

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, May 8, 2007, at 5:35 p.m.

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

ABSENT: (1) COUNCIL MEMBER NGUYEN (JOINED THE
MEETING AT 5:37 P.M.)

PUBLIC INPUT ON CLOSED SESSION ITEM

There were no comments from the public.

COUNCIL MEMBER NGUYEN JOINED THE MEETING AT 5:37 P.M.

ADJOURN TO CLOSED SESSION

At 5:38 p.m., under the Ralph M. Brown Act, the meeting was adjourned to Closed Session in the Founders Room to discuss the following:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Subdivision (a) of Section 54956.9)

Vietnamese Buddhism Study Temple in America, et al. v. City of
Garden Grove, et al.

United States District Court Case No. SACV06-728 CJC.

RECESS

At 6:41 p.m., the Mayor declared a recess.

RECONVENE IN OPEN SESSION

At 6:49 p.m., the meeting was reconvened in the Council Chamber with Mayor Dalton and all Council Members present. It was announced

that the previously disclosed item was discussed and that no reportable action was taken.

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) (XR: 61.1) (XR: 82.1)

Mayor Dalton called forward Garden Grove Police Officer Richard Desbiens; Matt Verga; Al Malm; and John Knaack and presented them with Certificates of Recognition and gifts for their outstanding bravery in saving a woman from a burning car on April 24 on the 22 Freeway.

ORAL COMMUNICATIONS - PUBLIC

David Vill, along with Russ McDonald, Edith Brenner, Sharon Tanihara, and Rosemary McQuinney, members of the local chapter of AARP, addressed the City Council, urging the banning of the sale and use of fireworks in the city. (F: 53.3) (XR: 61.6)

Verla Lambert addressed the City Council concerning the California Environmental Quality Act (CEQA), noting that the removal of trees from the medians has a direct environmental impact on the city. (F: 53.3) (XR: 24.4)

Vicki Shanklin addressed the City Council, urging the trees in the medians and right-of-ways be saved. She also corrected remarks she made at a previous City Council meeting about traffic accidents outside the Senior Center, noting that she had been misinformed. (F: 53.3) (XR: 24.4)

In response to a request by Mayor Dalton, staff provided background information concerning the removal of the mature trees from the medians and the re-landscaping, citing health and safety issues. Staff explained that the trees were removed due to sewer upgrades. (F: 53.3) (XR: 24.4)

RECESS

At 7:12 p.m., the Mayor declared a recess.

RECONVENE

At 7:46 p.m., the meeting was reconvened with Mayor Dalton and all Council Members present.

AWARD OF CONTRACT TO MAPON, INC., DBA ACE ROOFING SYSTEMS, FOR ROOF REPLACEMENT AT FIRE STATION #4 (F: 55) (XR: 24.1)

Staff report dated May 8, 2007, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that Mapon, Inc., dba Ace Roofing Systems, be and hereby is determined to be the lowest acceptable bidder in connection with the Roof Replacement project at Fire Station #4, located at 12191 Valley View Street, and that contract for said project be and hereby is awarded to said company in the amount not to exceed \$35,500, in accordance with the terms of the City's plans and specifications and the bid submitted by said company; that all other bids be and hereby are rejected; and the City Manager and City Clerk are authorized to execute said contract.

AGREEMENT WITH INTERWEST CONSULTING GROUP FOR BUILDING INSPECTION SERVICES (F: 55) (XR: 35.1)

Staff report dated May 8, 2007, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that the Agreement by and between the City of Garden Grove and Interwest Consulting Group for building inspection services, be and hereby is approved, with authorization of the allocation of funding offset with fees in the amount of \$75,000, deposited by the requesting developer, D.R. Horton, Inc.; and the Mayor and City Clerk are authorized to execute the agreement.

AGREEMENT WITH GARY MAITEN CONSULTING TO SERVE AS JAIL AND POLICE VEHICLE FLEET SERVICES CONSULTANT/COORDINATOR (F: 55) (XR: 82.1)

Staff report dated May 8, 2007, was introduced.

Council Member Broadwater indicated that inasmuch as he might have a conflict of interest relative to this matter, he would request this be continued to June 12, 2007, to provide time to make that determination.

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that this matter be continued to the City Council meeting of June 12, 2007.

AGREEMENT WITH VALLEY POWER SYSTEMS, INC., FOR THE REPAIR AND MAINTENANCE OF THE CITY'S NATURAL GAS ENGINES (F: 55) (XR: 24.1)

Staff report dated May 8, 2007, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that the Agreement by and between the City of Garden Grove and Valley Power Systems, Inc., for the repair and maintenance of the City's natural gas engines, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement.

AGREEMENT WITH THE COUNTY OF ORANGE SOCIAL SERVICES AGENCY FOR FUNDING FROM THE FAMILIES AND COMMUNITIES TOGETHER GRANT FOR THE CONTINUED OPERATION OF THE MAGNOLIA PARK FAMILY RESOURCE CENTER (F: 55) (XR: 73.8a)

Staff report dated May 8, 2007, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that the Agreement by and between the City of Garden Grove and the County of Orange Social Services Agency for funding from the Families and Communities Together Grant for the continued operation of the Magnolia Park Family Resource Center, and the City Manager is authorized to sign and execute the Agreement, including making any modifications during the contract period for the operation and implementation of the contract services.

AWARD OF SERVICE AGREEMENT TO UNIFIRST CORPORATION FOR EMPLOYEE UNIFORM SERVICE (F: 55) (XR: 24.1)

Staff report dated May 8, 2007, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, the contract to provide uniform services for a three-year period be and hereby is awarded to Unifirst Corporation, the single qualified proposer, at an annual cost of \$38,899.12, with contingency funding not to exceed \$5,834.87; and the City Manager and City Clerk are authorized to execute the service agreement.

AWARD OF PURCHASE TO KUSTOM IMPRINTS FOR SPORTS APPAREL ON AN AS-NEEDED BASIS FOR COMMUNITY SERVICES DEPARTMENT YOUTH AND ADULT RECREATION PROGRAMS (F: 55) (XR: 87.1)

Staff report dated May 8, 2007, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that Kustom Imprints be and hereby is determined to be the lowest acceptable bidder in connection with the purchase of sports apparel for the Community Services Department youth and adult recreation programs, on an as-needed basis; that contract for said project be and hereby is awarded to said company in an amount not to exceed an annual cost of \$24,193, with contingency funding not to exceed an annual cost of \$6,048; in accordance with the terms of the City's plans and specifications and the bid submitted by said company; that all other bids be and hereby are rejected; and the Finance Director is authorized to issue a purchase order in the amount of \$30,241 per year for three years for said purchase.

RESOLUTION AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR FY 2007/2008 (F: 89.2) (XR: 24.1)

Staff report dated May 8, 2007, was introduced.

RESOLUTION NO. 8773-07

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that full reading of Resolution No. 8773-07 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 USED OIL RECYCLING BLOCK GRANT, FISCAL YEAR 2007/2008 (13TH CYCLE), be and hereby is adopted.

AUTHORIZATION FOR TRAVEL AND EXPENSE REIMBURSEMENT FOR CITY COUNCIL TRAVEL TO MONTREAL, CANADA, JULY 25-29, 2007 (F: 46.1)

Staff report dated May 8, 2007, was introduced.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that out-of-state travel and expense reimbursement be authorized, including any expenses exceeding \$1,500 per Council Member, for members of the City Council to travel to Montreal, Canada, from July 25 through July 29,

provided such expenses are otherwise consistent with the expense guidelines and reimbursement policy adopted at the City Council meeting on April 25, 2006.

MINUTES (F: Vault)

Council Member Nguyen moved, seconded by Council Member Rosen, that the minutes of the Regular Meeting of the City Council held March 13, 2007, as amended by Council Member Nguyen to include additional remarks made by her during the public hearing on Amendment No. A-129-07; and the Adjourned Regular Meeting held March 20, 2007, be and hereby are approved. Said motion carried by the following vote:

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

WARRANTS (F: 60.5)

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that regular warrants 384804 through 387983 and Wires W309-W311; and payroll warrants 150513 through 150693, Direct Deposits D000001 and D135231 through D135838, and Wires W1199-W1202, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

WAIVER OF FULL READING OF ORDINANCES LISTED

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

PUBLIC HEARING – ADOPTION OF 2007-08 ACTION PLAN FOR THE USE OF HUD FUNDS (F: 117.10)

Staff report dated May 8, 2007, was introduced and reviewed by staff.

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

Anna Lisa Biason, Director of Fund Development of the Legal Aid Society of Orange County, addressed the City Council. She provided

information about what Legal Aid does, and about a software internet-based program that was created in 2002 called I-CAN, which stands for Interactive Community Action Network. She spoke about this program to increase awareness about the Earned Income Tax Credit, provide direct tax services, and to connect the community with an array of resources. She requested that the City Council revise the proposed Action Plan and approve their application for the CDBG grant in the amount of \$4,920 so they can expand their outreach efforts in the city of Garden Grove. She invited the City of Garden Grove to become a partner for their 2008 outreach efforts.

In response to an inquiry from Council Member Nguyen, Ms. Biason could not provide information concerning the number of Garden Grove residents who have already been served by their organization. Council Member Nguyen asked that Ms. Biason forward that information to staff for future consideration.

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

Council Member Rosen commented that Ms. Biason also addressed the Neighborhood Improvement and Conservation Commission with her proposal and further commented that it is not a Garden Grove specific project, and he would support the recommendation of staff as made through the Commission.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that the adoption of the 2007-08 Action Plan for the use of HUD Funds be and hereby is approved; and the City Manager is authorized to negotiate and execute related documents and agreements. Some project-specific agreements may be brought before City Council again.

PUBLIC HEARING - AMENDMENT NO. A-133-07, AMENDING SECTION 9.12.050B OF TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE
(F: 115.A-133-07)

Amendment No. A-133-07. The City of Garden Grove is proposing to Amend Section 9.12.050B of the Garden Grove Municipal Code, regarding the Main Street Retail Overlay (H-R) zone Permitted Uses, to allow housing above existing commercial establishments on properties located along the east and west sides of Main Street, between Garden Grove Boulevard and Acacia Parkway.

On March 15, 2007, the City Planning Commission, pursuant to Resolution No. 5589, recommended approval of Amendment

No. A-133-07; and pursuant to Legal Notice published April 26, 2007, public hearing on the case was ordered by the City Council to be held this date.

Staff report dated May 8, 2007, was introduced and reviewed by staff.

Council Member Rosen expressed concern relative to the parking study performed in 2006 by DSK Associates that was commissioned by the Steve Sheldon Group, and the pending lawsuit.

The City Attorney noted that there are two parking studies on which conclusions are based; and with a time limit for challenges, it would be known relatively quickly whether anyone were to challenge the determinations made.

Staff noted that the City received an application from Main Street Pizza to build above the pizza parlor. Development applications had not previously been submitted for residential uses that didn't have attached parking. Now there are other owners who are interested in doing this, so there is a need to look at the parking that is available and consider amending the code to allow this change to go forward.

Council Member Rosen inquired whether under the current Code, Main Street Pizza could add a second floor by applying for a Variance.

The City Manager responded that they would need to apply for a Variance, which would go to the Planning Commission and then possibly to the City Council.

Additionally, relative to the preservation of the historic feel of the Main Street District, the City Manager noted that the proposed Ordinance incorporates language that currently exists relative to the Main Street Overlay Zone.

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

Peter Katz, Vice President of the Downtown Business Association, addressed the City Council in support of approval of A-133-07. He stated that a new spirit of cooperation is needed; and he urged the City Council to adopt the Resolution which was approved and submitted by the Parking and Main Street Commission.

Peggy Bergin addressed the City Council, expressing her opposition to A-133-07, commenting on the lack of uniformity on Main Street, not enough parking, and overcrowding.

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

Council Member Rosen commented that he is amazed at the hypocrisy of the Downtown Business Association, which is suing the City for approving a project that would bring some lofts, residences, and more businesses to Main Street. One of the grounds they are suing on is the parking study from 2006. Yet they are asking the City Council to approve a proposal that would increase the density and bring more parking. He noted it makes no sense whatsoever. He further commented that he believes the lawsuit against Sheldon is based on who is going to make the money -- Sheldon or one of the developers on Main Street.

Council Member Rosen referenced and read a portion of a letter written by Leo Zlaket of Zlaket's Market on Main Street, in support of the Sheldon project and unsupportive of the lawsuit brought by the Downtown Business Association.

Council Member Rosen suggested that since this proposal is based on a parking study that is now being challenged in court, that the City Council hold off on taking any action on this until that lawsuit is decided and the Court decides whether the parking study is proper.

Council Member Nguyen expressed her agreement with Council Member Rosen to not take any action on this item at this time because of the lawsuit.

It was moved by Council Member Rosen, seconded by Council Member Nguyen, that this matter be taken off calendar until such time as the Downtown Business Association's lawsuit is resolved or until a Council Member brings it back, whichever occurs first.

Mayor Dalton commented on ads and allegations in the newspapers that the City Council and Mayor were trying to destroy Main Street. Yet somebody on Main Street had a proposal that was to tear down every building and put new ones up, and they would do that free for each of the building owners, but they would get whatever was built above the ground story. That proposal would do away with the historic buildings there. He noted that there are a few people who would like to build above their buildings now. He also noted that the buildings that are noticed are not earthquake safe, and they have to be retrofitted for public safety. He also commented that he too believes the lawsuit is frivolous; however, does not want to penalize the people who want to go forward with building on Main Street by taking this matter off calendar.

Mayor Dalton moved a substitute motion that the City Council make a determination this evening and approve the proposed Ordinance. Council Member Broadwater seconded the substitute motion for the purpose of discussion.

Council Member Broadwater commented that the owners of Main Street Pizza would like to build above their business, and the City Council might be hurting some people by not making a decision on this. He suggested continuing the matter for a couple weeks.

Council Member Rosen noted that he was careful to ask whether the Main Street Pizza owner could go ahead with his proposal regardless of whether this was passed, and staff indicated that he can apply for a Variance as opposed to getting the whole street rezoned with an overlay, with the same process of going to the Planning Commission. However, if he tries to use the 2006 Parking Study, he may end up getting sued by the Downtown Business Association. Since this Amendment is based upon the same parking study on which the City is being sued, a determination on the parking study should be obtained before any action is taken. He further commented that if Council Member Broadwater wants to continue this for a shorter period of time rather than indefinitely, maybe there could be a Closed Session discussion of the lawsuit, and he would not oppose that.

Council Member Nguyen expressed her discomfort with making a decision this evening because of the lawsuit. She also indicated she would like to discuss this in Closed Session.

Council Member Rosen noted he would withdraw his prior motion.

The City Attorney indicated the substitute motion is before the City Council.

Mayor Dalton indicated he believes it is unfair to require somebody who wants to improve the conditions on Main Street wait and jump through other hoops. Therefore, he will not withdraw his substitute motion.

Council Member Broadwater commented that he believes the lawsuit can be resolved.

Council Member Broadwater withdrew his second to the substitute motion.

The City Attorney asked if there is a withdrawal of the substitute motion.

Mayor Dalton responded in the negative.

The City Attorney asked for a second to the substitute motion to pass the first reading of the proposed Ordinance.

Hearing none, the motion died for lack of a second.

Council Member Rosen withdrew his original motion and moved that further consideration of this matter be continued to June 12, 2007, and that the City Council also have a Closed Session discussion of the Downtown Business Association lawsuit on June 12, 2007.

Council Member Jones seconded the motion.

The foregoing motion carried by the following vote:

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

ADOPTION OF MEASURE M SEVEN-YEAR CAPITAL IMPROVEMENT PROGRAM
(F: 23.18c)

Staff report dated May 8, 2007, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that the Measure M Seven-Year Capital Improvement Program be and hereby is adopted; and the Public Works Director is authorized to execute the Maintenance of Effort Reporting and GME Statement of Compliance Reporting forms, and transmit the documentation to OCTA.

AWARD OF CONTRACT TO GTA CONSTRUCTION, INC., FOR 2ND FLOOR
TENANT IMPROVEMENT OF THE POLICE BUILDING (F: 55) (XR: 82.1)

Staff report dated May 8, 2007, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that GTA Construction, Inc., be and hereby is determined to be the lowest acceptable bidder in connection with Tenant Improvement of the 2nd Floor of the Police Department Building located at 11301 Acacia Parkway, and that contract for said project be and hereby is awarded to said company in the amount not to exceed \$515,000, in accordance with the terms of the City's plans and specifications and the bid submitted by said

company; that all other bids be and hereby are rejected; the City Manager and City Clerk are authorized to execute the agreement; and the Chief of Police is authorized an additional \$5,000, within this contract, to purchase appliances for the second floor employee break room.

INITIATION OF PROCEEDINGS FOR MAIN STREET ASSESSMENT DISTRICT NO. 1 FOR FY 2007-08, APPROVING THE ENGINEER'S REPORT AND SETTING PUBLIC HEARING (F: 31.4) (XR: 122.6)

Staff report dated May 8, 2007, was introduced. The assessment, currently set at \$19.92 per linear foot, does not meet the requested service level costs for the proposed FY 2007-08 budget. With the current rate of expenditures, the reserves will be eliminated by 2008.

The City Manager noted that the big change in this year's budget is that there is not enough revenue off the assessment to cover all the expenses, so they have elected to eliminate trash from this year's assessment.

Council Member Rosen noted that the Main Street Assessment District does not want to raise their assessment, so they are eliminating trash pickup. He read from the Main Street Assessment District minutes dated April 12, 2007, wherein they talk about the trash and suggest that maybe Garden Grove Disposal would donate \$20,000 to them; also, suggesting the use of their nonprofit organization to get the nonprofit rate, which basically is asking the residents to subsidize them. He commented that he had previously suggested perhaps looking into abolishing the assessment district, and he asked staff to look into that, along with the possible abolishment of the Parking and Main Street Commission.

RESOLUTION NO. 8774-07

It was moved by Council Member Broadwater, seconded by Mayor Dalton, and carried by unanimous vote of those present, that full reading of Resolution No. 8774-07 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE MAKING DETERMINATIONS AND CONFIRMING THE DIAGRAM AND ASSESSMENTS IN THE MATTER OF MAIN STREET ASSESSMENT DISTRICT NO. 1, be and hereby is adopted, approving the Engineer's Report and setting the public hearing regarding the assessment for June 26, 2007. (NOTE: This was not the proper Resolution; therefore, this Resolution was not processed. The item

was re-listed on the June 12, 2007, agenda for consideration and given the same number for processing.)

ORDINANCES DESCRIBING THE PROGRAM OF THE AGENCY FOR COMMUNITY DEVELOPMENT TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN, PURSUANT TO SENATE BILL 53 (F: A-46.1)

Staff report dated May 8, 2007, was introduced.

ORDINANCE NO. 2709 was introduced for first reading and the title read in full by the City Attorney, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, DESCRIBING THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT'S PROGRAM TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN WITHIN THE GARDEN GROVE COMMUNITY PROJECT AS REQUIRED BY SECTION 33342.7 OF THE CALIFORNIA HEALTH AND SAFETY CODE (F: A-48.25) (XR: A-46.1)

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that full reading of Ordinance No. 2709 be waived.

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that Ordinance No. 2709, be and hereby is passed to second reading.

ORDINANCE NO. 2710 was introduced for first reading and the title read in full by the City Attorney, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, DESCRIBING THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT'S PROGRAM TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN WITHIN THE BUENA-CLINTON REDEVELOPMENT PROJECT AREA AS REQUIRED BY SECTION 33342.7 OF THE CALIFORNIA HEALTH AND SAFETY CODE (F: A-48.14) (XR: A-46.1)

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that full reading of Ordinance No. 2710 be waived.

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that Ordinance No. 2710, be and hereby is passed to second reading.

SECOND READING OF ORDINANCE NO. 2708

It was moved by Council Member Rosen, seconded by Council Member Nguyen, and carried by unanimous vote, that full reading of Ordinance No. 2708 be and hereby is waived.

ORDINANCE NO. 2708 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-132-07, AN AMENDMENT TO TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE (F: 115.A-132.07)

Following the reading of the ordinance title, it was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that Ordinance No. 2708 be and hereby is declared adopted.

AGREEMENT WITH GARY MAITEN CONSULTING TO SERVE AS JAIL AND POLICE VEHICLE FLEET SERVICES CONSULTANT/COORDINATOR (F: 55) (XR: 82.1)

Council Member Broadwater announced that he has received a determination that he can participate in consideration of this item and would like to revisit this matter at this time.

The City Attorney advised that there must be a motion to reconsider the previously adopted motion to continue this matter to June 12, 2007.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that the previously adopted motion to continue this matter be reconsidered.

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 Gary Maiten Consulting for renewal of services as jail consultant/coordinator and police vehicle fleet services consultant/coordinator from July 1, 2007 through June 30, 2008, at a cost not to exceed \$42,240, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the Agreement.

APPOINTMENT TO FILL VACANCY ON THE NEIGHBORHOOD IMPROVEMENT AND CONSERVATION COMMISSION (F: 122.4a)

It was moved by Mayor Dalton, seconded by Council Member Broadwater, and carried by unanimous vote, that Gigi Horowitz be and hereby is appointed to the Neighborhood Improvement and Conservation Commission.

APPOINTMENTS TO VARIOUS CITY COUNCIL COMMITTEES AND AD HOC COMMITTEES (F: 46.1) (XR: VIP)

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote, that Mayor Dalton and Council Member Rosen be and hereby are appointed as Representatives to the Garden Grove Boulevard Business Area Committee.

It was moved by Council Member Broadwater, seconded by Mayor Dalton, and carried by unanimous vote, that Mayor Dalton be and hereby is reappointed as Representative, and Council Member Broadwater be and hereby is appointed as Alternate, to the Fire Training Joint Powers Authority.

It was moved by Mayor Dalton, seconded by Council Member Broadwater, and carried by unanimous vote, that Council Member Rosen be and hereby is reappointed as Representative to the Orange County Council of Governments.

It was moved by Mayor Dalton, seconded by Council Member Broadwater, and carried by unanimous vote, that Council Member Broadwater be and hereby is appointed as Representative, and Council Member Nguyen is appointed as Alternate, to the Orange County Public Library Advisory Board.

It was moved by Council Member Broadwater, seconded by Council Member Nguyen, and carried by unanimous vote, that Mayor Dalton be and hereby is reappointed as Representative to the Orange County Transportation Authority Measure "M" Growth Management Elected Officials Forum.

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that Council Member Broadwater be and hereby is appointed as Representative to the Orange County Water District Master Plan Advisory Group.

It was moved by Council Member Broadwater, seconded by Mayor Dalton and carried by unanimous vote, that Mayor Dalton be and hereby is reappointed as Representative, and Council Member Rosen be and hereby is reappointed as Alternate to the West Orange County Water Board.

MATTERS FROM THE MAYOR AND CITY COUNCIL MEMBERS

Council Member Rosen wished Britney Ramirez a Happy Sweet Sixteen Birthday. (F: 53.1)

Council Member Nguyen requested the graffiti issue be placed on the June 12 agenda for discussion. (F: 53.1) (XR: 24.5)

Mayor Dalton requested that Officer Bermudez present a report on graffiti at the meeting on June 12; that the City Attorney prepare a report concerning maximum penalties, cameras, and penalties set for families and parents of minor offenders. (F: 53.1) (XR: 82.1) (XR: 24.5)

Council Member Nguyen wished all mothers a Happy Mothers Day and a Happy Birthday to Miss Ramirez. (F: 53.1)

ADJOURNMENT

At 9:08 p.m., the meeting was declared adjourned in memory of Jong Ho Pak, Planning Commissioner Joseph's Pak's father. (F: 46.9)

RUTH E. SMITH
CITY CLERK