

MINUTES

GARDEN GROVE PUBLIC FINANCING AUTHORITY

A Regular Meeting of the Garden Grove Public Financing Authority was called to order in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, on Tuesday, April 27, 2010, at 6:47 p.m.

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

ABSENT: (0) NONE

ORAL COMMUNICATIONS – PUBLIC

None.

RECESS

At 7:21 p.m., Chair Dalton declared a recess.

RECONVENE

At 7:28 p.m., Chair Dalton reconvened the meeting with all Members present.

MINUTES

It was moved by Member Jones, seconded by Member Do, and carried by unanimous vote that the minutes of the Public Financing Authority meeting held March 23, 2010, be and hereby are received and filed.

JOINT HEARING BETWEEN THE CITY COUNCIL AND THE GARDEN GROVE PUBLIC FINANCING AUTHORITY REGARDING THE ISSUANCE OF WATER REVENUE BONDS, SERIES 2010, A, B, AND C, TO FINANCE THE ACQUISITION, EXPANSION, CONSTRUCTION, AND IMPROVEMENT OF CERTAIN ADDITIONAL WATER FACILITIES OF THE WATER SYSTEM OF THE CITY, AND TO FUND A RESERVE FUND FOR THE BONDS (F: P-60.1) (XR: 60.1)

Staff report dated April 27, 2010, was introduced and reviewed by staff.

In July 2007, a Ten-Year Water Financial Plan (Plan), which included five years of incremental annual rate adjustments and the issuance of a \$32 million debt obligation used to fund the identified capital program, was adopted by the City Council. A Water Master Plan was completed in

September 2008, which included a detailed list of capital projects with costs and timelines for execution to be funded over the next ten years with the 2010 revenue bond proceeds, augmented with revenues. On December 8, 2009, the City Council adopted Resolution No. 8936-09 authorizing the issuance of the Water Revenue Bonds. The Water Revenue Bonds Series 2010 are to be issued in an aggregate amount not to exceed \$20 million. The Bonds may be issued in three series, designated Series 2010A, Tax-Exempt, in the estimated principal amount of \$10.8 million (Series A Bonds); Series 2010B, Federally Taxable Direct Pay Build America Bonds, in the estimated principal amount of \$3.5 million (Series B Bonds), and Series 2010C, Federally Taxable Direct Pay Build America/Recovery Zone Economic Development Bonds, in the estimated principal amount of \$3.2 million (Series C Bonds). Series B and C Bonds will only be issued if they present net interest cost savings to the City over a traditional tax-exempt series. The closing and sale of the Bonds is scheduled for May 5, 2010, but could change based upon the bond sales conditions that exist during the order period.

The finalized principal amount of the Bonds is estimated at \$17.5 million. The finance structure includes a debt service reserve fund with initial funding estimated at \$715,000. The net proceeds of the bond sale are estimated at about \$16.5 million in the projects fund and will be used to begin the rehabilitation, replacement, and improvement of the Garden Grove Water System. The true interest cost will be a 4 percent interest rate, and the overall annual debt service payment is approximately \$1.3 million over the life of the bond. It has been determined that water revenues are sufficient to pay the bonds, support water operations, cover wholesale water costs, and begin the capital improvement work.

In response to Authority/Council Member Broadwater's inquiry, staff responded that conditions surrounding Well No. 28 are not related to the City acquiring bonds for capital improvements.

In response to Authority/Council Member Nguyen's inquiries, staff clarified that the matter before the City Council this evening concerns the first installment of the bond, in the amount of approximately \$17.5 million, and that analysis show sufficient revenue to cover the cost of the bonds at this time.

**FOR PUBLIC FINANCING AUTHORITY ACTION
RESOLUTION NO. 10**

It was moved by Member Broadwater, seconded by Member Do, and carried by unanimous vote that full reading of Resolution No. 10 be

waived, and said Resolution entitled A RESOLUTION OF THE BOARD OF DIRECTORS OF GARDEN GROVE PUBLIC FINANCING AUTHORITY AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$20,000,000 AGGREGATE PRINCIPAL AMOUNT OF WATER REVENUE BONDS AND APPROVING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH AND CERTAIN OTHER MATTERS, be and hereby is adopted; and

FOR CITY COUNCIL ACTION
RESOLUTION NO. 8972-10

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that full reading of Resolution No. 8972-10 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS RELATING TO THE ISSUANCE BY THE GARDEN GROVE PUBLIC FINANCING AUTHORITY OF NOT TO EXCEED \$20,000,000 WATER REVENUE BONDS, AND AUTHORIZING CERTAIN DOCUMENTS AND DIRECTING CERTAIN ACTIONS IN CONNECTION THEREWITH, be and hereby is adopted; and

That the Authorized Officers, City Manager, Finance Director of the City, and other duly authorized officers and employees of the City and the Garden Grove Public Financing Authority, are each hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents that each may deem necessary or advisable in order to consummate the sale, execution, and delivery of the revenue bonds, and otherwise to carry out, give effect to and comply with, the terms and intent of these Resolutions, the Revenue Bonds, the Installment Purchase Agreement, the Trust Agreement, the Assignment Agreement, the Continuing Disclosure Agreement, the Purchase Agreement, the Preliminary Official Statement, and the Official Statement. Such actions heretofore taken by such officers or designees are hereby ratified, confirmed, and approved.

ADJOURNMENT

At 7:41 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR
SECRETARY

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, Garden Grove, on Tuesday, April 27, 2010, at 6:47 p.m.

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

ABSENT: (0) NONE

ORAL COMMUNICATIONS

None.

PUBLIC HEARING - JOINT PUBLIC HEARING WITH THE GARDEN GROVE CITY COUNCIL TO CONSIDER A COOPERATION AGREEMENT ALLOWING THE USE OF AGENCY'S TAX INCREMENT REVENUES TO FUND A PORTION OF THE CONSTRUCTION COSTS OF THE BUENA CLINTON YOUTH AND FAMILY CENTER, LOCATED AT 12661 SUNSWEEP, GARDEN GROVE (F: A-46.1) (XR: A-48.14) (XR: 73.20A) (XR: 43.4) (XR: 87.1)

Staff report dated April 27, 2010, was introduced and reviewed by staff.

Chair Broadwater declared the Public Hearing open for both the Agency and the City Council and asked if anyone wished to address the Agency/City Council on the matter.

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

CITY COUNCIL ACTION
RESOLUTION NO. 8971-10

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that full reading of Resolution No. 8971-10 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING THE CITY OR AFFILIATED ENTITY ENTERING INTO A LOAN IN A PRINCIPAL AMOUNT NOT TO EXCEED \$20,000,000 AND

LENDING THE PROCEEDS OF SUCH LOAN TO LANDMARK HOTELS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, AND ALLOCATING AN AMOUNT NOT TO EXCEED \$20,000,000 OF THE GARDEN GROVE RECOVERY ZONE FACILITY BOND ALLOCATION FOR THE BENEFIT OF THE PROJECT TO BE FINANCED PURSUANT TO SUCH LOAN, be and hereby is adopted.

AGENCY ACTION
RESOLUTION NO. 685

It was moved by Member Nguyen, seconded by Member Do, and carried by unanimous vote that full reading of Resolution No. 685 be waived, and said Resolution entitled A RESOLUTION OF THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT APPROVING A COOPERATION AGREEMENT WITH THE CITY OF GARDEN GROVE; AUTHORIZING PAYMENT BY THE AGENCY OF THE COST OF INSTALLATION AND CONSTRUCTION OF THE BUENA CLINTON YOUTH AND FAMILY CENTER AND CERTAIN FIXTURES THEREIN; AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH, be and hereby is adopted.

PURCHASE AND SALE AGREEMENT WITH LEILA SLAYTON TRUSTEE OF THE CHEYENNE GOLD AND LEILA SLAYTON FAMILY TRUST, AND CHARLES HANCE FOR ACQUISITION OF REAL PROPERTY LOCATED AT 12581 HARBOR BOULEVARD, GARDEN GROVE (F: A-55.361) (XR: 43.4)

This matter was pulled from consideration.

ADJOURNMENT

At 7:27 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR
SECRETARY

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, Garden Grove, on Tuesday, April 27, 2010, at 6:41 p.m.

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

ABSENT: (0) NONE

INVOCATION AND PLEDGE

Kingsley Okereke, Finance Director, gave the Invocation. Council Member Do led the Pledge of Allegiance to the Flag of the United States of America.

PRESENTATION OF THE GROWTH AWARD AND TREE CITY USA AWARD BY THE CALIFORNIA DEPARTMENT OF FORESTRY TO THE CITY OF GARDEN GROVE (F: 52.3)

Thomas Shoots, representing the California Department of Forestry, presented the City Council with a Growth Award plaque and the Tree City USA Award. He congratulated the City on qualifying for these awards for more than ten years.

ORAL COMMUNICATIONS

David Price read a proclamation and requested City Council's approval of the proclamation declaring May 8, 2010, as Mormon Helping Hands Day. (F: 83.1)

PROCLAMATION DECLARING MAY 8, 2010, AS MORMON HELPING HANDS DAY (F: 83.1)

It was moved by Mayor Dalton, seconded by Council Member Do, and carried by unanimous vote that May 8, 2010, be and hereby is recognized as Mormon Helping Hands Day in Garden Grove.

ORAL COMMUNICATIONS (continued)

Gene Kirkham thanked the Council Members for their kind words when accepting his resignation from the Planning Commission. He expressed his appreciation for having the opportunity to serve the Garden Grove community. (F: 122.10A)

Will B. King commented on various community and civic matters.

Phong Ly, Chairman of The Union of Vietnamese Student Associations' (UVSA), provided pictures from the Tet Festival that he felt addressed concerns raised by Council Member Do at the February 23, 2010, City Council meeting. He thanked the new Vietnamese Community Council for its support. (F: 42.8A) (XR: 55)

Bruce Tran indicated he would be moving out of the city, and would need to resign as a Planning Commissioner. As a member of the Vietnamese Community Council, Mr. Tran expressed the Council's support of UVSA, and requested the City Council to continue supporting UVSA as well. The Mayor thanked him for his service on the Planning Commission, and requested Mr. Tran submit a letter of resignation to the City Clerk's Office. (F: 122.10A) (XR: 55)

Neil Nguyen, newly elected President of the Vietnamese-American Community of Southern California (VACSC), introduced other Board Members in the audience. He offered the assistance of the VACSC to act as a liaison for the Vietnamese community. (F: 55)

Charles Mitchell commented on the recent Volunteer Appreciation Dinner honoring City volunteers; expressed his desire to serve as a Code Enforcement volunteer, and asked the City to reconsider the background check requirement.

Vanessa Nguyen expressed the importance of becoming an organ/tissue donor and thanked the City Council for its past support of this issue.

PROCLAMATION DECLARING APRIL 2010 AS DMV/DONATE LIFE CALIFORNIA MONTH (F: 83.1)

It was moved by Council Member Do, seconded by Council Member Broadwater, and carried by unanimous vote that April 2010, be and hereby is recognized as DMV/Donate Life California Month in Garden Grove.

ORAL COMMUNICATIONS (continued)

Rod Powell commented on the on-line voting for Garden Grove Pride Homes, and spoke against the use of fireworks within the city. He repeated his claims concerning Council Member Do's residency. Council Member Do refuted Mr. Powell's claims one by one, and warned Mr. Powell that each time he brings these false claims forward, he (Council Member Do) will continue to bring facts to light that call into question Mr. Powell's credibility.

PUBLIC HEARING - JOINT PUBLIC HEARING WITH THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT TO CONSIDER A COOPERATION AGREEMENT ALLOWING THE USE OF AGENCY'S TAX INCREMENT REVENUES TO FUND A PORTION OF THE CONSTRUCTION COSTS OF THE BUENA CLINTON YOUTH AND FAMILY CENTER LOCATED AT 12661 SUNSWEPT, GARDEN GROVE (F: A-46.1) (XR: A-48.14) (XR: 73.20A) (XR: 43.4) (XR: 87.1)

Staff report dated April 27, 2010, was introduced and reviewed by staff.

Agency Chair/Council Member Broadwater declared the Public Hearing open for both the Agency and the City Council and asked if anyone wished to address the City Council/Agency on the matter.

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

CITY COUNCIL ACTION
RESOLUTION NO. 8970-10

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that full reading of Resolution No. 8970-10 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING A COOPERATION AGREEMENT WITH THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT;

CONSENTING TO PAYMENT BY THE AGENCY OF THE COST OF INSTALLATION AND CONSTRUCTION OF THE BUENA CLINTON YOUTH AND FAMILY CENTER AND CERTAIN FIXTURES THEREIN; AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH, be and hereby is adopted.

AGENCY ACTION
RESOLUTION NO. 685

It was moved by Member Nguyen, seconded by Member Do, and carried by unanimous vote that full reading of Resolution No. 685 be waived, and said Resolution entitled A RESOLUTION OF THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT APPROVING A COOPERATION AGREEMENT WITH THE CITY OF GARDEN GROVE; AUTHORIZING PAYMENT BY THE AGENCY OF THE COST OF INSTALLATION AND CONSTRUCTION OF THE BUENA CLINTON YOUTH AND FAMILY CENTER AND CERTAIN FIXTURES THEREIN; AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH, be and hereby is adopted.

JOINT HEARING BETWEEN THE CITY COUNCIL AND THE GARDEN GROVE PUBLIC FINANCING AUTHORITY REGARDING THE ISSUANCE OF WATER REVENUE BONDS, SERIES 2010, A, B, AND C, TO FINANCE THE ACQUISITION, EXPANSION, CONSTRUCTION, AND IMPROVEMENT OF CERTAIN ADDITIONAL WATER FACILITIES OF THE WATER SYSTEM OF THE CITY, AND TO FUND A RESERVE FUND FOR THE BONDS (F: P-60.1) (XR: 60.1)

Staff report dated April 27, 2010, was introduced and reviewed by staff.

In July 2007, a Ten-Year Water Financial Plan (Plan), which included five years of incremental annual rate adjustments and the issuance of a \$32 million debt obligation used to fund the identified capital program, was adopted by the City Council. A Water Master Plan was completed in September 2008, which included a detailed list of capital projects with costs and timelines for execution to be funded over the next ten years with the 2010 revenue bond proceeds, augmented with revenues. On December 8, 2009, the City Council adopted Resolution No. 8936-09 authorizing the issuance of the Water Revenue Bonds. The Water Revenue Bonds Series 2010 are to be issued in an aggregate amount not to exceed \$20 million. The Bonds may be issued in three series, designated Series 2010A, Tax-Exempt, in the estimated principal amount of \$10.8 million (Series A Bonds); Series 2010B, Federally Taxable Direct Pay Build America Bonds, in the

estimated principal amount of \$3.5 million (Series B Bonds), and Series 2010C, Federally Taxable Direct Pay Build America/Recovery Zone Economic Development Bonds, in the estimated principal amount of \$3.2 million (Series C Bonds). Series B and C Bonds will only be issued if they present net interest cost savings to the City over a traditional tax-exempt series. The closing and sale of the Bonds is scheduled for May 5, 2010, but could change based upon the bond sales conditions that exist during the order period.

The finalized principal amount of the Bonds is estimated at \$17.5 million. The finance structure includes a debt service reserve fund with initial funding estimated at \$715,000. The net proceeds of the bond sale are estimated at about \$16.5 million in the projects fund and will be used to begin the rehabilitation, replacement, and improvement of the Garden Grove Water System. The true interest cost will be a 4 percent interest rate, and the overall annual debt service payment is approximately \$1.3 million over the life of the bond. It has been determined that water revenues are sufficient to pay the bonds, support water operations, cover wholesale water costs, and begin the capital improvement work.

In response to Council/Authority Member Broadwater's inquiry, staff responded that conditions surrounding Well No. 28 are not related to acquiring bonds for capital improvements.

In response to Council/Authority Member Nguyen's inquiries, staff clarified that the matter before the City Council this evening concerns the first installment of the bond, in the amount of approximately \$17.5 million, and that analysis show sufficient revenue to cover the cost of the bonds at this time.

**FOR PUBLIC FINANCING AUTHORITY ACTION
RESOLUTION NO. 10**

It was moved by Member Broadwater, seconded by Member Do, and carried by unanimous vote that full reading of Resolution No. 10 be waived, and said Resolution entitled A RESOLUTION OF THE BOARD OF DIRECTORS OF GARDEN GROVE PUBLIC FINANCING AUTHORITY AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$20,000,000 AGGREGATE PRINCIPAL AMOUNT OF WATER REVENUE BONDS AND APPROVING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH AND CERTAIN OTHER MATTERS, be and hereby is adopted; and

FOR CITY COUNCIL ACTION
RESOLUTION NO. 8972-10

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that full reading of Resolution No. 8972-10 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS RELATING TO THE ISSUANCE BY THE GARDEN GROVE PUBLIC FINANCING AUTHORITY OF NOT TO EXCEED \$20,000,000 WATER REVENUE BONDS, AND AUTHORIZING CERTAIN DOCUMENTS AND DIRECTING CERTAIN ACTIONS IN CONNECTION THEREWITH, be and hereby is adopted; and

That the Authorized Officers, City Manager, Finance Director of the City, and other duly authorized officers and employees of the City and Garden Grove Public Financing Authority, are each hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents that each may deem necessary or advisable in order to consummate the sale, execution, and delivery of the revenue bonds, and otherwise to carry out, give effect to and comply with, the terms and intent of these Resolutions, the Revenue Bonds, the Installment Purchase Agreement, the Trust Agreement, the Assignment Agreement, the Continuing Disclosure Agreement, the Purchase Agreement, the Preliminary Official Statement, and the Official Statement. Such actions heretofore taken by such officers or designees are hereby ratified, confirmed, and approved.

RECESS

At 7:41 p.m., the Mayor declared a recess.

RECONVENE

At 7:44 p.m., Mayor Dalton reconvened the City Council meeting with all Council Members present.

PROCLAMATION DECLARING MAY 8, 2010, AS MORMON HELPING HANDS DAY (F: 83.1)

This matter was considered earlier in the meeting.

PROCLAMATION DECLARING APRIL 2010 AS DMV/DONATE LIFE CALIFORNIA MONTH (F: 83.1)

This matter was considered earlier in the meeting.

PROCLAMATION DECLARING MAY 3-9, 2010, AS PUBLIC SERVICE RECOGNITION WEEK (F: 83.1)

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that May 3-9, 2010, be and hereby is recognized as Public Service Recognition Week in Garden Grove.

PROCLAMATION RECOGNIZING MAY 6, 2010, AS THE 59TH ANNUAL NATIONAL DAY OF PRAYER (F: 83.1)

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that May 6, 2010, be and hereby is recognized as the 59th Annual National Day of Prayer.

PROCLAMATION DESIGNATING MAY 2010 AS BUILDING SAFETY MONTH (F: 83.1)

Staff report dated April 27, 2010, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that May 2010 be and hereby is recognized as Building Safety Month.

RESOLUTION TO INITIATE PROCEEDINGS ESTABLISHING UNDERGROUND UTILITY DISTRICT NO. 25, BROOKHURST STREET (F: 121.#25) (XR: 24.11)

Staff report dated April 27, 2010, was introduced.

RESOLUTION NO. 8968-10

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that full reading of Resolution No. 8968-10 calling for a Public Hearing to be held on May 11, 2010, be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE CALLING FOR A PUBLIC HEARING TO DETERMINE WHETHER PUBLIC NECESSITY, HEALTH, SAFETY, OR WELFARE REQUIRES THE FORMATION OF AN UNDERGROUND UTILITY DISTRICT ON BROOKHURST STREET FROM

WESTMINSTER AVENUE TO GARDEN GROVE BOULEVARD, be and hereby is adopted.

RESOLUTION REVISING THE MANUAL OF PROCEDURES FOR CITY COUNCIL MEETINGS TO INCLUDE AN ITEM FOR CITY COUNCIL COMMENTS (F: 127.4)

Staff report dated April 27, 2010, was introduced.

RESOLUTION NO. 8969-10

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that full reading of Resolution No. 8969-10, be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE MODIFYING THE MANUAL OF PROCEDURE FOR CITY COUNCIL MEETINGS, be and hereby is adopted.

ACCEPTANCE OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) 2009 FIRE PREVENTION AND SAFETY GRANT (F: 61.1) (XR: 97.1)

Staff report dated April 27, 2010, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that the Fire Department staff is hereby authorized to accept the 2009 Fire Prevention and Safety Grant (FP&S) award of \$9,842 for Arson Prevention/Investigation.

AGREEMENT WITH MERCHANTS BUILDING MAINTENANCE, LLC, FOR CUSTODIAL CONTRACT SERVICES (F: 55) (XR: 24.1)

Staff report dated April 27, 2010, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that the Agreement by and between the City of Garden Grove and Merchants Building Maintenance, LLC, for custodial contract services, in the firm fixed price amount of \$124,698.96, with the option to renew the contract for an additional two years, and to include an additional \$18,705.00 to cover any unforeseen maintenance issues; for a total of \$143,403.96 for the first three years, be and hereby is approved; and the City Manager is authorized to execute the agreement on behalf of the City.

ACCEPTANCE OF PROJECT AS COMPLETE FOR THE POURED-IN-PLACE SURFACING AT JARDIN DE LOS NIÑOS PARK (F: 55) (XR: 73.20) (XR: 24.1)

Staff report dated April 27, 2010, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that the poured-in-place surfacing project at Jardin de los Niños Park be accepted as complete; the City Manager is authorized to execute the Notice of Completion of Public Works Improvement and Work; and the Finance Director is authorized to release the final payment of \$42,676.90 when appropriate to do so.

ADDITIONS TO THE PRE-QUALIFIED BIDDERS LIST FOR THE WESTHAVEN BOOSTER PUMP STATION, NATURAL GAS ENGINE DRIVEN PUMP CONVERSION PROJECT NO. 7391 (F: 92.proj.7391) (XR: 24.11)

Staff report dated April 27, 2010, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that the amended list of pre-qualified bidders for the construction of the Westhaven Booster Pump Station, Natural Gas Engine Driven Pump Conversion Project No. 7391 adding Pascal & Ludwig Constructors and 4-Con Engineering, Inc., be and hereby is approved; and that Pascal & Ludwig Constructors and 4-Con Engineering, Inc. be and hereby are allowed to submit bids for the construction of the Westhaven Booster Pump Station, Natural Gas Engine Driven Pump Conversion Project No. 7391.

MINUTES

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that the City Council minutes for the Study Session held February 9, 2010, be and hereby are received and filed.

WARRANTS (F: 60.5)

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that Regular Warrants 466094 through 466610, Wires W616 through W617; and Payroll Warrants 165729 through 165848, Direct Deposits D186699 through D187377, and Wires W1551 through W1554, 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 Do, and carried by unanimous vote that full reading of all Ordinances listed for consideration of adoption be waived.

PUBLIC HEARING - JOINT PUBLIC HEARING WITH THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT TO CONSIDER A COOPERATION AGREEMENT ALLOWING THE USE OF AGENCY'S TAX INCREMENT REVENUES TO FUND A PORTION OF THE CONSTRUCTION COSTS OF THE BUENA CLINTON YOUTH AND FAMILY CENTER LOCATED AT 12661 SUNSWEPT, GARDEN GROVE (F: A-46.1) (XR: A-48.14) (XR: 73.20A) (XR: 43.4) (XR: 87.1)

This matter was considered earlier in the meeting.

PUBLIC HEARING - APPROVAL OF ISSUANCE AND ALLOCATION OF RECOVERY ZONE FACILITY BONDS FOR THE EMBASSY SUITES HOTEL EXPANSION PROJECT LOCATED AT 11767 HARBOR BOULEVARD, GARDEN GROVE (F: 60.1) (XR: A-55.190)

Staff report dated April 27, 2010, 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.

RESOLUTION NO. 8971-10

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that full reading of Resolution No. 8971-10, be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING THE CITY OR AFFILIATED ENTITY ENTERING INTO A LOAN IN A PRINCIPAL AMOUNT NOT TO EXCEED \$20,000,000 AND LENDING THE PROCEEDS OF SUCH LOAN TO LANDMARK HOTELS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, AND ALLOCATING AN AMOUNT NOT TO EXCEED \$20,000,000 OF THE GARDEN GROVE RECOVERY ZONE FACILITY BOND ALLOCATION FOR THE BENEFIT OF THE PROJECT TO BE FINANCED PURSUANT TO SUCH LOAN, be and hereby is adopted.

PUBLIC HEARING - RESOLUTION OF NECESSITY TO ACQUIRE A 2,400 SQUARE FOOT EASEMENT OF THE PROPERTY LOCATED AT 12521 HARBOR BOULEVARD, GARDEN GROVE, CALIFORNIA, BY EMINENT DOMAIN FOR THE CONSTRUCTION OF A RIGHT TURN LANE FROM EASTBOUND LAMPSON AVENUE ONTO SOUTHBOUND HARBOR BOULEVARD, A RIGHT-OF-WAY FOR PUBLIC PURPOSES, INCLUDING FOR PUBLIC STREET, HIGHWAY, AND ALL PUBLIC USES APPURTENANT THERETO PERTAINING TO THE HARBOR BOULEVARD AND LAMPSON AVENUE IMPROVEMENT PROJECT (F: 84.1) (XR: 24.11) (XR: 43.4)

It was announced that this matter was being removed from consideration.

MAIN STREET COMMISSION RECOMMENDED BUDGET FOR FY 2010-11 FOR THE MAIN STREET ASSESSMENT DISTRICT NO. 1, AND RESOLUTION INITIATING THE NECESSARY PROCEEDINGS TO ESTABLISH THE LEVY OF AN ANNUAL ASSESSMENT (F: 31.4) (XR: 122.6) (XR: 24.1)

Staff report dated April 27, 2010, was introduced and reviewed by staff.

RESOLUTION NO. 8973-10

It was moved by Council Member Do, seconded by Council Member Nguyen, and carried by unanimous vote that full reading of Resolution No. 8973-10, be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 (SECTIONS 22500 ET SEQ. OF THE CALIFORNIA STREETS AND HIGHWAY CODE) DESCRIBING ANY PROPOSED NEW IMPROVEMENTS OR ANY SUBSTANTIAL CHANGES IN EXISTING IMPROVEMENTS IN THE MAIN STREET ASSESSMENT DISTRICT NO. 1, AND ORDERING THE CITY ENGINEER TO PREPARE AND FILE A REPORT IN ACCORDANCE WITH ARTICLE 4 OF CHAPTER 1 OF THE ACT, be and hereby is adopted.

JOINT HEARING BETWEEN THE CITY COUNCIL AND THE GARDEN GROVE PUBLIC FINANCING AUTHORITY REGARDING THE ISSUANCE OF WATER REVENUE BONDS, SERIES 2010, A, B, AND C, TO FINANCE THE ACQUISITION, EXPANSION, CONSTRUCTION, AND IMPROVEMENT OF CERTAIN ADDITIONAL WATER FACILITIES OF THE WATER SYSTEM OF THE CITY, AND TO FUND A RESERVE FUND FOR THE BONDS (F: P-60.1) (XR: 60.1)

This matter was considered earlier in the meeting.

CITYWIDE ENGINEERING AND TRAFFIC SURVEY ESTABLISHING SPEED LIMITS ON ROADWAYS WITHIN THE CITY AS REQUIRED BY THE CALIFORNIA VEHICLE CODE (F: 100.4) (XR: 50.2) (XR: 24.11)

Staff report dated April 27, 2010, was introduced and reviewed by staff.

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that full reading of all Ordinances listed for consideration of adoption be waived.

ORDINANCE NO. 2776 was introduced for first reading and the title read in full, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AMENDING CHAPTER 36 OF TITLE 10 OF THE GARDEN GROVE MUNICIPAL CODE ESTABLISHING SPEED LIMITS FOR CERTAIN DESIGNATED CITY STREETS BASED UPON AN UPDATED TRAFFIC AND ENGINEERING SPEED SURVEY

It was moved by Council Member Broadwater, seconded by Mayor Dalton, and carried by unanimous vote of those present that Ordinance No. 2776 be and hereby is passed to second reading.

SECOND READING OF ORDINANCE NO. 2773, NO. 2774, AND NO. 2775

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that full reading of all Ordinances listed for consideration of adoption be waived.

DUE TO A POTENTIAL CONFLICT OF INTEREST, COUNCIL MEMBER JONES RECUSED HIMSELF FROM THE FOLLOWING MATTERS.

COUNCIL MEMBER JONES LEFT THE MEETING AT 7:51 P.M.

ORDINANCE NO. 2773 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-124-10, CHANGING THE ZONING DESIGNATION FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO PLANNED UNIT DEVELOPMENT NO. PUD-124-10 (F: 116.PUD-124-10) (XR: 106.DA-180-10)

Following the reading of the Ordinance title, it was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote of those present that Ordinance No. 2773 be and hereby is declared adopted.

ORDINANCE NO. 2774 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 ADOPTING DEVELOPMENT AGREEMENT NO. DA-180-10 BETWEEN BRANDYWINE HOMES (DEVELOPER), AND THE CITY OF GARDEN GROVE (F: 106.DA-180-10) (XR: 116.PUD-124.10)

Following the reading of the Ordinance title, it was moved by Council Member Broadwater, seconded by Mayor Dalton, and carried by unanimous vote of those present that Ordinance No. 2774 be and hereby is declared adopted.

COUNCIL MEMBER JONES RETURNED TO THE MEETING AT 7:52 P.M.

ORDINANCE NO. 2775 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 APPROVING CODE AMENDMENT NO. A-154-10 TO ADD CHAPTER 9.48 TO TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE PERTAINING TO UNDERGROUNDING OF UTILITIES AND AMENDING TITLE 9, CHAPTER 9.40, SECTION 160, PERTAINING TO REQUIRED SUBDIVISION IMPROVEMENTS (F: 115.A-154-10) (XR: 50.3)

Following the reading of the Ordinance title, it was moved by Council Member Nguyen, seconded by Council Member Do, and carried by unanimous vote that Ordinance No. 2775 be and hereby is declared adopted.

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

Council Member Nguyen requested staff look into the traffic at Dawson Street and Westminster Avenue; and she reminded residents to buy and do business in Garden Grove. In commemoration of April 30, 1975, she offered a prayer to all those who gave their lives in the Vietnamese War. She announced celebrations scheduled throughout Orange County, and thanked those who have fought and sacrificed for freedom and democracy.

Council Member Do explained his absence from the last City Council meeting. He was part of the County of Orange's Delegation to South Korea. One of the reasons for the trip was to foster a bond between the County and some of South Korea's bigger businesses. Should this trip result in bringing additional businesses to the county, it will provide a better economic future for the County and the City of Garden Grove. His recent Washington D.C. trip offered him an opportunity to lobby at the Federal level on behalf of the City.

Council Member Do shared his experience leaving Vietnam as a boy right before the Fall of Saigon. Looking back on April 30, 1975, he reminded Vietnamese-Americans and Americans alike to pay tribute and recognize the sacrifices made and continue to be made for our freedom and our way of life.

Mayor Dalton expressed his condolences to the Vietnamese community as they remember the tragic events leading up to April 30, 1975. And offered his prayer for the survivors and descendents of those who suffered, the American soldiers, Vietnamese soldiers, and civilians who gave up their lives on behalf of freedom.

Mayor Dalton offered his condolences to the Morabito Family, on the passing of Sylvia Morabito Mutz, a Garden Grove resident since 1957, and adjourned the meeting in her memory.

ADJOURNMENT

At 8:03 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR
CITY CLERK