

## MINUTES

### GARDEN GROVE CITY COUNCIL

A Special Meeting of the City Council of the City of Garden Grove was called to order in the Council Chambers of the Community Meeting Center, 11300 Stanford Avenue, on Tuesday, March 17, 2009, at 6:30 p.m.

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

ABSENT: (0) NONE

#### ORAL COMMUNICATIONS – PUBLIC

None.

#### DISCUSSION OF POSSIBLE REVENUE SOURCES TO FUND PUBLIC SAFETY PROGRAMS, AS DISCUSSED AT THE JANUARY 24, 2009, STUDY SESSION

Staff reviewed the needs assessment addressing infrastructure and personnel/staffing of both the Police and Fire Department that was presented at the January 24, 2009, Study Session. Revenue options were also presented that could fully fund the public safety services currently being provided.

After discussion of the options presented, the following actions were taken:

Council Member Broadwater moved, seconded by Council Member Jones that a Public Safety Sub-Committee consisting of two Council Members be established to meet with staff to explore options and formulate recommendations to the full City Council on a possible Public Safety Tax initiative for the November 2010 election.

Council Member Do raised concerns that having only two Members of the City Council involved with such an important issue, communication with the other Council Members would be limited, possibly hindering their decision-making ability.

Said motion carried by the following vote:

AYES: COUNCIL MEMBERS: (4) BROADWATER, JONES, NGUYEN,  
DALTON  
NOES: COUNCIL MEMBERS: (1) DO  
ABSENT: COUNCIL MEMBERS: (0) NONE

It was moved by Council Member Do, seconded by Council Nguyen and carried by unanimous vote that staff be and hereby is authorized to apply for the Community Orienting Policing Services (COPS) Grant for the maximum number of positions available, if the number of positions could be reduced and/or the funding be declined depending on the economic condition of the City. If these adjustments cannot be guaranteed, then staff is directed to apply for 13 positions.

After deliberation, it was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote that Mayor Dalton and Council Member Broadwater be appointed as the representatives to the Public Safety Sub-Committee.

#### RECESS

At 8:04 p.m., the Mayor declared a recess.

#### RECONVENE

At 8:10 p.m., Mayor Dalton reconvened the meeting with all Council Members present.

#### DISCUSSION REGARDING VEHICLE PARKING DISTRICT 2

Staff provided the history of the Vehicle Parking District 2. It was formed in 1955 by the Orange County Board of Supervisors, and transferred to the City of Garden Grove in December 1958 for operations and maintenance. The District provides public parking through an assessment and consists of four lots with 39 spaces. The Parking and Main Street Commission acts as the advisory body.

Over the past 25 years the functions of and need for operation of the Vehicle Parking District in the community has declined. The City has continued to incur costs associated with the administration and ongoing operation of the Parking District, and has continued to levy the minimal property tax assessment against properties located within the Parking District. The substitution and change of use proceedings, along with ongoing administration and operation of the Parking District, have required the City to

undertake extensive and expensive proceedings not normally required for the operation of a City-owned parking lot.

The Vehicle Parking District Law of 1943 is silent on dissolution proceedings. Stradling Yocca Carlson & Rauth has completed an analysis of similar statutes to determine a course of action that could be taken in order to dissolve the Parking District. It would be similar to the process used to form the District, giving the proceedings "equal dignity."

Council Member Do raised concerns that should the City take this action, it could be seen as undermining the Main Street business owners.

Council Member Broadwater stated the simpler government is, the better. The Parking District is a convoluted layer of government that is no longer necessary, and should be eliminated.

In response to Council Member Nguyen's inquiries, staff indicated the Parking and Main Street Commission's responsibility for the Vehicle Parking District is to review the budget and transmit it to the City Council for approval. The primary purpose of the Commission is to advise the City Council on the needs of Main Street. Should the City Council direct staff to proceed with the dissolution of the Parking District, the Parking and Main Street Commission would be changed to the Main Street Commission.

Council Member Broadwater moved, seconded by Council Member Nguyen that staff be directed to move forward with the procedure to dissolve Vehicle Parking District 2.

Said motion carried by the following vote:

|         |                  |     |                                      |
|---------|------------------|-----|--------------------------------------|
| AYES:   | COUNCIL MEMBERS: | (4) | BROADWATER, JONES, NGUYEN,<br>DALTON |
| NOES:   | COUNCIL MEMBERS: | (1) | DO                                   |
| ABSENT: | COUNCIL MEMBERS: | (0) | NONE                                 |

#### CUP REVIEW PROCESS FOR RESTAURANTS REQUESTING ABC LICENSES

Staff reviewed the current Conditional Use Permit (CUP) process as it relates to Type 41 and Type 47 ABC Licenses. During the review process, over concentration and crime rate of the census tract is taken into consideration. If the CUP is found to have no outstanding Police concerns, it is brought to the Zoning Administrator with staff recommendation for approval. However, if the CUP has potential Police concerns, it is brought to the Planning Commission, usually with a staff recommendation to deny the request.

Staff is recommending a change in the review process for Type 41 Licenses. The proposed process would be based on the owner's history and operation for calls for services to the business and/or past business success, and an agreement to Standard Conditions, including closing times, food to alcohol sales ratios, no entertainment, good owner track record, and License Education on Alcohol and Drugs (LEAD) Training provided by Alcohol Beverage Control. If the Applicant agrees and meets the standard criteria, the application would go to the Zoning Administrator for approval. If the Applicant is not in agreement and desires different conditions, the application will be evaluated on a case-by-case basis, resulting in a recommendation of approval or denial, depending on the circumstances.

Recommendations for Type 47 Licenses include annual meetings with the Applicant. The Applicant would need to operate in compliance to the conditions for a Type 41 License for a minimum of twelve months before an upgrade to a Type 47 License could be approved, as well as completing the LEAD Training.

After discussion, it was the consensus of the City Council that staff implement the new Conditional Use Permit Review process.

Council Member Broadwater requested staff develop an administrative citation ordinance, similar to the fireworks and graffiti citation ordinances, that could be used for any Municipal Code violations.

#### ADJOURNMENT

At 9:30 p.m. the meeting was declared adjourned.

KATHLEEN BAILOR  
CITY CLERK