

## MINUTES

### GARDEN GROVE CITY COUNCIL

A Special Meeting of the City Council of the City of Garden was called to order in the Founders Room of the Community Meeting Center, 11300 Stanford Avenue, on Tuesday, October 23, at 5:45 p.m.

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

ABSENT: (0) NONE

#### ORAL COMMUNICATIONS – PUBLIC

There were no comments from the public.

#### PRESENTATION BY THE CITY OF SANTA ANA ON THE "GO LOCAL" PROGRAM (F: 23.18c)

This presentation was postponed until the November 27, 2007, meeting.

#### DISCUSSION ON ESTABLISHING A DOG PARK (F: 73.1)

Staff report dated October 23, 2007, was introduced and reviewed. Recently, Supervisor Nguyen's office requested a list of possible capital projects from the Community Services Department to be funded by the County. Of all the projects submitted, a dog park met all the criteria.

Potential locations for a dog park were discussed, including the OCTA right-of-way, Garden Grove Park, and Village Green. The estimated cost to place a dog park on the OCTA right-of-way is between \$150,000 and \$200,000, with the park sites at approximately \$100,000. Different issues were discussed, including surrounding neighborhoods of the proposed sites, what type of turf, maintenance, the County's process, and, if the OCTA right-of-way is chosen as a location, permission to use the land.

After further discussion, staff was directed to approach Supervisor Nguyen's office regarding funding potential the development of a dog park on the OCTA right-of-way at Bixby and Brookhurst.

## DISCUSSION ON ESTABLISHING A SKATE PARK (F: 73.1)

Staff report dated October 23, 2007, was introduced and reviewed. It was noted that staff conducted a survey of cities in Orange County, with 23 responses, 14 currently operating skate parks. The Vans Skate Park at the Block of Orange was included as part of the survey. Based on the survey results, should a skate park be developed in Garden Grove, staff recommended it be a secured, unsupervised, concrete skate park.

Potential locations were discussed, including the OCTA right-of-way at Brookhurst and Bixby. Benefits in developing a skate park at this location include the ability to build a modest-sized skate park, its proximity to a major street with nearby parking, and the distance from residential neighborhoods. Disadvantages include lack of available restrooms and no accessibility to a water source. Also, in order not to increase the cost of developing a park by mitigating the arsenic in the soil, the skate park would provide aboveground features only, such as rails, boxes, and ramps. "Bowls" or other below-ground elements common to most skate parks would not be offered.

In response to liability concerns, the City Attorney indicated the ordinance would require users to wear safety equipment. Waivers would only be an option for a staffed park.

The estimated cost to develop a skate park on the OCTA right-of-way is \$580,000. Currently, there is approximately \$300,000 in the Park Development Fund. Additional funding sources identified were additional budget allocations, grants, local vendor support and sponsorships. Multi-phasing funding was discussed. It was noted that Supervisor Nguyen's office is not interested in funding a skate park.

After further discussion, staff was directed to work with an architect to develop preliminary plans and designs, with cost estimates, for a skate park on the OCTA right-of-way at Brookhurst and Bixby.

## ADJOURNMENT

At 6:22 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR  
DEPUTY CITY CLERK

## 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, October 23, 2007, at 6:37 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 Rosen led the Pledge of Allegiance to the Flag of the United States of America.

#### PRESENTATIONS – COMMUNITY SPOTLIGHT

Mayor Dalton called forward the family of Traffic Engineer George Allen, who recently passed away, and presented them a Resolution of Commendation honoring George posthumously for his dedication and service to the City of Garden Grove. (F: 52.3)

#### ORAL COMMUNICATIONS – PUBLIC

Bob Owens addressed the City Council, expressing his displeasure with financial institutions providing sub-prime loans to buyers and the aftermath of losing their homes to foreclosure. He also indicated few Council Members return his calls. (F: 53.3)

Fred Barnes addressed the City Council, requesting help from the City. He explained his neighborhood at Garden Grove Boulevard and Casa Linda has only one entrance/exit, which has been blocked during the Korean Festival Parade for the past two years. He asked the neighborhood be given a two-week notice prior to next year's Festival so arrangements can be made. (F: 53.3) (XR: 55) (XR: 42.7a)

Jean Gibo addressed the City Council, asking the Council Members take action tonight to ban the sale of fireworks within the city rather than placing a measure on the ballot. (F: 53.3) (XR: 61.6)

Frank Hoffman addressed the City Council/Agency, expressing his dissatisfaction with the results of the negotiations between the Agency and J. Tilman Williams for the property at 12311 Harbor Boulevard. (F: 53.3) (XR: A-53.3)

David Vill addressed the City Council, indicating Garden Grove AARP has set up a Burn Victims Fund for the Matua Family. (F: 53.3) (XR: 61.6)

Duke Noonan addressed the City Council, urging the Council Members to ban the sale of fireworks in Garden Grove. He suggested a community-wide fireworks display as an alternative. (F: 53.3) (XR: 61.6)

Rosemary McQuinney addressed the City Council, announcing AARP is working on placing a measure on the ballot to ban the sale of fireworks in the city. She further commented the Matua Family is her neighbor. (F: 53.3) (XR: 61.6)

Robin Marcario addressed the City Council and announced several community activities coming up. She announced the City Council meetings are available on the City's website via streaming video, with agenda and staff reports. She stated she is supportive of the water master plan, the extension of the Farmer's Market permit, and placing the fireworks issue on the ballot. (F: 53.3) (XR: 24.12) (XR: A-122.6) (XR: 61.6)

Paul Lucas addressed the City Council in regards to developing a skate park in the city, and provided ideas to obtain funding and/or sponsorships. (F: 53.3) (XR: 73.1)

David Lautherboren addressed the City Council, regarding the ill treatment of our service men and women with their retirement medical benefits being taken away. He urged everyone to contact his or her congressman to have this issue resolved. He further commented on the water park being proposed by Disneyland in light of the water shortage. (F: 53.3)

Vincent Pacheco addressed the City Council, commenting on his family's neighborhood activities for the 4th of July, and urged the City Council not to place a measure banning fireworks on the ballot. (F: 53.3) (XR: 61.6)

Lynn Madrid addressed the City Council, outlining the benefits school booster clubs offer to students using the money raised by selling fireworks. (F: 53.3) (XR: 61.6)

Council Member Broadwater announced the City of Garden Grove Fire Department is currently providing five fire engines with 20 firefighters, one Battalion Chief, one Division Chief, and 17 members of C.E.R.T., to fight the Southern California Brush Fires. (F: 53.1) (XR: 61.1)

Council Member Rosen responded to Mr. Hoffman's comments regarding negotiations with J. Tilman Williams. He indicated offers originally were made to purchase Mr. Williams property and Mr. Williams has made exorbitant counter offers. A notice of intention was sent to Mr. Williams. (F: 53.1) (XR: A-53.1) (XR: 53.3) (XR: A-53.3)

Council Member Rosen supported Mr. Lautherboren comments regarding the scandals in Veterans Affairs and how badly our service men and women are being treated. (F: 53.1) (XR: 53.3)

#### RECESS

At 7:33 p.m., the Mayor declared a recess.

#### RECONVENE

At 7:45 p.m., the meeting was reconvened with Mayor Dalton and all Council Members present.

#### AGENCY

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

ABSENT: (0) NONE

#### AUTHORIZATION FOR TRAVEL AND EXPENSE REIMBURSEMENT FOR THE AGENCY RELATED TO THE INTERNATIONAL ASSOCIATION OF AMUSEMENT PARKS AND ATTRACTIONS CONVENTION, FOLLOWED BY A RELATED TRIP TO MYRTLE BEACH, SOUTH CAROLINA (F: A-78.1)

Staff report dated October 23, 2007, was introduced.

It was moved by Mayor/Agency Member Dalton, seconded by Council/Agency Member Rosen, and carried by unanimous vote, that out-of-state travel and expense reimbursement be authorized, including any expenses exceeding \$1,500 per Agency/Council Member,

for members of the City Council/Agency related to travel to the IAAPA Convention in Orlando, Florida and theme park tour in Myrtle Beach, South Carolina, on November 13-16, 2007, provided such expenses are otherwise consistent with the expense guidelines and reimbursement policy adopted at the City Council meeting on April 24, 2007.

CRL SECTION 33130.5 – WRITTEN DISCLOSURE FROM CITY  
MANAGER/AGENCY DIRECTOR AS PUBLIC OFFICIAL; CONSIDERATION AND  
ACTION ON CERTIFICATION OF IMPROVEMENTS; ENTRY OF DISCLOSURE ON  
MINUTES (F: 55)

Staff report dated October 23, 2007, was introduced.

It was moved by Mayor/Agency Member Dalton, seconded by Council/Agency Member Rosen, and carried by unanimous vote, that the improvements to be constructed on the Property at 12688 Chapman Avenue #3408, Garden Grove, located within the Community Project Area, be certified as complete; and the written disclosure be entered on the minutes of the Agency.

AUTHORIZATION TO SELL NOTE – REFINANCING OF EXISTING OBLIGATION  
– KATELLA COTTAGES (KATELLA-GILBERT) BRANDYWINE DEVELOPMENT  
CORPORATION (F: A-55.299)

Council/Agency Member Jones stated he would not be participating in this matter and left the Council Chamber at 7:45 p.m. The City Attorney stated Council/Agency Member Jones was not participating in this matter because of a potential conflict of interest, as he has a business relationship with the developer.

Staff report dated October 23, 2007, was introduced and reviewed by staff. The Disposition and Development agreement was originally approved to eliminate blighted conditions and build the Katella Cottages on the south side of Katella Avenue, just west of Gilbert Street. The Developer advanced the acquisition and relocation costs to the City at an estimated cost of \$8.78 million. When the City purchased the properties and cleared the land, the property was sold back to the Developer at a price of \$6.7 million. The Agency agreed to repay the difference between the site acquisition costs less the Developer's purchase price over 20 years from the revenues generated from the project. However, due to unexpected relocation and goodwill related claims, the acquisition costs exceeded the estimated cost and the purchase price by \$4.6 million. The Disposition and Development Agreement required the Agency to make good faith efforts toward refinancing a portion of the note, limited to the site tax increment.

The benefits in pursuing this project included replacing an aging and underutilized commercial site, as well as social and economic benefits to the neighboring residential properties.

Mayor/Agency Member Dalton commented on the positive change in the area and appreciated the Developer's initiative to beautify this location. Council Member/Agency Chair Broadwater noted this was not an easy project to accomplish, and supports the action.

CITY COUNCIL RESOLUTION NO. 8796-07

Council Member Broadwater, seconded by Mayor Dalton, that full reading of Resolution No. 8796-07 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, APPROVING THE EXECUTION BY THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT OF ITS GARDEN GROVE COMMUNITY PROJECT, NOTE PURCHASE AGREEMENT AND PROMISSORY NOTE, AND MAKING CERTAIN DETERMINATIONS RELATING THERETO, be and hereby is adopted upon the following vote:

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

said Resolution No. 8796-07 was declared adopted.

AGENCY RESOLUTION NO. 664

Chair Broadwater moved, seconded by Member Dalton, that full reading of Resolution No. 664 be waived, and said Resolution entitled A RESOLUTION OF THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT AUTHORIZING THE EXECUTION OF A NOTE PURCHASE AGREEMENT AND PROMISSORY NOTE IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,600,000 TO REFINANCE A PORTION OF AN EXISTING PROMISSORY NOTE OF THE AGENCY, AND APPROVING CERTAIN RELATED DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH (KATELLA COTTAGES), be and hereby is adopted upon the following vote:

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

said Resolution No. 664 was declared adopted.

RECESS

At 7:54 p.m., the Mayor declared a recess.

RECONVENE

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

RESOLUTION CELEBRATING H.O.P.E.'S 10TH ANNIVERSARY OF COMMUNITY SERVICE (F: 52.2)

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote, that the Resolution celebrating H.O.P.E.'S 10th anniversary, be and hereby is approved.

APPROVAL OF PROCLAMATION DESIGNATING NOVEMBER 1, 2007 AS NATIONAL FAMILY LITERACY DAY (F: 83.1)

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote, that November 1, 2007, be and hereby is designated as National Family Literacy Day.

AWARD OF CONTRACT TO ROAD WORKS INCORPORATED FOR ON-CALL ASPHALT CRACK-SEALING (F: 55) (XR: 24.1)

Staff report dated October 23, 2007, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote, that the contract by and between the City of Garden Grove and Road Works Inc. for on-call asphalt crack-sealing, in the amount not to exceed \$75,000 per year for up to five years, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement.

AGREEMENT WITH THE COUNTY OF ORANGE FOR ACCEPTANCE OF JUSTICE ASSISTANCE GRANT FUNDS TO SUPPORT THE PROACT PROGRAM AND THE JAIL SERVICES CONTRACT (F: 55) (XR: 82.1)

Staff report dated October 23, 2007, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote, that the Memorandum of Understanding by and between the City of Garden Grove and the County of Orange to fund the PROACT program with a share of the City's Justice Assistance Grant; and the allocation of the remainder of



the City's Justice Assistance grant to fund the Police Department's Jail Services Contract with Correctional Services, Inc., be and hereby are approved.

AGREEMENT WITH THE ORANGE COUNTY FLOOD CONTROL DISTRICT TO PROVIDE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM AUTHORIZED INSPECTION SERVICES (F: 55) (XR: 92.2) (XR: 24.1)

Staff report dated October 23, 2007, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote, that the Agreement by and between the City of Garden Grove and the Orange County Flood Control District for the provision of National Pollutant Discharge Elimination System (NPDES) authorized inspector services, be and hereby is approved, in the amount of \$1,815.00 for the initial year; and the Mayor and City Clerk are authorized to execute the agreement.

ADOPTION OF RESOLUTION AMENDING CURRENT MIDDLE MANAGEMENT AND CENTRAL MANAGEMENT RESOLUTIONS TO ADJUST THE TIMING OF THE 2007-08 AND 2008-09 WAGE INCREASES (F: 78.13) (XR: 78.13A) (XR: 78.13B)

Staff report dated October 23, 2007, was introduced.

RESOLUTION NO. 8797-07

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote, that full reading of Resolution No. 8797-07 be waived, and said Resolution A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AMENDING RESOLUTION 8788-07 AND RESOLUTION 8789-07 TO CHANGE THE EFFECTIVE DATE OF THE 2007-08 WAGE INCREASE TO OCTOBER 6, 2007 AND THE 2008-09 WAGE INCREASE TO OCTOBER 11, 2008, be and hereby is adopted.

WARRANTS (F: 60.5)

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote, that regular warrants 399981 - 400451 and Wire W339; and payroll warrants 152936 through 153094, Direct Deposits D142692 through D143324, and Wires W1249-W1252, 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, that the full reading of all Ordinances listed for consideration of adoption be waived.

AWARD OF CONTRACTS TO SAM YOCUM INC., DBA: YOCUM BUSINESS FURNISHINGS AND TO SIT ON IT SEATING, FOR THE POLICE DEPARTMENT 2<sup>ND</sup> FLOOR TENANT IMPROVEMENT PROJECTS (F: 55) (XR: 82.1)

Staff report dated October 23, 2007, was introduced.

In response to Council Members' inquiries, staff indicated there was addenda added to the initial request for proposal due to conditions found during the demolition process of the project, including the discovery of asbestos.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that the contract by and between the City of Garden Grove and Sam Yocum Inc., dba: Yocum Business furnishings for the 2<sup>nd</sup> Floor Tenant Improvements of the Police Building, in the amount not to exceed \$127,701,73, be and hereby is approved; and the contract by and between the City of Garden Grove and Sit On It Seating, subsidiary of Yocum Business Furnishings, to provide seating for this project, be and hereby is approved in the amount not to exceed \$29,539.02, be sand hereby is approved; and the City Manager and City Clerk are authorized to execute the agreements.

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

Staff report dated October 23, 2007, was introduced.

It was moved by Council Member Nguyen, seconded by Mayor Dalton, and carried by unanimous vote, that a purchase order for the purchase of Econolite controllers, in the amount of \$150,000, be and hereby is awarded to Econolite Control Products.

EXTENSION OF COMMUNITY EVENT PERMIT FOR THE GARDEN GROVE INTERNATIONAL FARMERS MARKET TO CONTINUE TO OPERATE ON MAIN STREET (F: A-122.6) (XR: 56.1) (XR: 87.1)

Staff report dated October 23, 2007, was introduced.

Council Member Rosen moved, seconded by Council Member Jones, that the Community Event Permit authorizing the Garden Grove International Farmers Market to operate on Main Street every Sunday through the end of 2007, and authorize the City Manager to approve an annual Community Event Permit starting in January 2008. Said motion carried by the following vote:

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

APPEAL OF PLANNING COMMISSION'S DENIAL OF AMENDMENT  
NO. A-134-07 AND CUP-208-07 (F: 115.A-134.07)

Staff reported the applicant has requested a continuance to the December 11, 2007, meeting.

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, to continue this item until the December 11, 2007, meeting.

AWARD OF CONTRACT TO CAROLLO ENGINEERS TO DEVELOP A WATER  
MASTER PLAN (F: 55) (XR: 24.12)

Staff report dated October 23, 2007, was introduced. It was determined of the four proposals received, Carollo Engineers was the highest-scoring proposer.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that the contract to provide professional engineering services for the Water Master Plan project, be and hereby is awarded to Carollo Engineers, in the amount of \$883,177; and the City Manager is authorized to execute the agreement.

AWARD OF CONTRACT TO DBE PSOMAS FOR PROFESSIONAL ENGINEERING  
SERVICES FOR THE CHLORINATION SYSTEM CONVERSION PROJECT (F: 55)  
(XR: 24.12)

Staff report dated October 23, 2007, was introduced. It was determined of the four proposals received DBE Psomas was the highest-scoring proposer.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that the contract to

provide professional engineering services for the Chlorination System Conversion project be and hereby is awarded to DBE Psomas, in the amount of \$314,780; and the City Manager is authorized to execute the agreement.

AGREEMENT WITH NORTHROP GRUMMAN TO UPGRADE THE COMPUTER AIDED DISPATCH SYSTEM FOR THE POLICE DEPARTMENT (F: 55) (XR: 82.1)

Staff report dated October 23, 2007, was introduced.

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote, that the Agreement by and between the City of Garden Grove and Northrop Grumman for the Altaris CAD hardware and migration for the Police Department's current Computer Aided Dispatch system, be and hereby is approved, in an amount not to exceed \$366,265; and the City Manager is authorized to execute the agreement, including making any modifications during the contract period for the operation and implementation of the contract services.

PROPOSED BALLOT MEASURE TO ELIMINATE FIREWORKS SALES AND USE WITHIN THE CITY LIMITS OF GARDEN GROVE, AS REQUESTED BY COUNCIL MEMBER BROADWATER (F: 53.1) (XR: 61.6)

Staff report dated October 23, 2007, was introduced.

Council Member Broadwater stated it was time to let the residents decide if the sale and use of safe and sane fireworks should be allowed in the city. The measure could be placed most inexpensively on the November 2008 ballot.

Council Member Jones stated that placing the measure on the November 2008 ballot wouldn't change anything for the next 4<sup>th</sup> of July.

Council Member Broadwater responded that there is no guarantee banning fireworks would be the outcome of the vote.

In response to Council Member Jones' inquiry, staff indicated the last date the City Council could take action to place a measure on the November 2008 ballot is August 8, 2008.

Council Member Broadwater indicated he didn't want to wait. Voting tonight to place the measure on the November 2008 ballot would allow both sides of the issue to make their case to the people, rather than having the issue up in the air until August.

Council Member Broadwater moved to place the fireworks ballot measure on the November 2008 ballot.

Council Member Rosen commented with the implementation of the new ordinance last 4<sup>th</sup> of July with increased enforcement and higher fines, the impact this next 4<sup>th</sup> of July may be further diminished. A vote tonight would be premature. The City Council should wait until after this next 4<sup>th</sup> of July.

Council Member Nguyen seconded Council Member Broadwater's motion, stating such a controversial issue should go to the vote of the people.

Mayor Dalton commented should the sale of fireworks be banned in the city it doesn't necessarily mean the use of illegal fireworks would stop. Establishing the fines and holding violators accountable would continue to address the problem. He is not ready to vote to place the issue on the ballot.

Council Member Rosen made a motion to continue this matter until the meeting of July 8, 2008. Mayor Dalton seconded the motion.

AYES: COUNCIL MEMBERS: (3) JONES, ROSEN, DALTON  
NOES: COUNCIL MEMBERS: (2) BROADWATER, NGUYEN  
ABSENT: COUNCIL MEMBERS: (0) NONE

UPDATE ON GRAFFITI REMOVAL PROJECTS, AS REQUESTED BY MAYOR DALTON (F: 53.1) (XR: 24.5)

Mayor Dalton provided an update on the graffiti situation in Garden Grove and invited everyone to join the Community Graffiti Paint Out, Saturday, October 27, from 8 a.m.-Noon at the circle area near the H. Louis Lake Senior Center.

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

Council Member Broadwater suggested press releases be distributed announcing the efforts made in graffiti enforcement and removal. (F: 53.1) (XR: 24.5) (XR: 82.1)

Council Member Broadwater indicated he does not want Mr. Barnes or any neighborhood, to suffer the same inconveniences during future Korean Festival Parades that they have experienced the past two years. (F: 53.1) (XR: 55) (XR: 42.7a)

Council Member Nguyen wished Council Member Rosen's wife, Sandy, a happy birthday. She offered her prayers to the firefighters for their courageous service and safety. Lastly, she congratulated Nam Phan on winning the Extreme Fighter of the World Championship. (F: 53.1)

ADJOURN TO CLOSED SESSION

At 8:43 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.

RECONVENE IN OPEN SESSION

At 9:44 p.m., the meeting was reconvened in the Council Chamber with Mayor Dalton and all Council Members present. It was announced the previously disclosed item was discussed, and no reportable action was taken.

ADJOURNMENT

At 9:45 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR  
DEPUTY CITY CLERK

MINUTES  
GARDEN GROVE AGENCY  
FOR  
COMMUNITY DEVELOPMENT

A Regular 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, October 23, 2007, at 6:46 p.m.

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

ABSENT: (0) NONE

ORAL COMMUNICATIONS - PUBLIC

Frank Hoffman addressed the Agency/City Council, expressing his dissatisfaction with the results of the negotiations between the Agency and J. Tilman Williams for his property at 12311 Harbor Blvd. Agency/Council Member Rosen responded to Mr. Hoffman's comments indicating offers were originally made to purchase Mr. Williams property and Mr. Williams made exorbitant counter offers. A notice of intent was sent to Mr. Williams not to take his property. (F: A-53.3) (XR: 53.3)

RECESS

At 7:33 p.m., the Chair declared a recess.

RECONVENE

At 7:44 p.m., the meeting was reconvened in the Council Chamber with Chair Broadwater and all Members present.

MINUTES (F: Vault)

It was moved by Member Dalton, seconded by Member Rosen, and carried by unanimous vote, that the Minutes of the Regular Agency Meetings held September 25 and October 9, 2007, be and hereby are approved.

CITY COUNCIL

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

ABSENT: (0) NONE

AUTHORIZATION FOR TRAVEL AND EXPENSE REIMBURSEMENT FOR THE  
AGENCY RELATED TO THE INTERNATIONAL ASSOCIATION OF AMUSEMENT  
PARKS AND ATTRACTIONS CONVENTION, FOLLOWED BY A RELATED TRIP TO  
MYRTLE BEACH, SOUTH CAROLINA (F: A-78.1)

Staff report dated October 23, 2007, was introduced.

It was moved by Agency Member/Mayor Dalton, seconded by Agency/Council Member Rosen, and carried by unanimous vote, that out-of-state travel and expense reimbursement be authorized, including any expenses exceeding \$1,500 per Agency/Council Member, for members of the Agency/City Council related to travel to the IAAPA Convention in Orlando, Florida and theme park tour in Myrtle Beach, South Carolina, on November 13-16, 2007, provided such expenses are otherwise consistent with the expense guidelines and reimbursement policy adopted at the City Council meeting on April 24, 2007.

CRL SECTION 33130.5 – WRITTEN DISCLOSURE FROM  
AGENCY DIRECTOR/CITY MANAGER AS PUBLIC OFFICIAL; CONSIDERATION  
AND ACTION ON CERTIFICATION OF IMPROVEMENTS; ENTRY OF  
DISCLOSURE ON AGENCY MINUTES (F: 55)

Staff report dated October 23, 2007, was introduced.

It was moved by Agency Member/Mayor Dalton, seconded by Agency/Council Member Rosen, and carried by unanimous vote, that the improvements to be constructed on the Property at 12688 Chapman Avenue #3408, Garden Grove, located within the Community Project Area, be certified as complete; and the written disclosure be entered on the minutes of the Agency.

AUTHORIZATION TO SELL NOTE–REFINANCING OF EXISTING OBLIGATION–  
KATELLA COTTAGES (KATELLA-GILBERT) BRANDYWINE DEVELOPMENT  
CORPORATION (F: A-55.299)

Agency/Council Member Jones stated that he would not be participating in this matter and left the Council Chamber at 7:45 p.m. The Legal Counsel/City Attorney further stated that Agency/Council Member Jones was not participating in this matter because of a



potential conflict of interest as he has a business relationship with the developer.

Staff report dated October 23, 2007, was introduced and reviewed by staff. The Disposition and Development agreement was originally approved to eliminate blighted conditions and build the Katella Cottages on the south side of Katella Avenue, just west of Gilbert Street. The Developer advanced the acquisition and relocation costs to the City at an estimated cost of \$8.78 million. When the City purchased the properties and cleared the land, the property was sold back to the Developer at a price of \$6.7 million. The Agency agreed to repay the difference between the site acquisition costs less the Developer's purchase price over twenty years from the revenues generated from the project. However, due to unexpected relocation and goodwill related claims, the acquisition costs exceeded the estimated cost and the purchase price by \$4.6 million. The Disposition and Development Agreement required the Agency to make good faith efforts toward refinancing a portion of the note, limited to the site tax increment. The benefits in pursuing this project included replacing an aging and underutilized commercial site, as well as social and economic benefits to the neighboring residential properties.

Agency Member/Mayor Dalton commented on the positive change in the area and appreciated the Developer's initiative to beautify this location. Agency Chair/Council Member Broadwater noted this was not an easy project to accomplish, and supports the action.

CITY COUNCIL RESOLUTION NO. 8796-07

Council Member Broadwater, seconded by Mayor Dalton, that full reading of Resolution No. 8796-07 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, APPROVING THE EXECUTION BY THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT OF ITS GARDEN GROVE COMMUNITY PROJECT, NOTE PURCHASE AGREEMENT AND PROMISSORY NOTE, AND MAKING CERTAIN DETERMINATIONS RELATING THERETO, be and hereby is adopted. Upon the following vote:

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

said Resolution No. 8796-07 was declared adopted.

AGENCY RESOLUTION NO. 664

Chair Broadwater moved, seconded by Member Dalton, that full reading of Resolution No. 664 be waived, and said Resolution entitled A RESOLUTION OF THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT AUTHORIZING THE EXECUTION OF A NOTE PURCHASE AGREEMENT AND PROMISSORY NOTE IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,600,000 TO REFINANCE A PORTION OF AN EXISTING PROMISSORY NOTE OF THE AGENCY, AND APPROVING CERTAIN RELATED DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH (KATELLA COTTAGES), be and hereby is adopted. Upon the following vote:

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

said Resolution No. 664 was declared adopted.

AGENCY/COUNCIL MEMBER JONES JOINED THE MEETING AT 7:54 P.M.

ADJOURNMENT

At 7:55 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR  
DEPUTY SECRETARY

## MINUTES

### GARDEN GROVE HOUSING AUTHORITY

A Regular Meeting of the Garden Grove Housing Authority was called to order in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, on Tuesday, October 23, 2007, at 6:30 p.m.

ROLL CALL: PRESENT: (7) CHAIR NGUYEN, COMMISSIONERS  
BROADWATER, DALTON, JONES, O'CONNOR,  
ROSEN, TA

ABSENT: (0)NONE

#### ORAL COMMUNICATIONS – PUBLIC

Bob Owens addressed the Authority, expressing his displeasure with financial institutions providing sub-prime loans to buyers and the aftermath of losing their homes to foreclosure. He also indicated few Commissioners return his calls. (F: H-53.3)

#### STATUS REPORT ON SECTION 8 RENTAL ASSISTANCE PROGRAM FOR SEPTEMBER 2007 (F: H-117.2)

Staff report dated October 23, 2007, was introduced.

It was moved by Commissioner Rosen, seconded by Commissioner Dalton, and carried by unanimous vote, that the Status Report on the Section 8 Rental Assistance Program for September 2007, be and hereby is received and ordered filed.

#### MINUTES (F: Vault)

It was moved by Commissioner Rosen, seconded by Commissioner Dalton, and carried by unanimous vote, that the Minutes of the Regular Meeting of the Housing Authority held September 25, 2007, be and hereby are approved.

ADJOURNMENT

At 6:36 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR  
DEPUTY SECRETARY

## MINUTES

### GARDEN GROVE SANITARY DISTRICT

A Regular Meeting of the Garden Grove Sanitary District Board of Directors was called to order in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, on Tuesday, October 23, 2007, at 6:46 p.m.

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

ABSENT: (0) NONE

#### ORAL COMMUNICATIONS – PUBLIC

There were no oral communications from the public relevant to the Sanitary District.

#### RECESS

At 7:33 p.m. the President declared a recess.

#### RECONVENE

At 7:56 p.m. the meeting was reconvened with President Dalton and all Board Members present.

#### ACCEPTANCE OF CONTRACT AS COMPLETE ON PROJECT NO. 7828, BROOKHURST TRIANGLE SEWER AND MEDIAN IMPROVEMENT PROJECTS (F: 92.proj.7828) (XR: S-92) (XR: 116.7) (XR: 96.proj.7828)

Staff report dated October 23, 2007, was introduced.

It was moved by Member Broadwater, seconded by Member Rosen, and carried by unanimous vote, that Final Progress Payment for Project No. 7828, Brookhurst Triangle Sewer and Median Improvement Projects, be accepted as complete; the President and Secretary are authorized to execute the Notice of Completion of Public Works Improvement and Work; and the Finance Director is authorized to release the retention payment when appropriate to do so.

AMENDMENT TO COOPERATIVE PROJECTS PROGRAM CONTRACT WITH THE ORANGE COUNTY SANITATION DISTRICT (OCSD) FOR RECEIPT OF GRANT FUNDING FOR THE SEWER COLLECTION SYSTEM (F: S-55.9) (XR: 24.1)

Staff report dated October 23, 2007, was introduced.

It was moved by Member Broadwater, seconded by Member Rosen, and carried by unanimous vote, that the Amendment to Cooperative Projects Program Contract #0602 with the Orange County Sanitation District, for receipt of grant funding in the amount of \$300,000, for the sewer collection system, be and hereby is approved; and the President and Secretary are authorized to execute the agreement.

MINUTES (F: Vault)

It was moved by Member Broadwater, seconded by Member Rosen, and carried by unanimous vote, that the minutes of the Regular Meeting of the Sanitary District Board held September 25, 2007, be and hereby are approved.

AWARD OF CONTRACT TO PALP, INC. (DBA EXCEL PAVING COMPANY) FOR PROJECT NO. 7805 WEST CHAPMAN AVENUE SEWER IMPROVEMENTS PROJECT (F: 92.proj.7805) (XR: S-92)

Staff report dated October 23, 2007, was introduced.

It was moved by Member Broadwater, seconded by Member Jones, and carried by unanimous vote, that Palp, Inc., dba Excel Paving Company, be and hereby is determined to be the lowest acceptable bidder in connection with the West Chapman Avenue Sewer Improvements Project No. 7805, at Chapman Avenue, Nearing Drive, and Augusta Drive; and that contract for said project be and hereby is awarded to said company in the amount of \$1,896,170, in accordance with the terms of the City's plans and specifications and the bid submitted by said company; that all other bids be and hereby are rejected; and the General Manager and Secretary are authorized to execute said contract.

ADJOURNMENT

At 7:59 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR  
DEPUTY SECRETARY