

## 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, January 22, 2008, at 6:36 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 Nguyen led the Pledge of Allegiance to the Flag of the United States of America.

#### ORAL COMMUNICATIONS – PUBLIC

David Vill addressed the City Council, citing the contributions he and his wife have made as Anaheim residents to the City of Garden Grove through their work at the Garden Grove Unified School District and their community involvement. He stated that he would continue to represent the members of his AARP Chapter in their efforts to ban the use of fireworks in Garden Grove. (F: 53.3) (XR: 61.6)

Charles Mitchell addressed the City Council, commenting on the success of the recent Chamber of Commerce mixer and the benefits these events have to the business community. He also announced the upcoming Orange County Sanitation District public hearing regarding raising fees. (F: 53.3) (XR: 23.14) (XR: S-74.2)

Greg and Julie Madrigal addressed the City Council in support of developing a dog park in the city. (F: 53.3) (XR: 73.1)

Verla Lambert addressed the City Council, urging the City to do whatever it can to gain Southern California Edison's assistance in repairing the many streetlights not working on Garden Grove Boulevard, between Harbor Boulevard and Palm Street. She also

commented on Ray Littrell's passing and the contributions he made to the community. (F: 53.3) (XR: 69.1)

Russ McDonald addressed the City Council, regarding the City's mission statement listed in a Senior Center pamphlet and inquired what it would take for the City to ban the use of fireworks. (F: 53.3) (XR: 61.6)

Nick Dibs addressed the City Council, paying tribute to Ray Littrell's service as a Council Member and community leader, commenting he served with honesty, integrity, dependability, professionalism, and a strong spiritual foundation that is dedicated to truth and justice. He further commented on issues that were important to Mr. Littrell, including redevelopment and street lighting districts. (F: 53.3)

Gigi Horowitz addressed the City Council in support of developing a dog park in the city. (F: 53.3) (XR: 73.1)

Paul Lucas addressed the City Council in support of developing a dog park in the city. (F: 53.3) (XR: 73.1)

#### RECESS

At 7:02 p.m., the Mayor declared a recess.

#### RECONVENE

At 7:38 p.m., the meeting was reconvened with Mayor Dalton and all Council Members present.

#### FINAL PARCEL MAP NO. 2004-291 FOR PROPERTY LOCATED AT 12753 GARDEN GROVE BOULEVARD (F: 118.PM.2004-291) (XR: 24.11)

Staff report dated January 22, 2008, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that the Final Parcel Map No. 2004-291 for property located 12753 Garden Grove Boulevard, be and hereby is approved.

FINAL PARCEL MAP NO. 2006-293 FOR PROPERTY LOCATED AT 11258 MONARCH STREET (F: 118.PM.2006-293) (XR: 24.11)

Staff report dated January 22, 2008, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that the Final Parcel Map No. 2006-293 for property located 11258 Monarch Street, be and hereby is approved.

ADOPTION OF RESOLUTION AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD (CIWMB) FOR FISCAL YEAR 2007/2008 REGIONAL RECYCLING AND WASTE DIVERSION GRANT PROGRAM (F: 89.2) (XR: S-97.1) (XR: 24.13)

Staff report dated January 22, 2008, was introduced.

RESOLUTION NO. 8804-08

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 8804-08 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR REGIONAL RECYCLING AND WASTE DIVERSION GRANT FUNDS, be and hereby is adopted.

COUNTY OF ORANGE CITY AID PROGRAM AGREEMENT FOR FISCAL YEAR 2008/2009 (F: 55) (XR: 64.1) (XR: 24.1)

Staff report dated January 22, 2008, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that the Agreement by and between the City of Garden Grove and the County of Orange, for the City's participation in the Proposition 42 City Aid Program Agreement, be and hereby is approved; and the City Manager and the City Clerk are authorized to execute the agreement.

MINUTES (F: Vault)

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that the minutes of the Regular Meeting of the City Council held January 8, 2008, be and hereby are approved.

WARRANTS (F: 60.5)

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that regular warrants 406161 through 406919, Wires W353-W357, and payroll warrants 154064 through 154384, and Direct Deposits D146475 through D147719, and Wires W1276 through W1287, 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.

RECESS

At 7:39 p.m., the Mayor declared a recess.

RECONVENE

At 7:47 p.m., the meeting was reconvened with Mayor Dalton and all Council Members present.

MINUTE ORDER ACCEPTING GRANT DEED AND PURCHASE AGREEMENT FOR 12251 THACKERY DRIVE, IN CONNECTION WITH PROJECT 8865, HARBOR-CHAPMAN (F: 84.1) (XR: A-55.232) (XR: A-116.6) (XR: 57.9)

Staff report dated January 22, 2008, was introduced and reviewed by staff.

It was moved by Council Member Jones, seconded by Council Member Rosen, and carried by unanimous vote, that the Agreement by and between the City of Garden Grove and Miguel E. Mendoza for the acquisition of real property located at 12251 Thackery Drive, be and hereby is approved; the City Manager and City Clerk are authorized to execute the pertinent documents on behalf of the City; the Finance Director is authorized to draw a warrant in the amount of \$575,000 when appropriate to do so; and the City Manager and City Clerk are authorized to execute the agreements for asbestos testing, asbestos abatement, and demolition at the lowest responsible bids.

MINUTE ORDER ACCEPTING GRANT DEED AND PURCHASE AGREEMENT FOR 12261 THACKERY DRIVE, IN CONNECTION WITH PROJECT 8865, HARBOR-CHAPMAN (F: 84.1) (XR: A-55.232) (XR: A-116.6) (XR: 57.9)

Staff report dated January 22, 2008, was introduced and reviewed by staff.

It was moved by Council Member Jones, seconded by Council Member Rosen, and carried by unanimous vote, that the Agreement by and between the City of Garden Grove and Jesus and Irene V. Alvarado for the acquisition of real property located at 12261 Thackery Drive, be and hereby is approved; the City Manager and City Clerk are authorized to execute the pertinent documents on behalf of the City; the Finance Director is authorized to draw a warrant in the amount of \$529,000 when appropriate to do so; and the City Manager and City Clerk are authorized to execute the agreements for asbestos testing, asbestos abatement, and demolition at the lowest responsible bids.

CONSIDERATION OF PROPOSED SITES FOR THE DEVELOPMENT OF A DOG PARK (F: 73.1) (XR: 87.1)

Mayor Dalton indicated he owns property within 500 feet of one of the locations being considered for the development of a dog park, and would be recusing himself from the discussion due to a potential conflict of interest.

MAYOR DALTON LEFT THE MEETING ROOM AT 7:55 P.M.

Mayor Pro Tem Rosen assumed the Chair.

Council Member Nguyen moved to remove the Brookhurst/Bixby site from the discussion for the location of a potential dog park, indicating she would like this site reserved for a future skate park.

Mayor Pro Tem Rosen inquired if the costs in the staff report included removing the arsenic material from the soil, if grass could grow on the right-of-way, and could a dog park be developed without grass.

Staff stated the arsenic material is under the soil and is used for weed abatement, indicating grass probably would not grow. Should one of the right-of-way sites be chosen, mulch and/or bark would be used as a ground cover.

Council Member Broadwater stated the company that has an agreement to park trucks on the right-of-way is now displaying "for sale" signs on them. Staff indicated the operator would be contacted.

Council Member Jones seconded Council Member Nguyen's motion, and it was carried by unanimous vote of those present, that the Brookhurst/Bixby site be removed from consideration as a location for the development site for a dog park.

MAYOR DALTON RETURNED TO THE MEETING ROOM AT 8:01 P.M. AND RESUMED THE CHAIR.

Staff report dated January 22, 2008, was introduced and reviewed by staff.

Staff identified three possible locations for the development of a dog park, two on the OCTA right of way and one at Garden Grove Park. The right-of-way would provide an expansion in parkland for the city; however, many amenities would not be included, such as restrooms, electricity, water, or lighting. Also, landscaping would be limited. The Garden Grove Park location is a smaller area and the cost would be less to develop. Amenities already available include parking, utility services, security lighting, landscaping, and limited proximity to other residents limiting noise to the neighborhoods, making this site quicker and easier to develop.

In response to Council Member Rosen's inquiry, staff confirmed that the County of Orange, through Supervisor Nguyen's office, is providing the funding for the dog park. The next Board of Supervisors meeting is next week. If a decision on the location were not reached tonight, the funding would no longer be available.

Mayor Dalton commented that Garden Grove Park would be the easiest to convert to a dog park. It offers security, which is important to the residents, parking, and is not adjacent to any residential areas.

Council Member Broadwater indicated the idea of expanding parkland in the city is a good one. The right-of-way is larger than Garden Grove Park, and the City should take advantage of all the money it can get to expand park facilities.

Council Member Nguyen commented converting the right-of-way at Paloma and Euclid to a dog park would offer a better appearance than what is currently there; and for an additional \$25,000, the City could

add the amenities needed for a dog park. This would expand the parkland facilities available in the city.

In response to Mayor Dalton's question, staff reported the estimate received to add a pre-fabricated restroom with water connections was \$75,000, but it did not include lighting.

It was moved by Mayor Dalton, seconded by Council Member Rosen, that Garden Grove Park be selected as the location for the development of a dog park.

Council Member Rosen commented that of the three locations presented, Garden Grove Park is the best location. The right-of-way locations are not natural parks, would get less use, and be of lesser quality.

Council Member Broadwater moved, seconded by Council Member Nguyen, a substitute motion, that the Paloma and Euclid OCTA right-of-way be selected as the location for the development of a dog park.

Council Member Rosen inquired of the City Attorney on the parliamentary procedure for substitute motions that are completely opposite than the main motion.

The City Attorney responded that substitute motions could supplant the original motion. Since this issue has occurred several times recently, the City Council will be provided further definitions in the City Council guidance manual addressing this particular issue.

The foregoing substitute motion, that the Paloma and Euclid OCTA right-of-way be selected as the location for the development of a dog park, failed to carry by the following vote:

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

The foregoing motion, that Garden Grove Park be selected as the location for the development of a dog park, carried by unanimous vote.

DIRECTION REGARDING SOLICITATION OF APPLICATIONS FOR GARDEN GROVE HOUSING AUTHORITY COMMISSIONERS (F: H-10.3a) (XR: 122.1)

Mayor Dalton encouraged residents to submit Commission Applications for both the Housing Authority and the Traffic Commission.

MATTERS FROM THE MAYOR, CITY COUNCIL MEMBERS AND CITY MANAGER

Council Member Broadwater responded to Mr. Dibs comments, disagreeing with his portrayal that redevelopment is inherently bad. Used correctly, as the City of Garden Grove has done, redevelopment is a great tool. He cited the many benefits realized through past redevelopment efforts. He announced that Mary Lou Hill, former Strawberry Festival Committee President, recently passed away. (F: 53.1) (XR: 46.9)

Council Member Rosen commented on a recent tour he, Mayor Dalton, and the City Manager took of the Pacific Electric right-of-way to evaluate transportation and development opportunities. While walking on the right-of-way, he realized the soil would not be appropriate for a dog park and the environment would not be the same as a real dog park. Because of these conclusions, he supported Garden Grove Park as the site for the dog park. He praised Council Member Nguyen's efforts at a recent TET Festival Parade fundraising dinner. He further commented on the passing of Ray Littrell and Mr. Littrell's service to the community, stating he kept both the City Council and staff on their toes with his questions on how business was being done. He stated the city will miss his contributions, and offered Mr. Littrell's family his condolences. (F: 53.1) (XR: 73.1) (XR: 46.9)

Council Member Nguyen offered her condolences to the Littrell family, commenting on Mr. Littrell's desire to serve his community well, both as a Council Member and a community leader. She announced the upcoming events for the TET Festival in Garden Grove, at Garden Grove Park, and the TET Parade in Westminster; and encouraged all to attend. (F: 53.1) (XR: 46.9)

Council Member Jones offered his condolences to the Littrell family. He commented on a recent event he attended for "Habitat for Humanity," and encouraged anyone wanting to get involved in this worthwhile cause, to contact the Crystal Cathedral. (F: 53.1) (XR: 46.9)



Mayor Dalton listed the contributions of those he would be adjourning the meeting in memory of: Mary Lou Hill, former Strawberry Festival President; Jessie Daniel, long time City employee; Steve Anderson, La Habra City Council Member; and Ray Littrell, former Garden Grove City Council Member and community leader. He offered his condolences to all the families. (F: 53.1) (XR: 46.9)

ADJOURN TO CLOSED SESSION

At 8:26 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

Employee Organization: Garden Grove Police Association

RECONVENE

At 8:56 p.m., the meeting was reconvened in the Council Chamber with Mayor Dalton and all Council Members present. It was announced the previously disclosed item was discussed, and no reportable action was taken.

ADJOURNMENT

At 8:57 p.m., the meeting was declared adjourned in memory of Mary Lou Hill, Jessie Daniel, Steve Anderson, and Ray Littrell. (F: 46.9)

KATHLEEN BAILOR  
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, January 22, 2008, at 6:38 p.m.

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

ABSENT: (0) NONE

#### ORAL COMMUNICATIONS – PUBLIC

None relevant to the Agency.

#### MINUTES (F: Vault)

It was moved by Member Rosen, seconded by Member Dalton, and carried by unanimous vote, that the Minutes of the Regular Agency Meeting held January 8, 2008, be and hereby are approved.

#### RECESS

At 7:04 p.m., the President declared a recess.

#### RECONVENE IN CLOSED SESSION

At 8:26 p.m., under the Ralph M. Brown Act, the meeting was reconvened with Chair Broadwater and all Agency Members present, and, it was announced that the Agency would adjourn to Closed Session in the Founders Room to discuss the following:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Properties: The following parcels listed by Assessor Parcel Number (APN), address, if available, and current owner:

12222 Harbor Boulevard, APN No. 231-491-120 (Jen Fu Lin & Hong Y L Lin); 12252 Harbor Boulevard, APN Nos. 231-521-101 and 231-521-102 (Tom Bowen and Jerry Bowen)

Agency's Negotiators: Matthew Fertal, Agency Director; Chet Yoshizaki, Economic Development Director; Greg Blodgett, Economic Development, Sr. Project Manager

Negotiating Parties: Garden Grove Agency for Community Development; Tom Bowen and Jerry Bowen, Owners; Joey Lin, Owner; and Ronnie Lam for Kam Sang Companies Developer.

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

#### RECONVENE

At 8:56 p.m., the meeting was reconvened in the Council Chamber with Chair Broadwater and all Agency Members present. It was announced the previously disclosed item was discussed, and no reportable action was taken.

#### ADJOURNMENT

At 8:57 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR  
SECRETARY