

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 10, 2008, at 5:35 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 5:40 p.m.)

PUBLIC INPUT ON CLOSED SESSION ITEMS

None.

ADJOURN TO CLOSED SESSION

At 5:36 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 – EXISTING LITIGATION

(Subdivision (a) of Section 54956.9)

Vietnamese Buddhism Study Temple in America, et al. v. City of Garden Grove, et al.

United States District Court Case No. SACV06-728 CJC.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Properties: 3001 and 3017 W. 5th Street, Santa Ana, CA 92703

Assessor Parcel Nos. 198-291-03; 198-291-04; 198-291-05;

198-291-06; 198-291-07; 198-291-08

City's Negotiators: Matthew Fertal, City Manager; Chet Yoshizaki, Economic Development Director

Negotiating Parties: City of Santa Ana, David Ream, City Manager

Under Negotiation: Price and terms related to the potential city 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 6:40 p.m., the meeting was reconvened in the Council Chamber with Mayor Dalton and all Council Members present. Mayor Dalton announced that the Closed Session items previously announced were discussed, and there was no reportable action on either item.

INVOCATION AND PLEDGE

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

PRESENTATION BY TOWNSEND PUBLIC AFFAIRS (F: 55)

Christopher Townsend of Townsend Public Affairs, Inc., addressed the City Council and introduced members of his staff, including a new member of his team, Jessica O'Hare. Ms. O'Hare provided a presentation on past activities and future opportunities related to ongoing lobbying services for the City.

Council Member Rosen welcomed Ms. O'Hare, commenting on her experience working for Supervisor Norby assigned to transportation. She was very helpful to Garden Grove with her work with Orange County Transportation Authority.

ORAL COMMUNICATIONS – PUBLIC

Russ McDonald, David Vill, and Rod Powell addressed the City Council, commenting on the Grand Jury's recent report on fireworks, requesting that the use of fireworks be banned in the city. (F: 53.3) (XR: 61.6)

RECESS

At 7:04 p.m., the Mayor declared a recess.

RECONVENE

At 7:24 p.m., the meeting was reconvened with Mayor Dalton and all Council Members present to hear the following item in conjunction with the Garden Grove Agency for Community Development.

MODIFICATION TO PROMISSORY NOTE - KATELLA COTTAGES (KATELLA-GILBERT) BRANDYWINE DEVELOPMENT CORPORATION (F: A-55.299)

Due to a potential conflict of interest due to a business relationship with Brandywine Development Corporation, Council/Agency Member Jones recused himself from this matter.

COUNCIL/AGENCY MEMBER JONES LEFT THE MEETING AT 7:25 P.M.

Staff report dated June 10, 2008, was introduced and reviewed by staff.

RESOLUTION NO. 8821-08

It was moved by Council Member Nguyen, seconded by Council Member Rosen, and carried by unanimous vote of those present, that full reading of Resolution No. 8821-08 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, AMENDING ITS RESOLUTION NO. 8796-07 APPROVING EXECUTION BY THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT OF A CERTAIN NOTE PURCHASE AGREEMENT AND PROMISSORY NOTE (KATELLA COTTAGES), be and hereby is approved.

RESOLUTION NO. 668

It was moved by Member Nguyen, seconded by Member Rosen, and carried by unanimous vote of those present, that full reading of Resolution No. 668 be waived, and said Resolution entitled A RESOLUTION OF THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT AMENDING RESOLUTION NO. 664 RELATIVE TO TERMS OF SALE OF PROMISSORY NOTE (KATELLA COTTAGES), be and hereby is approved.

COUNCIL/AGENCY MEMBER JONES RETURNED TO THE MEETING AT 7:28 P.M.

RECESS

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

RECONVENE

At 7:34 p.m., the meeting was reconvened with Mayor Dalton and all Council Members present.

RESOLUTION TO WELCOME AND COMMEMORATE THE ARRIVAL OF ONE MORE PRODUCTIONS TO THE GARDEN GROVE COMMUNITY (F: 83.1)

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that the Resolution welcoming and commemorating the arrival of One More Productions to the Garden Grove community, be and hereby is approved.

PROCLAMATION DECLARING JULY 2008 AS PARKS AND RECREATION MONTH (F: 83.1)

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that July 2008, be and hereby is designated Parks and Recreation Month.

COOPERATIVE PURCHASING AGREEMENT WITH GALLS RETAIL CA, FOR FIRE DEPARTMENT UNIFORMS AND SUPPLIES (F: 60.4) (61.1)

Staff report dated June 10, 2008, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that the three-year Cooperative Purchasing Agreement by and between the City of Garden Grove and Galls Retail CA, for the purchase of uniforms and supplies for the Fire Department, be and hereby is approved; and the Finance Director is authorized to issue this purchase order to Galls Retail CA in the amount not to exceed \$60,000 per year, for said purchases.

AGREEMENTS WITH LESLIE A. WILLIAMS FOR CONVEYANCE OF ADDITIONAL PROPERTIES AT 10971 MARKEV STREET AND 10972 MARKEV STREET, IN CONJUNCTION WITH THE KATELLA SMART STREET IMPROVEMENT PROJECT (F: 23.26A) (XR: 84.1) (XR: 57.9)

Staff report dated June 10, 2008, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that the Amendment to the Agreement for Conveyance of Property located at 10971 Markev Street, by and between the City of Garden Grove and Rohmer Fund LLC, be and hereby is approved; and that the Amendment to the

Agreement for Conveyance of Property located at 10972 Markev Street, by and between the City of Garden Grove and Leslie A. Williams, be and hereby is approved; the City Manager and City Clerk are authorized to execute the Agreement and accept the Street Deed on behalf of the City; and the Finance Director is authorized to draw a warrant in the amount of \$17,855 when appropriate to do so.

AGREEMENT WITH TOWNSEND PUBLIC AFFAIRS, INC. (F: 55)

Staff report dated June 10, 2008, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that Amendment No. 2 to the Agreement by and between the City of Garden Grove and Townsend Public Affairs Inc., to provide lobbyist services, in the amount of \$60,000, be and hereby is approved; and the City Manager is authorized to execute the Agreement on behalf of the City.

AGREEMENT WITH THE COUNTY OF ORANGE FOR FUNDING UNDER PROP 1B LOCAL STREET AND ROADS IMPROVEMENTS FOR FISCAL YEAR 2007-08
(F: 55) (XR: 24.11) (XR: 24.1)

Staff report dated June 10, 2008, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that Agreement No. D08-034 by and between the City of Garden Grove and County of Orange for funding under the California Department of Finance Prop 1B-Local Street and Roads Improvement, for improvements projects Bolsa Avenue Utility Undergrounding and Traffic Safety Improvements; Garden Grove Median Modifications between Beach Boulevard and Brookhurst Street; and Harbor Boulevard Intelligent Traffic Systems Project, be and hereby is approved; and the Mayor and City Clerk are authorized to execute the Agreement on behalf of the City.

FINAL PARCEL MAP NO. 2005-200 FOR PROPERTY LOCATED AT 12812 PALM STREET (F: 118.PM-2005-200) (XR: 24.11)

Staff report dated June 10, 2008, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that the Final Parcel Map No. 2005-200 and Subdivision Agreement for property located 12812 Palm Street, be and hereby are approved.

AGREEMENT WITH WOODRUFF, SPRADLIN AND SMART, FOR CITY ATTORNEY SERVICES (F: 55)

THE CITY ATTORNEY LEFT THE MEETING AT 7:35 P.M.

Staff report dated June 10, 2008, was introduced.

Council Member Rosen indicated that the City Attorney has done an excellent job. His objection is to an automatic cost of living feature being included as a part of any municipal contract.

In response to Mayor Dalton's inquiry, staff indicated that this is the first hourly rate increase since 1992.

Council Member Rosen moved, seconded by Council Member Jones, that this matter be continued for two weeks to allow Woodruff, Spradlin and Smart an opportunity to make a counter offer.

Council Member Jones requested information on whether other City Attorney contracts in the area include a cost of living provision.

Council Member Broadwater commented that the City receives a magnificent deal from this firm, and would not want to jeopardize that relationship.

The foregoing motion carried by unanimous vote.

THE CITY ATTORNEY RETURNED TO THE MEETING AT 7:41 P.M.

(Note: This item was further discussed at the end of the meeting.)

MINUTES (F: Vault)

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that the minutes of the Regular Meeting of the City Council held May 13, 2008, be and hereby are approved.

WARRANTS (F: 60.5)

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that Regular Warrants 415506-417478, Wires W385-W394, and Wires W416254-W416480; Payroll Warrants 156001 thru 156170, Direct Deposits D153409 thru D154062, and Wires W1322C and Wires W1326 thru W1329, 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 Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that the full reading of all Ordinances listed for consideration of adoption be waived.

PUBLIC HEARING – ESTABLISHMENT OF UNDERGROUND UTILITY DISTRICT NO. 24 – HAZARD AVENUE (F: 121.24)

Staff report dated June 10, 2008, was introduced and reviewed by staff.

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.

In response to Council Member Nguyen's inquiry, staff indicated that it would take between one to two years to complete the project and traffic will be affected, but not on a daily basis.

RESOLUTION NO. 8822-08

It was moved by Council Member Jones, seconded by Mayor Dalton, and carried by unanimous vote, that full reading of Resolution No. 8822-08 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ESTABLISHING UNDERGROUND UTILITY DISTRICT NO. 24 UNDER THE CALIFORNIA PUBLIC UTILITIES COMMISSION RULE 20-A AND TITLE 11-CHAPTER 11.24 OF THE GARDEN GROVE MUNICIPAL CODE, be and hereby is approved.

PUBLIC HEARING –SUBSTANTIAL AMENDMENT NO. 1 TO THE 2007-08 HOUSING AND COMMUNITY DEVELOPMENT ACTION PLAN, AND COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) RESERVATION AGREEMENT AND CHDO OPERATING EXPENSES AGREEMENT WITH JAMBOREE HOUSING (F: 117.10) (XR: 117.16D)

Staff report dated June 10, 2008, was introduced and reviewed by staff.

In response to Council Member Jones inquiry, staff indicated that multi-family neighborhoods have been identified for these types of projects in the past in order to address issues within those neighborhoods. Buena Clinton and Stuart Drive were cited as examples of positive results. CHDO requirements are restrictive, and Jamboree Housing meets those requirements, and the City has had success with Jamboree Housing in the past.

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

Charles Mitchell raised a concern about preventing fraud in reporting income levels by applicants. Staff indicated that both the property manager and the property owner income qualify the applicants. In addition, the records are monitored by staff, providing another layer of verification.

In response to Peggy Bergin's inquiry, income levels are established by HUD; and this particular agreement provides for rental units.

Council Member Rosen asked if the program has an option to use the money for for-sale units. Staff indicated that although the program allows for that use, City assistance for for-sale units would cost the same for one individual unit that could be applied to many rental units.

David Vill inquired as to what is considered affordable. Staff indicated that HUD provides those figures, and the factors for consideration are usually 80% of the medium income, what someone could afford at that level, and the size of the household.

Council Member Broadwater commented that this program is a great way to clean up our neighborhoods that are going downhill, and to keep them at low-income housing. He cited Haster Gardens as an example.

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

It was moved by Council Member Broadwater, seconded by Council Member Nguyen, and carried by unanimous vote, that the Substantial Amendment No. 1 of the 2007-08 Housing and Community Development Action Plan, be and hereby is approved; the Community Development Housing Organization Reservation Agreement in the amount of \$1,667,711, and the Community Housing Development Organization Operating Expenses Agreement in the amount of \$52,000, by and between the City of Garden Grove and Jamboree Housing Corporation be and hereby are approved; and the City Manager and City Clerk are authorized to execute the Agreements and all other documents necessary to implement the agreements.

PUBLIC HEARING – AMENDMENT NO. A-136-08 (F: 115.A-136-08)

Community Development Director, Susan Emery, reported that due to changing conditions in the development world, the City is seeing new product types. Increased demand for new development types that offer living situations that resemble single family homes, but on much smaller lots and may not offer ownership opportunities. In the 1990's, the Municipal Code did not anticipate or plan for these types of developments in terms of providing development standards. Without standards, developers are not always provided the best guidelines about how they should proceed with their project. Staff has reviewed these projects on a case-by-case basis. By adopting standards, the City would be better able to provide developers a good set of guidelines for new construction.

Amendment No. A-136-08. The City of Garden Grove is proposing to amend Title 9 of the Garden Grove Municipal Code to establish uniform development standards for residential duplexes and triplexes, and revising the fee structure to implement the amended development standard.

On May 1, 2008, the City Planning Commission, pursuant to Resolution No. 5631, recommended adoption of a Negative Declaration and approval of Amendment No. A-136-08; and pursuant to Legal Notice published May 29, 2008, Public Hearing on the case was ordered by the City Council to be held this date.

Staff report dated June 10, 2008, was introduced and reviewed by staff.

Staff indicated with the increased interest from property owners to develop duplexes and triplexes on R-2 (Limited-Multiple Family) and R-3 (Multiple-Family Residential) zoned properties, there is a need to establish standards that facilitate the development of these types of projects. Duplexes and Triplexes provide important benefits to the City, contributing to the goals of the General Plan through recycling of underutilized or blighted properties, providing a transitional use in older multiple-family neighborhoods, and creating new housing opportunities.

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

Charles Mitchell raised a concern on the impact these types of developments would have on the city's infrastructure.

Peggy Bergin commented on the amount of parking available.

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

Council Member Rosen complimented staff on their efforts to codify the laws consistent with what has been taking place in the city for the past several years. He requested that the ordinance be amended to include language that appeals can be made to both the Planning Commission and City Council.

Council Member Nguyen requested the ordinance be amended, changing the seven day appeal period to ten days.

Council Member Jones commented that the adoption of this ordinance does not take away any of the standards that developers must meet regarding sewer, traffic, and parking.

ORDINANCE NO. 2727 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-136-08, AN AMENDMENT TO TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE, TO ESTABLISH DEVELOPMENT STANDARDS FOR THE DEVELOPMENT OF RESIDENTIAL DUPLEXES AND TRIPLEXES

It was moved by Council Member Broadwater, seconded by Council Member Rosen, 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 Jones, and carried by unanimous vote, that Ordinance No. 2727 be and hereby is passed to second reading, as amended.

RESOLUTION NO. 8823-08

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 8823-08 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ESTABLISHING A DEVELOPMENT PROCESSING FEE FOR DIRECTOR'S REVIEW - DUPLEX AND TRIPLEX, be and hereby is approved.

PUBLIC HEARING – AMENDMENT NO. A-138-08 (F: 115.A-138-08)

Community Development Director, Susan Emery, reported that due to changing conditions in the development world, the City is seeing new product types. Increased demand for new development types that offer living situations that resemble single family homes, but on much smaller lots and may not offer ownership opportunities. In the 1990's, the Municipal Code did not anticipate or plan for these types of developments in terms of providing development standards. Without standards, developers are not always provided the best guidelines about how they should proceed with their project. Staff has reviewed these projects on a case-by-case basis. By adopting standards, the City would be better able to provide developers a good set of guidelines for new construction.

Amendment No. A-138-08. The City of Garden Grove is proposing to amend Title 9 of the Garden Grove Municipal Code to establish standards for the development of small-lot subdivisions.

On May 1, 2008, the City Planning Commission, pursuant to Resolution No. 5636, recommended adoption of a Negative Declaration and approval of Amendment No. A-138-08; and pursuant to Legal Notice published May 29, 2008, Public Hearing on the case was ordered by the City Council to be held this date.

Staff report dated June 10, 2008, was introduced and reviewed by staff.

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. 2728 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-138-08, AN AMENDMENT TO TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE TO ESTABLISH DEVELOPMENT STANDARDS FOR THE DEVELOPMENT OF SMALL LOT SUBDIVISIONS

It was moved by Council Member Broadwater, seconded by Council Member Rosen, 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. 2728 be and hereby is passed to second reading.

ADOPTION OF MEASURE M SEVEN-YEAR CAPITAL IMPROVEMENT PROGRAM (CIP), AND SUBMITTAL OF APPROVED DOCUMENTATION TO THE ORANGE COUNTY TRANSIT AUTHORITY (F: 23.18C) (XR: 24.11)

Staff report dated June 10, 2008, was introduced and reviewed by staff.

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that the Measure M Seven-Year Capital Improvement Program be and hereby is adopted.

RESOLUTION NO. 8824-08

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 8824-08 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE CERTIFYING CONSISTENCY OF THE CITY'S CIRCULATION ELEMENT WITH THE MASTER PLAN OF ARTERIAL HIGHWAYS AND VERIFYING COMPLIANCE WITH THE MAINTENANCE OF EFFORT REQUIREMENTS, be and hereby is approved.

ALLOCATION OF SOUTHERN CALIFORNIA EDISON'S (SCE) RULE 20A FUNDING TO THE CITY OF WESTMINSTER FOR BOLSA AVENUE UTILITY UNDERGROUNDING AT BUSHARD STREET (F: 121.2A) (XR: 24.11)

Staff report dated June 10, 2008, was introduced and reviewed by staff.

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that Southern California Edison's (SCE) Rule 20A allocation of \$500,000 to the City of Westminster for the utility undergrounding of Bolsa Avenue, from the north side of Bolsa Avenue from Bushard Street to approximately 700 feet to the east, be and hereby is approved.

INITIATION OF PROCEEDINGS FOR THE LEVYING OF FY 2008-2009 ASSESSMENTS FOR STREET LIGHTING DISTRICT, STREET LIGHTING DISTRICT NO. 99-1, AND PARK MAINTENANCE DISTRICT (F: 69.1) (XR: 73.1) (XR: 24.11)

Staff report dated June 10, 2008, was introduced and reviewed by staff. Staff indicated that the rates proposed are the same adopted by the City Council in FY 2007-08, and there are no proposed additions or significant changes to the improvements as compared to FY 2007-08.

RESOLUTION NO. 8825-08

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 8825-08 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 (SECTIONS 22500 ET SEQ. OF THE CALIFORNIA STREETS AND HIGHWAYS CODE) INITIATING PROCEEDINGS TO LEVY ANNUAL ASSESSMENTS FOR THE 2008-09 FISCAL YEAR FOR THE CITY OF GARDEN GROVE STREET LIGHTING DISTRICT AND ORDERING THE CITY ENGINEER TO PREPARE AND FILE A REPORT IN ACCORDANCE WITH ARTICLE 4 OF CHAPTER 1 OF SAID ACT, be and hereby is approved.

RESOLUTION NO. 8826-08

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 8826-08 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 (SECTIONS 22500 ET SEQ. OF THE CALIFORNIA STREETS AND HIGHWAYS CODE) INITIATING PROCEEDINGS TO LEVY ANNUAL ASSESSMENTS FOR THE 2008-09 FISCAL YEAR FOR THE CITY OF GARDEN GROVE STREET LIGHTING DISTRICT NO. 99-1 AND ORDERING THE CITY ENGINEER TO PREPARE AND FILE A REPORT IN ACCORDANCE WITH ARTICLE 4 OF CHAPTER 1 OF SAID ACT, be and hereby is approved.

RESOLUTION NO. 8827-08

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 8827-08 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 (SECTIONS 22500 ET SEQ. OF THE CALIFORNIA STREETS AND HIGHWAYS CODE) INITIATING PROCEEDINGS TO LEVY ANNUAL ASSESSMENTS FOR THE 2008-09 FISCAL YEAR FOR THE CITY OF GARDEN GROVE PARK MAINTENANCE DISTRICT AND ORDERING THE CITY ENGINEER TO PREPARE AND FILE A REPORT IN ACCORDANCE WITH ARTICLE 4 OF CHAPTER 1 OF SAID ACT, be and hereby is approved.

RESOLUTION NO. 8828-08

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 8828-08 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING THE CITY ENGINEER'S REPORTS REGARDING THE LEVY OF AN ANNUAL ASSESSMENT WITHIN THE CITY OF GARDEN GROVE STREET LIGHTING DISTRICT, CITY OF GARDEN GROVE STREET LIGHTING DISTRICT NO. 99-1, AND THE CITY OF GARDEN GROVE PARK MAINTENANCE DISTRICT FOR FISCAL YEAR 2008-09, be and hereby is approved.

RESOLUTION NO. 8829-08

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 8829-08 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 (SECTIONS 22500 ET SEQ. OF THE CALIFORNIA STREETS AND HIGHWAYS CODE) DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE CITY OF GARDEN GROVE STREET LIGHTING DISTRICT FOR FISCAL YEAR 2008-09 AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING ON THE LEVY OF THE PROPOSED ASSESSMENTS, be and hereby is approved.

RESOLUTION NO. 8830-08

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 8830-08 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 (SECTIONS 22500 ET SEQ. OF THE CALIFORNIA STREETS AND HIGHWAYS CODE) DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE CITY OF GARDEN GROVE STREET LIGHTING DISTRICT 99-1 FOR FISCAL YEAR 2008-09 AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING ON THE LEVY OF THE PROPOSED ASSESSMENTS, be and hereby is approved.

RESOLUTION NO. 8831-08

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 8831-08 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 (SECTIONS 22500 ET SEQ. OF THE CALIFORNIA STREETS AND HIGHWAYS CODE) DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE CITY OF GARDEN GROVE PARK MAINTENANCE DISTRICT FOR FISCAL YEAR 2008-09 AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING ON THE LEVY OF THE PROPOSED ASSESSMENTS, be and hereby is approved.

MODIFICATION TO PROMISSORY NOTE – KATELLA COTTAGES (KATELLA-GILBERT) BRANDYWINE DEVELOPMENT CORPORATION (F: A-55.299)

This matter was heard earlier in the meeting.

SECOND READING OF ORDINANCE NO. 2726 (F: 115.A-137-08)

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Ordinance No. 2726 be and hereby is waived.

ORDINANCE NO. 2726 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 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

Following the reading of the Ordinance title, it was moved by Council Member Jones, seconded by Council Member Rosen, and carried by unanimous vote, that Ordinance No. 2726 be and hereby is declared adopted.

MATTERS FROM THE MAYOR, CITY COUNCIL MEMBERS AND CITY MANAGER

Council Member Broadwater commented on his recent vacation and how it allowed him to see how other cities do things compared to Garden Grove. He also commented on the rising cost of gas. (F: 53.1)

Council Member Rosen wished his daughter, Rachel, a happy birthday. (F: 53.1)

Council Member Nguyen commented on the touching ceremony held by Garden Grove High School honoring Michael Monsoor and other alumni who have given their lives in service to their country. She requested information on providing first time homebuyer program information and grant applications for non-profit organizations on the City's website. She congratulated her son for graduating high school. (F: 53.1) (XR: 57.5)

Council Member Jones wished Council Member Broadwater and his wife a happy anniversary. He wished his son, Jaden, a happy birthday. (F: 53.1)

Mayor Dalton commented on the recent trip to Washington D.C., he, Council Member Rosen, and staff made to meet with Federal representatives. He urged Garden Grove residents to buy locally, keeping tax dollars in Garden Grove. (F: 53.1)

AGREEMENT WITH WOODRUFF, SPRADLIN AND SMART, FOR CITY ATTORNEY SERVICES (F: 55)

The City Manager reported that Woodruff, Spradlin and Smart firm would be agreeable to amending the proposed agreement, removing the automatic cost of living increase.

It was moved by Council Member Broadwater seconded by Mayor Dalton, and carried by unanimous vote, that the Amendment to the Agreement by and between the City of Garden Grove and Woodruff, Spradlin and Smart, to provide City Attorney s.ervices, be approved as amended.

ADJOURNMENT

At 8:45 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR
CITY CLERK