANAHEIM ANGELS, be and hereby is adopted.

REQUEST FROM THE GARDEN GROVE COMMUNITY FOUNDATION TO APPOINT A COUNCIL MEMBER TO FILL A THREE-YEAR TERM ON THE BOARD  
(F: 130.15)

Communication from the President of the Garden Grove Community Foundation (GGCF), dated December 14, 2004, was introduced, stating that the seat held by Council Member Leyes is up for renewal in January 2005, and a member of the City Council should be appointed to fill this three-year term on the GGCF Board.

It was moved by Council Member Rosen, seconded by Mayor Dalton, and carried by unanimous vote, that Council Member Nguyen be and hereby is appointed to fill a three-year term on the Garden Grove Community Foundation Board.

RECESS

At 10:03 p.m., the Mayor declared a recess.

RECONVENE

At 10:31 p.m., the meeting was reconvened with Mayor Dalton and all Council Members in attendance.

2003-04 ANNUAL REPORT FOR THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT (F: A-128-1)

Staff report dated December 14, 2004, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that the 2003-04 Annual Report for the Garden Grove Agency for Community Development be and hereby is approved and transmitted to the Controller of the State of California.

REJECTION OF ALL BIDS FOR THE RENOVATION OF THE CIVIC CENTER OFFICE BUILDING (F: 82.1)

Staff report dated December 14, 2004, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that all bids received for the renovation of the Civic Center Office building be rejected; and the City Clerk is authorized to re-bid the project with revised plans and specifications.



RENEWAL OF AGREEMENT WITH ALL CITY MANAGEMENT TO PROVIDE CROSSING GUARD SERVICES (F: 55) (XR: 82.1)

Staff report dated December 14, 2004, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that Amendment No. 5 to the Agreement by and between the City of Garden Grove and All City Management, Inc., to provide crossing guard services, be and hereby is approved; and the Mayor and City Clerk are authorized to execute the agreement.

CONSTRUCTION AND MAINTENANCE AGREEMENTS WITH THE CITY OF STANTON FOR STREET IMPROVEMENTS ON GARDEN GROVE BOULEVARD BETWEEN FERN STREET AND BEACH BOULEVARD (F: 55) (XR: 96.1)

Staff report dated December 14, 2004, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that Construction and Maintenance Agreements by and between the City of Garden Grove and the City of Stanton for improvements of Garden Grove Boulevard between Fern Street and Beach Boulevard, be and hereby are approved; and the Mayor and City Clerk are authorized to execute the agreements.

AGREEMENT WITH CONVERSE CONSULTANTS FOR MATERIALS TESTING SERVICES (F: 55) (XR: 24.11)

Staff report dated December 14, 2004, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that the Agreement by and between the City of Garden Grove and Converse Consultants, to provide soils and concrete testing on an as-needed basis, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement.

PROJECT NO. 7237, PHASE IV, FOUR ARTERIAL STREET REHABILITATIONS - ACCEPTANCE OF CONTRACT AS COMPLETE (F: 96.Proj.7237.Phase IV)

Staff report dated December 14, 2004, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that the contract for Project No. 7237, Phase IV, Four Arterial Street Rehabilitations,

be and hereby is accepted as complete as of this date; the Finance Director is authorized to release the retention payment when appropriate to do so; and the Mayor and City Clerk are authorized to execute the Notice of Completion of Public Works Improvement and Work.

PROJECT NO. 7237, PHASE V, LAMPSON AVENUE REHABILITATION - ACCEPTANCE OF CONTRACT AS COMPLETE (F: 96.Proj.7237.Phase V)

Staff report dated December 14, 2004, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that the contract for Project No. 7237, Phase V, Lampson Avenue Rehabilitation, be and hereby is accepted as complete as of this date; the Finance Director is authorized to release the retention payment when appropriate to do so; and the Mayor and City Clerk are authorized to execute the Notice of Completion of Public Works Improvement and Work.

PROJECT NO. 7493, PHASE III, LAMPSON AVENUE WATER, SEWER AND STORM DRAIN IMPROVEMENTS - ACCEPTANCE OF CONTRACT AS COMPLETE (F: 92.Proj.7493.Phase III)

Staff report dated December 14, 2004, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that the contract for Project No. 7493, Phase III, Lampson Avenue Water, Sewer and Storm Drain Improvements, be and hereby is accepted as complete as of this date; the Finance Director is authorized to release the retention payment when appropriate to do so; and the Mayor and City Clerk are authorized to execute the Notice of Completion of Public Works Improvement and Work.

ADDITION OF STAFF POSITIONS FOR THE BUENA CLINTON FAMILY RESOURCE CENTER (F: 78.1)

Staff report dated December 14, 2004, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that the addition of one full-time Community Services Coordinator position and one part-time Community Services Coordinator position in the Community Services Department for the Buena Clinton Family

Resource Center, effective December 15, 2004, be and hereby is approved.

MINUTES (Vault)

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that the minutes of the Regular City Council Meetings held September 14 and September 28, 2004, be and hereby are approved.

WARRANTS (F: 60.5)

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that regular warrants 324786 through 326512 and Wires W168 through W172, and payroll warrants 138013 through 138300, Direct Deposits D99183 through D99733, and Wires W909 through W915, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

HEARING OF PROTESTS ON THE FALL 2004 WEED ABATEMENT INVOICES

(F: 113.Fall 2004)

Staff report dated December 14, 2004, was introduced, reviewing the requirement to hold a public hearing for receipt of objections to the Weed Abatement Invoices mailed to parcel owners whose properties were cleaned by the City's contractor during the Fall 2004 Weed Abatement Program.

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

There being no response from the audience or comments from Council members, the public hearing was declared closed.

In response to an inquiry by Council Member Rosen, staff noted that the property located at 12922 Lorna changed owners during the weed abatement cycle and the new owner has filed a claim on the weed abatement bill. This property has been removed from the current listing while the claim is being investigated. And once the investigation has been completed, staff will make a recommendation on the outstanding bill at a future Council meeting.

RESOLUTION NO. 8623-04

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that full reading of Resolution No. 8623-04 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE CONFIRMING REPORT OF COSTS OF FALL 2004 WEED ABATEMENT AND DIRECTING THE ORANGE COUNTY AUDITOR-CONTROLLER TO ADD OUTSTANDING ASSESSMENTS TO THE 2004-2005 ASSESSMENT ROLL AS INDICATED BY SAID REPORT, be and hereby is adopted.

PUBLIC HEARING – DEVELOPMENT AGREEMENT IN CONNECTION WITH SITE PLAN NO. SP-355-04 (F: 106.156) (XR: 116.SP-355-04)

Development Agreement in Connection with Site Plan No. SP-355-04, initiated by Garden Grove Gateway, LLC, to construct a 14,820 square foot, one-story retail building with a drive-thru window, and a 7,522 square foot one-story retail building on the southwest corner of Katella Avenue and Euclid Street, at 10842 Katella Avenue (Walgreen's) (Auto Zone).

On October 21, 2004, the City Planning Commission, pursuant to Resolution No. 5460, approved SP-355-04, and recommended approval of the Development Agreement. Pursuant to Legal Notice published December 2, 2004, public hearing on the case was ordered by the City Council to be held this date.

Staff report dated December 14, 2004, was introduced, and staff reviewed the background information concerning this project.

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

Doug Beiswenger, representing the developer, addressed the City Council, noting that they are looking forward to improving the area and building this project.

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

Council Member Nguyen noted that she was on the Planning Commission when this was heard, and she asked the City Attorney if she could vote on this matter. The City Attorney responded in the affirmative.

Council Member Rosen noted that this location is badly in need of development and this will help with the fireworks problems there.

Council Member Nguyen noted that this is a great project and will improve the area.

Mayor Dalton noted that hopefully the pride of ownership will rub off on other businesses.

ORDINANCE NO. 2648 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 GARDEN GROVE GATEWAY, LLC, AND THE CITY OF GARDEN GROVE FOR PROPERTY LOCATED ON THE SOUTHWEST CORNER OF KATELLA AVENUE AND EUCLID STREET, AT 10842 KATELLA AVENUE, PARCEL NO. 089-010-59

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that full reading of Ordinance No. 2648 be waived, and said Ordinance be and hereby is passed to second reading.

RESIGNATIONS FROM THE PLANNING COMMISSION (F: 122.10a)

The Mayor and Council Members spoke highly of both Lee Butterfield's and Janet Nguyen's' service on the Planning Commission.

It was moved by Council Member Leyes, seconded by Council Member Nguyen, and carried by unanimous vote, that the resignations of Lee Butterfield and Janet Nguyen, be and hereby are accepted.

AFFORDABLE HOUSING LOAN AGREEMENTS WITH TAMERLANE ASSOCIATES, LLC, FOR THE PURCHASE OF THREE SIX-UNIT APARTMENT BUILDINGS LOCATED AT 12181, 12201, AND 12202 TAMERLANE DRIVE (F: 117.16Q)

Staff report dated December 14, 2004, was introduced and reviewed by staff. Staff noted that care will be taken to ensure that the documents are clear in light of some pending legal issues with another property.

It was moved by Council Member Rosen, seconded by Council Member Leyes, and carried by unanimous vote, that the Loan Agreements by and between the City of Garden Grove and Tamerlane Associates, LLC, for the purchase of 12181, 12201, and

12202 Tammerlane Drive, be and hereby are approved, and the Mayor and City Clerk are authorized to execute the agreement.

APPROVAL OF TWO APPLICATIONS TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR SB 1346 RUBBERIZED ASPHALT CONCRETE GRANTS (F: 24.13)

Staff report dated December 14, 2004, was introduced.

RESOLUTION NO. 8624-04

It was moved by Council Member Leyes, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 8624-04 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AUTHORIZING THE SUBMITTAL OF APPLICATIONS TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR SB 1346 RUBBERIZED ASPHALT CONCRETE GRANT FUNDS, be and hereby is adopted.

SECOND READING OF ORDINANCES NO. 2643, NO. 2644, NO. 2645, NO. 2646, AND NO. 2647

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that full reading of Ordinances No. 2643, No. 2644, No. 2645, No. 2646, and No. 2647, be and hereby are waived.

Council Member Leyes inquired of the City Attorney whether Council Member Nguyen could vote on these ordinances inasmuch as she was not on the Council when they had their first readings. The City Attorney responded in the affirmative.

ORDINANCE NO. 2643 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 APPROVING AMENDMENT NO. A-113-04, AN AMENDMENT TO TITLE 9 OF THE CITY OF GARDEN GROVE MUNICIPAL CODE, SECTION 9.08.050.51, SPECIAL OPERATING CONDITIONS AND DEVELOPMENT STANDARDS, DELETING THE REQUIREMENT THAT MINI WAREHOUSE AND STORAGE BUILDINGS BE LOCATED CONTIGUOUS WITH A FREEWAY RIGHT-OF-WAY (F: 20.GPA-5-04) (XR: 115.A-113-04) (XR: 115.A-112-04) (XR: 106.154)

It was moved by Council Member Rosen, seconded by Council Member Leyes, and carried by unanimous vote, that Ordinance No. 2643 be and hereby is declared passed.

ORDINANCE NO. 2644 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 APPROVING AMENDMENT NO. A-112-04, PRE-ZONING A PORTION OF A PROPERTY TO BE ANNEXED TO THE CITY OF GARDEN GROVE FROM THE CITY OF SANTA ANA. THE PROPERTY IS LOCATED SOUTH OF WESTMINSTER AVENUE, WEST OF PARSONS PLACE, PARCEL NUMBER 100-190-33 (F: 20.GPA-5-04) (XR: 115.A-113-04) (XR: 115.A-112-04) (XR: 106.154)

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that Ordinance No. 2644 be and hereby is declared passed.

ORDINANCE NO. 2645 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 ADOPTING A DEVELOPMENT AGREEMENT BETWEEN ARD KEULIAN AND THE CITY OF GARDEN GROVE FOR PROPERTY LOCATED ON THE SOUTH SIDE OF WESTMINSTER AVENUE, WEST OF PARSONS PLACE, AT 11248 WESTMINSTER AVENUE, PARCEL NOS. 100-190-32 AND 100-190-33 (F: 20.GPA-5-04) (XR: 115.A-113-04) (XR: 115.A-112-04) (XR: 106.154)

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that Ordinance No. 2645 be and hereby is declared passed.

ORDINANCE NO. 2646 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 APPROVING ZONE CHANGE AMENDMENT NO. A-114-04, CHANGING THE ZONING DESIGNATION FROM R-1-6 (SINGLE FAMILY RESIDENTIAL) TO R-3 (MULTI-FAMILY RESIDENTIAL), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF 11th STREET AND KERRY STREET, AT 9721 EAST 11th STREET, PARCEL NUMBER 098-631-06 (F: 20.GPA-6-04) (XR: 115.A-114-04)

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that Ordinance No. 2646 be and hereby is declared passed.

ORDINANCE NO. 2647 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 ADOPTING A DEVELOPMENT AGREEMENT BETWEEN PACIFIC CITIES REAL ESTATE GROUP (PROPERTY OWNER) AND THE CITY OF GARDEN GROVE FOR PROPERTY LOCATED ON THE SOUTH SIDE OF KATELLA AVENUE, AT

9212 THROUGH 9432 KATELLA AVENUE, PARCEL NOS. 132-071-09, 10, 11, 13, 31, 32, 33, 34, 35, 36 & 37 (F: 106.155) (XR: 116.SP-357-04)

It was moved by Council Member Rosen, seconded by Council Member Leyes, and carried by unanimous vote, that Ordinance No. 2647 be and hereby is declared passed.

DISCUSSION CONCERNING RAISING FUNDS TO COVER THE COST OF THE ANNUAL STRAWBERRY FESTIVAL PARADE, AS REQUESTED BY MAYOR DALTON (F: 42.3)

Mayor Dalton indicated that there possibly will not be a Strawberry Festival parade this year because insurance costs have gone up to \$40,000.00. He noted that he has contacted our State Senator and Congress representative and perhaps they will be willing to donate \$5,000 apiece. He further noted that the Strawberry Festival Association has come up with a sponsorship program. He indicated that he will donate \$1,000 to the cause and challenged others to do the same. He urged residents and businesses to contact the Strawberry Festival Association and contribute money for this very worthwhile endeavor. He requested that this matter be listed again on the next City Council agenda.

Council Member Rosen commented that he would like an analysis of what the problem is, noting that he is intrigued by the sponsorship idea.

Council Member Nguyen noted that she is interested in trying to help the Strawberry Festival Association because the parade tradition needs to be continued. She also requested additional information on the problem.

MATTERS FROM THE MAYOR AND COUNCIL MEMBERS

Council Member Leyes congratulated Mayor Dalton, Council Member Rosen and Council Member Nguyen on their success in the election and noted that he is midway through his own term. He wished everyone a Merry Christmas and a safe holiday season. (F: 53.1)

Council Member Rosen acknowledged his nephew, Andrew Deeds, who resides in Palm Springs. He also requested that a claim submitted under the Americans with Disabilities Act that was discussed in Closed Session on June 24 again be listed for discussion in Closed Session for a review of its status. He spoke of the need for a Parks and Recreation Commission relating to youth and would like to look at the West Street basin north of West Haven Park and



requested this be agendaized for the first meeting in January or a staff report be provided. Lastly, he requested that a review of the City's Redevelopment attorneys be listed for discussion in Closed Session in January. (F: 53.1) (XR: 122.1)

Council Member Nguyen thanked the voters, commenting that it is an honor for her to represent them in this capacity. She wished everyone a Happy Holiday and a safe New Year. (F: 53.1)

Mayor Dalton wished his wife Sandy and his daughter Pam a Happy Birthday and wished everyone a Merry Christmas and a Happy New Year. (F: 53.1)

#### ADJOURNMENT

At 11:12 p.m., the meeting was declared adjourned to Tuesday, December 21, 2004, at 6:45 p.m. in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, in memory of former long-time City employee Shirley Simons. (F: 46.9)

RUTH E. SMITH  
CITY CLERK