

## MINUTES

### GARDEN GROVE CITY COUNCIL

A Special Meeting of the City Council of the City of Garden Grove was called to order in the Founders Room of the Community Meeting Center, 11300 Stanford Avenue, on Tuesday, November 27, 2007, at 5:35 p.m.

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

ABSENT: (0) NONE

#### PUBLIC INPUT

Robin Marcario addressed the City Council, noting that she is in favor of the proposal submitted by One More Productions for the operation of the Gem Theater. (F: 53.3) (XR: 87.3)

#### PROPOSAL SUBMITTED BY ONE MORE PRODUCTIONS FOR THE OPERATION OF THE GEM THEATER (F: 87.3) (XR: 87.1)

Staff report dated November 27, 2007, was introduced, along with a Summary of One More Productions Proposal for the Gem Theater.

Staff reviewed the proposal submitted by One More Productions for use of the Gem Theater, in which One More Productions indicated that they will fund and oversee the repair of the facility to meet building code requirements. Building repairs will be made through private donations and fundraising; however, they are prepared to take out a loan if those efforts fail to bring in the \$132,563 needed for this endeavor. One More Production would operate and manage the Gem Theater for a ten-year period with the rent being forgiven in-lieu of the improvements. The City would pay the utilities, less telephone and internet connections, and would be responsible for the structural maintenance of the building.

Damien Lorton, Artistic Director of One More Productions, addressed the City Council, indicating they want to be a part of the community. He further noted that they are not planning any fundraising activities until they have the City Council approval for this proposal.

Staff indicated that they will come back to the City Council with a proposed agreement and conditions.

Council Member Nguyen expressed a concern about the cost to the City for the utilities, the proposed term of ten years for the agreement, and the type of improvements that are planned.

Council Member Jones indicated he is in favor of pursuing the agreement; however, it must have conditions with strong performance standards.

Council Member Rosen commented that he attended an excellent production of Bye Bye Birdie, and has heard good comments about Damien and his productions.

A note of caution was expressed that there be a certainty that the repairs do not trigger any requirements on the City's part.

It was moved by Council Member Broadwater, seconded by Mayor Dalton, and carried by unanimous vote, that staff draw up an agreement with One More Productions, outlining the terms and conditions, with strict performance standards, and provide it to Council Members prior to bringing it formally to the City Council for approval.

PRESENTATION BY MAYOR MIGUEL PULIDO OF THE CITY OF SANTA ANA ON THE "GO LOCAL" PROGRAM (F: 55) (XR: 23.18)

It was announced that Santa Ana Mayor Miguel Pulido is not able to be at this meeting; and that Jim Ross, Public Works Director for the City of Santa Ana will be providing the presentation.

A power point presentation was given, providing information on the Santa Ana Transit Master Plan, including the Santa Ana Transit Vision and Go Local Project concept study. There are three components to the Project, including the development of the PE Right-Of-Way to the SR-22 with a streetcar fixed guide way system, mixed flow lanes, and potential future high speed trains, which is where the City of Garden Grove comes into play. Goals were outlined, demonstrating the importance of the use of the Pacific Electric Right-of-Way in the Plan the establishment of a partnership between the Cities of Santa Ana and Garden Grove to that end.

Council Member Rosen noted that the Garden Grove City Council previously voted to join the Cities of Huntington Beach and Westminster to spend Go Local funds on a project involving the use of the railroad tracks on Hoover; however, Westminster has not provided

its support. He suggested that Garden Grove should move to explore this concept of partnering with the City of Santa Ana for use of the Pacific Electric Right-of-Way, commenting on its proximity to the Willowick golf course.

It was moved by Council Member Rosen, seconded by Mayor Dalton, and carried by unanimous vote, that staff terminate the existing partnership with the City of Huntington Beach; and that the City of Santa Ana draw up a cooperative agreement for consideration by the Garden Grove City Council, with the submittal of the new project concept to OCTA in early January.

#### ADJOURNMENT

At 6:25 p.m., the meeting was adjourned to the Council Chamber.

RUTH E. SMITH  
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, November 27, 2007, at 6:44 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 Jones led the Pledge of Allegiance to the Flag of the United States of America.

#### PRESENTATIONS – COMMUNITY SPOTLIGHT (F: 52.3)

Mayor Dalton called forward City employees with 25, 30, 35, and 45 years of service and presented them with mementos in recognition and appreciation of their many years of dedicated service to the City of Garden Grove.

#### PRESENTATION BY DAVID LOWE, INTERIM CHIEF ENGINEER FROM THE TRANSPORTATION CORRIDOR AGENCY REGARDING THE 241 TOLL ROAD (F: 23.18)

Council Member Rosen commented that this is a presentation about the extension of the SR-241 Foothill Freeway south, which is a proposed toll road that starts at Oso Parkway south and connects to the 5 Freeway in San Onofre. Council Member Rosen noted that he is an OCTA board member and also is the current Chair of the Regional Planning and Highways Committee; and OCTA has taken a position in support of the expansion. The proposed toll road is to be built through bonds supported by the tolls and won't take any taxpayer or Measure M dollars. He further noted that if the 241 South is not built, the alternative is to widen the I-5, using taxpayer and the second Measure M dollars. If this happens, a repeat of what happened with the first Measure M dollars will be seen, where nothing in this part of the

county is going to be built until South County is taken care of. The reason this is coming up now is because the Foothill Freeway south has been on the books for some 20 years and has gone through all the environmental processes and comes before that Commission in February, where it could be turned down. The City of Garden Grove needs to take a position because of the direct impact, and that is what this presentation is about. He further noted that at the next City Council meeting he will present a Resolution to support the 241 South.

Council Member Rosen noted that Orange County Supervisor Janet Nguyen has been actively working for Garden Grove since her election and has some additional insight on this subject.

Orange County Supervisor Janet Nguyen addressed the City Council, noting that she is here to lend her support to the 241 toll road extension, noting that 75 percent of the traffic from the First District passes through this final stretch every day. If this extension is built, a reduction of traffic on the I-5, I-22, I-55, I-57, and I-405 would be seen. She noted that this extension is essential to the economic viability of the County. She further noted that she recently spoke with Senators Boxer and Feinstein in Washington, D.C. about this matter to gain their support, and she thanked Council Member Rosen for bringing this to the attention of the Garden Grove City Council.

David Lowe, Interim Chief Engineer from the Transportation Corridor Agency, provided a PowerPoint presentation on the SR-241 Foothill-South Completion.

#### ORAL COMMUNICATIONS – PUBLIC

Richard Casperson addressed the City Council about the 22 Freeway expansion and in particular in the area of Magnolia going eastbound. He indicated that his neighborhood has suffered due to the ongoing work schedule of the OCTA workers starting up in the late night hours to work on the project. He further indicated that this has caused health issues and divorces in the neighborhood. Further, he indicated he had called the Police Department, only to be advised that no crime was committed because the workers had received authorization to do the work at night. He announced that he will be filing a lawsuit against the Police Department for selective enforcement. (F: 53.3) (XR: 23.18) (XR: 82.1)

Josh Matua addressed the City Council in opposition to the legalization of fireworks. He urged that the Community Foundation put on a show rather than permitting the use of fireworks by the citizens. (F: 53.3) (XR: 61.6)

Robin Marcario addressed the City Council and announced upcoming City events taking place. She also shared a poem she wrote about the City Clerk in celebration of her retirement. (F: 53.3) (XR: 45.2)

Nish Bedrossian addressed the City Council, taking issue with the selection of the contractor for street sweeping, alleging that certain terms and conditions were modified and not offered to his company, one of the bidders. (F: 53.3) (XR: 24.3)

Bob Owens addressed the City Council, expressing concern that the big arm of government is encroaching on the citizenry. (F: 53.3)

David Vill addressed the City Council, expressing his opposition to fireworks being permitted in the city. He submitted a petition with over 250 signatures requesting the banning of fireworks in the city. (F: 53.3) (XR: 61.6)

Sharon Tanihana addressed the City Council, urging the banning of fireworks, and that the matter be placed on the ballot for a vote of the people. (F: 53.3) (XR: 61.6)

Peggy Bergin addressed the City Council, indicating that the latest copy of Connections incorrectly stated that the Lotus Walk development is nearly complete. She also complained that streetlights on Harbor Boulevard where the trees were removed have not been on since August. Additionally, she commented on leasing copier machines rather than purchasing them; and asked why all the City car purchases aren't made from Villa Ford who seems to be giving the best price. (F: 53.3)

Russ MacDonald addressed the City Council, urging the banning of fireworks and requesting that the matter be placed on the ballot for a vote of the people. (F: 53.3) (XR: 61.6)

Charles Mitchell addressed the City Council, commending the Fire and Police Departments, and the City Clerk. (F: 53.3)

#### RECESS

At 8:05 p.m., the Mayor declared a recess.

#### RECONVENE

At 8:30 p.m., the meeting was reconvened with Mayor Dalton and all Council Members present.

REQUEST FROM THE GARDEN GROVE COMMUNITY FOUNDATION AND THE GARDEN GROVE CHAMBER OF COMMERCE FOR USE OF THE WILLOWICK GOLF COURSE FOR THEIR ANNUAL GOLF CLASSIC ON MAY 14, 2008  
(F: 130.15) (XR: 88.1)

A communication dated November 27, 2007, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Nguyen, and carried by unanimous vote, that the request from the Garden Grove Community foundation and the Garden Grove Chamber of Commerce for use of the Willowick Golf Course for their annual golf classic on May 14, 2008, be and hereby is approved.

ADOPTION OF RESOLUTION REQUESTING THE STATE LEGISLATURE APPROVE AND DIRECT THE ERECTING OF MEMORIAL HIGHWAY SIGNS ON THE GARDEN GROVE FREEWAY HONORING GARDEN GROVE'S FIVE POLICE OFFICERS KILLED IN THE LINE OF DUTY (F: 82.13)

Staff report dated November 27, 2007, was introduced.

RESOLUTION NO. 8798-07

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that full reading of Resolution No. 8798-07 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE REQUESTING THAT THE STATE LEGISLATURE APPROVE AND DIRECT THE ERECTING OF MEMORIAL HIGHWAY SIGNS ON THE GARDEN GROVE (22) FREEWAY HONORING THE FIVE GARDEN GROVE POLICE OFFICERS WHO WERE KILLED IN THE LINE OF DUTY, be and hereby is adopted.

APPOINTMENT OF NEW BUILDING INSPECTOR SUPERVISOR AT "F" STEP OF SALARY RANGE FOR THIS POSITION (F: 78.1) (XR: 35.1)

Staff report dated November 27, 2007, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that the appointment of a new Building Inspector Supervisor at Step "F" of salary range, be and hereby is approved.

APPOINTMENT OF NEW SENIOR ECONOMIC DEVELOPMENT SPECIALIST AT "G" STEP OF SALARY RANGE FOR THIS POSITION (F: 78.1) (XR: 43.4)

Staff report dated November 27, 2007, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that the appointment of a new Senior Economic Development Specialist at Step "G" of salary range for this position, be and hereby is approved.

EXONERATION OF STREET AND DRAINAGE IMPROVEMENT BONDS FOR TRACT MAP NO. TR 16732 (F: 103.TT-16732)

Staff report dated November 27, 2007, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that the exoneration of street and drainage improvement bonds for Tract Map No. TR 16732, a residential subdivision located at 12662 Chapman Avenue, be and hereby is approved.

RESOLUTION APPROVING THE ACCEPTANCE OF NEW CITY STANDARDS AS PART OF THE 2000 EDITION OF THE PUBLIC WORKS STANDARD PLANS (F: 24.1)

Staff report dated November 27, 2007, was introduced.

RESOLUTION NO. 8799-07

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that full reading of Resolution No. 8799-07 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AMENDING RESOLUTION NO. 8301-00 "PUBLIC WORKS STANDARD PLANS" BY ADDITION AND CORRECTION ACCEPTING AND APPROVING THE CITY OF GARDEN GROVE PUBLIC WORKS STANDARD PLANS FOR CONSTRUCTION OF PUBLIC IMPROVEMENTS, be and hereby is adopted.

FINAL PARCEL MAP NO. 2005-283 FOR PROPERTY LOCATED AT 12121 NINTH STREET (F: 118.PM.2005-283)

Staff report dated November 27, 2007, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that Final Parcel Map



No. 2005-283 for property located at 12121 Ninth Street, be and hereby is approved.

FINAL TRACT MAP NO. 16734 FOR PROPERTY LOCATED AT 13871 SHADY LANE (F: 103.TT-16734) (XR: 24.11)

Staff report dated November 27, 2007, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that Final Tract Map No. 16734 for property located at 13871 Shady Lane, be and hereby is approved.

RIGHT OF ENTRY AND INDEMNITY AGREEMENT WITH GRAE PROPERTIES FOR ENTRY ON REAL PROPERTY LOCATED AT 13082-84-86 CENTURY BOULEVARD AND 10682 WALNUT STREET FOR LIVE FIRE TRAINING BY THE FIRE DEPARTMENT (F: A-55.329) (XR: 61.1)

Staff report dated November 27, 2007, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that the Right of Entry and Indemnity Agreement by and between the City of Garden Grove and Grae Properties for entry on real property located at 13082-84-86 Century Boulevard and 10682 Walnut Street for live fire training by the Fire Department, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement.

ACCEPTANCE OF CONTRACT AS COMPLETE ON PROJECT NO. 7657, DEMOLITION OF THE BUENA CLINTON ROLLER HOCKEY RINK (F: 55) (XR: 24.11) (XR: 73.20)

Staff report dated November 27, 2007, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that Project No. 7657, Phase VII, Demolition of the Buena Clinton Roller Hockey Rink for the construction of the new Buena Clinton Youth and Family Center, be accepted as complete, funding for which was provided under the 2002 Resource Bond Act Murray-Hayden Urban Parks and Youth Service Program grant.

AGREEMENT WITH PRECISE DIGITAL FOR CABLING, HARDWARE, AND SOFTWARE FOR THE POLICE DEPARTMENT 2<sup>ND</sup> FLOOR TENANT IMPROVEMENT PROJECT (F: 55) (XR: 82.1)

Staff report dated November 27, 2007, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that the Agreement by and between the City of Garden Grove and Precise Digital, LLC, to provide hardware, software, on-site training, warranty and specific cabling connections for the Police Department 2<sup>nd</sup> Floor Tenant Improvement Project, in the amount of \$53,868.53, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement.

AGREEMENT WITH PACIFIC HOUSING MANAGEMENT, INC., DBA MUNICIPAL MANAGEMENT SERVICES, FOR PROPERTY MANAGEMENT FOR CITY-OWNED MOBILE HOME PARKS (F: 55) (XR: 107.3) (XR: 107.4) (XR: 130.12)

Staff report dated November 27, 2007, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that the Agreement by and between the City of Garden Grove and Pacific Housing Management, Inc., DBA Municipal Management Services, for property management for City-owned mobile home parks, for a two-year period, in the amount not to exceed \$225,000, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement.

AGREEMENT WITH ASSOCIATED LABORATORIES FOR WATER SAMPLING SERVICES (F: 55) (XR: 24.12) (XR: 112.1)

Staff report dated November 27, 2007, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that the Agreement by and between the City of Garden Grove and Associated Laboratories for water sampling services in the amount not to exceed \$35,000 per year for the next five years, totaling \$175,000, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement.

COOPERATIVE AGREEMENT WITH THE CITY OF ANAHEIM FOR STREET IMPROVEMENT DESIGN AND ACQUISITION FOR THE KATELLA AVENUE SMART STREET FROM NINTH STREET TO HUMOR DRIVE, AND HUMOR DRIVE TO JEAN STREET (F: 55) (XR: 24.11) (XR: 23.26a) (XR: 96.1)

Staff report dated November 27, 2007, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that the Agreement by and between the City of Garden Grove and the City of Anaheim for street improvement design and acquisition for the Katella Avenue Smart Street from Ninth Street to Humor Drive, and Humor Drive to Jean Street, be and hereby is approved; and the Mayor and City Clerk are authorized to execute the agreement.

AWARD OF CONTRACT FOR LEASE AND MAINTENANCE OF MULTI-FUNCTION COPIERS (F: 55) (XR: 43.3)

Staff report dated November 27, 2007, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that a contract for a 60-month lease of new Ricoh Multi-Function Copiers, be and hereby is awarded to DSL Public Finance LLC; and a contract for 60-month maintenance of said copiers, be and hereby is awarded to Ricoh Business Solutions at an annual cost of \$124,886.88; and the City Manager and City Clerk are authorized to execute the agreements on behalf of the City.

PURCHASE ORDER FOR ONE VEHICLE FOR COMMUNITY SERVICES PARK PATROL PROGRAM (F: 60.4) (XR: 87.1)

Staff report dated November 27, 2007, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that the purchase of one Ford Ranger pickup truck for the Community Services Park Patrol Program, be and hereby is approved; and the Finance Director is authorized to issue a purchase order in the amount of \$11,568.46 to Villa Ford for said purchase.

PURCHASE ORDER FOR TWO CITY VEHICLES (F: 60.4) (XR: 24.1)

Staff report dated November 27, 2007, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that the purchase of two Dodge Chargers for the Public Works Department for City use, be and hereby is approved; and the Finance Director is authorized to issue a purchase order in the amount of \$36,332.66 to H.W. Hunter, Inc. for said purchase.

PURCHASE ORDER FOR ONE NEW EQUIPMENT TRAILER (F: 60.4) (XR: 24.1)

Staff report dated November 27, 2007, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that the purchase of one new equipment trailer for the Public Works Department, be and hereby is approved; and the Finance Director is authorized to issue a purchase order in the amount of \$19,389.62 to Cook Equipment Company for said purchase.

PURCHASE ORDER FOR ONE NEW UTILITY VEHICLE (F: 60.4) (XR: 24.1)

Staff report dated November 27, 2007, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that the purchase of one Chevrolet Trail blazer for the Public Works Department, be and hereby is approved; and the Finance Director is authorized to issue a purchase order in the amount of \$20,159.59 to Rotolo Chevrolet for said purchase.

PURCHASE ORDER FOR ONE SELF-PROPELLED ROADWAY PAVING MACHINE  
(F: 60.4) (XR: 60.4) (XR: 24.1)

Staff report dated November 27, 2007, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that the purchase of one self-propelled roadway paving machine for the Public Works Department, be and hereby is approved; and the Finance Director is authorized to issue a purchase order in the amount of \$199,191.96 to Volvo Construction Equipment for said purchase.

MINUTES (F: Vault)

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that the minutes of the Regular City Council Meetings held September 25 and October 9, 2007, and the Special Meeting held October 23, 2007, be and hereby are approved.

WARRANTS (F: 60.5)

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that regular warrants 400452 through 402338 and Wire W340; and payroll warrants 153095 through 153414, and Direct Deposits D143325 through D144588, and Wires W1253-W1260, 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 Jones, and carried by unanimous vote, that the full reading of all Ordinances listed for consideration of adoption be waived.

PUBLIC HEARING - PROTESTS ON THE FALL 2007 WEED ABATEMENT INVOICES (F: 113.1.Fall.2007)

Staff report dated November 27, 2007, was introduced and reviewed by staff.

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

There being no response from the audience or comments from Council Members, and no protests presented, the public hearing was declared closed.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that staff is directed to proceed with the scheduled weed abatement.

PUBLIC HEARING - ADOPTION OF THE 2007 EDITION OF THE CALIFORNIA CODES, 1997 AND 2006 EDITION OF CERTAIN UNIFORM CODES, AND AMENDMENTS, DELETIONS, AND ADDITIONS THERETO (F: 35.2)

Staff report dated November 27, 2007, was introduced and reviewed by staff.

Mayor Dalton declared the public hearing open 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.

ORDINANCE NO. 2718 was introduced for first reading and the title read in full, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, REPEALING ORDINANCE NO. 2590 AND ORDINANCE NO. 2666 AND ADOPTING BY REFERENCE THE FOLLOWING PRIMARY CODES WITH CERTAIN AMENDMENTS, DELETIONS, AND ADDITIONS THERETO: CALIFORNIA BUILDING CODE, 2007 EDITION; CALIFORNIA ELECTRICAL CODE, 2007 EDITION; CALIFORNIA MECHANICAL CODE, 2007 EDITION; CALIFORNIA PLUMBING CODE, 2007 EDITION; CALIFORNIA ENERGY CODE, 2007 EDITION; CALIFORNIA FIRE CODE, 2007 EDITION; AND CALIFORNIA REFERENCE STANDARDS CODE, 2007 EDITION; AND CERTAIN SECONDARY CODES INCLUDING THE UNIFORM ADMINISTRATIVE CODE, 1997 EDITION; UNIFORM HOUSING CODE, 1997 EDITION; UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1997 EDITION; AND THE UNIFORM SWIMMING POOL, SPA, AND HOT TUB CODE, 2006 EDITION

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that full reading of Ordinance No. 2718 be waived.

It was moved by Council Member Rosen, seconded by Council Member Broadwater, and carried by unanimous vote, that Ordinance No. 2718 be and hereby is passed to second reading.

RESOLUTION NO. 8800-07

It was moved by Council Member Rosen, seconded by Council Member Broadwater, and carried by unanimous vote, that full reading of Resolution No. 8800-07 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, ADOPTING EXPRESS FINDINGS AND DETERMINATIONS

FOR THE AMENDMENTS TO THE 2007 EDITIONS OF THE CALIFORNIA CODES AND CERTAIN UNIFORM CODES, be and hereby is adopted.

PUBLIC HEARING – GENERAL PLAN AMENDMENT NO. GPA-01-07; NEGATIVE DECLARATION, AND AMENDMENT NO. A-135-07 (F: 115.A-135-07)  
(XR: 20.GPA-01-07)

General Plan Amendment No. GPA-01-07; Negative Declaration, and Amendment No. A-135-07, initiated by the City of Garden Grove, proposing to amend the General Plan Land Use designation from Low Medium Density Residential to Medium Density Residential for three properties located at 9251, 9271, and 9301 Chapman Avenue; and to rezone the three properties from R-2 (Limited-Multiple Residential) to R-3 (Multiple Family Residential).

On October 18, 2007, the City Planning Commission recommended adoption of a Negative Declaration and approval of GPA-01-07 and A-135-07; and pursuant to Legal Notice published November 15, 2007, public hearing on the case was ordered by the City Council to be held this date.

Staff report dated November 27, 2007, was introduced and reviewed by staff.

In response to a comment by Council Member Broadwater concerning a fairly recent sale of property of his in the area, the City Attorney recommended he not participate in this hearing and leave the dais.

COUNCIL MEMBER BROADWATER LEFT THE MEETING ROOM AT 8:40 P.M.

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

Robin Marcario addressed the City Council, commenting that this project is an improvement to the property.

Peggy Bergin addressed the City Council and inquired how many residential units are being proposed.

Council Member Jones responded that these are two separate projects, which have already been approved.

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

RESOLUTION NO. 8801-07

Council Member Jones moved, seconded by Council Member Nguyen, that full reading of Resolution No. 8801-07 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A NEGATIVE DECLARATION AND APPROVING GENERAL PLAN AMENDMENT NO. GPA-01-07, be and hereby is adopted. Upon the following vote:

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

said Resolution No. 8801-07 was declared adopted.

ORDINANCE NO. 2719 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 ZONE CHANGE AMENDMENT NO. A-135-07, TO CHANGE THE ZONING DESIGNATION FROM R-2 (LIMITED MULTIPLE-RESIDENTIAL) TO R-3 (MULTIPLE-FAMILY RESIDENTIAL)

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that full reading of Ordinance No. 2719 be waived.

Council Member Jones moved, seconded by Council Member Nguyen, that Ordinance No. 2719 be and hereby is passed to second reading. Said motion carried by the following vote:

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

PUBLIC HEARING – DEVELOPMENT AGREEMENT IN CONNECTION WITH SITE PLAN NO. SP-432-07 (F: 115.A-135-07) (XR: 20.GPA-01-07)

Development Agreement in Connection with Site Plan No. SP-432-07, initiated by Tony Ngoc Dang and Thanh Thu Vu Dang, to construct 11 three-story condominium units at 9301 Chapman Avenue.



On October 18, 2007, the City Planning Commission approved SP-432-07, and recommended approval of the Development Agreement. Pursuant to Legal Notice published November 15, 2007, public hearing on the case was ordered by the City Council to be held this date.

Staff report dated November 27, 2007, was introduced and reviewed by staff.

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

Duc Nguyen, Architect, representing the applicants, addressed the City Council and spoke about the project.

Council Member Rosen inquired whether he or the applicants were approached by any member of the Planning Commission to contribute money to them or to any elected official in order to get this project passed, to which Mr. Nguyen responded in the negative, after checking with the other individuals.

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

Council Member Rosen indicated that he viewed an article published recently on the Internet about one of the City's Planning Commissioners saying that he could arrange for approval of projects, particularly for people in the Vietnamese community, in exchange for various contributions, so he will be asking this question periodically.

ORDINANCE NO. 2720 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 DEVELOPMENT AGREEMENT BETWEEN TONY NGOC DANG AND THANH THU VU DANG (PROPERTY OWNER) AND THE CITY OF GARDEN GROVE

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that full reading of Ordinance No. 2720 be waived.

Council Member Nguyen moved, seconded by Council Member Jones, that Ordinance No. 2720 be and hereby is passed to second reading. Said motion carried by the following vote:

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

Council Member Nguyen requested a copy of the article referenced by Council Member Rosen and asked the City Attorney for a ruling on selective questioning. The City Attorney responded that City Council Members have wide discretion relative to questions asked.

MAYOR BROADWATER REJOINED THE MEETING AT 8:55 P.M.

AWARD OF CONTRACT TO CLEANSTREET FOR THE PROVISION OF STREET SWEEPING AND DEBRIS REMOVAL SERVICES (F: 55) (XR: 24.3)

Staff report dated November 27, 2007, was introduced and reviewed by staff. Staff reviewed the bidding process and responded to a concern previously voiced by Mr. Nish Bedrossian. Staff indicated that Mr. Bedrossian had stated that they could not provide sweepers for a year, which would have been unacceptable.

The City Attorney indicated that all the requirements needed were given to all the companies. Only two proposals were received, and CleanStreet was the cheaper of the two. Nationwide was \$90,000 more and was not able to start when needed. Then, after the lowest acceptable bidder was determined, other negotiations took place.

It was moved by Council Member Rosen, seconded by Council Member Jones, and carried by unanimous vote, that a contract for street sweeping and associated debris removal services be and hereby is awarded to CleanStreet, the highest scoring bidder, in an amount not to exceed \$1,587,229.20 for the two-year performance period of the contract; a ten percent fund for unforeseen volume increase and maintenance issues be and hereby is approved in an amount not to exceed \$158,722.92 per each two-year performance period; and the City Manager and City Clerk are authorized to execute the contract and to execute any documents necessary for the option years of the contract.

PURCHASE ORDER FOR TWO HEAVY-DUTY COMPRESSED NATURAL GAS (CNG) DUMP TRUCKS (F: 60.4) (XR: 24.1)

Staff report dated November 27, 2007, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that the purchase of two environmentally compliant, compressed natural gas (CNG) heavy-duty dump trucks for the Public Works Department, be and hereby is approved; and the Finance Director is authorized to issue a purchase order in the amount of \$354,629.46 to Carmenita Truck Center in Santa Fe Springs for said purchase.

## MATTERS FROM THE MAYOR AND CITY COUNCIL MEMBERS

Council Member Broadwater spoke briefly about the recent trip to Myrtle Beach to see the Hard Rock Café development in progress, commenting that it is a beautiful operation being built. Council Members Rosen and Nguyen noted their agreement. (F: 53.1)

Council Member Jones commented briefly on the trip to Orlando for IAAPA, noting they spoke with very knowledgeable people and took amazing tours. (F: 53.1)

Council Member Nguyen commented on the information contained on blogs, noting that information should not be trusted. She also wished a Happy Birthday to Mayor Dalton and Council Member Rosen. (F: 53.1)

Mayor Dalton commented that certain allegations should be investigated, and the City Council would be remiss not to do so. He also spoke about the recent successful graffiti paint out. (F: 53.1)

## ADJOURN TO CLOSED SESSION

At 9:12 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 LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6

City Representatives: Matthew Fertal, City Manager  
John D.R. Clark, Human Resources Director

Unrepresented Employees: Part-Time Employees

### 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 9:56 p.m., the meeting was reconvened in the Council Chamber with Mayor Dalton and all Council Members present. It was announced the previously disclosed items were discussed, and no reportable action was taken.

ADJOURNMENT

At 9:57 p.m., the meeting was declared adjourned.

RUTH E. SMITH  
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, November 27, 2007, at 7:20 p.m.

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

ABSENT: (0) NONE

ORAL COMMUNICATIONS - PUBLIC

Robin Marcario addressed the Agency, referencing the "Connections" publication, taking issue with the words "confronted and conquered" in a statement, ".....shaping new projects that create a perfect fit and balance for Garden Grove can only happen when challenges are identified, confronted, and conquered." (F: A-53.3)

J. Tilman Williams addressed the Agency/City Council, once again urging the purchase of his property on Harbor Boulevard. (F: A-53.3) (XR: 53.3)

Bob Owens addressed the Agency, commenting that people have misconceptions about redevelopment in Garden Grove, due to a lack of understanding because they are not given enough information. (F: A-53.3)

MINUTES (F: Vault)

It was moved by Member Rosen, seconded by Member Jones, and carried by unanimous vote, that the Minutes of the Regular Agency Meeting held October 23, 2007, be and hereby are approved.

RECESS

At 8:06 p.m., the Chair declared a recess.

## RECONVENE

At 8:22 p.m., the meeting was reconvened in the Council Chamber with Chair Broadwater and all Members present.

PURCHASE AND SALE AGREEMENT WITH ALICE KLEINER, PATRICIA J. SEGARS, AND HILLARD AND KATHARINE WEISS, FOR REAL PROPERTY LOCATED AT 12291 THACKERY DRIVE, ADJACENT TO A LARGER REDEVELOPMENT SITE LOCATED ALONG HARBOR BOULEVARD, NORTH OF TWINTREE AVENUE (F: A-55.340)

Staff report dated November 27, 2007, was introduced.

It was moved by Member Jones, seconded by Member Nguyen, and carried by unanimous vote, that Purchase and Sale Agreement by and between the Garden Grove Agency for Community Development and Alice Kleiner, Patricia J. Segars, and Hillard and Katharine Weiss, for real property located at 12291 Thackery Drive, adjacent to a larger redevelopment site located along Harbor Boulevard, north of Twintree Avenue, be and hereby is approved; the Director and Secretary are authorized to execute the pertinent documents on behalf of the Agency; and the Finance Director is authorized to draw a warrant in the amount of \$515,000 from the appropriate account when appropriate to do so.

## ADJOURNMENT

At 8:28 p.m., the meeting was declared adjourned.

RUTH E. SMITH  
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, November 27, 2007, at 6:33 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 and expressed his opinion about the current status of the housing market. (F: H-53.3)

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

Staff report dated November 27, 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 October 2007, be and hereby is received and ordered filed.

#### RENEWAL OF MOBILITY AGREEMENT WITH THE HOUSING AUTHORITIES OF ANAHEIM, SANTA ANA, AND ORANGE COUNTY (F: H-55.2)

Staff report dated November 27, 2007, was introduced.

It was moved by Commissioner Rosen, seconded by Commissioner Dalton, and carried by unanimous vote, that the renewal of the Mobility Agreement with the Housing Authorities of Garden Grove, Anaheim, Santa Ana, and Orange County, be and hereby is approved; and the Director is authorized to execute the agreement and approve any minor modifications if agreed to by the parties.

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 October 23, 2007, be and hereby are approved.

ADJOURNMENT

At 6:40 p.m., the meeting was declared adjourned.

RUTH E. SMITH  
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, November 27, 2007, at 7:20 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 8:05 p.m. the President declared a recess.

#### RECONVENE

At 8:28 p.m. the meeting was reconvened with President Dalton and all Board Members present.

#### MINUTES (F: Vault)

It was moved by Member Jones, seconded by Member Rosen, and carried by unanimous vote, that the minutes of the Regular Meeting of the Sanitary District Board held October 23, 2007, be and hereby are approved.

#### ADJOURNMENT

At 8:29 p.m., the meeting was declared adjourned to Tuesday, December 11, 2007, at 6:30 p.m., in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue.

RUTH E. SMITH  
SECRETARY