

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, November 11, 2008, at 5:32 p.m.

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

ABSENT: (1) COUNCIL MEMBER JONES (Absent at Roll
Call but joined the meeting at 5:45 p.m.)

PUBLIC INPUT ON CLOSED SESSION ITEM

There was no input from the public concerning the Closed Session item.

ADJOURN TO CLOSED SESSION

At 5:33 p.m., under the Ralph M. Brown Act, the meeting was adjourned to Closed Session in the Founders Room to discuss the following:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Section 54956.9(b):
Two (2) Cases.

RECONVENE IN OPEN SESSION

At 6:45 p.m., the meeting was reconvened in the Council Chamber with Mayor Dalton and all Council Members present.

It was announced that the previously disclosed item was discussed and no reportable action was taken.

INVOCATION AND PLEDGE

Assistant City Manager Les Jones gave the Invocation. Council Member Rosen led the Pledge of Allegiance to the Flag of the United States of America.

COMMUNITY SPOTLIGHT (F: 52.3)

Mayor Dalton called forward Rick Duvall, Ronald Meislahn, Todd Reed, Mark Hutchinson, Michael Feher, Timothy Wallingford, and Kathleen Silva, City employees with 25, 30, 35, and 45 years of service and presented each of them with mementos in recognition and appreciation of their extraordinary service they have given to the City of Garden Grove. (F: 52.3)

REPORT FROM THE ORANGE COUNTY HUMAN RELATIONS COMMISSION (F: 23.17)

Carol Turpen, representative from the Orange County Human Relations Commission, addressed the City Council, reviewing the Commission's 2007-08 annual report. She also presented a Certificate of Recognition to the City Council for its support.

REQUEST BY COUNCIL MEMBER BROADWATER

At the request of Council Member Broadwater, Council Member Rosen pulled the items regarding the discussion of the Council Policy regarding naming of parks and the renaming of the Garden Grove Park Gymnasium.

ORAL COMMUNICATIONS – PUBLIC

Peggy Bergin, David Lautherboren, Bob Owens, Rod Powell, and Tony Flores addressed the City Council, commenting on various community and civic matters, including the renaming of the gymnasium. (F: 53.3)

Sharon Sunda and Gary Sunda addressed the City Council, regarding the raised median on Belfast Drive in support of removing a portion of the median at Galway Street to provide full access to the Saint Anselm Episcopal Church. (F: 53.3)

Gina McTaggart addressed the City Council, regarding the raised median on Belfast Drive in support of keeping the median as is. (F: 53.3)

Bin Li addressed the City Council, announcing the upcoming Chinese New Year Spectacular 2009, performed by the Divine Performing Arts. (F: 53.3)

Tony Rector addressed the City Council, regarding the abandoned property registration and maintenance Ordinance. He cited a house in his neighborhood that is abandoned and is not being maintained. (F: 53.3)

Joe Pak addressed the City Council, regarding the election and the City Council trip to Anyang, Korea. He announced the upcoming 9th annual Public Safety Lunch. He further commented on the raised median on Belfast Drive in support of removing a portion of the median at Galway Street to provide full access to the Saint Anselm Episcopal Church. (F: 53.3)

Charles Mitchell addressed the City Council, expressing his appreciation for all Veteran's who have served, and commented on Veteran's rights. He suggested the City consider ways to celebrate Veteran's Day as a community. (F: 53.3)

WRITTEN COMMUNICATIONS - REQUEST FROM THE LEAGUE OF UNITED LATIN AMERICAN CITIZENS (LULAC) TO USE THE COMMUNITY MEETING CENTER FOR THE 80TH ANNIVERSARY OF LULAC, ON FEBRUARY 20, 2009
(F: 88.1) (XR: 48.4)

A written communication dated October 14, 2008, from the League of United Latin American Citizens, was introduced, requesting the use of the Community Meeting Center on February 20, 2009, to celebrate the 80th anniversary of LULAC.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that the request from the League of United Latin American Citizens (LULAC) for waiver of fees for the use of the Garden Grove Community Meeting Center for the 80th Anniversary of LULAC, be and hereby is approved.

RECESS

At 7:57 p.m., the Mayor declared a recess.

RECONVENE

At 8:13 p.m., the meeting was reconvened with Mayor Dalton and all Council Members present.

CONTRACT TO BETANCE ENTERPRISES, INC., DBA ALL CITIES FENCE CO., FOR FENCING AND GATING OF THE DOG PARK AT GARDEN GROVE PARK (F: 55) (XR: 73.5)

Staff report dated November 11, 2008, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote that the Agreement by and between the City of Garden Grove and Betance Enterprises, Inc., dba All Cities Fence Company, for fencing and gating of the dog park at Garden Grove Park, in the amount of \$50,900, be and hereby is approved, and the City Manager and City Clerk are authorized to execute the agreement.

PURCHASE ORDER TO S&J SUPPLY COMPANY, INC., FOR THE PURCHASE OF 140 FIRE HYDRANTS (F: 60.4) (XR: 24.1)

Staff report dated November 11, 2008, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote that the purchase of 140 Clow Wet Barrel Hydrants, be and hereby is approved; and the City Manager, or his designee, is authorized to contract with the apparent low bidder, S&J Supply Company, Inc. in the amount of \$144,052.70 for said purchase.

KATELLA SMART STREET CONSTRUCTION AGREEMENT WITH THE COUNTY OF ORANGE FOR STREET IMPROVEMENTS (F: 55) (XR: 23.26A) (XR: 24.1) (XR: 24.11)

Staff report dated November 11, 2008, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote that the Katella Avenue Smart Street Construction Agreement by and between the City of Garden Grove and the County of Orange, for the improvement of Katella Avenue on the south side of Katella Avenue between Dale Street and 100 feet east of Jean Street, and a portion of Katella Avenue on the east and west of Markev Street, be and hereby is approved; and the Mayor and City Clerk are authorized to execute the agreement.

AGREEMENT WITH THE COUNTY OF ORANGE FOR ACCEPTANCE OF JUSTICE ASSISTANCE GRANT FUNDS TO SUPPORT THE PROACT PROGRAM AND THE JAIL SERVICES CONTRACT (F: 55) (XR: 82.15) (XR: 82.1)

Staff report dated November 11, 2008, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote that the Agreement by and between the City of Garden Grove and the County of Orange to accept 2008 Edward Byrne Memorial Justice Assistance Grant (JAG) Program funds, be and hereby is approved; the Mayor and City Clerk are authorized to execute the Agreement to fund the PROACT Program with a share of the City's Justice Assistance Grant, and allocate the remainder of the City's Justice Assistance Grant to fund the Police Department's jail services contract with Correctional Systems, Inc.

AUTHORIZATION FOR TRAVEL AND EXPENSE REIMBURSEMENT FOR THE CITY COUNCIL, RELATED TO THE INTERNATIONAL ASSOCIATION OF AMUSEMENT PARKS AND ATTRACTIONS CONVENTION (F: 46.1) (XR: A-78.1)

Staff report dated November 11, 2008, was introduced.

Council Member Rosen indicated that since no Council Member will be attending this Convention, this item is no longer necessary.

EXONERATION OF STREET IMPROVEMENT BONDS FOR TRACT MAP NO. 16688 (F: 103.TT-16688) (XR: 24.1) (XR: 24.11)

Staff report dated November 11, 2008, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote that the exoneration of the street improvements bonds for Tract Map No. 16688, be and hereby is approved.

WARRANTS (F: 60.5)

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote that Regular Warrants 427589-429487, Wires W427-W434; and Payroll Warrants 158045 through 158520, and Direct Deposits D160091 through D161442, and Wires W1368 through W1375, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

WAIVER OF FULL READING OF ORDINANCES LISTED

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote that full reading of all Ordinances listed for consideration of adoption be waived.

PUBLIC HEARING – AMENDMENT NO. A-140-08 AND ADOPTION OF A NEGATIVE DECLARATION (F: 115.A-140-08) (XR: 57.1)

Amendment No. A-140-08 and adoption of a Negative Declaration.
The Applicant, Thao Phoung Thi Vu is requesting to amend Title 9 of the Garden Grove Municipal Code to allow a banquet facility with live entertainment and dancing as an incidental use to a full service restaurant operating under a Conditional Use Permit for the property located at 12821 Harbor Boulevard.

On September 4, 2008, the Planning Commission, pursuant to Resolution No. 5643, approved the Conditional Use Permit No. CUP-236-08, and recommended approval of Amendment No. A-140-08. Pursuant to Legal Notice published October 16, 2008, Public Hearing on the case was ordered by the City Council to be held this date.

Staff report dated November 11, 2008, was introduced and reviewed by staff.

Following discussion by the City Council, Mayor Dalton declared the Public Hearing opened and asked if anyone wished to address the City Council on this matter.

Peggy Bergin inquired as to the status of the proposed water park and hotels. Staff indicated that an agreement could not be reached with the shopping center owner at this time.

Verla Lambert and Charles Mitchell expressed their support for the project.

There being no further response from the audience, the Public Hearing was declared closed.

ORDINANCE NO. 2736 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-140-08, AN AMENDMENT TO TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE SECTION 9-162.17 TO ALLOW BANQUET FACILITIES WITH LIVE ENTERTAINMENT AND DANCING AS AN INCIDENTAL USE TO A FULL SERVICE RESTAURANT IN THE HCSP-DC (HARBOR CORRIDOR SPECIFIC PLAN – DISTRICT COMMERCIAL) ZONE, SUBJECT TO THE APPROVAL OF A CONDITIONAL USE PERMIT

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote that full reading of all Ordinances listed for consideration of adoption be waived.

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote that Ordinance No. 2736 be and hereby is passed to second reading.

ABANDONED PROPERTY REGISTRATION AND MAINTENANCE ORDINANCE
(F: 50.2) (XR: 83.1)

Staff report dated November 11, 2008, was introduced and reviewed by staff.

In response to Council Member Jones' inquiry regarding advertising the new registration requirements, staff indicated that notifications to a variety of lenders will be prepared immediately.

Council Member Nguyen expressed concern for the impact on staff to enforce this Ordinance.

Council Member Rosen indicated that the sole purpose of the Ordinance is to maintain foreclosed properties in light of the collapse of the housing market, and should be repealed when it is no longer necessary.

ORDINANCE NO. 2737 was introduced for first reading and the title read in full, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADDING CHAPTER 84 TO TITLE 8 OF THE GARDEN GROVE MUNICIPAL CODE REQUIRING THE REGISTRATION AND MAINTENANCE OF ABANDONED PROPERTIES

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote that full reading of all Ordinances listed for consideration of adoption be waived.

It was moved by Council Member Rosen, seconded by Mayor Dalton, and carried by unanimous vote that Ordinance No. 2737 be and hereby is passed to second reading.

RESOLUTION NO. 8860-08

It was moved by Mayor Dalton, seconded by Council Member Nguyen, and carried by unanimous vote that full reading of Resolution No. 8860-08 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ESTABLISHING A FEE FOR VACANT PROPERTY REGISTRATION, be and hereby is adopted.

BELFAST DRIVE RAISED MEDIAN ALTERNATIVES (F: 96.1) (XR: 24.1)
(XR: 24.11) (XR: 122.11)

Staff report dated November 11, 2008, was introduced and reviewed by staff.

After confirming with Mr. Pak and Mr. and Mrs. Sunda that an agreement has been reached with the neighborhood, the Saint Anselm's Episcopal Church, and the Korean business center, it was moved by Mayor Dalton, seconded by Council Member Nguyen, and carried by unanimous vote that staff be directed to implement Alternative #3: Removing the portion of the median at Galway Street to provide full access to the Saint Anselm's Episcopal Church, be and hereby is approved.

SECOND READING OF ORDINANCE NO. 2735 (F: 115.A-141-08) (XR: 57.1)

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote that full reading of all Ordinances listed for consideration of adoption be waived.

ORDINANCE NO. 2735 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-141-08, THEREBY AMENDING PLANNED UNIT DEVELOPMENT RESIDENTIAL NO. PUD-112-06 TO ALLOW C-1 (NEIGHBORHOOD COMMERCIAL) ZONE USES AND APPLIED DEVELOPMENT STANDARDS OF THE C-1 ZONE

Following the reading of the Ordinance title, it was moved by Council Member Rosen, seconded by Council Member Broadwater, and carried by unanimous vote that Ordinance No. 2735 be and hereby is declared adopted.

DISCUSSION OF AN ENERGY EFFICIENCY PROGRAM, AS REQUESTED BY COUNCIL MEMBER NGUYEN (F: 57.1) (XR: 80.1)

Staff report dated November 11, 2008, was introduced and reviewed by staff.

DISCUSSION OF COUNCIL POLICY REGARDING NAMING OF PARKS, AS REQUESTED BY COUNCIL MEMBER ROSEN (F: 127.1)

Council Member Rosen pulled this item at the request of Council Member Broadwater at the beginning of the meeting.

DISCUSSION OF RENAMING THE GARDEN GROVE PARK GYMNASIUM AS THE "BRUCE BROADWATER RECREATION CENTER," AS REQUESTED BY COUNCIL MEMBER ROSEN (F: 73.5C) (XR: 127.1)

Council Member Rosen pulled this item at the request of Council Member Broadwater at the beginning of the meeting.

MATTERS FROM THE MAYOR, CITY COUNCIL MEMBERS, AND CITY MANAGER

Council Member Nguyen announced that the businesses in Garden Grove have the opportunity to advertise on the City's website for the holiday season. She expressed appreciation to the veterans on this Veteran's Day, thanking them for their service of protecting and defending the United States of America. (F: 53.1)

Council Member Jones wished everyone a happy Veteran's Day and offered his appreciation to those who have served their country. He offered his regards to all the candidates involved in this year's City Council elections; and commented on Council Member Broadwater's service to the community. (F: 53.1)

Council Member Rosen conveyed a request from Costco for assistance in obtaining the necessary permits to have a hearing center. He congratulated Mayor Dalton and Council Member Jones on their election to the City Council, indicating the second spot on the City Council was still undecided. (F: 53.1)

Council Member Broadwater commented on being a veteran and Veteran's Day. He suggested staff consider Mr. Mitchell's suggestion to offer a way to celebrate Veteran's Day as a community. Mayor Dalton commented on the successful Graffiti Paint Out Day, and announced several upcoming community events, including the Arab American Festival and the City's Tree Lighting Celebration at the

Village Green on December 2. He wished everyone a happy Veteran's Day and thanked all who have served their country. (F: 53.1)

ADJOURNMENT

At 9:07 p.m. the meeting was declared adjourned in memory of Edmund Stanley. (F: 46.9)

KATHLEEN BAILOR
CITY CLERK

MINUTES

GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT

A Regular Meeting of the Garden Grove Agency for Community Development was called to order in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, on Tuesday, November 11, 2008, at 7:07 p.m.

ROLL CALL: PRESENT: (5) CHAIR BROADWATER, MEMBERS DALTON, JONES, NGUYEN, ROSEN

ABSENT: (0) NONE

ORAL COMMUNICATIONS - PUBLIC

None relevant to the Agency.

RECESS

At 7:57 p.m., the Chair declared a recess.

RECONVENE

At 8:11 p.m., the meeting was reconvened with Chair Broadwater and all Members present.

MINUTES (F: Vault)

It was moved by Member Dalton, seconded by Member Rosen, and carried by unanimous vote, that the minutes of the Regular Agency Meeting held October 14, 2008, be and hereby are approved.

ADJOURNMENT

At 8:12 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR
SECRETARY