

## 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 11, 2004, at 6:50 p.m.

ROLL CALL: PRESENT: (5) MAYOR BROADWATER, COUNCILMEMBERS  
DALTON, LEYES, ROSEN, TRAN

ABSENT: (0) NONE

ALSO PRESENT: City Manager, Matthew Fertal; Deputy City Manager, Les Jones; Administrative Services Director, Kathy Porter; Community Development Director, Susan Emery; Community Services Director, Cal Rietzel; Finance Director, Kingsley Okereke; Personnel Services Director, Steve Larson; Deputy Police Chief, Scott Jordan; Public Works Director, Keith Jones; City Attorney, John Shaw; and Deputy City Clerk, Priscilla Stierstorfer.

#### INVOCATION AND PLEDGE

Deputy City Manager Les Jones gave the Invocation. Councilman Leyes led the Pledge of Allegiance to the Flag of the United States of America.

#### PRESENTATION – COMMUNITY SPOTLIGHT

Mayor Broadwater called forward Thomas and Margaret England, recipients of the 2004 Cypress College Foundation Americana Awards winners, and presented them with Certificates of Recognition and gifts. (F: 52.3)

#### PRESENTATION – COMMUNITY SPOTLIGHT

Mayor Broadwater called forward Teresa Gamba, retiring from the City, and presented her with a Plaque in appreciation of her 35 years of service. (F: 52.3) (XR: 78.6)

## ORAL COMMUNICATIONS – PUBLIC

Charles Mitchell commented that we have a responsibility to provide a peaceful resolution to problems. Other countries like Vietnam do not recognize human rights, and people in our community resent their visiting representatives. He urged Council to approve the resolution listed as item 8.b. (F: 53.3) (XR: 53.1) (XR: 117.1)

Robert Righetti commented regarding remarks that were made at a previous meeting when the agreement with Engineering Resources of Southern California was approved. He indicated that his company provides the level of service that exceeds expectation, and the allegations in the letter from G. W. Builders are false. (F: 53.3) (XR: 53.1)

Ronnie Guyer commented that 56 cities have now followed the Council's lead and adopted the flag of Free Vietnam. The Vietnamese people are an example of the love of freedom. He urged the Council to approve the Resolution relating to representatives and officials from the Socialist Republic of Vietnam (8.b.) (F: 53.3) (XR: 53.1) (XR: 117.1)

Bob Owens commented regarding the communists in WW II. On the War Memorial are 60,000 names of Americans who died in the Vietnam War. He was opposed to the Vietnamese Communist Delegation visiting Garden Grove, and urged approval of the Resolution listed as item 8.b. (F: 53.3) (XR: 53.1) (XR: 117.1)

Tony Flores commented that he is also in favor of the Resolution listed as item 8.b. He commented regarding the budget and the reduction in the number of police officers. He requested that the Council consider adopting resolutions regarding eminent domain, and campaign reform, and address the beautification of Lampson Avenue between Manley and Knott Streets. (F: 53.3) (XR: 53.1) (XR: 117.1)

Tri Ta commented that he represents the Vietnamese Community of Southern California and urged the Council to pass the Resolution listed as item 8.b., noting that the communists of Vietnam have continually violated human rights. He became a citizen and pays taxes. Vietnamese-American citizens do not want their money to go for the Vietnamese Communist Delegation visit to this country. (F: 53.3) (XR: 53.1) (XR: 117.1)

Toan Thai commended the Council for its efforts in writing the resolution for the Vietnamese Community. He noted that the communists cannot be restricted from coming to the United States;

and the resolution must pass strict scrutiny in the Courts. He was in favor of the resolution. (F: 53.3) (XR: 53.1) (XR: 117.1)

Chan Nguyen thanked the 60,000 Americans who gave up their lives in Vietnam. Many Vietnamese are trying to get a little bit of freedom for their country, and millions of Vietnamese people are dying for freedom. He urged the Council not to let the communists come to this country. (F: 53.3) (XR: 53.1) (XR: 117.1)

Leslie Le commented that he came to this country because he wants freedom. He is a citizen of this country, and escaped from the communists in Vietnam. It is a slap to the face of the Vietnamese Americans to let the communists come here. (F: 53.3) (XR: 53.1) (XR: 117.1)

Andy Quach, Councilman from Westminster, urged the Council to approve the Resolution listed as item 8.b. For the Vietnamese Communist Delegation to parade their motorcade through Garden Grove and Westminster is a slap in the face to the Vietnamese-American citizens. Freedom to visit this country cannot be denied, but we can exercise our freedom of speech and tell them they are not welcome. (F: 53.3) (XR: 53.1) (XR: 117.1)

COMMUNICATION FROM GARDEN GROVE POP WARNER FOOTBALL 2004 EXECUTIVE BOARD FOR ASSISTANCE WITH UPGRADES TO THE FIELD AND RESTROOMS AT GARDEN GROVE PARK (F: 88.1) (XR: 73.5)

Communication from Kelly Laban, Secretary of the Garden Grove Pop Warner Football & Cheer, dated April 12, 2004, was introduced.

Ms. Laban commented that the field is in very poor condition; and there are large dirt areas, which present a safety hazard for the youth and spectators. She noted that they host games with teams from other cities, and their players and spectators have complained of the poor condition of the fields and restrooms. She requested that the budget to upgrade Garden Grove Park be reviewed.

Mayor Broadwater requested that this item be placed on the next work session agenda.

Councilman Tran questioned whether staff from Community Services reviewed the complaints identified in the letter. Staff noted that Public Works and Community Services have been working with the resources available. Some work could be done to repair the restrooms and field.

Councilman Tran questioned whether there is money in next year's budget to make all the repairs. The Public Works Director commented that there is money in this year's budget to do some painting and to reseed the field; however, this would impact the organizations that are now using the field.

Mayor Broadwater commented that the restrooms should be cleaned up now.

Councilman Dalton commented that the restrooms should be upgraded and the fields should be reseeded. He questioned whether staff could provide an estimate of how much it would cost for all the work that needs to be done.

Councilman Rosen questioned who owned the snack bar. Staff noted that the City owns it, and the groups use it.

Councilman Rosen commented that he does not want to see repairs made that will be vandalized. This needs to be discussed at a study session to determine what long-term repairs can be done. There needs to be a security component so we do not keep doing it over and over again because of vandalism.

It was moved by Mayor Broadwater, seconded by Councilman Dalton, and carried by unanimous vote, that repairs to the restrooms at Garden Grove Park, with the need for security, be made, and that this item be scheduled for a future work session for further discussion regarding cost of further upgrades

CORRESPONDENCE FROM METRO CITIES FIRE AUTHORITY (F: 61.8)  
(XR: 43.1)

Communication dated April 13, 2004, was introduced.

It was moved by Mayor Broadwater, seconded by Councilman Dalton, and carried by unanimous vote, that City Manager Matthew Fertal be and hereby is appointed to the Metro Cities Fire Authority Board.

RESOLUTION RELATING TO REPRESENTATIVES AND OFFICIALS FROM THE SOCIALIST REPUBLIC OF VIETNAM TRAVELING IN OR THROUGH THE CITY

OF GARDEN GROVE, AS REQUESTED BY MAYOR BROADWATER  
(F: 53.1) (XR: 117.1)

Mayor Broadwater commented that several weeks ago the City Manager's office was notified by FAX that there would be several dignitaries visiting from Vietnam within the next few days. They were going to stay in Anaheim and caravan to Little Saigon through Garden Grove and Westminster. He noted that it brought up the issue of safety and police protection since most Vietnamese people in this area were appalled at having communists from Vietnam coming through our community. He indicated that a letter opposing the visit was sent to President Bush and the State Department as well as all the elected officials who represent Garden Grove. After making several phone calls, a call was received from Congresswoman Loretta Sanchez' office notifying us that the visit was cancelled. He commented that the proposed resolution is not a law, but it is a position that the City must take to notify the State Department that there needs to be more advance notice when dignitaries are visiting, and not only the three or four days' that notice was given by FAX.

Councilman Tran requested an amendment to the resolution that a "cost bill" of police services rendered be submitted to the requesting agency or jurisdiction in the aftermath of a visit by delegations or groups affiliated with the Vietnamese communist government that failed to abide by the City's 14-day "prior notice" policy. They should know that there are consequences that impact and drain the City's budget.

Councilman Leyes questioned whether the intent is that the City submit a bill to the foreign government.

Councilman Tran commented that it is up to the City Council to vote whether a bill should be sent to the requesting agency so that they know these types of visits cost the City.

Councilman Leyes commented that they should be billed for the cost whether there is a 14-day notice or not. He questioned what the term "high profile" visits refers to. Mayor Broadwater commented that it refers to elected officials.

Councilman Leyes commented that he would prefer dropping the reference to "high profile," and he does not want any official from any communist government visiting. There are governments that are hostile to United States citizens, and he would like to include them as well. He commented that the State Department has three

to four months' notice when foreign dignitaries are visiting, and the City should ask for a 60-day notice.

Mayor Broadwater commented that he can live with the 14-day notice.

Councilman Tran commented that the resolution was written with potential litigation challenges from the ACLU. It was reviewed by a number of people and attorneys. He felt that the 14-day notice was sufficient.

Councilman Rosen commented that in 1999 the City of Westminster had a problem that cost the City a lot of money for police protection. He commented that the Council is obliged to speak out for all the Vietnamese people who live in our city. He noted that the resolution has been tested. It does not restrict the freedom of anyone visiting this community. However, it puts them on notice that we do not appreciate their presence.

#### RESOLUTION NO. 8565-04

It was moved by Mayor Broadwater, seconded by Councilman Rosen, and carried by unanimous vote, that full reading of Resolution No. 8565-04 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE RELATING TO REPRESENTATIVES AND OFFICIALS FROM THE SOCIALIST REPUBLIC OF VIETNAM TRAVELING IN OR THROUGH THE CITY OF GARDEN GROVE, be and hereby is adopted, as amended to include that a "cost bill" for police services be submitted to the requesting agency if they fail to provide a 14-day "prior notice."

#### RECESS

At 8:18 p.m., the Mayor declared a recess.

#### RECONVENE

At 8:47 p.m., the meeting was reconvened with Mayor Broadwater and all Councilmembers in attendance.

#### PROCLAMATION – NATIONAL MENTAL HEALTH MONTH (F: 83.1)

It was moved by Councilman Tran, seconded by Councilman Dalton, and carried by unanimous vote, that May 2004, be and hereby is designated as National Mental Health Month.

PROCLAMATION – WATER AWARENESS MONTH (F: 83.1) (XR: 24.12)

It was moved by Councilman Tran, seconded by Councilman Dalton, and carried by unanimous vote, that May 2004, be and hereby is designated as Water Awareness Month.

PROCLAMATION – SMALL BUSINESS WEEK (F: 83.1)

It was moved by Councilman Tran, seconded by Councilman Dalton, and carried by unanimous vote, that staff is directed to ask the Chamber of Commerce for additional information.

AGREEMENT WITH GRW & SON, INC. FOR CONSTRUCTION MANAGEMENT SERVICES IN CONNECTION WITH PROJECT NO. 7244, GARDEN GROVE BOULEVARD/HARBOR BOULEVARD INTERSECTION IMPROVEMENT  
(F: 96.PROJ.7244)

Staff report dated May 11, 2004, was introduced.

It was moved by Councilman Tran, seconded by Councilman Dalton, and carried by unanimous vote, that the Agreement by and between the City of Garden Grove and GRW & Son, Inc., for construction management services in connection with Project No. 7244, Garden Grove Boulevard/Harbor Boulevard Intersection Improvement; be and hereby is approved; and the Mayor and City Clerk are authorized to execute the agreement.

AWARD OF CONTRACT FOR THE DEMOLITION OF STRUCTURES AT 13832 NEWHOPE AND 10691 WALNUT (F: 55) (XR: 57.1) (XR: 60.4)

Staff report dated May 11, 2004, was introduced.

It was moved by Councilman Tran, seconded by Councilman Dalton, and carried by unanimous vote, that Flores Sierra Contractors, be and hereby is determined to be the lowest acceptable bidder for the demolition of structures at 13832 Newhope and 10691 Walnut; that contract for said project be and hereby is awarded to said company in the sum of \$25,977.00, 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.

RESOLUTION ESTABLISHING A POLICY REGARDING THE USE OF DEVELOPMENT AGREEMENTS FOR LARGE-SCALE PROJECTS (F: 106.1)

Staff report dated May 11, 2004, was introduced.

RESOLUTION NO. 8566-04

It was moved by Councilman Tran, seconded by Councilman Dalton, and carried by unanimous vote, that full reading of Resolution No. 8566-04 be waived, and said Resolution entitled A RESOLUTION ESTABLISHING A POLICY REGARDING THE USE OF DEVELOPMENT AGREEMENTS FOR LARGE SCALE PROJECTS, be and hereby is adopted.

AWARD OF PURCHASE – INSTALLATION OF A CAMERA SYSTEM AND A DIGITAL STORAGE SYSTEM – POLICE DEPARTMENT (F: 55) (XR: 82.1)

Staff report dated May 11, 2004, was introduced.

It was moved by Councilman Tran, seconded by Councilman Dalton, and carried by unanimous vote, that purchase orders for the Police Department's Jail Facility, be and hereby are awarded to the lowest acceptable bidders, Richardson Electronics for the digital surveillance camera system and to Cambridge Computer for the digital storage system, in the aggregate amount of \$46,197.25.

AWARD OF PURCHASE – ONE FORKLIFT – PUBLIC WORKS DEPARTMENT (F: 60.4) (XR: 24.1)

Staff report dated May 11, 2004, was introduced.

It was moved by Councilman Tran, seconded by Councilman Dalton, and carried by unanimous vote, that a purchase order for one forklift be and hereby is awarded to the lowest acceptable bidder, Raymond Handling Solutions, in the amount of \$30,746.46.

MINUTES (F: Vault)

It was moved by Councilman Tran, seconded by Councilman Dalton, and carried by unanimous vote, that the minutes of the Regular City Council Meeting held April 13, 2004, be and hereby are approved.

WARRANTS (F: 60.5)

It was moved by Councilman Tran, seconded by Councilman Dalton, and carried by unanimous vote, that regular warrants 310672



through 312162 and wire W141, and payroll warrants 134434 through 134628, Direct Deposits D90458 through D91000, and wires W843 through W846, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

#### RECESS

At 8:45 p.m., the Mayor declared a recess.

#### RECONVENE

At 8:47 p.m., the meeting was reconvened with Mayor Broadwater and all Councilmembers in attendance.

#### JOINT PUBLIC HEARING WITH THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT TO CONSIDER A DISPOSITION AND DEVELOPMENT AGREEMENT (DDA) WITH LAING PACIFIC I, LLC, FOR THE DEVELOPMENT OF PROPERTY LOCATED ON THE SOUTH SIDE OF KATELLA AVENUE, WEST OF GILBERT STREET (F: A-55.299)

Staff report dated May 11, 2004, was introduced, and staff provided background information and reviewed the salient points of the proposed agreement.

Councilman/Chairman Rosen declared the public hearing opened and asked if anyone wished to address the Council/Agency on the matter.

Mr. Dan Pedley, partner with Laing Pacific I, LLC, commented that one of things that attracted them to this parcel was that the Agency had already identified it as needing the project that they are recommending.

Mr. Abel Avalos, also with Laing Pacific I, LLC, commented that his company is a private building company that focuses its efforts in doing urban rejuvenation.

Ray Littrell commented that it was his understanding that the company would be receiving 80% of the revenue for 20 years. There would be 42 homes built, and that money should be used for education. Schools do not have enough money to purchase toilet seats.

Mr. Pedley commented that school fees will be on this development. He noted that if it were not for the tax increment, it would not be

feasible to do the project, and the city would be stuck with the strip mall. This project will improve the area.

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

Mayor/Member Broadwater commented that Laing Pacific I, LLC took over this project when a previous developer walked away. He noted that he understood Mr. Littrell's concerns; however, a 20% increase in revenue is better than no increase at all. That property looks terrible; it is one of the worse areas. He commented that it is expensive for the City; however, it will be well worth it for the quality of the project.

In response to Councilman/Member Leyes, the City Manager/Director commented that they will be paying the fair market value for the property, and they will not be subject to the requirements of SB975.

Councilman/Member Dalton commented that the center has been deteriorating and has become one of the worst areas in Garden Grove. The businesses there are not that successful, and the center is falling apart. He noted that he is not a fan of cost sharing, but that is the only way that there can be quality homes at that site.

Councilman/Member Tran questioned whether the site plan and floor plans are the same as the ones they previously considered. The City Manager/Director commented that the floor plans will not change; however, the alley will have to be vacated as part of the site plan.

Councilman/Chairman Rosen commented that this project is expensive because businesses have to be torn down. He noted that 20% of the revenue is better than nothing. The schools are benefiting from redevelopment as well as from some of the fees the developer has to pay. He commented that the Council/Agency did not agree with eminent domain. The developer will acquire the property. The agreement does provide that this is not a prevailing wage project. He noted that if the State should determine otherwise, the developer would bear the additional cost.

#### RESOLUTION NO. 639

It was moved by Member Dalton, seconded by Member Tran, and carried by unanimous vote, that full reading of Resolution No. 639 be waived, and said Resolution entitled A RESOLUTION OF THE

AGENCY FOR COMMUNITY DEVELOPMENT APPROVING THE EXECUTION OF A DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT AND LAING PACIFIC I, LLC, be and hereby is adopted.

RESOLUTION NO. 8566-04

It was moved by Councilman Dalton, seconded by Councilman Tran, and carried by unanimous vote, that full reading of Resolution No. 8566-04 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING THE EXECUTION OF A DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT AND LAING PACIFIC I, LLC, be and hereby is adopted.

RECESS

At 9:07 p.m., Mayor Broadwater declared a recess.

RECONVENE

At 9:35 p.m., the meeting was reconvened with Mayor Broadwater and all Councilmembers in attendance.

RESOLUTION AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE AND SIGN VARIOUS STATE DOCUMENTS REQUIRED FOR HIGHWAY PROJECTS (F: 24.1) (XR: 62.2)

Staff report dated May 11, 2004, was introduced.

RESOLUTION NO. 8568-04

It was moved by Councilman Rosen, seconded by Councilman Dalton, and carried by unanimous vote, that full reading of Resolution No. 8568-04 be waived, and said Resolution entitled A RESOLUTION OF GARDEN GROVE CITY COUNCIL AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE AND SIGN VARIOUS STATE DOCUMENTS REQUIRED FOR HIGHWAY PROJECTS, be and hereby is adopted

RESOLUTIONS APPROVING SALARY PLAN AND BENEFIT INCREASES FOR CITY EMPLOYEE GROUPS

Staff reports dated May 11, 2004, were introduced.

Councilman Leyes commented that there was a contract approved four years ago that gave the police officers 3% at 50. He voted against it because there was no plan to fund the increase even though at that time, there was a provision to share the PERS cost. The new contract states that the City will pick up the full cost rather than its share. The Police Department now receives 46% of the budget and its expenses have increased 96%. There is an employment freeze because of budget problems. Any increases in the revenue will go to pay benefits. He indicated that the cost of the contract for the new cost of 3% at 50 is approximately \$2.3 million. He commented that if the City were to freeze pay benefits, 30 new police officers could be hired. He noted that he is not comfortable with having eight vacancies in the department. He commented that he will not vote for this contract, not because they don't deserve it, but because it is a cost to the public safety to our community.

Councilman Rosen commented that the City adopted the 3% at 50 benefit because the legislators approved it. It was not mandated but in reality it was because we would have lost good officers to other cities. We have been able to keep up the quality of our Police Department. The Council adopted a strategic plan in 2000, which introduced civilians to do paperwork and left more officers on the streets. He indicated that with this new contract, some officers will take home less money because of the increase in the health benefits.

RESOLUTION NO. 8569-04

Councilman Dalton moved, seconded by Councilman Rosen that full reading of Resolution No. 8569-04 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING THE MEMORANDUM OF UNDERSTANDING ON SALARIES AND FRINGE BENEFITS 2003-2006 BY AND BETWEEN THE GARDEN GROVE POLICE ASSOCIATION AND THE CITY OF GARDEN GROVE AND ESTABLISHING A SALARY PLAN AND RESCINDING RESOLUTION NO. 8313-00, be and hereby is adopted upon the following vote:

AYES: COUNCILMEMBERS: (4) DALTON, ROSEN, TRAN, BROADWATER  
NOES: COUNCILMEMBERS: (1) LEYES  
ABSENT: COUNCILMEMBERS: (0) NONE

RESOLUTION NO. 8570-04

It was moved by Councilman Rosen, seconded by Councilman Dalton, and carried by unanimous vote, that full reading of Resolution No. 8570-04 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING THE MEMORANDUM OF UNDERSTANDING ON SALARIES AND FRINGE BENEFITS 2003-2006, BY AND BETWEEN THE GARDEN GROVE CHAPTER OF THE ORANGE COUNTY EMPLOYEES ASSOCIATION AND THE CITY OF GARDEN GROVE AND ESTABLISHING A SALARY PLAN AND RESCINDING RESOLUTION NOS. 8221-99, 8343-01, 8462-02 AND 8521-03, be and hereby is adopted.

ADOPTION OF RESOLUTION OF INTENTION TO PROCEED WITH ALLEY VACATION NO. AV-104-04 (F: 110.AV-104-04)

Staff report dated May 11, 2004, was introduced.

RESOLUTION NO. 8571-04

It was moved by Councilman Rosen, seconded by Councilman Leyes, and carried by unanimous vote, that full reading of Resolution No. 8571-04 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DECLARING ITS INTENTION TO PROCEED WITH ALLEY VACATION NO. AV-104-04 TO VACATE THE ALLEY LOCATED WEST OF FLOWER STREET AND SOUTH OF PARK AVENUE AND THAT ACCESSES THE REAR OF THE PROPERTIES LOCATED AT 12811 AND 12851 FLOWER STREET AND 10282 PARK AVENUE AND SCHEDULING A PUBLIC HEARING TO CONSIDER SAID ALLEY VACATION, be and hereby is adopted setting the public hearing date for June 22, 2004.

ADOPTION OF RESOLUTION IN INTENTION TO PROCEED WITH ALLEY VACATION NO. AV-105-04 (F: 110.AV-105-04)

Staff report dated May 11, 2004, was introduced.

RESOLUTION NO. 8572-04

It was moved by Councilman Rosen, seconded by Councilman Leyes, and carried by unanimous vote, that full reading of Resolution No. 8572-04 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DECLARING ITS INTENTION TO PROCEED WITH ALLEY VACATION NO. AV-105-04 TO VACATE THE PORTION OF THE ALLEY LOCATED AT THE REAR OF THE PROPERTY LOCATED AT 10602 CHAPMAN AVENUE, AND SCHEDULING A PUBLIC HEARING TO CONSIDER SAID ALLEY

VACATION, be and hereby is adopted, setting the public hearing date for June 22, 2004.

COUNCILMAN LEYES LEFT THE MEETING AT 9:50 P.M.

AMENDMENT TO THE CITY MUNICIPAL CODE TO ALLOW THE EXPANSION OF THE PARKING AND MAIN STREET COMMISSION (F: 122.6) (XR: 50.2)

Staff report dated May 11, 2004, was introduced, requesting that the Commission be expanded from five to seven members.

ORDINANCE NO. 2627 was introduced for first reading and the title read in full, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE EXPANDING THE PARKING AND MAIN STREET COMMISSION

Councilman Rosen moved, seconded by Councilman Dalton, that full reading of Ordinance No. 2627 be waived, and said Ordinance be and hereby is passed to second reading upon the following vote:

AYES: COUNCILMEMBERS: (4) DALTON, ROSEN, TRAN, BROADWATER  
NOES: COUNCILMEMBERS: (0) NONE  
ABSENT: COUNCILMEMBERS: (1) LEYES

COUNCILMAN LEYES RETURNED TO THE MEETING AT 9:51 P.M.

SECOND READING OF ORDINANCES NO. 2625 AND NO. 2626

It was moved by Councilman Rosen, seconded by Councilman Leyes, and carried by unanimous vote, that full reading of Ordinances No. 2625 and No. 2626 be waived.

ORDINANCE NO. 2625 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 ADDING SECTION 9.08.100 AND PARAGRAPH 12 TO SUBSECTION D OF SECTION 9.24.030 TO THE GARDEN GROVE MUNICIPAL CODE, RELATING TO THE ESTABLISHMENT OF REGULATIONS FOR THE SITING OF WIRELESS TELECOMMUNICATIONS FACILITIES (F: 115.A-105-04) (XR: 50.3) (XR: 121.2G)

It was moved by Councilman Rosen, seconded by Councilman Leyes, and carried by unanimous vote, that Ordinance No. 2625 be and hereby is declared passed.

ORDINANCE NO. 2626 was presented for second reading and adoption and the title read in full, being AN ORDINANCE AMENDING CHAPTER 1.04 "PENALTY PROVISIONS" OF THE MUNICIPAL CODE RELATING TO THE ESTABLISHMENT OF INFRACTIONS AS AN ALTERNATE FORM OF PENALTY FOR MUNICIPAL CODE VIOLATIONS (F: 50.2)

It was moved by Councilman Tran, seconded by Councilman Rosen, and approved by unanimous vote, that Ordinance No. 2626 be and hereby is declared passed.

COUNCILMAN LEYES LEFT THE MEETING AT 9:52 P.M.

APPOINTMENTS TO THE PARKING AND MAIN STREET COMMISSION, AS REQUESTED BY MAYOR BROADWATER (F: 122.6A)

It was moved by Councilman Dalton, seconded by Councilman Rosen, and approved by unanimous vote of those present, that Gary Brown be and hereby is appointed to the Parking and Main Street Commission.

It was moved by Councilman Dalton, seconded by Councilman Tran, and approved by unanimous vote of those present, that Phil Fabian be and hereby is appointed to the Parking and Main Street Commission.

COUNCILMAN LEYES RETURNED TO THE MEETING AT 9:55 P.M.

SELECTION OF COUNCILMEMBER TO ATTEND CITY SELECTION COMMITTEE MEETING, AS REQUESTED BY MAYOR BROADWATER (F: 23.4)

It was moved by Councilman Dalton, seconded by Councilman Tran, and approved by unanimous vote, that Mayor Broadwater is selected to attend the City Selection Committee meeting on May 13, 2004.

MATTERS FROM THE MAYOR AND CITY COUNCILMEMBERS

Councilman Leyes commented that the Governor is expected to make an announcement on Wednesday regarding the amendments to the budget. It is expected that the Governor has negotiated cuts with the education establishment to save some money. It also includes over a \$1 billion reduction to counties and cities. This will mean a double hit for the cities, once for the General Fund and also for the Redevelopment Agency. (F: 53.1)

Councilman Dalton requested that the meeting be adjourned in memory of a long-time resident Larry Parker. He sent condolences

to his wife Marilyn and family. And that it be adjourned in memory of Ron Weigand, who was a Captain and retired from the Garden Grove Police Department. He came back to work after retirement and helped with recruitments and the background check process. (F: 53.1) (XR: 46.9)

Councilman Rosen commented that appointments were made to the City's 50<sup>th</sup> Anniversary Committee, and his appointee has not heard anything of when meetings will be held. (F: 53.1) (XR: 122.75)

Councilman Tran requested that the resolution by him and Councilman Leyes regarding eminent domain be placed on the next agenda. (F: 53.1) (XR: 127.1) (XR: A-127.1)

Mayor Broadwater commented that he recently had the opportunity to attend the Mayor's Prayer Breakfast while visiting in Branson, Missouri. It was nice, but nothing compared to the excellent breakfast by Garden Grove's staff. (F: 53.1) (XR: 45.5)

#### RECESS AND ADJOURN TO CLOSED SESSION

At 10:06 p.m., the meeting was adjourned to Closed Session, under the Ralph M. Brown Act, and it was announced that pursuant to Government Code section 54956.9, the City Council will confer with its Legal Counsel regarding the status of Garden Grove v. Orange County Transportation Authority.

#### RECONVENE IN OPEN SESSION

At 10:35 p.m., the meeting was reconvened in Open Session, and it was announced that the matter previously disclosed was discussed and no others.

#### ADJOURNMENT

At 10:36 p.m., the meeting was declared adjourned in memory of Larry Parker and Ron Weigand. (F: 46.9)

PRISCILLA STIERSTORFER  
DEPUTY CITY CLERK