

MINUTES

GARDEN GROVE CITY COUNCIL  
and  
GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT

A Special Meeting of the City Council of the City of Garden Grove and the Garden Grove Agency for Community Development was called to order in the Founders Room of the Community Meeting Center, 11300 Stanford Avenue, on Tuesday, May 27, 2008, at 5:41 p.m.

CITY COUNCIL

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

ABSENT: (1) COUNCIL MEMBER BROADWATER

AGENCY

ROLL CALL: PRESENT: (4) VICE-CHAIR NGUYEN, MEMBERS DALTON,  
JONES, ROSEN

ABSENT: (1) CHAIR BROADWATER

ORAL COMMUNICATIONS – PUBLIC

There were no oral communications from the public.

PRESENTATION - ECONOMIC DEVELOPMENT STRATEGY AS PRESENTED BY  
JOHN HUSING, CONSULTANT (F: 57.1)

John Husing, Ph.D. presented economic information on the City's condition, including population, employment and payroll, housing, demographics, and the City's revenue sources.

ADJOURNMENT

At 6:38 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR  
CITY CLERK/SECRETARY

## 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, May 27, 2008, at 6:52 p.m.

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

ABSENT: (1) COUNCIL MEMBER BROADWATER

#### 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

Mayor Dalton called forward Paul Wernquist, retiring from the City, and he was recognized for his 20 years of service. (F: 52.3)

#### ORAL COMMUNICATIONS – PUBLIC

Bob Owens addressed the City Council, commenting on AARP's Candidate's Forum, Council Member Jones' letter published in the Journal regarding buying in Garden Grove, the economy, and the Presidential election. (F: 53.3)

Robin Marcario addressed the City Council, commending the Strawberry Festival Association's 50 years of service to the community. She also commented on the upcoming General Plan workshop. (F: 53.3)

Tony Flores addressed the City Council, commenting on the Grand Jury's report regarding fireworks, the condition of the northeast corner of Lampson Avenue and Springdale Street, and suggested the city be divided into districts. (F: 53.3) (XR: 61.6)

David Vill addressed the City Council, regarding AARP's Candidate's Forum, and the Grand Jury Report on fireworks. (F: 53.3) (XR: 61.6)

Peggy Bergin addressed the City Council/Agency, regarding the refinancing of the existing Section 108 HUD loan matter scheduled for consideration later in the meeting. (F: 53.3)

David Lautherboren addressed the City Council, regarding the curb-painting incident he previously brought to the City Council's attention. (F: 53.3)

Harry Pearce addressed the City Council, suggesting traffic signals be coordinated in an effort to reduce gas consumption. (F: 53.3)

#### RECESS

At 7:25 p.m., the Mayor declared a recess.

#### RECONVENE

At 7:37 p.m., the meeting was reconvened with Mayor Dalton and Council Members Jones, Nguyen, and Rosen present.

#### REFINANCE OF EXISTING SECTION 108 HUD LOAN (F: 117.11)

This item was heard in conjunction with the Garden Grove Agency for Community Development.

Staff report dated May 27, 2008, was introduced and reviewed by Staff.

The 2008 HUD Refinancing facilitates the issuance of refunding certificates, with the proceeds used to defease the outstanding trust certificates associated with the original 1997 loan as replaced by the 1999 loan. The certificates are guaranteed under Section 108 of the Housing and Community Development Act of 1974. The interest rates for the upcoming public offering are expected to be significantly lower than those on the City's existing loan, ranging from 5.96 percent to 7.72 percent, to a projected interest rate range on the series HUD 2008-A certificates from 2.62 percent to 4.51 percent. Refinancing the loan would reduce the City's interest expense, resulting in a projected debt service savings of \$857,600 over the remaining life of the loan.

RESOLUTION NO. 8818-08

It was moved by Council Member Jones, seconded by Mayor Dalton, and carried by unanimous vote of those present, that full reading of Resolution No. 8818-08 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING A CONTRACT FOR LOAN GUARANTEE ASSISTANCE AND A FIXED RATE NOTE FOR SERIES HUD 2008-A CERTIFICATES WITH THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT; AUTHORIZING THE CITY MANAGER TO FINALIZE, EXECUTE, AND ENTER INTO SUCH DOCUMENTS AND SUCH OTHER DOCUMENTS AS NECESSARY AND APPROPRIATE FOR THE IMPLEMENTATION THEREOF, ALL SUBJECT TO APPROVAL BY THE CITY ATTORNEY AND AGENCY COUNSEL; AND MAKING CERTAIN OTHER FINDINGS IN CONNECTION THEREWITH, be and hereby is approved.

RESOLUTION NO. 667

It was moved by Agency Member Jones, seconded by Agency Member Dalton, and carried by unanimous vote of those present, that full reading of Resolution No. 667 be waived, and said Resolution entitled A RESOLUTION OF THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT CONSENTING TO A CONTRACT FOR LOAN GUARANTEE ASSISTANCE AND A FIXED RATE NOTE FOR SERIES HUD 2008-A CERTIFICATES WITH THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT; AUTHORIZING THE AGENCY DIRECTOR, AS AND IF NECESSARY, EXECUTE AND ENTER INTO SUCH DOCUMENTS AS NECESSARY AND APPROPRIATE FOR THE IMPLEMENTATION THEREOF AS SUCH RELATE TO THE 1999 COOPERATION AGREEMENT BETWEEN THE CITY AND AGENCY, ALL SUBJECT TO APPROVAL BY THE CITY ATTORNEY AND AGENCY COUNSEL; AND MAKING CERTAIN OTHER FINDINGS IN CONNECTION THEREWITH, be and hereby is approved.

RECESS

At 7:42 p.m., the Mayor declared a recess.

RECONVENE

At 9:04 p.m., the meeting was reconvened with Mayor Dalton and Council Members Jones, Nguyen, and Rosen present.

PURCHASE ORDER TO COMSERCO COMMUNICATIONS FOR MOTOROLA 800 MHZ PORTABLE RADIOS AND RADIO EQUIPMENT FOR THE POLICE DEPARTMENT (F: 60.4) (XR: 82.4)

Staff report dated May 27, 2008, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote of those present, that the purchase of Motorola 800 MHz portable radios and radio equipment, be and hereby is approved; and the Finance Director is authorized to issue a purchase order in the amount not to exceed \$100,000 to ComSerCo Communications for said purchase.

AWARD OF CONTRACT TO COAST ROOF COMPANY FOR THE REPLACEMENT OF TWO LIBRARY ROOFS LOCATED AT 11962 BAILEY STREET AND 9182 CHAPMAN AVENUE (F: 55) (XR: 24.1)

Staff report dated May 27, 2008, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote of those present, that a contract in the amount of \$125,950 be awarded to Coast Roof Company, Inc. for the replacement of the library roof at 11962 Bailey Street and at 9182 Chapman Avenue; and the City Manager and City Clerk are authorized to execute the agreement on behalf of the City.

MINUTES (F: Vault)

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote of those present, that the minutes of the Regular Meeting of the City Council held April 22, 2008, be and hereby are approved.

WARRANTS (F: 60.5)

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote of those present, that Payroll Warrants 155833 through 156000, Direct Deposits D152762 through D153408, and Wires W1322 through W1325, 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 of those present, that the full reading of all Ordinances listed for consideration of adoption be waived.

PUBLIC HEARING - AMENDMENT NO. A-137-08, AMENDING TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE (F: 115.A-137-08)

Amendment No. A-137-08. The City of Garden Grove is proposing to Amend Title 9 of the Garden Grove Municipal Code to allow motorcycle sales in the M-1 (Limited Industrial) zone with the approval of a Conditional Use Permit.

On May 1, 2008, the City Planning Commission, pursuant to Resolution No. 5633, recommended adoption of a Negative Declaration and approval of Amendment No. A-137-08; and pursuant to Legal Notice published May 7, 2008, Public Hearing on the case was ordered by the City Council to be held this date.

Staff report dated May 27, 2008, was introduced and reviewed by staff.

Staff reported the proposed code amendment would allow motorcycle sales in the M-1 (Limited Industrial) zone with the approval of a Conditional Use Permit, ensuring compatibility and minimizing conflicts between uses in the area.

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

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

ORDINANCE NO. 2726 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 CODE AMENDMENT NO. A-137-08, AN AMENDMENT TO TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE TO ALLOW MOTORCYCLE SALES IN THE M-1 (LIMITED INDUSTRIAL) ZONE WITH THE APPROVAL OF A CONDITIONAL USE PERMIT

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

It was moved by Council Member Jones, seconded by Council Member Rosen, and carried by unanimous vote of those present, that Ordinance No. 2726 be and hereby is passed to second reading.

RECOMMENDATION FROM THE TRAFFIC COMMISSION (F: 100.2)

Staff report dated May 27, 2008, was introduced and reviewed by staff.

On May 6, 2008, the City Traffic Commission recommended an all-way stop be installed at the intersection of Flower Street and Central Avenue.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that the recommendation of the Traffic Commission to install an all-way stop at the intersection of Flower Street and Central Avenue, be and hereby is approved.

PURCHASE ORDER TO PRICON ENTERPRISE TECHNOLOGIES FOR 340 DESKTOP PERSONAL COMPUTERS (F: 60.4) (XR: 43.3)

Staff report dated May 27, 2008, was introduced and reviewed by staff.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that the purchase of up to 340 desktop personal computers, be and hereby is approved; and the Finance Director is authorized to issue a purchase order in the amount of \$296,532.70 to Pricon Enterprise Technologies for said purchase.

AGREEMENT WITH DUANE A. KASULKA FOR ACQUISITION OF REAL PROPERTY LOCATED AT 12281 THACKERY DRIVE, IN CONNECTION WITH PROJECT NO. 8865, HARBOR-CHAPMAN (F: 84.1) (XR: A-55.232) (XR: A-116.6) (XR: 57.9)

Staff report dated May 27, 2008, was introduced and reviewed by staff.

It was moved by Council Member Jones, seconded by Council Member Rosen, and carried by unanimous vote of those present, that the Agreement by and between the City of Garden Grove and Duane A. Kasulka, for the acquisition of real property at 12281 Thackery Drive, in the amount of \$510,000, be and hereby is approved; the City Manager and City Clerk are authorized to execute the pertinent documents on behalf of the City; the Finance Director is authorized to draw a warrant when appropriate to do so; and the City Manager and City Clerk are authorized to execute agreements for asbestos testing, asbestos abatement, and demolition at the lowest responsible bids.

AGREEMENT WITH THE ORANGE COUNTY SHERIFF'S DEPARTMENT TO PROVIDE FORENSIC SERVICES (F: 55) (XR: 82.1)

Staff report dated May 27, 2008, was introduced and reviewed by staff.

It was moved by Mayor Dalton, seconded by Council Member Rosen, and carried by unanimous vote of those present, that the Second Amendment to the Agreement by and between the City of Garden Grove and the Orange County Sheriff's Department to provide forensic services to the City of Garden Grove, be and hereby is approved in the amount of \$386,603.

AGREEMENTS WITH NORTHROP GRUMMAN FOR HARDWARE SUPPORT AND FOR SOFTWARE SUPPORT, FOR THE COMPUTER AIDED DISPATCH (CAD) SYSTEM (F: 55) (XR: 82.1)

Staff report dated May 27, 2008, was introduced and reviewed by staff.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that the Amendment No. 1 to the Agreement by and between the City of Garden Grove and Northrop Grumman Information Technology Inc. to provide hardware support to the Police Department's Computer Aided Dispatch system (CAD), be and hereby is approved in the amount of



\$71,456.34; that the Agreement by and between the City of Garden Grove and Northrop Grumman Information Technology Inc. to provide software support to the Police Department's Computer Aided Dispatch system (CAD), be and hereby is approved in the amount of \$453,925.76; and the City Manager is authorized to execute the agreements, including making any modifications or signing any implementation agreements as necessary during the contract period for the operation and implementation of the contract services.

INITIATION OF PROCEEDINGS FOR MAIN STREET ASSESSMENT DISTRICT NO. 1 FOR FY 2008-09 (F: 31.4) (XR: 122.6)

Staff report dated May 27, 2008, was introduced and reviewed by staff.

The City Parking and Main Street Commission at its March 13, 2008, meeting discussed the 2008-09 fiscal year maintenance service levels for Main Street, as well as any potential enhancements or changes to existing improvements. The Commission reviewed and recommended approval of the proposed 2008-09 FY Budget.

Staff indicated the assessment, currently set at \$19.92 per linear foot, meets these minimal service level costs for the proposed budget.

RESOLUTION NO. 8819-08

It was moved by Council Member Rosen, seconded by Mayor Dalton, and carried by unanimous vote of those present, that full reading of Resolution No. 8819-08 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, DECLARING ITS INTENTION TO ORDER THE MAINTENANCE OF CERTAIN IMPROVEMENTS IN THE "MAIN STREET ASSESSMENT DISTRICT NO. 1" IN THE CITY OF GARDEN GROVE; DESCRIBING THE DISTRICT TO BE BENEFITED, AND TO PAY THE COST AND EXPENSES THEREOF; AND SETTING THE TIME AND PLACE FOR THE HEARING ON THE QUESTION OF THE LEVY OF THE PROPOSED ASSESSMENT, be and hereby is adopted, approving the Engineer's Report and setting the Public Hearing for June 24, 2008.

INITIATION OF UNDERGROUND UTILITY DISTRICT NO. 24, HAZARD AVENUE  
(F: 121.#24)

Staff report dated May 27, 2008, was introduced and reviewed by staff.

RESOLUTION NO. 8820-08

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that full reading of Resolution No. 8820-08 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE CALLING FOR A PUBLIC HEARING TO DETERMINE WHETHER PUBLIC NECESSITY, HEALTH, SAFETY, OR WELFARE REQUIRES THE FORMATION OF AN UNDERGROUND UTILITY DISTRICT ON THE NORTHERLY SIDE OF HAZARD AVENUE FROM THE CENTERLINE OF EUCLID STREET TO 600 FEET WESTERLY, be and hereby is approved.

REFINANCE OF EXISTING SECTION 108 HUD LOAN (F: 117.11)

This item was heard earlier in the evening.

SECOND READING OF ORDINANCE NO. 2725 (F: 116.SP-322-03)

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote of those present, that full reading of Ordinance 2725 be and hereby is waived.

ORDINANCE NO. 2725 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 AN AMENDMENT TO A DEVELOPMENT AGREEMENT BETWEEN THE ORANGE COUNTY VECTOR CONTROL (PROPERTY OWNER) AND THE CITY OF GARDEN GROVE

Following the reading of the Ordinance title, it was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote of those present, that Ordinance No. 2725 be and hereby is declared adopted.

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

Council Member Rosen expressed appreciation for condolences he received for the passing of his father. Regarding the Grand Jury's report on fireworks, he indicated the report was biased, focusing only on the negative opinions, and not balancing the report with information from those groups in favor of the use of fireworks. In addition, no information was provided Buena Park City Council's decision to ban fireworks in the city; the voters subsequently initiating a referendum, overturning the City Council's decision; and fireworks now being allowed in the city. He stated this issue is set to be reviewed after this year's 4th of July holiday. He responded to comments made under Oral Communications regarding Supervisor Nguyen's absence from a recent Candidate's forum. He indicated the forum was scheduled at the same time as an Orange County Board of Supervisors meeting. He reminded organizations to consider the Official's meeting schedule when planning events. (F: 53.1) (XR: 61.6)

Council Member Nguyen inquired on the information on the City of Orange's business retention program she requested. She commended the Strawberry Festival organizers on a job well done. She congratulated Council Member Broadwater and his wife, and Council Member Jones and his wife, on their anniversaries. She commented on the opportunity Memorial Day offers to reflect on the sacrifices made on our behalf. (F: 53.1)

Council Member Jones commended the Strawberry Festival Association on a successful 50<sup>th</sup> annual festival. He concurred with Council Member Rosen's comments on the Grand Jury Report regarding fireworks, indicating the Grand Jury lost credibility in its approach to the issue. He commented on the ICSC conference he recently attended, indicating it was highly productive. (F: 53.1) (XR: 61.6)

Mayor Dalton wished Council Member Jones and his wife a happy anniversary. He also commented on the Memorial Day Service he and Mayor Pro Tem Rosen attended at the Magnolia Cemetery that included a Civil War re-creation. In regards to the Grand Jury Report on fireworks, he indicated he would make his comments public after his response to the report is forwarded to the Grand Jury. (F: 53.1) (XR: 61.6)

ADJOURNMENT

At 9:34 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR  
CITY CLERK