

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, August 12, 2008, at 6:49 p.m.

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

ABSENT: (0) NONE

INVOCATION AND PLEDGE

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

COMMUNITY SPOTLIGHT

Mayor Dalton called forward Robin Capalbo, President of the Garden Grove Community Foundation, presenting a Resolution in recognition of the Foundation's ten-year tradition of enriching the community and quality of life in Garden Grove. (F: 52.3)

PRESENTATION BY ORANGE COUNTY VECTOR CONTROL (F: 52.3) (XR: 23.20)

Michael Hearst, Orange County Vector Control Public Information Officer, and Dr. Sheldon Singer, Garden Grove Orange County Vector Control Trustee, addressed the Council, providing an update concerning the West Nile Virus.

ORAL COMMUNICATIONS – PUBLIC

Ronald Grosse addressed the City Council, requesting assistance from the City regarding a group home next door to his house. The Mayor indicated staff would be contacting Mr. Grosse by the end of the week. (F: 53.3) (XR: 82.1)

Rod Powell addressed the City Council, commenting on graffiti and vandalism taking place in his neighborhood, and the Grand Jury report on fireworks. (F: 53.3) (XR: 61.6)

Lori Williams, Maureen Blauvelt, and Larry Blauvelt addressed the City Council, regarding a recent car accident on Manley Street and Lampson Avenue. (F: 53.3)

David Vill addressed the City Council, encouraging candidates to attend the Garden Grove AARP meetings. (F: 53.3)

Robin Marcario, Charles Mitchell, and Bob Owens addressed the City Council on various community and civic matters. (F: 53.3)

Verla Lambert addressed the City Council, requesting the City reconsider putting trees in the street medians. (F: 53.3)

RECESS

At 7:46 p.m., the Mayor declared a recess.

RECONVENE

At 7:49 p.m., the meeting was reconvened with Mayor Dalton and all Council Members present.

PROCLAMATION DECLARING SEPTEMBER 2008 AS NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH (F: 83.1)

Staff report dated August 12, 2008, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that September 2008, be and hereby is designated as National Alcohol and Drug Addiction Recovery Month.

EXTENSION OF WATER SERVICE ON LEDA LANE (F: 24.12) (XR: 24.1)

This item was pulled by Council Member Broadwater to be considered separately from the Consent Calendar.

PURCHASE ORDER TO ECONOLITE CONTROL PRODUCTS FOR TRAFFIC SIGNAL SYSTEM PARTS (F: 60.4) (XR: 24.1)

Staff report dated August 12, 2008, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that the purchase of Econolite controllers, be and hereby is approved; and the Finance Director is authorized to issue a purchase order in the amount of \$100,000 to Econolite Control Products for said purchase.

PURCHASE AGREEMENT WITH PERMITSOFT, INC., FOR THE PURCHASE OF THE PERMITCITY APPLICATION (F: 55) (XR: 57.1)

Staff report dated August 12, 2008, 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 PermitSoft, Inc., in the amount of \$54,400 for full acquisition, and a licensing fee of \$15,000 per year, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement on behalf of the City.

AGREEMENT WITH THE KOREAN FESTIVAL FOUNDATION OF ORANGE COUNTY TO CONDUCT THE ANNUAL KOREAN FESTIVAL FOR THREE YEARS (F: 55) (XR: 87.1) (XR: 42.1A)

Staff report dated August 12, 2008, 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 the Korean Festival Foundation of Orange County to conduct the annual Korean Festival at the Garden Square Parking Lot over the weekend of October 10-12, 2008, and for the next two years through 2010, be and hereby is approved; and the Mayor and City Clerk are authorized to execute the agreement.

WARRANTS (F: 60.5)

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that Regular Warrants 419622-421389, Wires W403-W420605, and Direct Deposits W420386 and W420605, and Payroll Warrants 156603 thru 157096, and Direct Deposits D155380 thru D156727, and Wires W1338 thru

W1347, 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 Nguyen, and carried by unanimous vote, that the full reading of all Ordinances listed for consideration of adoption be waived.

EXTENSION OF WATER SERVICE ON LEDA LANE (F: 24.12) (XR: 24.1)
(XR: 84.1)

Staff report dated August 12, 2008, was introduced.

In response to Council Member Broadwater's inquiries, staff indicated the homes on Leda Lane have sanitation lines, not septic tanks.

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that the permanent extension of water service to the affected Leda Lane properties, be and hereby approved; and the City Manager is authorized to enter into the agreements with the Leda Lane property owners and the Leda Lane Mutual Water Company Association.

GENERAL PLAN AMENDMENT NO. GPA-01-08(A); NEGATIVE DECLARATION, AND AMENDMENT NO. A-139-08 (F: 20.GPA-01-08(A)) (XR: 115.A-139-08)

General Plan Amendment No. GPA-01-08(A); Negative Declaration, and Amendment No. A-139-08, initiated by Medallion Health Properties, LLC, requesting to change the land use designation for the property located at the northwest corner of Lampson Avenue and Springdale Street at 12461 Springdale Street, from Low Density Residential to Office Professional; a Zone Change Amendment to rezone the property from R-1-6 (Single-Family Residential) to OP (Office Professional) to develop and operate a new single-story, residential health care facility (Convalescent Center).

On July 3, 2008, the City Planning Commission recommended adoption of a Negative Declaration and recommended approval of General Plan Amendment No. GPA-01-08(A) and Zone Change Amendment No. A-139-08; and pursuant to Legal Notice published July 31, 2008, a Public Hearing on the case was ordered by the City Council to be held this date.

Staff report dated August 12, 2008, was introduced and reviewed by staff.

In response to Council Member inquires, the applicant indicated the convalescent center specializes in young adults suffering from lifelong debilitating conditions. The facility will have 15 single bedrooms, with 22 parking spaces that is 14 spaces above the code requirements.

Mayor Dalton declared the Public Hearing open and asked if anyone wished to address the City Council on the matter.

Bob Owens expressed concern the use of the convalescent center could be changed, attracting drug seekers to the center, which is located near schools.

Karent Tracy Urda commented on the number of parking spaces and bike racks.

Charles Mitchell commented on security measures to prevent patients from wandering.

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

In response to Mayor Dalton's inquiry regarding the use of the center, the Applicant indicated Medallion Health Properties, LLC, specializes in catastrophic injury, and would not be treating recovering alcoholics or drug addicts.

Council Member Rosen responded to the concerns raised about the impact the convalescent center would have on the neighborhood. He referred to the Conditional Use Permit, Condition 42 that addresses the concerns the facility would become a nuisance. Also included is the condition that operators cannot conduct and/or operate the facility in any manner other than the intended use as a residential health care facility (convalescent center).

RESOLUTION NO. 8849-08

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that full reading of Resolution No. 8849-08 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A NEGATIVE DECLARATION AND APPROVING GENERAL PLAN AMENDMENT NO. GPA-01-08(A), be and hereby is adopted.

ORDINANCE NO. 2730 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 NEGATIVE DECLARATION AND APPROVING ZONE CHANGE AMENDMENT NO. A-139-08, TO CHANGE THE ZONING DESIGNATION FROM R-1-6 (SINGLE-FAMILY RESIDENTIAL) TO OFFICE PROFESSIONAL (OP)

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

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that Ordinance No. 2730 be and hereby is passed to second reading.

OPEN PUBLIC HEARING FOR THE GENERAL PLAN 2030 AND THE ENVIRONMENTAL IMPACT REPORT FOR THE GENERAL PLAN (F: 20.1) (XR: 57.1)

Staff report dated August 12, 2008, was introduced and staff indicated that due to the required review period, the presentation and discussion on the General Plan 2030 and certification of the Environmental Impact Report would be continued to the August 26, 2008, City Council meeting.

In order to allow members of the public to address the City Council on this matter, the Mayor declared the Public Hearing open and asked if anyone wished to address the City Council on the matter.

Bob Owens commented on the lack of assistance provided to unemployed residents.

There being no further response from the audience, the Public Hearing was continued to August 26, 2008.

ACQUISITION OF EASEMENT OVER A PORTION OF REAL PROPERTY LOCATED AT 12761 EUCLID STREET OWNED BY THE FIRST BAPTIST CHURCH OF GARDEN GROVE FOR THE INSTALLATION OF VIDEO CAMERA MONITORING SYSTEM AT VILLAGE GREEN PARK (F: 84.1) (XR: 24.1) (XR: 57.9)

Staff report dated August 12, 2008, was introduced and reviewed by staff.

It was moved by Council Member Broadwater, seconded by Council Member Nguyen, and carried by unanimous vote, that the acquisition

of the easement over a portion of real property located at 12761 Euclid Street, owned by The First Baptist Church of Garden Grove for the installation of video camera monitoring system at Village Green Park, be and hereby is approved; and the City Clerk is authorized to accept the Easement Deed on behalf of the City.

AWARD OF CONTRACT TO PAVEMENT COATINGS CO., FOR ON-CALL STREET SLURRY ON VARIOUS CITY STREETS (F: 55) (XR: 24.1)

Staff report dated August 12, 2008, was introduced and reviewed by staff.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that a contract in the amount of \$412,000 per year for two years be awarded to Pavement Coatings Co., for on-call Rubberized Street Slurry (REAS) on various city streets; and the City Manager and City Clerk are authorized to execute the agreement on behalf of the City.

ADOPTION OF ORDINANCE IMPLEMENTING THE DIGITAL INFRASTRUCTURE AND VIDEO COMPETITION ACT (F: 50.2) (XR: 121.2H)

Staff report dated August 12, 2008, was introduced and reviewed by staff.

ORDINANCE NO. 2731 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 CHAPTER 25 OF TITLE 5 OF THE GARDEN GROVE MUNICIPAL CODE PERTAINING TO STATE VIDEO FRANCHISE HOLDERS

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

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that Ordinance No. 2731 be and hereby is passed to second reading.

RESOLUTION OPPOSING STATE BUDGET DECISIONS THAT WOULD BORROW LOCAL GOVERNMENT REDEVELOPMENT AND TRANSPORTATION FUNDS, AS REQUESTED BY COUNCIL MEMBER JONES (F: 53.1) (XR: 83.1) (XR: 43.1)

Staff report dated August 12, 2008, was introduced.

Council Member Jones commented on the importance of taking a position. The state budget is in crisis, and the legislature is looking at ways to balance the budget, including using city funds.

After discussion, staff was directed to draft a letter for each Council Member's signature taking the position of opposing the state from borrowing local city's funds, in addition to providing a copy of the resolution.

Council Member Jones urged the residents to contact their elected official serving Garden Grove, and announced their names and phone numbers.

RESOLUTION NO. 8850-08

It was moved by Council Member Broadwater, seconded by Mayor Dalton, and carried by unanimous vote, that full reading of Resolution No. 8850-08 be waived, and said Resolution A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE OPPOSING FISCALLY IRRESPONSIBLE STATE BUDGET DECISIONS THAT WOULD "BORROW" LOCAL GOVERNMENT, REDEVELOPMENT, AND TRANSPORTATION FUNDS, be and hereby is adopted.

MATTERS FROM THE MAYOR, CITY COUNCIL MEMBERS AND CITY MANAGER

Council Member Broadwater reiterated the City Council's concern regarding Mr. Grosse's situation. He commented on the Garden Grove Community Foundation's anniversary event on Saturday, August 16, at Garden Grove Park. (F: 53.1)

Council Member Rosen requested staff provide information on what the City's ordinances can do to address nuisance issues caused by halfway homes. He also requested staff to provide information regarding the rolling blackouts and the affect this has on residents on street sweeping days using automatic garage door openers. He requested information on the possibility of eliminating unnecessary paperwork from the agenda packet, i.e., agreements, and providing the information electronically. He requested the appropriate signage necessary to identify the Community Meeting Center's Room "A" as the

"Butterfield Room" be installed, and a dedication ceremony be planned this year. (F: 53.1)

Council Member Nguyen encouraged residents to attend the upcoming Garden Grove Community Foundation anniversary event this Saturday. She announced the Healthy Smiles for Kids program that provides dental care for low-income families, and announced its upcoming fundraiser on September 24, at the Hyatt Regency in Newport Beach. (F: 53.1)

Council Member Jones commented on the process proposed projects must go through prior to being brought to the City Council for consideration. He commended staff and the Planning Commission for the thoughtful consideration given to each project prior to being submitted to the City Council. (F: 53.1)

Mayor Dalton also commented on the process projects must follow prior to City Council consideration. He again assured Mr. Grosse that staff would take the steps available to the City to address his concerns. (F: 53.1)

ADJOURNMENT

At 8:30 p.m., the meeting was declared adjourned in memory Gloria Conte to a Study Session, at 5:00 p.m. in the Founders Room of the Community Meeting Center, 11300 Stanford Avenue. (F: 46.9).

KATHLEEN BAILOR
CITY CLERK

MINUTES

GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT

A Special 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, August 12, 2008, at 5:11 p.m.

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

ABSENT: (0) NONE

PUBLIC INPUT ON CLOSED SESSION ITEM

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

ADJOURN TO CLOSED SESSION

At 5:12 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 REAL PROPERTY NEGOTIATORS Pursuant to Government Code Section 54956.8

Property: Parcels commonly referred to as the "Brookhurst Triangle" comprised of the following parcels listed by Assessor Parcel Number (APN), address, if available, and current owners. *APN 089-071-05, 089-071-06, 089-071-07, 089-071-13, 089-071-14, 089-661-03, 089-661-04, 089-661-05, 089-071-11, and 089-071-24.

Owner: Garden Grove Agency for Community Development.

*APN 089-071-25, 089-071-08, and 089-071-12. Owner: J.O. Trust.

Agency's Negotiators: Matthew Fertal, Agency Director; Chet Yoshizaki, Economic Development Director; Kingsley Okereke, Finance Director; Greg Blodgett, Economic Development Sr. Project Manager; Jim DellaLonga, Economic Development Project Manager; Tom Clark, Agency Counsel; Celeste Stahl Brady, Agency Counsel.

Negotiating Parties: Rose Cooper for JPI California Development Services, L.P.

Under Negotiation: Price and terms related to the potential Agency disposition of certain rights and/or real property interests in the subject properties. The purpose of the Closed Session is to seek direction from the Agency about negotiating parameters for price and terms related to the disposition of such real property.

RECONVENE IN OPEN SESSION

At 7:02 the meeting was reconvened in the Council Chamber with Chair Broadwater and all Members present.

ORAL COMMUNICATIONS – PUBLIC

None relevant to the Agency.

RECESS

At 7:22 p.m., the Chair declared a recess.

RECONVENE

At 7:47 p.m., the meeting was reconvened with Chair Broadwater and all Members present. Chair Broadwater announced that the Closed Session item previously announced was discussed, and there was no reportable action.

ADJOURNMENT

At 7:48 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR
SECRETARY