

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, September 11, 2007, at 5:42 p.m.

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

ABSENT: (1) COUNCIL MEMBER JONES (JOINED THE MEETING AT 5:49 P.M.)

AGENCY ROLL CALL: PRESENT: (4) CHAIR BROADWATER, MEMBERS DALTON, NGUYEN, ROSEN

ABSENT: (1) MEMBER JONES (JOINED THE MEETING AT 5:49 P.M.)

PUBLIC INPUT ON CLOSED SESSION ITEMS

Trung Nguyen addressed the City Council/Agency, urging all options be considered carefully relative to the development of the 35-acre site and the development of a Casino not be approved. (F: A-53.3) (XR: 53.3) (XR: A-116.14)

Artie Herod addressed the City Council/Agency, expressing her support for the development of a Casino in Garden Grove, noting that the city needs the revenue. (F: 53.3) (XR: A-53.3) (XR: A-116.14)

MEMBER JONES JOINED THE MEETING AT 5:49 P.M.

David Lautherboren addressed the City Council, commenting that Garden Grove is a religious community, and another church is not needed.

Richard Prinsler addressed the City Council/Agency, expressing his support for the development of a Casino in Garden Grove, noting that if it is not built in Garden Grove, it will be built in a neighboring city. (F: A-53.3) (XR: 53.3) (XR: 116.14)

Tony Baretta addressed the City Council/Agency, expressing his support for the development of a Casino in Garden Grove, commenting that the city needs the revenue. (F: A-53.3) (XR: 53.3) (XR: A-116.14)

ADJOURN TO CLOSED SESSION

At 5:56 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

Denise Millar v. City of Garden Grove, Orange County Superior Court Case No. 06CC12453

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: The parcels are commonly referred to as the “35-Acre Site” and is comprised of the following parcels listed by Assessor Parcel Number (APN) and current owners.

APN 231-42-106, 231-42-105, 231-42-104, 231-42-107, 231-42-108, 231-42-110, 231-41-102, 231-41-103, 231-41-104, 231-41-105, 231-41-106, 231-41-113, 231-41-112, 231-41-107, 231-41-109, 231-41-110 and 231-41-111 owned by Lakeview Village Corp

APN 231-41-108 owned by Beth M. Cecich Hansen

APN 231-42-101 owned by Universal Care, Inc.

APN 231-41-111 owned by Myoungsu Jeoung & Suzie S Kim

APN 231-43-101 owned by Buaro Improvement

APN 231-44-140 owned by Leon Elster Inc.

APN 231-44-139 owned by Cheyenne Gold

APN 231-44-138 owned by Survivors For & Silvio Florentin

APN 231-44-137 owned by Chen Lin Wong

APN 231-44-135 owned by Chih-Min Chung & Mei-Lin Chen

APN 231-44-136 owned by Nikolau Trust

APN 231-43-102 and 231-43-103 are Agency Owned

Agency's Negotiators: Matthew Fertal, City Manager
Chet Yoshizaki, Economic Development Director
Greg Blodgett, Economic Development, Sr. Project Manager
Greg Brown, Economic Development, Sr. Project Manager
Jim Della Longa, Economic Development, Project Manager
Aaron Schulze, Economic Development, Specialist
Tom Nixon, City Attorney
Tom Clark, Agency Counsel
Celeste Stahl Brady, Agency Counsel
James Regan, Horwath Hospitality & Leisure
Florida Booth, Horwath Hospitality & Leisure

Negotiating Parties: The City of Garden Grove, The Garden Grove Agency for Community Development, Chad McWhinney for the McWhinney Proposal, Jonathan Stein Santa Monica Development Corporation for the Gabrielino-Tongva Tribe Proposal, John Cora for VisionMaker Worldwide Proposal, Trish Corey for Lakeview Village Corp, Chuck Fry for Buaro Improvement, Beth M. Cecich Hansen, Universal Care Inc., Myoungsu Jeoung & Suzie S Kim, Leon Elster Inc., Cheyenne Gold, Survivors For & Silvio Florentin, Chen Lin Wong, Chih-Min Chung & Mei-Lin Chen, Nikolau Trust, and Park 8 Place LP, Anthony Thien Doan.

Under Negotiation: Price and terms of payment related to the potential City acquisition and disposition of the properties.
CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

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Aaron Schulze, Economic Development Specialist
Douglas Evertz, Agency Counsel
Tom Clark, Agency Counsel
Celeste Stahl Brady, Agency Counsel
James Regan, Horwath Hospitality & Leisure
Florida Booth, Horwath Hospitality & Leisure

Negotiating Parties: Garden Grove Agency for Community
Development,
Chad McWhinney for the McWhinney Proposal, John Cora for
VisionMaker Worldwide Proposal, Trish Corey for Lakeview Village
Corp, Chuck Fry for Buaro Improvement, Beth M. Cecich Hansen,
Universal Care Inc., Myoungsu Jeoung & Suzie S Kim, Leon Elster
Inc., Cheyenne Gold, Survivors For & Silvio Florentin, Chen Lin
Wong, Chih-Min Chung & Mei-Lin Chen, Nikolau Trust, and Park 8
Place LP, Anthony Thien Doan.

Under Negotiation: Price and terms of payment related to the
potential Agency acquisition and disposition of the properties.

RECESS

At 6:41 p.m., Mayor/Member Dalton and Agency Chair/Council
Member Broadwater declared a recess.

RECONVENE IN OPEN SESSION

At 6:50 p.m., the meeting was reconvened in the Council Chamber
with Mayor/Agency Member Dalton, Agency Chair/Council Member
Broadwater, and all Council/Agency Members present. It was
announced that the previously disclosed items were discussed and
that no reportable action was taken.

RECESS

At 6:51 p.m., the Agency Chair declared a recess.

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.

THERE WAS A MOMENT OF SILENCE IN REMEMBRANCE OF SEPTEMBER 11, 2001 TRAGIC EVENTS.

PRESENTATIONS

It as announced that the presentation by the Orange County Water District regarding the Irvine Ranch Water District Annexation will be rescheduled. (F: 112.6)

AGENCY RECONVENED WITH CITY COUNCIL

At 6:52 p.m., the Agency meeting was reconvened in the Council Chamber with Chair Broadwater, and all Agency Members present.

ORAL COMMUNICATIONS - PUBLIC

Orange County Supervisor Janet Nguyen addressed the City Council/Agency, expressing her opposition to a Casino in Garden Grove, noting that she has consistently taken the position of opposing the building of a Casino in Garden Grove, commenting that such a development would be out of character for the city. She indicated that her office would assist the community in seeking a better solution.

Council/Agency Member Rosen expressed his appreciation to Supervisor Nguyen for her successful efforts in obtaining millions of dollars for the City and noting that she is a good ally for Garden Grove with OCTA.

Mayor/Agency Member Dalton also thanked Supervisor Nguyen for all her efforts on behalf of the City. (F: A-53.3) (XR: 53.3)
(XR: A-116.14)

Jay Van Arsdale addressed the City Council, noting his company has been in the towing business for 40 years. He noted that it has been six months since they submitted their proposal for towing services, noting that the matter was tabled 60 days ago. He asked that the matter be settled and that their contract be approved. (F: 53.3)
(XR: 82.2)

Verla Lambert addressed the City Council and passed out copies of the Garden Grove City Precinct Map, commenting that existing precincts rather than population figures should be used in drawing up the districts. Further, that Charter City and Districts should be two separate issues on the ballot. Lastly, she suggested that time be taken to receive residents' responses to the proposals. (F: 53.3) (XR: 128.6)

Joshua Matua addressed the City Council, indicating that the Fourth of July fireworks burned down his house and he lost everything. He urged the banning of Fireworks be placed on the ballot for a vote of the people. He also indicated that no Council Members visited his home to see the damage. (F: 53.3) (XR: 61.6)

Anh Nguyen addressed the City Council/Agency, urging the Members vote against the development of a Casino in Garden Grove. (F: A-53.3) (XR: 53.3) (XR: A-116.14)

Dr. Robert Lee Tran Truong addressed the City Council/Agency, urging the Members vote against the development of a Casino in Garden Grove, noting that he would like to buy the 35-acre site himself. (F: A-53.3) (XR: 53.3) (XR: A-116.14) (XR: A-116.6)

Dr. Long Pham addressed the City Council/Agency, noting his opposition to a Casino in the city. He also expressed opposition to the proposed Charter for the City, commenting that he has found serious issues with it, noting that it disguises the term limit issue; and if the proposed Charter is approved, his group will start the Recall process. His wife, Mary Pham indicated those are also her comments. (F: A-53.3) (XR: 53.3) (XR: A-116.14) (XR: 128.6)

Dr. Vinh Nguyen addressed the City Council/Agency, noting his opposition to a Casino in the city. He also noted his opposition to becoming a Charter City. (F: A-53.3) (XR: 53.3) (XR: A-116.14)

Janis Zemel of Action Southland Tow addressed the City Council, noting they made improvements to their business for the Towing RFP process, and it has been two months since the City Council continued the awarding of the contract, and they have heard nothing further. (F: 53.3) (XR: 82.2)

Robin Marcario addressed the City Council/Agency and requested the proposed Charter and District maps be put on the City's web site so the citizens can be informed. She also suggested a Citizens Committee be formed between now and the next City Council meeting to come up with a good Charter. She voiced some concerns she had

about the Charter as it is proposed. She requested an update on the lobbyist activities. She noted that she is opposed to the Casino development. And lastly, she spoke fondly of George Allen, Traffic Engineer, who passed away. (F: A-53.3) (XR: 53.3) (XR: 128.6) (XR: A-116.14)

Tran Trung Chanh addressed the City Council/Agency against the building of a Casino in Garden Grove, commenting that it would cause chaos in the Vietnamese community. (F: A-53.3) (XR: 53.3) (XR: A-116.14)

RECESS

At 7:47 p.m., Mayor/Agency Member Dalton and Agency Chair/Council Member Broadwater declared a recess.

RECONVENE

At 8:00 p.m., the meeting was reconvened with Mayor/Agency Member Dalton, Agency Chair/Council Member Broadwater, and all Council/Agency Members present.

ORAL COMMUNICATIONS – PUBLIC (CONTINUED)

Russ McDonald addressed the City Council/Agency, noting his opposition to a Casino in the city. He also noted there is a process underway to get signatures to place the Fireworks issue on the ballot. Additionally, they are against changing Garden Grove to a Charter City. (F: A-53.3) (XR: 53.3) (XR: A-116.14) (XR: 128.6) (XR: 61.6)

Carlo Caravetta addressed the City Council/Agency, noting that he is an Orange County attorney with a group that looked for a site for a Casino. He suggested that if the Casino proposal is rejected, the notion should not be dismissed; however, more effort should be put into educating the public. He spoke about the positive contributions a Casino would bring. (F: 53.3) (XR: A-53.3) (XR: A-116.14)

Pho Van Pham addressed the City Council/Agency in opposition to a Casino development, citing morality issues and the many problems it would bring. He referenced the Petition previously submitted with over 5,000 signatures of people opposing the Casino, and suggested a cultural center be built on the site. He urged a decision be made now and indicated that the voters will remember how the Members vote on this issue. (F: A-53.3) (XR: 53.3) (XR: A-116.14)

David Vill, President of AARP, addressed the City Council, urging the banning of Fireworks in Garden Grove. He noted that the Garden Grove chapter of AARP is holding a fundraiser for Mr. Matua. (F: 53.3) (XR: 61.6)

Rev. Joseph Nguyen, Venerable Thich Nguyen, Rev. Ey Nguyen, and Rev. Van Tran addressed the Council/Agency Members, urging they vote against the development of a Casino in Garden Grove, commenting that the negative and environmental consequences outweigh the benefits. (F: A-53.3) (XR: 53.3) (XR: A-116.14)

Charles Mitchell addressed the Council/Agency Members, commenting that the Members' decision should be based not on allegations that people will get addicted to gambling, but on what is the right thing for the City to do.

Council Member/Agency Chair Broadwater commented that many steps need to be taken before a Casino can happen, and he does not believe it will come to fruition. (F: A-53.3) (XR: 53.3) (XR: A-116.14)

Nancy O'Shaughnessy addressed the City Council/Agency, expressing her support for a Casino, indicating it will also bring entertainment to the city, which is needed. Also, shopping centers are needed in Garden Grove. (F: A-53.3) (XR: 53.3) (XR: A-116.14)

Lan Nguyen addressed the City Council/Agency and reviewed the many necessary steps that need to be taken before a Casino can be built in Garden Grove. He spoke of social issues that would be created and urged the Members to make a decision now. (F: A-53.3) (XR: 53.3) (XR: A-116.14)

Quy Tu Nguyen addressed the City Council/Agency, urging the Casino project not be approved because of the negative impact it will have on the children. (F: A-53.3) (XR: 53.3) (XR: A-116.14)

Michael Pham addressed the City Council/Agency in opposition to the Casino project. He related a story about a very successful friend of his who lost everything because of a gambling addiction. (F: A-53.3) (XR: 53.3) (XR: A-116.14)

Terri Whitney addressed the City Council/Agency in opposition to the Casino project, expressing concern that prostitution will return to the Harbor Boulevard area and small businesses will be adversely impacted. She also expressed concern about bringing high-rise

buildings to the area because of the impact on the sewer system. She also spoke of the need for a shopping mall in Garden Grove. (F: A-53.3) (XR: A-116.14)

Vincent Nguyen addressed the City Council/Agency in opposition to the Casino project. (F: A-53.3) (XR: 53.3) (XR: A-116.14)

RECESS

At 8:55 p.m., Mayor/Agency Member Dalton and Agency Chair/Council Member Broadwater declared a recess.

RECONVENE

At 9:20 p.m., the meeting was reconvened with Mayor/Agency Member Dalton, Agency Chair/Council Member Broadwater, and all Council/Agency Members present.

ORAL COMMUNICATIONS – PUBLIC (CONTINUED)

Bo Bui addressed the City Council/Agency in opposition to the Casino project. (F: A-53.3) (XR: 53.3) (XR: A-116.14)

Tony Flores addressed the City Council/Agency, noting that with ignorance comes fear, and there are many hurdles that would need to be addressed. He also expressed his support for six Districts in Garden Grove, with the form of government continuing to be General Law, rather than Charter. He also commented on the lack of participation by the public when other major issues were heard. Lastly, he questioned Agency/Council Member Nguyen's residential address, citing instances where a Westminster address was given.

Council/Agency Member Nguyen responded that the Westminster address is her mailing address. (F: A-53.3) (XR: 53.3)

Rev. Cuonte Nguyen addressed the City Council/Agency in opposition to the Casino development, noting there may be a Recall. (F: A-53.3) (XR: 53.3) (XR: A-116.14)

Hue Pham, Mai Nguyen, and Rev Khai-Hoan Mai addressed the City Council/Agency in opposition to the Casino development, citing instances of gambling addiction. (F: 53.3) (XR: A-53.3) (XR: A-116.14)

David Wakefield, Linh Nguyen, and Quynh Nguyen addressed the City Council/Agency in opposition to the Casino development. (F: A-53.3) (XR: 53.3) (XR: A-116.14)

David Lautherboren addressed the City Council/Agency, commenting on the changes that have occurred in Garden Grove over the past 44 years. He noted that the City needs revenue to pay its bills. (F: A-53.3)

PRESENTATION OF DEVELOPERS' PROPOSALS FOR THE 35-ACRE SITE
(F: A-116.6)

Staff report dated September 11, 2007, was introduced and reviewed by staff. It was noted that on May 19, 2007, a Request for Proposals (RFP) for the International West 35-Acre Central Hub site, located south of Lampson Avenue and bounded by Harbor Boulevard on the east and Buaro Street on the west, was sent out to over 40 prospective developers, with a due date of July 28, 2007. The Agency received proposals from the Gabrielino-Tongva Tribe, VisionMaker Worldwide, and McWhinney Enterprises. Then on August 20, the Agency received another proposal from Park 8 Place, LP.

The proposals were reviewed by staff, and it was noted that any direction regarding the Gabrielino-Tongva Tribe proposal would have to come from the City Council, not the Agency. It was also noted that the McWhinney proposal was ranked highest of the four proposals by Agency staff.

Council/Agency Member Nguyen expressed dissatisfaction with the Casino proposal, noting that many people have expressed their opposition to the Casino. She noted that a Casino would not benefit individuals' incomes. She also commented that the city is doing fine monetarily and does not have a budget deficit; further, that additional revenue can be found by other means. She commented that a Casino would bring organized crime to the city. Additionally, gambling addiction is found mostly among Caucasians. She spoke of the need to keep Garden Grove a family-oriented city. She also reviewed past City Council discussions on this subject from previous City Council Minutes. She thanked everyone in the audience for attending this meeting.

Council/Agency Member Jones thanked the members of the audience for attending this meeting. He spoke about the other proposals, noting that McWhinney successfully developed other hotels along Harbor Boulevard. He reviewed the McWhinney proposal to build

themed hotels with 1,200 total rooms, a 4-6 acre, partially enclosed water park to drive year-round demand; 30,000 to 80,000 square feet of meeting space and 120,000 square feet of retail, dining and entertainment; and expressed his support for the proposal from McWhinney Enterprises.

Mayor/Agency Member Dalton spoke about previous discussions relative to a Casino and the hurdles presented, noting that the Governor's office should be contacted before going any further in that direction. He further commented that he does not believe a Casino will ever be developed in Garden Grove. He spoke of the need to come up with projects that generate revenue and are compatible with the community, and noted that he will support the McWhinney proposal.

Council/Agency Member Rosen commented that he will support the McWhinney proposal because they are ready to negotiate tomorrow; whereas, there are many legal hurdles for the Casino proposal. He also commented that tourists would come to Garden Grove because of Disneyland, not because of a Casino. He also spoke about the importance of the separation of church and state, and he noted that he represents 175,000 people in Garden Grove and will make his decision based on what is best for Garden Grove. He also noted that he is supporting the McWhinney proposal, not because of the opinions of the people present in the audience who have voiced their concerns, but because everything is in place to move ahead with negotiations.

Council Member/Agency Chair Broadwater commented that a person who is truly addicted to gambling will go to the Casinos in other areas. He indicated that he believes a vote of the people would turn down the Casino idea, as did the cities of Stanton and Cypress in their cities. He noted that he would not want to take a chance of drugs and prostitution along Harbor Boulevard returning to that area. He commented that the McWhinney Group has done a good job, and a water park would be a good family- oriented project. As for comments made in public comments about the need for shopping centers in Garden Grove, he noted that a developer needs to approach the City with an interest in such a project.

It was moved by Council Member/Agency Chair Broadwater, seconded by Mayor/Agency Member Dalton, and carried by unanimous vote, that McWhinney be selected to develop the site.

RECESS

At 10:46 p.m., Mayor/Agency Member Dalton and Chair/Council Member Broadwater declared a recess.

RECONVENE

At 11:01 p.m., the Council meeting was reconvened with Mayor Dalton and all Council Members present.

PROCLAMATION – DYSLEXIA AWARENESS MONTH (F: 83.1)

It was moved by Council Member Rosen, seconded by Council Member Broadwater, and carried by unanimous vote, that October 2007, be and hereby is designated Dyslexia Awareness Month.

FINAL TRACT MAP NO. 16651 FOR PROPERTY LOCATED AT 8112 LARSON AVENUE (F:

Staff report dated September 11, 2007, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Broadwater, and carried by unanimous vote, that Final Tract Map No. 16651 for property located at 8112 Larson Avenue, be and hereby is approved.

COOPERATIVE AGREEMENT WITH THE CITY OF WESTMINSTER FOR THE CONSTRUCTION OF STAMPED CONCRETE CROSSWALKS (F: 55) (XR: 24.1)

Staff report dated September 11, 2007, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Broadwater, and carried by unanimous vote, that the Cooperative Agreement by and between the City of Garden Grove and the City of Westminster for the construction of stamped concrete crosswalks at the intersections of Westminster/Newland, Westminster/Magnolia, and Westminster/ Bushard, be and hereby is approved; the Mayor and City Clerk are authorized to execute the agreement.

AGREEMENT WITH THE MUNICIPAL WATER DISTRICT OR ORANGE COUNTY FOR THE CITY'S PARTICIPATION IN THE WEATHER BASED IRRIGATION TIMER REBATE PROGRAM

Staff report dated September 11, 2007, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Broadwater, and carried by unanimous vote, that the Agreement by and between the City of Garden Grove and the Municipal Water District of Orange County (MWDOC) for the City's participation in the Weather Based Irrigation Timer Rebate Program, be and hereby is approved, the Mayor and City Clerk are authorized to execute the agreement on behalf of the City; and the Finance Director is authorized to approve payment to participate in the Weather Based Irrigation Timer Rebate Program to MWDOC over a two-year period, not to exceed \$10,036..

PURCHASE ORDER TO WONDRIES FLEET GROUP FOR TWO POLICE VEHICLES FOR WATCH COMMANDERS

Staff report dated September 11, 2007, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Broadwater, and carried by unanimous vote, that the purchase of two Police Watch Commander cars through participation in the Los Angeles City Bid, be and hereby is approved; and the Finance Director is authorized to issue a purchase order in the amount of \$48,916.60 to Wondries Fleet Group for said purchase.

PURCHASE ORDER TO MOSS BROS. DODGE RIVERSIDE FOR FOUR POLICE VEHICLES FOR COMMUNITY ENFORCEMENT TEAM

Staff report dated September 11, 2007, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Broadwater, and carried by unanimous vote, that the purchase of four Police vehicles for the Community Enforcement Team through participation in the Los Angeles City Bid, be and hereby is approved; and the Finance Director is authorized to issue a purchase order in the amount of \$96,186.76 to Moss Bros. Dodge Riverside for said purchase.

INITIATION OF FALL 2007 WEED ABATEMENT PROGRAM (F: 113.1 Fall 2007)

Staff report dated September 12, 2006, was introduced.

RESOLUTION NO. 8792-07

It was moved by Council Member Rosen, seconded by Council Member Broadwater, and carried by unanimous vote, that full reading of Resolution No. 8792-07 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DECLARING THAT A NUISANCE EXISTS IN CONNECTION WITH THE

EXISTENCE OF WEEDS, RUBBISH, AND REFUSE ON CERTAIN PROPERTIES WITHIN THE CITY OF GARDEN GROVE AND AUTHORIZING THE CITY CLERK TO MAIL A WRITTEN NOTICE OF THE NUISANCE(S) IN ACCORDANCE WITH THE PROVISIONS OF GOVERNMENT CODE SECTION 39566 AND 39567.1, be and hereby is adopted.

WARRANTS (F: 60.5)

It was moved by Council Member Rosen, seconded by Council Member Broadwater, and carried by unanimous vote, that regular warrants 396339 through 397810 and Wire W329-W331; and payroll warrants 152364 through 152575, Direct Deposits D140794 through D141429, and Wires W1237-W1240, 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 Broadwater, and carried by unanimous vote, that the full reading of all Ordinances listed for consideration of adoption be waived.

PUBLIC HEARING – APPEAL OF THE PLANNING COMMISSION’S APPROVAL OF CONDITIONAL USE PERMIT NO. CUP-205-07 (F: 51.CUP-205-07)

Communication dated September 5, 2007, was introduced.

The City Manager indicated that this matter has been resolved and the appeal has been pulled.

PUBLIC HEARING – 2007 DRINKING WATER PUBLIC HEALTH GOAL REPORT (F: 60.2)

Staff report dated September 11, 2007, was introduced and reviewed by staff. I

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

There being no response from the audience, the public hearing was declared closed.

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that the 2007 Drinking

Water Public Health Goal Report be and hereby is approved as submitted.

PURCHASE ORDER TO WONDRIES FLEET GROUP FOR 12 POLICE PATROL VEHICLES (F: 82.4) (XR: 24.1) (XR: 60.4)

Staff report dated September 11, 2007, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote, that the purchase of 12 Police patrol vehicles through participation in the Los Angeles City Bid, be and hereby is approved; and the Finance Director is authorized to issue a purchase order in the amount of \$292,633.32 to Wondries Fleet Group for said purchase.

SECOND READING OF ORDINANCE NO. 2716 (F: 116.PUD-117-07)

It was moved by Council Member Rosen, seconded by Council Member Broadwater, and carried by unanimous vote, that full reading of Ordinance No. 2716 be and hereby is waived.

ORDINANCE NO. 2716 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 PLANNED UNIT DEVELOPMENT NO. PUD-117-07, CHANGING THE ZONING DESIGNATION FROM R-3 (MULTIPLE-FAMILY RESIDENTIAL) TO PLANNED UNIT DEVELOPMENT NO. PUD-117-07

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. 2716 be and hereby is declared passed.

DISCUSSION CONCERNING A POSSIBLE CASINO DEVELOPMENT IN GARDEN GROVE, AS REQUESTED BY COUNCIL MEMBER BROADWATER

This item was pulled.

MATTERS FROM THE MAYOR AND CITY COUNCIL MEMBERS

Council Member Broadwater inquired into the status of the odorous sewer situation at Century and Garden Grove Boulevard.

Staff indicated they have been working with the Orange County Sanitation District and the problem seems to be resolved. The

problem seems to have been a dysfunctional gas flap in the line, which has been replaced. However, they will continue to monitor the area.

Council Member Broadwater also asked staff to look into a blinking red light at Brookhurst Street going east on the 22 Freeway on the weekends. He wished Mayor Dalton and his wife a Happy Anniversary. (F: 53.1) (XR: 92.1) (XR: 24.1)

Council Member Rosen wished Irene Orapaza a Happy Sweet 16th Birthday.

Additionally, Council Member Rosen noted that several months ago the City Council voted to use the GO LOCAL money in conjunction with the City of Huntington Beach to develop a rail system along the Hoover Street rail; however, that required the cooperation of the City of Westminster, who has not seen fit to approve that. In the meantime discussions have taken place with the City of Santa Ana about linking to their Metro-link station and using the PE Right-of-Way. He requested this be placed on the September 25 agenda, to switch the proposal on our GO LOCAL money away from the Huntington Beach proposal and joint venture with the City of Santa Ana to link to their Metro-link station.

Council Member Rosen wished Mayor Dalton and his wife a Happy Anniversary; and requested that discussion take place in the near future at a non-controversial City Council meeting relative to possibly placing the banning of fireworks on some ballot.

Lastly, Council Member Rosen spoke about Jax Bistro on Valley View, noting that he had received a call from the proprietor who is having a problem with her CUP. Staff noted that an office hearing was held to encourage her to become in compliance with the current CUP, which is only for alcohol and not for entertainment. If she wants to add entertainment, she must apply for a new CUP. And in order to allow the entertainment, which is not currently allowed in the PUD, the PUD would have to be amended also. Council Member Rosen indicated that he would like to meet with staff and the proprietor to see what can be done. (F: 53.1) (XR: 23.18F) (XR: 61.6) (XR: 57.1)

Council Member Nguyen inquired into her prior request for staff to look into Mr. Matua's situation to see if the City has any type of program to help him. Staff noted that this was addressed in a Manager's Memo, and noted that perhaps Redevelopment funds could be used to assist him if the City Council is interested. The City Manager noted that this could be placed on the September 25 City Council agenda for consideration.

Council Member Nguyen asked for further information about a survey for a skate park. The City Manager indicated that staff will bring this back to a City Council meeting in the near future. She also wished Mayor Dalton and his wife a Happy Anniversary. (F: 53.1) (XR: 61.6) (XR: 73.1)

Council Member Jones wished Mayor Dalton and his wife a Happy Anniversary. He also indicated that Costco is selling Toyotas at a pre negotiated discount, a national program they participate in. The Costco store in Garden Grove's sale of Toyotas is currently going to a dealer in the City of Anaheim, and the City of Garden Grove is losing about \$120,000 of tax revenue a year. These sales should go to the Garden Grove dealership. The City Manager indicated this will be looked into. (F: 53.1) (XR: A-55.147)

Mayor Dalton asked that the Public Works and Police Departments put together an aggressive plan to address the graffiti problem. He asked that ordinances from other cities to address this be checked. He would like to get information as to setting terms of probation, having the parents, if it is a minor, get out and paint, establishing fines, and the effectiveness of cameras being used. He also noted that citizens are not able to locate the graffiti hotline and don't understand the reward system. He asked for a response on this within the next month.

Lastly, Mayor Dalton announced that he will be adjourning the meeting in memory of George Allen, the City's Traffic Engineer for 13 years, who furthered the distinction of Garden Grove's traffic infrastructure by spearheading several innovative projects, such as the first red-light cameras in Orange County. (F: 53.1) (XR: 24.5) (XR: 46.9)

ADJOURNMENT

At 11:24 p.m., the meeting was declared adjourned in memory of George Allen. (F: 46.9)

RUTH E. SMITH
CITY CLERK