

## 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, July 8, 2008, at 6:33 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 Rosen led the Pledge of Allegiance to the Flag of the United States of America.

#### COMMUNITY SPOTLIGHT

Mayor Dalton called forward Bernie Selz and Betty Redd, presenting each one with a certificate and a gift in recognition of their service and commitment to the community, and for being named as the Garden Grove Chamber of Commerce 2008 Man and Woman of the Year.  
(F: 52.3)

#### COMMUNITY SPOTLIGHT

Mayor Dalton called forward Paul Blackwell and Patricia Brees presenting each one with a certificate and a gift in recognition of their uncountable hours of charitable work, and for being named the 2008 Senior Man of the Year/Strawberry Ball King and Senior Woman of the Year/Strawberry Ball Queen. (F: 52.3)

#### ORAL COMMUNICATIONS – PUBLIC

Charles Mitchell addressed the City Council, praising the grand opening event of the Gem Theater operating under One More Productions; and announced the Taste of Downtown Garden Grove, on Sunday, July 27.  
(F: 53.3)

Roger Kloess addressed the City Council, expressing his appreciation to the Fire Department personnel at Fire Stations 5 and 7 for their life-saving efforts on his behalf. (F: 53.3) (XR: 61.1)

Robin Marcario addressed the City Council, announcing the Central Garden Grove Neighborhood Association's annual meeting this Saturday, July 12; and expressed her support for the Tet Festival Agreement. (F: 53.3) (XR: 42.8A)

Peggy Bergin addressed the City Council commenting on the Brookhurst Triangle Project, the Buena Clinton Youth and Family Center, fireworks, and the dangers of asbestos. (F: 53.3)

Vu Dinh, Phong Ly, Linh Ho, and Nick Lecong addressed the City Council, urging approval of the agreement with The Union of Vietnamese Student Associations to conduct an annual Tet Festival at Garden Grove Park. (F: 53.3) (XR: 42.8A)

Rod Powell addressed the City Council, regarding the use of illegal fireworks in the city. (F: 53.3) (XR: 61.6)

Debra Von Trapp addressed the City Council, regarding an incident at a local gas station and the response by the Police Department. The Mayor directed staff to contact Ms. Von Trapp regarding her concerns. (F: 53.3) (XR: 82.1)

LEAGUE OF CALIFORNIA CITIES MEMBERSHIP, AS REQUESTED BY CITY MANAGER MATTHEW FERTAL (F: 74.11) (XR: 43.1)

Staff report dated July 8, 2008, was introduced and reviewed by staff. Currently, the City, as a non-member of the League of California Cities, (LOCC) Orange County Division, has been receiving publications, including the Orange County Directory, and access to the Division website. Membership in the LOCC would establish a cooperative relationship with the League and would give Garden Grove an ability to vote on League policies and priorities. The City has been requested to consider League and Division membership and a 50 percent reduction in dues has been offered for the calendar year 2009.

Lacy Kelly, Executive Director of the League of California Cities, Orange County Division, addressed the City Council. In answer to Council Member's inquiries, Ms. Kelly indicated that in 2007 the League's bylaws were changed to establish a provision to conduct votes using population as a guide to how many votes each city has, rather than one city-one vote. One of the benefits of membership would be

becoming a part of a concerted body with the same goals and motives in addressing state and federal issues affecting local government.

It was moved by Council Member Nguyen, seconded by Council Member Broadwater, and carried by unanimous vote, that membership in the League of California Cities for a cost of \$30,115, be and hereby is approved.

#### RECESS

At 7:26 p.m., the Mayor declared a recess.

#### RECONVENE

At 7:28 p.m., the meeting was reconvened with Mayor Dalton and all Council Members present.

#### AGREEMENT WITH THE ORANGE COUNTY CONSERVATION CORPS TO PROVIDE RECYCLING AND MAINTENANCE SERVICES (F: 55) (XR: 24.1)

Staff report dated July 8, 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 Orange County Conservation Corps, in the amount of \$45,326, to be paid with Department of Conservation funds, for the provision of recycling and maintenance services, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement.

#### AGREEMENT WITH UNION OF VIETNAMESE STUDENT ASSOCIATIONS TO CONDUCT AN ANNUAL TET FESTIVAL AT GARDEN GROVE PARK (F: 55) (XR: 42.8A) (XR: 87.1)

This item was pulled by Mayor Dalton to be considered separately from the Consent Calendar.

#### AGREEMENT WITH CITY OF ANAHEIM FOR PARKING ENFORCEMENT IN AREA ADJACENT TO ANAHEIM CONVENTION CENTER (F: 55) (XR: 24.11) (XR: 24.1)

Staff report dated July 8, 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 City of Anaheim, for parking enforcement functions adjacent to the Anaheim Convention Center, be and hereby is approved; and the Mayor and City Clerk are authorized to execute the agreement.

REJECTION OF ALL BIDS FOR PROJECT NO. 7657, CONSTRUCTION OF BUENA CLINTON YOUTH AND FAMILY CENTER; AND AUTHORIZE RE-ADVERTISEMENT FOR BIDS (F: 73.20A) (XR: 87.1)

Staff report dated July 8, 2008, was introduced, noting that the bids received exceed the available budget for the construction of the project. Staff has directed the Architect to perform a value engineering assessment to determine alternate options to modify existing project requirements to lower the project cost.

It was moved by Council Member Broadwater, seconded by Council Member Rosen, and carried by unanimous vote, that all bids received for the construction of the Buena Clinton Youth and Family Center Project No. 7657, be and hereby are rejected.

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 June 10, 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 417479 thru 419427, Wires W395-W401, and Direct Deposits W418457 and W418683, 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 Rosen, and carried by unanimous vote, that the full reading of all Ordinances listed for consideration of adoption be waived.

AGREEMENT WITH THE UNION OF VIETNAMESE STUDENT ASSOCIATIONS  
TO CONDUCT AN ANNUAL TET FESTIVAL AT GARDEN GROVE PARK  
(F: 42.8A) (XR: 87.1)

This item was pulled by Mayor Dalton to be considered separately from the Consent Calendar.

Staff report dated July 8, 2008, was introduced.

Each Council Member took the opportunity to offer their congratulations and expressed appreciation to the Student Associations efforts for the past five years in organizing and conducting the Tet Festival.

It was moved by Mayor Dalton, seconded by Council Member Rosen, and carried by unanimous vote, that the five year Agreement by and between the City of Garden Grove and The Union of Vietnamese Student Associations, be and hereby is approved; and the Mayor and City Clerk are authorized to execute the agreement.

RECESS

At 7:35 p.m., the Mayor declared a recess.

RECONVENE

At 7:49 p.m., the meeting was reconvened with Mayor Dalton and all Council Members present.

FOURTH OF JULY UPDATE BY POLICE CHIEF JOE POLISAR AND FIRE CHIEF  
DAVE BERTKA (F: 61.6) (XR: 82.1) (XR: 61.1)

Police Chief Joe Polisar and Fire Chief Dave Bertka provided statistics for this year's 4<sup>th</sup> of July. There were 155 calls for service, a 20 percent decrease from 2007; 67 citations issued, a 55 percent decrease from 2007; and 304 pounds of fireworks confiscated.

SECOND READING OF ORDINANCE NO. 2729

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

ORDINANCE NO. 2729 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 ESTABLISHING THE AMOUNT OF MONEY FOR PARAMEDIC SERVICES THAT MUST BE RAISED BY AN AD VALOREM TAX OVERRIDE AND THE SETTING OF THE TAX RATE OF SAID OVERRIDE (F: 61.2)

Following the reading of the Ordinance title, it was moved by Council Member Rosen, seconded by Council Member Broadwater, and carried by unanimous vote, that Ordinance No. 2729 be and hereby is declared adopted.

REPORT ON BILL NO. 3121, FLOOD INSURANCE REFORM AND MODERNIZATION ACT OF 2007, AS REQUESTED BY MAYOR DALTON  
(F: 92.4)

Staff provided information on the Flood Insurance Reform and Modernization Act of 2007. The Act seeks to restore the financial solvency of the National Flood Insurance Program and to provide for such program to make available multi-peril coverage for damage resulting from windstorms and floods. The Bill proposes to require all properties, whether protected from the 100-year storm event or not, to purchase flood insurance. The Bill has currently passed both the House and Senate and may proceed to a conference committee. After which will then proceed to the President before becoming law. If the proposed version were adopted, all Garden Grove residents and businesses would be required to purchase flood insurance.

Mayor Dalton stated that he is opposed to the Bill, indicating that the program will be funded by Garden Grove residents not affected by flooding. He moved that staff be directed to draft a letter for his signature in opposition to the Bill. Council Member Broadwater seconded the motion.

Council Member Nguyen requested staff contact the City's lobbyists and the League to seek further options available to oppose this Bill.

Council Member Rosen stated he too was opposed to the Bill. He does not want residents not affected by the 100-year storm event, to be required to subsidize the fund.

It was moved by Mayor Dalton, seconded by Council Member Broadwater, and carried by unanimous vote, that a letter of opposition to Bill No. 3121, Flood Insurance Reform and Modernization Act of

2007 be sent to the City's legislative representatives, be and hereby is approved.

LEAGUE OF CALIFORNIA CITIES MEMBERSHIP, AS REQUESTED BY CITY MANAGER MATTHEW FERTAL (F: 74.11) (XR: 43.1)

This matter was heard earlier in the meeting.

MATTERS FROM THE MAYOR, CITY COUNCIL MEMBERS AND CITY MANAGER

Council Member Nguyen commented on two events she recently attended: a reunion of Vietnam Veterans attended by both Vietnam and United States veterans; and the Living in America annual event sponsored by Viet Bao Newspaper and Little Saigon TV. (F: 53.1)

ADJOURNMENT

At 8:21 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR  
CITY CLERK