

## MINUTES

### GARDEN GROVE CITY COUNCIL

An Adjourned 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 Thursday, March 29, 2007, at 5:43 p.m.

ROLL CALL: PRESENT: (4) MAYOR DALTON, COUNCIL MEMBERS  
BROADWATER, NGUYEN, ROSEN

ABSENT: (0) NONE

#### PLEDGE

Assistant City Manager Les Jones led the Pledge of Allegiance to the Flag of the United States of America.

#### ORAL COMMUNICATIONS - PUBLIC

Mayor Dalton announced that those persons desiring to be considered for the City Council vacancy would be given an opportunity to speak during the consideration of the item. At this time, anyone who would like to speak on behalf of someone else is invited to speak. (F: 53.3) (XR: 46.1)

Herb Lieberman addressed the City Council, urging the Council Members to appoint Joseph Pak to fill the vacancy, citing Mr. Pak's contributions to the community. (F: 53.3) (XR: 46.1)

Joe Hammer addressed the City Council, also urging the Council Members to appoint Joseph Pak to fill the vacancy. (F: 53.3) (XR: 46.1)

Tony Flores addressed the City Council, requesting that they consider the 1990 Advisory Ballot Measure when filling the vacancy. (F: 53.3) (XR: 46.1)

CONSIDERATION OF APPOINTMENT TO FILL THE VACANCY ON THE CITY COUNCIL (F: 46.1)

Copies of all applications received from interested citizens wanting to serve on the City Council, along with a memo from the City Clerk providing the cost of a Special Election, and a memo from the City Attorney providing a summary of the applicable procedures and legal rules for filling the City Council vacancy, were provided.

Kris Beard, Charles Mitchell, Ted Jones, Steven Jones, applicants for the City Council vacancy, each addressed the City Council, providing background information on themselves and answering questions posed by City Council Members.

RECESS

At 6:35 p.m., the Mayor declared a recess.

RECONVENE

At 6:46 p.m., the meeting was reconvened with Mayor Dalton and all Council Members present.

CONSIDERATION OF APPOINTMENT TO FILL THE VACANCY ON THE CITY COUNCIL (CONTINUED) (F: 46.1)

Kay Barr, Tony Flores, Joseph Pak, Robin Marcario, George Brietigam, Roland Chi, applicants for the City Council vacancy, each addressed the City Council, providing background information on themselves and answering questions posed by City Council Members.

Mayor Dalton announced that Harry Krebs had contacted him by E-mail asking to be considered for the City Council vacancy.

RECESS

At 7:37 p.m., the Mayor declared a recess.

RECONVENE

At 7:54 p.m., the meeting was reconvened with Mayor Dalton and all Council Members present.

CONSIDERATION OF APPOINTMENT TO FILL THE VACANCY ON THE CITY COUNCIL (CONTINUED) (F: 46.1)

Council Member Broadwater stated that he was tremendously impressed with the number of qualified people willing to serve on the City Council. He commented that one of the most important attributes of a Council Member is the willingness to work together and at times compromise in order to make things happen.

Mayor Dalton commented that the appointee must be able to make the tough decisions. Everyone on the City Council has the city's best interest at heart. He agreed with Council Member Broadwater that the candidates were impressive in their answers to tough questions.

Council Member Rosen commented that they were not expecting to appoint anyone to be a clone. The appointee will be independent from anyone else on the City Council. He agreed with Mayor Dalton that the appointee would be oriented to what is best for the city. He further noted that he was not sure that the decision could be made tonight.

Council Member Nguyen expressed that she too was impressed by the candidates. However, she wanted to give others a fair chance to apply.

It was moved by Council Member Nguyen that this item be continued until after the trip to Korea, allowing others the chance to apply and giving Council Members the opportunity to digest the information. Mayor Dalton seconded the motion for discussion.

Mayor Dalton indicated that the consideration of filling the City Council vacancy has been announced at the last two City Council meetings.

Council Member Rosen commented that the vacancy has existed since the County Supervisor election on February 6, 2007. Anyone interested in the position has had almost two months to consider the possibility.

In response to Council Member Broadwater's question, staff indicated that the return date from Korea is April 14<sup>th</sup>, and the deadline to make the decision without going to a Special Election is April 26<sup>th</sup>.

Council Member Broadwater stated that he would want to make the appointment rather than going to a Special Election. He agreed with Council Member Rosen's comments that those persons interested in the position has known of the potential vacancy for two months.

Mayor Dalton withdrew his second to the motion. Therefore, the previous motion to continue the matter until after the trip to Korea died for lack of a second.

Council Member Broadwater moved, seconded by Council Member Nguyen, that Steven Jones be appointed to fill the vacancy on the City Council.

Council Member Rosen commented that any "no" votes tonight, did not indicate a rejection at a later time.

Said motion failed to carry by the following vote:

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

Council Member Rosen moved, seconded by Mayor Dalton, that Kris Beard be appointed to fill the vacancy on the City Council.

Said motion failed to carry by the following vote:

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

Council Member Nguyen moved, seconded by Mayor Dalton, that Kathryn Barr be appointed to fill the vacancy on the City Council.

Council Member Rosen stated that he was not prepared to vote "yes" on this motion tonight.

Said motion failed to carry by the following vote:

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

Council Member Broadwater commented on filling a vacancy in the past, indicating that it often took many motions.

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that this item be continued to April 16, 2007.

ADJOURNMENT

At 8:19 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR  
DEPUTY CITY CLERK