

**City of Garden Grove**  
**WEEKLY CITY MANAGER'S MEMO**  
**July 30, 2015**

TO: Honorable Mayor and City Council      FROM: Allan Roeder, City Manager  
Members

**I. PRIORITY AND COUNCIL AGENDA ISSUES**

**A. OPPOSITION LETTER TO S.C. EDISON**

A copy of the Mayor's letter protesting S.C. Edison's Advice Letter 3241-E: *Establishment of New Optional Tariff Provision, Option E, Energy Efficiency – Light Emitting Diode Fixture Replacement in Schedule LS-1, and its Associated Agreement, Form 14-965, in Compliance with Assembly Bill 719 and Public Utilities Code Section 384.5.*

**II. DEPARTMENT ITEMS**

None.

• **OTHER ITEMS**

– NEWSPAPER ARTICLES

Copies of the local newspaper articles are attached for your information.

– MISCELLANEOUS ITEMS

Items of interest are included.



ALLAN L. ROEDER  
City Manager

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**

Advice Letter 3241-E: Establishment of New  
Optional Tariff Provision, Option E, Energy  
Efficiency – Light Emitting Diode Fixture  
Replacement in Schedule LS-1, and its Associated  
Agreement, Form 14-965, in Compliance with  
Assembly Bill 719 and Public Utilities Code  
Section 384.5

**PROTEST OF THE  
CITY OF GARDEN GROVE**

Date: July 20, 2015

# **PROTEST OF THE CITY OF GARDEN GROVE TO ADVICE LETTER 3241-E OF THE SOUTHERN CALIFORNIA EDISON COMPANY**

## **I. INTRODUCTION**

The City of Garden Grove protests Advice Letter 3241-E: *Establishment of New Optional Tariff Provision, Option E, Energy Efficiency – Light Emitting Diode Fixture Replacement in Schedule LS-1, and its Associated Agreement, Form 14-965, in Compliance with Assembly Bill 719 and Public Utilities Code Section 384.5* filed by the Southern California Edison Company. Advice Letter (AL) 3241-E was filed on June 30, 2015. This protest is timely filed.

## **II. INTEREST**

The City of Garden Grove Public Works Department administers approximately 7,000 street lights in the City's Street Lighting Assessment District. These street lights are owned by SCE and are served on the LS-1 tariff.<sup>1</sup> SCE operates and maintains the LS-1 street lights and bills the City for the operation and maintenance charges. City pays SCE from the lighting district's share of ad-valorem property taxes in addition to supplemental subsidies from the City since the District does not generate enough revenues from property taxes. The City is very interested in street light rate proposals that would allow the City to transition to energy efficient lighting and lower its street light bills.

## **III. GROUNDS FOR PROTEST**

SCE's Advice Letter 3241-E proposes a new tariff option (Option E) for conversion of utility-owned (LS-1) street lights to LED. Under Option E, SCE would pay the upfront capital cost of converting the lamps to LED and would remit the cost to the customer over a 20-year term. Unfortunately, the proposed Option E rates and charges are too high and cancel out any financial savings from reducing energy. LS-1 street light bills include an energy charge and a facilities charge. The energy charge is for the electricity to power the lamp and the facilities charge is for the rental of streetlight itself. SCE's proposed facilities charges are so high that

customer bills would increase following LED conversion. The table below provides the energy charges and facilities charges before and after conversion to LED for various wattages of High Pressure Sodium Vapor (HPSV) lamps. In all scenarios, the monthly bill would increase.

**Table 1: Increase in Monthly Bills Following Conversion to LED**

	<u>50</u> Watt	<u>70</u> Watt	<u>100</u> Watt	<u>150</u> Watt	<u>200</u> Watt	<u>250</u> Watt	<u>400</u> Watt
Energy Savings							
HPSV Energy	\$1.60	\$2.30	\$3.24	\$5.34	\$6.80	\$8.65	\$13.41
LED Energy	\$0.76	\$0.76	\$1.03	\$1.87	\$3.53	\$5.05	\$7.53
Energy Savings	(\$0.84)	(\$1.53)	(\$2.20)	(\$3.47)	(\$3.28)	(\$3.61)	(\$5.88)
Facilities Charge							
LS-1 HPSV	\$8.87	\$8.81	\$8.81	\$9.31	\$9.75	\$9.61	\$9.68
LS-1 LED	<u>\$11.85</u>	<u>\$12.04</u>	<u>\$12.22</u>	<u>\$13.05</u>	<u>\$14.48</u>	<u>\$16.38</u>	<u>\$17.98</u>
Difference	\$2.98	\$3.23	\$3.41	\$3.74	\$4.73	\$6.77	\$8.30
<b>Change in Monthly Bill After LED Conversion</b>	<b>\$2.14</b>	<b>\$1.70</b>	<b>\$1.21</b>	<b>\$0.27</b>	<b>\$1.45</b>	<b>\$3.16</b>	<b>\$2.42</b>

#### IV. EFFECT ON PROTESTANT

The City of Garden Grove is unwilling to participate in any tariff that increases its street light costs. The City is very interested in converting the 7,000 LS-1 street lights that it administers to energy efficient technology. However, the City cannot afford to do so under SCE's proposed Option E rates. SCE's advice letter is a missed opportunity for SCE to offer an affordable rate option that would encourage energy savings. The City will not participate in SCE's proposed Option E street light rate schedule.

#### V. CONCLUSION

For the reasons stated above, the City of Garden Grove protests Advice Letter 3241-E: *Establishment of New Optional Tariff Provision, Option E, Energy Efficiency – Light Emitting Diode Fixture Replacement in Schedule LS-1, and its Associated Agreement, Form 14-965, in Compliance with Assembly Bill 719 and Public Utilities Code Section 384.5* filed by the Southern

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1 In addition to the LS-1 street lights, the City administers 600 customer-owned (LS-2) lamps

California Edison Company. The City urges the CPUC to consider alternate rate proposals that would provide bill savings to customers who convert to LED street lighting.

Respectfully Submitted,

A handwritten signature in black ink that reads "Bao Nguyen". The signature is written in a cursive, flowing style.

Bao Nguyen, Mayor

By: William E. Murray  
City of Garden Grove Public Works Director  
11222 Acacia Parkway  
Garden Grove, CA 92840  
Telephone: (714) 741-5379  
Email: [wem@garden-grove.org](mailto:wem@garden-grove.org)

**Weekly Memo 7/30/15**

**NEWSPAPER  
ARTICLES**

# Ex-council candidate sues, calls for district elections

Garden Grove Journal /  
Register  
July 30, 2015

BY CHRIS HAIRE  
STAFF WRITER

Garden Grove's at-large election system violates the California Voting Rights Act, a former City Council candidate argues in a lawsuit filed last week in Orange County Superior Court.

Rickk Montoya, who ran for City Council last year, said that not all areas of the city are as represented as they should be and district elections would help.

"The city has not taken this issue as seriously as it should," he said. "This city has shown a consistent record of putting district elections on the back bur-



Montoya

ner."

The California Voting Rights Act says that if there is racially polarized voting in a city - if one ethnic group is strong at the polls and votes only for its own candidates, causing another group to not be represented - then that city must create district elections.

Garden Grove is about one-third each white, Vietnamese and Latino. The City Council is a majority Vietnamese American, and there has not been a Latino council member since at least 1975.

Last month, the Mexican American Legal Defense and Education Fund, a Latino rights group, gave Garden Grove a July 3 deadline to move toward district elections or it would sue.

The City Council responded by commissioning a demographic study to determine whether racially polarized voting exists. The results are not yet in.

"We are taking the threat of litigation very seriously," said Mayor Bao Nguyen,

who was on the Garden Grove Unified school board when it went to district elections and has said he is not opposed to district elections. "We have already taken timely and appropriate action to discover the facts and to follow the law."

Montoya, though, said the city has delayed moving toward district elections.

In 2014, his lawyer, Kevin Shenkman, sent a letter to the city saying it has racially polarized voting. The city

replied that the Latino population in Garden Grove is so dispersed that district elections won't necessarily improve representation among Latinos.

"I don't have confidence the city would handle this quickly on its own," said Montoya, who lives on the east side of Garden Grove. "Now they have to act."

**CONTACT THE WRITER:**  
714-704-3707 or  
chaire@ocregister.com

# Garden Grove urges residents to take precautions vs. coyotes

BY CHRIS HAIRE  
STAFF WRITER

After recent coyote sightings in Garden Grove, city officials are urging residents to take extra precautions to keep themselves, their children and their pets out of danger.

Precautions include keeping small pets indoors, sweeping up birdseed and debris, sealing trash containers and installing motion-activated lights.

Public Works Director Bill Murray said one resident recently lost a pet to a coyote, which "is enough to issue a warning."

"What we're seeing," he said, "is the coyote offspring coming out because they are now of hunting age and in search of food and water."

Coyotes used to live in wooded

## Tips

- Keep small pets inside, especially during dawn and dusk
- Keep pet food and water indoors
- Secure food and trash
- Pick up fallen fruit, and don't leave compost in the open
- Install motion-activated lighting or sprinklers

areas next to the 22, Murray said. But when the freeway underwent a massive widening project, from 2004 to 2006, those woods vanished.

Now, he said, "The coyotes live in the drainage channels and storm drains" near the 22 and

come out at dawn or dusk to scavenge for food.

March through August is typically the most active time for coyotes, according to the California Department of Fish and Wildlife. As scavengers, coyotes often will go after trash or open food containers.

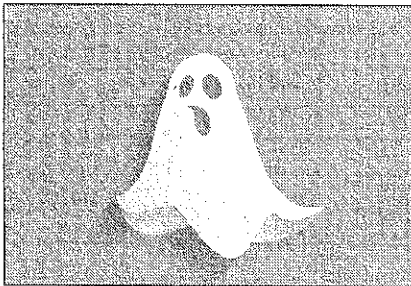
Coyotes, the Department of Fish and Wildlife says, typically will stay clear of humans, especially adults. But if one becomes aggressive, do not turn your back to it - rather, make noise, try to look big and throw rocks.

If you spot a coyote, you can call the Orange County Animal Care at 714-935-6848 or Garden Grove's coyote hotline at 714-741-5286. Include the date, time and location of the sighting.



# THE → THINGS TO KNOW

GARDEN GROVE JOURNAL STAFF



SHUTTERSTOCK.COM

Paranormal investigators are looking for people with eerie stories.

## Report your spooky tales of Garden Grove

What's your most ghoulish Garden Grove story?

Orange County Ghosts and Legends Paranormal - which does tours and investigations of reportedly haunted locales in Orange County, San Diego and throughout Arizona - is starting a weekly feature where it will spotlight a specific Southern California city's "haunted history."

And the group is starting with Garden Grove.

The company wants residents to go on its Facebook page and share their scariest Garden Grove story.

- Chris Haire



Morgan Bosma, 2, left, and her sister Bailey, 5, of Tustin take a break last year while attending National Night Out in front of Target at The District in Tustin. The girls' father, Matt Bosma, found the firefighter and SWAT costumes at Costco.

LEONARD ORTIZ, FILE PHOTO

## NATIONAL NIGHT OUT EVENTS ARE COMING UP

Garden Grove and Westminster on Tuesday will host their annual National Night Out events, meant to strengthen relationships between the police and the community.

Garden Grove's block party is from 5:30 to 8:30

p.m. on Historic Main Street.

Attendees will learn about the Neighborhood Watch program and meet their crime-prevention and beat-patrol officers.

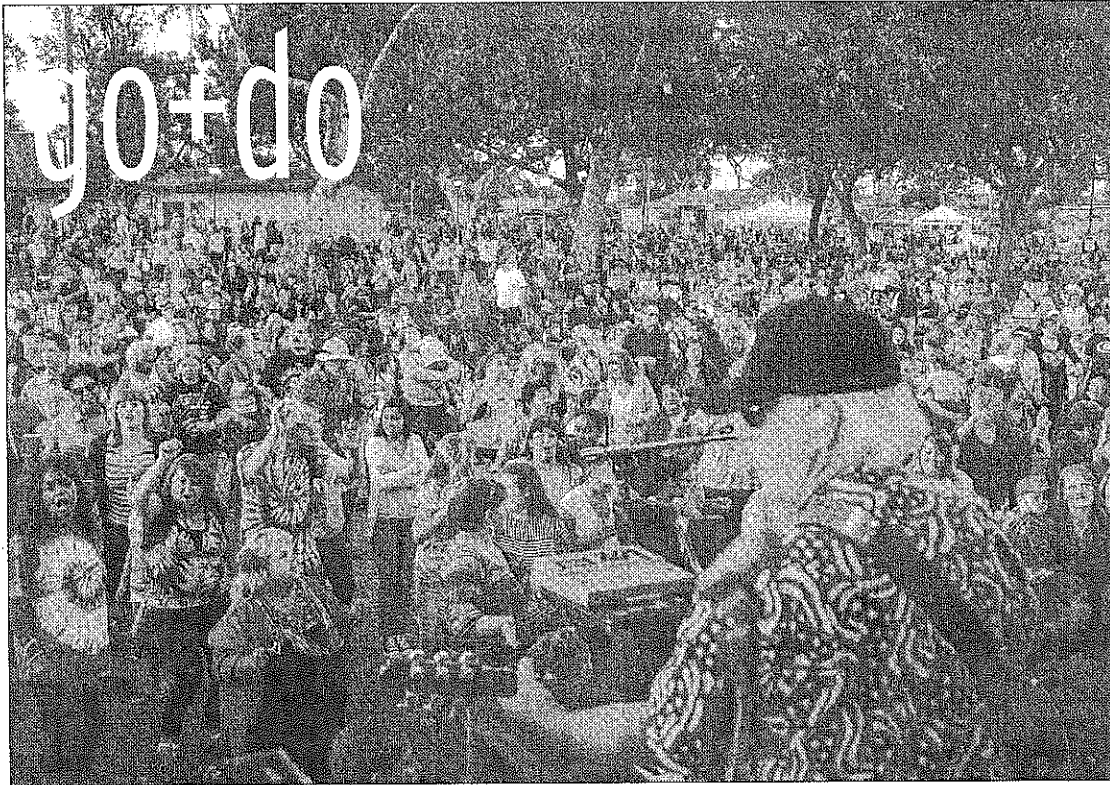
Westminster's National Night Out is from 5 to 8 p.m.

in the Westminster Mall's parking lot.

There will be several safety displays, a police K-9 demonstration, and a bounce house for children.

- Amy Wang

Garden Grove Journal /  
Register  
July 30, 2015



FRANK D'AMATO, FILE PHOTO

Summer concertgoers pack Eastgate Park in Garden Grove last year.

## The '80s coming back to Garden Grove

Take a trip back to the era of big hair, neon prints and leotards with '80s cover band Flashback Heart Attack performing at Garden Grove's summer concerts in the park series on Aug. 6.

The band has rocked with Green Day and is widely recommended for private events by members of the Foo Fighters. The

group was also voted Best Live Band by OC Weekly in 2012, 2013 and 2014.

Grab friends and family and bring your blankets and chairs to enjoy the show. The city reminds concertgoers that canopies, golf carts and alcohol are not permitted in the park.

— Brooke E. Seipel

### If you go

**When:** 6:30 to 8:30 p.m. on Aug. 6

**Where:** Eastgate Park  
12001 St. Mark St.

**Cost:** Free

**More Info:** 714-741-5280  
or [ggcf.com](http://ggcf.com)

# Mayor talks about GG issues, political future

We settle in for a Q & A with Bao Nguyen

By Justine Banal

Since taking office in 2014, Garden Grove Mayor Bao Nguyen has been the subject of numerous stories, from recaps of his State of the City addresses to his recent coming out. Beyond the headlines, however, Nguyen's personal story is one that makes him stand out.

Nguyen was born in a Thailand refugee camp and came to the U.S. when he was 3 months old. He graduated from Pacifica High School in 1998 and attended the University of California, Irvine, where he earned his bachelor's degree in political science.

While studying at UCI, Nguyen interned for the White House Initiative on Asian Americans and Pacific Islanders, under Executive Order 13125 in Rockville, Maryland. He continued his education at Naropa University in Colorado, where he received his master's degree in Indo-Tibetan studies.

Nguyen's goal is to strive to build a community that empowers all people. He's served as a trustee on the Garden Grove Unified School District Board of Education, as a

see MAYOR,



Courtesy photo

Garden Grove Mayor Bao Nguyen at his desk

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## MAYOR:

Continued from page 1

member of the Orange County Fair Board of Directors for California 32nd Agricultural Association, and as a commissioner of Ecumenical and Interreligious Affairs of the Roman Catholic Diocese of Orange.

Nguyen was ready to elaborate on his story in this Q & A.

*Q: How is Garden Grove dealing with this historic drought?*

Garden Grove has been work to conserve water for several years. There's been a reduction in the city's need to produce water. In the 2009-10 fiscal year, total water production was 25,979 acre-foot, and in the 2014-15 fiscal year, total water production was 24,035 acre-foot. We've also taken several conservation measures, such as participating in the municipal water conservation rebate program and public information and outreach.

*Q: Could you talk about The Great Wolf Lodge, Garden Grove's new water park under construction?*

The Great Wolf Lodge was approved for construction in 2010 when there was 30 percent more rainfall so we are contractually obligated to construct it. Great Wolf Resorts Inc. has a strong commitment to water conservation. They use 98 percent recycled water, the indoor park is 100 percent climate-controlled, and the amount of water it takes to run the park is less than an Olympic-size swimming pool.

*Q: You recently came out as gay. How was this received by your co-workers and constituents?*

The public response was overwhelmingly supportive and that just goes to show how acceptable it is. I've always felt myself, and I've always been me. Sexual orientation is a part of who I am and a part of each person. It's important because there are kids and families struggling because they don't see role models in the mainstream.

My co-workers have been very supportive, and I'm inspired by others who are openly gay in political leadership, such as Robert Garcia, the mayor of Long Beach.

*Q: What advice do you have for LGBTQIA+ people who are not out yet? What can other people do to become LGBTQIA+ allies?*

It's important to support one another and listen to each other's stories. Just because one person is LGBT, does not mean that everyone else who is LGBT is the same. We need to see how we struggle on a basic human level; struggle opens us up to the struggle of other people. Build those relationships and be true to who you are. When you're true to yourself, you'll exude genuine happiness in the way that people perceive you.

*Q: As a former intern for the White House Initiative on Asian Americans and Pacific Islanders, you've worked to promote Asian-American representation and advocacy. As an Asian-American political leader, what are your views on the portrayal of Asians in the media?*

In Orange County, we have the largest concentration of Vietnamese people outside of Vietnam. However, it's important to see that Asians have differences, and we are diverse in language and culture. What we haven't seen is diverse portrayals of Asians in the media and an important dialogue about that needs to develop.

*Q: What advice do you have for young people who want to get involved in their community?*

There are so many ways that young people can get involved and are already involved. The most important is registering to vote and voting. Voting isn't cool. That's why I do it. If we don't voice how we feel through the electoral process through voting, then we aren't heard, and if we aren't heard, there is no change. The young people's political voices must be heard, and I want to hear what they have to say.

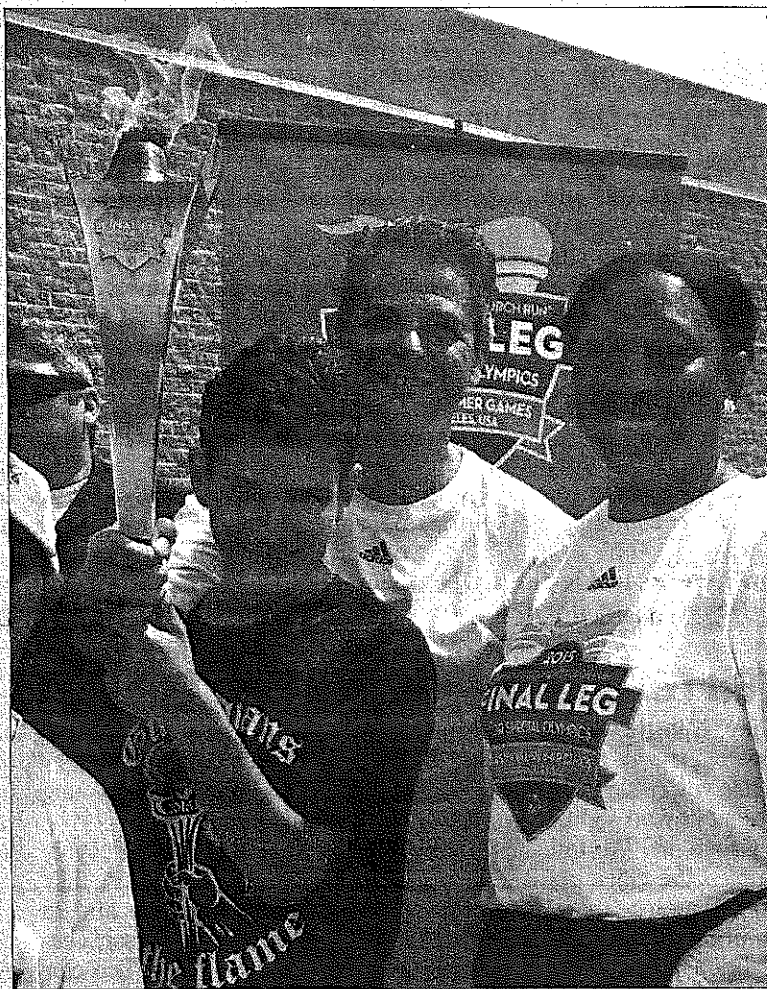
*Q: Could you discuss your political aspirations? It's rumored that you're contemplating running for Congresswoman Loretta Sanchez's position representing the 46th district.*

I'm seriously considering running for congress. I've filed to open a political committee fund. I'll see the support I have after fundraising and then I'll make my determination.



## GG runners carry the torch

Photos by Verna Espinoza  
Above, runners depart from the Harbor Town & Country Shopping Center in Garden Grove recently as part of the 2015 Special Olympics Summer World Games torch run. The flame passed through Garden Grove and other cities en route to the opening ceremony of the games in Los Angeles on July 25. Right, Steven Espinoza, 14, holding the torch, participated in the 2015 Special Olympics Summer World Games torch run in Garden Grove.



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## Area residents take precautions after coyote sightings

They're in the streets, and on your property.

While you're sleeping.

Recent coyote sightings in Garden Grove and Westminster have prompted the cities to make local residents aware of coyotes in the area, urging them to take needed precautions to protect themselves, their pets, and their property against these wild animals.

According to the California Department of Fish and Wildlife (CDFW), during the warm summer

months, particularly from March through August, coyotes are very active. They are raising their young and searching for food.

"What we're seeing is the coyote offspring coming out because they are now of hunting age and in search of food and water," said Garden Grove Public Works Director William Murray.

The CDFW indicates that coyotes are highly adaptable and often live in close proximity to populated areas where food and water sources

are abundant. They usually fear humans and avoid interactions, however, if they associate humans with food, they lose their natural fear and can become bold and even aggressive.

Some coyote safety tips from the CDFW are:

- Keep small pets inside particularly at dawn and dusk when coyotes are most active.
- Keep pet food and water dishes inside.
- Secure food and trash at all times and remove all sources of water.
- Pick up fallen fruit and keep compost piles tightly sealed.
- Sweep up fallen birdseed, which can attract mice and rats, a common food source for coyotes.
- Remove brush, wood piles and debris where coyotes can find cover and where rodents are abundant.

If a coyote is spotted, OC Animal Care Services recommends calling them at 714-935-6848 to determine if an Animal Control Officer is needed. If the coyote is posing an imminent threat to life, call 911.

Garden Grove has established a hotline number to report coyote sightings: 714-741-5286. Callers should include date, time, and location of sightings.

More information is available on the City of Westminster website at <http://www.westminster-ca.gov/> and at the City of Garden Grove website at [www.ci.garden-grove.ca.us](http://www.ci.garden-grove.ca.us), or visit the OC Animal Care website at [www.ocpetinfo.com](http://www.ocpetinfo.com), or the U.S. Humane Society website at [www.humanesociety.org/animals/coyotes](http://www.humanesociety.org/animals/coyotes).

# A word to the wise: Protect your pets!

Columnist talks about personal loss, wants you to avoid what she went through



**Tony on the Town**

By Tony Cheong

Pet owners: this one's for you.

Coyotes are traveling down from the hills and trekking all the way to Garden Grove, Stanton and Westminster. Worse yet, the wily animals are most active in the summer months.

There have been numerous sightings.

For practical information on how to keep coyotes off your property, see this paper's story below.

I'm here to tackle the CONSEQUENCES of declining to

take precautions. They are sorrowful.

I know. I declined to take precautions. And I paid dearly for it.

So this is my testimonial. I don't want anyone suffering a needless loss like I did two years ago.

My husband and I live in north Fullerton, near the hills, one of which is called — if you can believe this — Coyote Hill. I've spotted these predators myself on a number of occasions. Did you know they can effortlessly leap over 6-foot-high fences? I know you know they dine on cats and small dogs, among other prey.

I wasn't aware they could leap so high, but I knew about the other stuff, and I'd heard horror stories.

So we've asked ourselves this question dozens of times: What were we thinking when we let our precious little tabby cat come and go as she pleased, sometimes spending the night outdoors?

We rationalized, sizing up our little pretty as crafty and careful to the point of paranoia. Naturally nervous. Skittish. She rarely left our property when she was outdoors.

And then it happened. She went

missing. My husband brought it up after a couple days, and for days and weeks after, we went looking. We posted signs around the neighborhood. We contacted local animal rescue agencies and Orange County Animal Control.

Ultimately, there was no denying what had happened.

That's when our thinking shifted. We hoped it happened quickly, and as painlessly as possible. We hoped she wasn't terrified for too long. She'd lived a good, comfortable life for 11 years.

But let me tell you something: there's a neighborhood cat who looks just like her, only he has a white-tipped tail. To this day, two years after losing our little one (the smallest and cutest cat in the neighborhood; even other cat owners said so), I still do a double-take when I see her look-alike. For a moment, my spirit lifts. I take a step or two toward her and... spot the white tip, then move on, trying to stay busy, trying not to relive the regrettable outcome, and still a bit angry at myself.

*Do you have a question, comment or news tip for Tony? Email her at [tonyontown@yahoo.com](mailto:tonyontown@yahoo.com).*

# The King can be found down on Main Street

Tradition of 'Elvis every Friday night in August' continues

By Loreen Berlin

Elvis is back on Garden Grove's Historic Main Street every Friday night during August.

The Azteca Restaurant and Lounge is once again presenting its 20th annual "Elvis every Friday in August" during the Historic Main Street Vintage Car Show from 4 to 8 p.m., with Elvis guest appearances at 6:45 p.m.

The Elvis tribute lineup includes: Aug. 7, Sean Martin; Aug. 14, Martin Anthony; Aug. 21, James King; and Aug. 28 concludes with Sean Martin.

"Azteca Restaurant salutes the 20th anniversary of Orange County's longest-running Friday Night car show, by sponsoring Orange County's Best Elvis Tribute artists to entertain the community throughout August," said Azteca Owner Jennifer Stewart.

Trophies are awarded each week at the car show, along with drawings for prizes and a 50/50. Door prizes are given to attending guests, while trophies are awarded to car participants.

Along with viewing wonderfully-restored vintage vehicles, there's entertainment out in the open, food and beverages and vendors offering a variety of unique products.

see CAR,



Photo by Loreen Berlin

The Azteca Restaurant and Lounge is presenting its 20th annual "Elvis every Friday in August" during the Historic Main Street Vintage Car Show. Here, Azteca owner Jennifer Stewart is second from right, next to an Elvis impersonator.



Photo by Loreen Berlin

Starting at 4 p.m. on Friday nights, classic American cars are displayed on Garden Grove's Historic Main Street.

## CAR:

Continued from page 1

Friday evenings are an opportunity for car enthusiasts to share not only their vehicles but restoration stories and a chance for the community to enjoy being outside in the summer weather and visit and renew friendships old and new.

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Thanks to its many sponsors, the car show has continued. Sponsors include: Albright Lighting Plastics, Azteca Mexican Restaurant, California's Best Kettle Corn, C.R.C. Towing, Dave's Trophies, Hillco Fasteners, Jazz Auto Body, La Habra Plating, R.P. Tools, Rhoades Enterprises, Scott Tax Associates, Sonny's Auto Upholstery, The Air Shop, Top's Auto Supply, Weimer and Associates and Toyota of Garden Grove.

An excerpt from Scott Weimer's "Garden Grove then and now:"

"Garden Grove was born on Main Street, and for a street that's in its third century, it's a pretty lively place... Our community was carved out of rawland in 1874 along a one-block stretch of dirt road that housed its first store, church, post office and school and over the years, Garden Grove has grown to a population of nearly 175,000 people, but its heart remains in its small and fascinating downtown area.

"This is the place where you can revisit community history and also enjoy contemporary dining, entertainment and a wide variety of services. Main Street, as a downtown, remains a block long, packing a lot of appeal into small spaces.

"Several buildings are more than 100 years old, with the mood friendly and the pace relaxed.

"You can travel back in time by buying classic sodas, get a tasty hamburger at Kaye's Kitchen, or enjoy a steak at Doug's Downtown

Grille. "More of a night owl? There's fine wine and beer at The Globe Gastropub or Louie's on Main. Fancy some authentic Mexican food and Cerveza? Try the Azteca and its adjacent Crooner's Lounge... or pick up some fine pastries and coffee at Motor Sports café.

"Elsewhere on the street, you can get a haircut, groom your dog, buy or sell a house, get your taxes done and learn to dance.

Sunday's, there's a Farmers Market featuring local produce and lots of other items.

"Enjoy live theater? Main Street has The Gem Theatre, which dates back to the vaudeville acts of the 1920s, is now the cozy home to One More Productions, an actor's ensemble group that produces an incredible ongoing lineup of musical, drama and comedy performances and just north of the Gem is the Festival Amphitheater, with the resident Shakespeare Orange County troupe and other events.

"The Village Green Park, where the Strawberry Festival is held, at Main and Euclid Street is the descendent of the original Euclid Park. In addition to wide-open spaces for play and sports, it has a children's play area.

"Main Street is also surrounded by newer and larger enterprises, too.

"We invite everyone to come out and enjoy August on Historic Main Street," concluded Weimer.



# Community Calendar

## Ongoing

**Overachievers, check this out**  
The Garden Grove Chamber holds Friday meetings. The Garden Grove Chamber's Governmental Affairs Committee meets the second Friday of the month from 7:30 to 9 a.m. at the Community Meeting Center, 11300 Stanford Ave. in Garden Grove. For more information, call the chamber at 714-638-7950.

## Grief support

The Grief Share Support Group is for mothers who have lost children of every age. The group meets Thursday evenings at 12831 Olive St., Garden Grove. For more information, call 714-892-1520 or 714-343-7516.

## Learn about Alzheimer's

The Alzheimer's Association of Orange County hosts a support group to provide an opportunity to meet other caregivers and families, share experiences and exchange ideas. These meetings are free and open to all caregivers and family members of individuals with dementia. All groups listed are in compliance with chapter and national standards. This is a faith-based meeting and may include prayer or pastoral speaker, and will take place at 1 p.m. Saturdays at Christ Cathedral, 12141 Lewis St. in Garden Grove. For more information, call Peggy Woelke at 714-634-2161.

**Dance Center hosts social**  
Join the staff of the Cedarbrook Dance Center for nights of square dancing, line dancing, round dancing (pre-choreographed social dancing) and salsa. The Dance Center is at 12812 Garden Grove Blvd. For more information on classes, call Eileen Silvia at 949-637-4169.

## Eco-friendly storytime

Family storytime all through the summer will highlight books about our environment and the animals that live in rivers, oceans and icy places. All ages are encouraged to attend at 7 p.m. every Tuesday at the Garden Grove Regional Library, 11200 Stanford Ave. in Garden Grove. For more information, call 714-530-0711.

## Rotary Club to meet

The Rotary Club of Garden Grove meets at 12:10 p.m. Wednesdays at The Marriott Hotel, at Chapman Avenue and Harbor Boulevard in Garden Grove.

## GG Kiwanis to meet

The Kiwanis Club of Garden Grove hosts dinner meetings at 7 p.m. Thursdays at Kiwanisland, 9840 Larson Ave. Social hour begins at 6 p.m. For more information, call 714-892-7267.

## School Board to meet

The Garden Grove Unified on Tuesdays in the Westminster Civic Center craft room, 8200 Westminster Blvd. in Westminster.

## New city attorney

Tom Nixon is stepping down, and Omar Sandoval will become acting city attorney.

With Nixon set to retire at the end of the month, the City Council named Sandoval, who also works for the law firm Woodruff, Spradlin & Smart, to replace him.

The council stopped short of naming Sandoval the permanent attorney because city staffers are looking at all possibilities.

Mayor Bao Nguyen said now is a good time to look at other firms and allow the public to help decide whether to keep Woodruff or go with a different firm.

## 'Cabaret'

One More Productions has announced it will put on a production of "Cabaret" from Aug. 20 to Sept. 13.

The theater company said at the beginning of its season that there would be a mystery show announced sometime during the summer.

"Cabaret" is a musical about the relationship between an American writer and a 19-year-old cabaret dancer at the Kit Kat Klub in 1931 Berlin. It landed on Broadway in 1966.

For more information, visit [onemoreproductions.com](http://onemoreproductions.com).

## School supplies

The Thomas House Family Shelter is accepting monetary donations and school supplies for homeless children.

The shelter will fill backpacks with school supplies and give them to children to have on their first day of school.

Supplies can be dropped off at the shelter, 12601 Morningside Ave., No. 6, and must be in new condition. Volunteers are welcome to help assemble the bags on Aug. 19 and 20.

Donated supplies will be accepted until Aug. 15, while monetary gifts are accepted year-round at [thomashouseshelters.org](http://thomashouseshelters.org).

For more information, call Shahana Shah at 714-554-0357 ext. 101, or visit [shahana@thomashouseshelter.org](mailto:shahana@thomashouseshelter.org).

City of Garden Grove

Notice Inviting Sealed Bids (IFB)

IFB No. S-1174

Notice is hereby given that sealed bids will be received at the office of the Purchasing Agent for the City of Garden Grove, Room 220, Second Floor, 11222 Acacia Parkway, Garden Grove, CA 92840 to Provide One New and Unused 2015 Heavy Duty Equipment Trailer. A copy of the bid document may be obtained from the City of Garden Grove's website. Direct any questions regarding this bid process to Sandra Segawa via email at sandras@garden-grove.org. Bids are due and will be opened in the office of the Purchasing Agent at 2:00 p.m. on Monday, August 31, 2015. Bids received after that exact time will not be considered.

Dated: July 29, 2015

Sandra Segawa, C.P.M., CPPB  
Purchasing Agent  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92840  
**Orange County News**  
15-50496

**Publish July 29, Aug. 5, 2015**

Orange County News  
July 29, 2015

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**LEGAL NOTICE  
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN THAT THE ZONING ADMINISTRATOR OF THE CITY OF GARDEN GROVE WILL HOLD A PUBLIC HEARING IN THE CITY HALL THIRD FLOOR TRAINING ROOM AT 11222 ACACIA PARKWAY, GARDEN GROVE, CALIFORNIA, ON THE DATE \* INDICATED BELOW TO RECEIVE AND CONSIDER ALL EVIDENCE AND REPORTS RELATIVE TO THE APPLICATION(S) DESCRIBED BELOW:

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\* THURSDAY, 9:00 A.M., AUGUST 13, 2015

**CONDITIONAL USE PERMIT NO. CUP-041-2015**  
A request for Conditional Use Permit approval to expand an existing 770 square foot convenience store into an adjacent auto repair service bay for a Chevron Mobile service station. The convenience store will operate as an Extra Mile convenience store with a total floor area of 2,007 square feet and with a 322 square foot exterior dry storage area. Also, a request to operate the convenience store with an original Alcoholic Beverage Control (ABC) Type "20" (Off-Sale, Beer and Wine) License. The site is at 10972 Katella Avenue in the NMU (Neighborhood Mixed Use) zone. The project is exempt pursuant to CEQA Section 15303 – New Construction or Conversion of Small Structures.

**CONDITIONAL USE PERMIT NO. CUP-043-2015**  
A request for Conditional Use Permit approval to continue operation of an existing 2,700 square foot liquor store, Hero's Liquor and Market (formerly Melodia's Liquor Store), with a State Alcoholic Beverage Control (ABC) Type "21" (Off-Sale, General) License. The site is at 9510 Katella Avenue in the C-1 (Neighborhood Commercial) zone. The project is exempt pursuant to CEQA Section 15301 – Existing Facilities.

ALL INTERESTED PARTIES are invited to attend said hearing and express opinions or submit evidence for or against the proposal as outlined above, on August 13, 2015. If you challenge the application in Court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Zoning Administrator at, or prior to, the public hearing. Further information on the above may be obtained at the Planning Services Division, City Hall, 11222 Acacia Parkway, or by telephone at (714) 741 5312.

DATE: JULY 27, 2015  
PUBLISH: JULY 29, 2015  
**Orange County News**  
15-50511  
**Publish July 29, 2015**

# 6 PEOPLE DISPLACED BY FIRE AT GARDEN GROVE HOUSE

Two sisters and four children are treated for minor injuries.

BY ALYSSA DURANTY  
STAFF WRITER

**GARDEN GROVE** • Two sisters and four children were injured early Tuesday morning after a fire damaged their home while they slept, officials said.

Garden Grove firefighters responded shortly after 2:50 a.m. to a structure fire in the 9000 block of Imperial Avenue.

When they arrived, officials found flames inside a single-story home and extinguished the blaze within 20 minutes, fire Capt. Thanh Nguyen said.

The fire might have originated in the kitchen, which is adjacent to the living room, but investigators did not immediately know the cause, Nguyen said.

The two women and four children were sleeping inside the home at the time of the fire until one of the women woke up and saw the



KEN STEINHARDT, STAFF PHOTOGRAPHER

**The interior of a home in the 9000 block of Imperial Avenue in Garden Grove was destroyed by a fire early Tuesday morning. Authorities estimate that about \$100,000 worth of damage was caused to the home's structure.**

flames, Nguyen said.

Authorities said the sisters were taken to a hospital to be treated for minor burns on their arms. The four children were taken to the hospital to be treated for possible smoke inhala-

tion. None of the injuries were considered serious.

Authorities estimate about \$100,000 worth of damage was caused to the home's structure and \$50,000 of belongings were destroyed.

The family has been displaced because of the fire, but the surrounding structures didn't suffer damage.

**CONTACT THE WRITER:**  
714-796-7802 or  
aduranty@ocregister.com

# A multicultural Shakespeare experience

Garden Grove troupe hopes to attract diverse and young crowds.

*Romeo. Romeo!  
Donde estás?*

What happens to "Romeo and Juliet" when Juliet is a Latina and Romeo is Asian and the play weaves in a ton of young people, Mexican folk dancers and Korean drumming?



**ROXANA  
KOPETMAN**  
STAFF  
WRITER

People come.

And not only the traditional fans of the Bard. But also neighbors from the multiethnic communities surrounding the amphitheater in Garden Grove.

That's the goal of John Walcutt, the new ar-

tistic director for the Shakespeare Orange County company, renamed Shakespeare/Summerfest Orange County.

"Garden Grove is such a unique area. It's really ground zero for the melting pot," said Walcutt. "If this theater is going to mean anything or survive, it has to be part of this community."

His goal: Use theater as a bridge to attract younger

people and those who are not traditionally seen as Shakespeare theatergoers, some of the very people who live in the neighborhoods surrounding the open-air 540-seat amphitheater.

In his second year as director, Walcutt has reached out to different ethnic organizations, included student interns from the

SEE THEATER •



PHOTO COURTESY OF JORDAN KUBAT  
Romeo (Ramón de Ocampo) wears a lucha libre mask as he steals a dance with Juliet (Nikki SooHoo).

# THEATER

FROM PAGE 1

Orange County High School of the Performing Arts, expanded the repertoire of the theater beyond Shakespeare plays, and introduced movie nights, preshow dinners and lower priced tickets.

"It has to be a theater of the people. It has to be cheap and high-quality," Walcutt said.

Shakespeare's famed tale of young lovers caught in a feud between their families is a reflection of the new emphasis.

Juliet is a Latina, performed by a Chinese-American actress, and Romeo is Korean, performed by a Filipino American. Walcutt said he wanted to blur the lines between the different ethnic groups.

"I purposefully wanted to make them a melting pot. I didn't want to make it one race against another. I wanted it to be completely mixed. That's really what I see in our society," said Walcutt, a TV, film and stage actor who lives in Garden Grove with his wife, who was born in Korea.

So Juliet doesn't really ask in Spanish the famed line, "Romeo, Romeo! Wherefore art thou Romeo?" - but there are plenty of other lines in Spanish. Other lines are in Korean, Vietnamese, Japanese, Icelandic, and one phrase is in German.

This is Shakespeare that comes in short bursts of rap and includes hip-hop and performances by the Santa Ana-based Mexican folkloric dance company Relámpago del Cielo.

"This is probably the first time in the history of folkloric dance that there's been this kind of collaboration in a classical play," said Marlene Peña-Marin, artistic director for Relámpago del Cielo.

Audience members at a recent performance

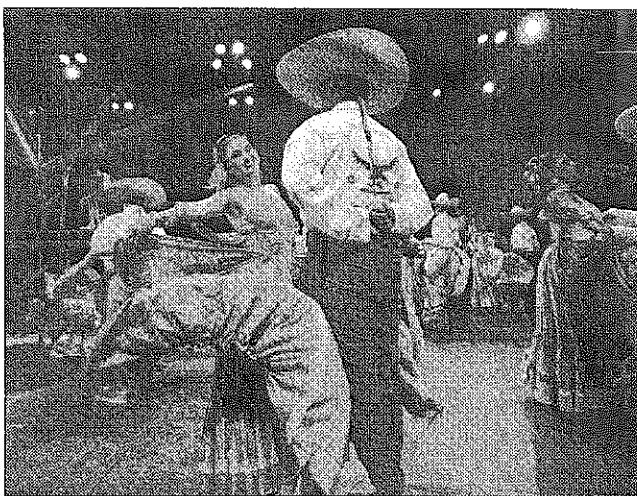


PHOTO COURTESY OF JORDAN KUBAT

**Santa Ana-based dance troupe Relámpago del Cielo provides authentic Mexican dances during the show.**

## Shakespeare/Summerfest Orange County

- **Location:** 12762 Main St., Garden Grove
- **Information:** 714-590-1575, info@shakespeareoc.org and shakespeare.org
- **This season:** "As You Like It" by Shakespeare, "The Pirates of Penzance" by Gilbert and Sullivan, "Wait Wait Man Sings" with John Slade, Cinema Under the Stars (a series of six Friday night films), and opening night \$100 sit-down dinners called "Night in White," which invites theater-goers to dress in all white for a preshow dinner.
- **Tickets:** Most ticket prices range from \$15 to \$40. Rush tickets are available: Thursday nights are "pay-what-you-want" on remaining tickets. Friday and Saturday nights, open seats are \$7 at 7 p.m.

praised the show.

"It was wonderful. I didn't understand all the languages, but it was obvious what was going on," said Brenda Clark, 55, a Westminster resident who arrived early with a picnic of barbecue chicken, cole slaw and lemon bars to enjoy outside the theater before the show.

Ysa Le is executive director of the Vietnamese American Arts & Letters Association, which is co-sponsoring and promoting "Romeo and Juliet."

"(Walcutt) told us about his vision. It's a very creative idea," Le said.

"Art is art. It's for everyone. We celebrate that. It's something we embrace: the idea that it's not just for certain people, but about everyone - and you can see yourself in it," said Le.

Her group helped Walcutt link up with the large Vietnamese media in Orange County to help

draw that audience. Last year, the Vietnamese arts group also promoted "A Midsummer Night's Dream" and presented the one-man show "Trieu Tran Unplugged" at the Garden Grove theater. That show will be reprised in September.

Walcutt credits the arts group's leaders for helping tap local Vietnamese dance troops performing in some of the preshows and connecting him with a representative from Macy's, which donated \$10,000 to subsidize discounted tickets on Thursday, Friday and Saturday nights.

His goal is to gather corporate supporters who will fund the program.

"In the next two years, it has to become the Orange County free Shakespeare festival," Walcutt said.

**CONTACT THE WRITER:**

714-796-7829 or

rkopetman@ocregister.com

Register  
July 26, 2015  
2 of 2

City of Garden Grove

Notice Inviting Sealed Bids (IFB)

Project No. S-1172

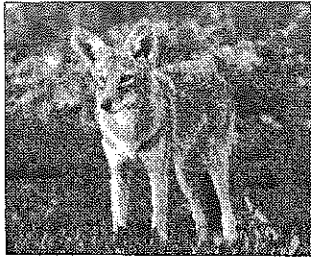
Notice is hereby given that sealed bids will be received at the office of the Purchasing Agent for the City of Garden Grove, Room 220, Second Floor, 11222 Acacia Parkway, Garden Grove, CA 92840 to Provide 140 Model 860 Clow Wet Barrel Hydrants. A copy of the bid document may be obtained from the City of Garden Grove's website. Direct any questions regarding this bid process to Sandra Segawa via email at sandras@garden-grove.org. Bids are due and will be opened in the office of the Purchasing Agent at 2:00 p.m. on Monday, August 17, 2015. Bids received after that exact time will not be considered.

Dated: July 17, 2015

Sandra Segawa, C.P.M., CPPB  
Purchasing Agent  
City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92840  
**Orange County News**  
**15-50480**  
**Publish July 17, 24, 2015**

Orange County News  
July 24, 2015

Register  
July 24, 2015



### GARDEN GROVE

**Coyote safety:** Coyotes have recently been seen in Garden Grove, and city officials are urging residents to take precautions to keep themselves and their pets safe, including putting dogs and cats indoors, especially during dawn and dusk; keeping food and water dishes inside; and removing brush, wood piles and debris where coyotes can hide.  
**Chris Haire, 714-704-3707**  
chaire@ocregister.com

Register  
July 25, 2015

### GARDEN GROVE

**Open Streets:** City staffers were able to cut the costs of the second annual Open Streets Event enough to ensure that the City Council does not have to authorize using general fund money to support it. The festival will be Oct. 10 in downtown.  
**Chris Haire, 714-704-3707**  
chaire@ocregister.com

Register  
July 27, 2015

### GARDEN GROVE

**"Cabaret":** One More Productions has announced it will stage a production of "Cabaret" from Aug. 20 to Sept. 13. "Cabaret" is a musical about the relationship between an American writer and a 19-year-old cabaret dancer at the Kit Kat Klub in 1931 Berlin.  
Information:  
**onemoreproductions.com.**  
**Chris Haire, 714-704-3707**

Register  
July 28, 2015

### GARDEN GROVE

**Letter?** The city may send a letter to the board of the Orange County Water District opposing the current terms of the proposed desalination plant in Huntington Beach, pending City Council approval tonight. Among the city's concerns are the high costs - potentially \$6 to \$12 more every two months for residents - over the next 30 to 50 years.  
**Chris Haire, 714-704-3707**  
chaire@ocregister.com

Register  
July 29, 2015

### GARDEN GROVE

**Tet grants:** The Union of Vietnamese Student Associations has \$93,404 available in its Tet Community Assistance Fund for nonprofits. Applications to receive grants from the association must be postmarked by Aug. 15. Applications are available at **uvsa.org/grants**. UVSA will notify grant recipients by Sept. 15.  
**Chris Haire, 714-704-3707**  
chaire@ocregister.com

Register  
July 30, 2015

### GARDEN GROVE

**Baby rescued:** The City Council on Tuesday honored police Officer Dan Villegas for helping save a 5-month-old baby who stopped breathing. On May 20, Villegas arrived to a house before paramedics, checked the infant's airways and began CPR. He then took the child to the front yard to quickly transfer the baby to the paramedics.  
**Chris Haire, 714-704-3707**  
chaire@ocregister.com



# FIRE DEPARTMENT PRESS RELEASE

Tom Schultz  
Fire Chief  
July 30, 2015

Thanh Nguyen  
Captain/PIO  
Garden Grove Fire Dept.  
(714) 741-5628  
[thanhn@garden-grove.org](mailto:thanhn@garden-grove.org)

## **FIRE DEPARTMENT URGING RESIDENTS TO BE WATER-SAFE**

The Garden Grove Fire Department recently received a generous donation from the Emblem Club of Garden Grove with a request that it benefits the children in the City. The proceeds will be used for child drowning prevention awareness. This year's water safety campaign will include water watcher tags and educational flyers available to any member of the community wishing to receive them. The Police and Community Relations Departments assisted the Fire Department in ensuring that the material was translated into Korean, Spanish, and Vietnamese. All Fire Department units will carry them on their apparatus, in addition to fire department headquarters and other City locations. All fire apparatus will also be displaying this year's Orange County Fire Chiefs Association water safety message, "Prevent Drowning Never Swim Alone" decals on their units. The tags and flyers are in English, Spanish, Vietnamese, and Korean.

"Many of the drowning emergencies that we have responded to could have been avoided. We hope that everyone is proactive, and takes the necessary steps to keep themselves and their family safe," said Chief Tom Schultz.

-more-



Garden Grove Water Safety  
2-2-2

The first six months of 2015 have seen five drownings and/or water-related emergencies, with the summer months bringing the increased chances of drownings. More information can be found at [www.gardengrovefire.org](http://www.gardengrovefire.org) and the department Facebook page.

###

CONTACT: Kim Huy (714) 741-5280

Thursday, July 30, 2015

## **TASTY SOUND BITES AT THE FREE SUMMER CONCERT SERIES**

The nights are heating up at Garden Grove's free Summer Concert Series, hosted by the Garden Grove Community Foundation. Today's concert will feature music from the 90's to today's popular hits, by the Grilled Cheese Soundwich. Calling themselves, "Easily the tastiest sound bite in town," this is the band's first appearance at the series, taking place at Eastgate Park, 12001 St. Mark Street, from 6:30 p.m. to 8:30 p.m.

Arrive half an hour early, at 6:00 p.m., to watch the 4<sup>th</sup> season of the Voice of Garden Grove, a vocal event for local high school students. Four students representing La Quinta, Pacifica, Rancho Alamitos, and Santiago high schools will compete for a chance to move onto the finals on August 13, for a shot at winning a \$500 cash award and another \$500 donation towards their school's choir program.

During the first half of the night, concert goers are encouraged to participate in the City of Garden Grove's social media challenge. Any tweets or Instagram photos taken at the concert with the hashtag, #ggsummerconcerts, will be automatically entered into the competition. The Twitter user with the most retweets and the Instagram user with the most likes on their post will win a special giveaway. Winners will be announced at intermission.

-More-

TASTY SOUND BITES AT THE FREE SUMMER CONCERT SERIES  
2-2-2

Various vendors will be selling food, beverages and dessert to concert goers, including local gourmet food trucks, such as the Greasy Weiner, Macho Nacho, Ninjas with an Appetite (NWA), Oh My Gaga, and SOHO Taco.

For the safety and enjoyment of all, no canopies, golf carts, or alcohol is permitted in the park.

The 2015 free Summer Concert Series is sponsored by the City of Garden Grove, AT&T Services, GKN Aerospace, and Republic Services.

The remaining bands for the 2015 free Summer Concert Series follows:  
July 30, Grilled Cheese Soundwich (90's to Today)  
August 6, Flashback Heart Attack (New Wave 80's)  
August 13, Stone Soul (Motown)

For more information, please call (714) 741-5280 or visit [www.ggcf.com](http://www.ggcf.com). Follow the series on Facebook at <https://www.facebook.com/GGCF.1998> or Instagram at <https://instagram.com/GardenGroveCityHall/>, or by searching for #ggsummerconcerts or #voiceofgg.

###



CITY OF GARDEN GROVE  
**NEWS**

**FOR IMMEDIATE RELEASE**

Public Information Office (714) 741-5280

Contact:  
CSO Kris Backouris (714) 741-5761  
Police Department

Wednesday, July 29, 2015

**NATIONAL NIGHT OUT ON HISTORIC MAIN STREET**

Garden Grove Police Department invites the Garden Grove community to celebrate National Night Out on Tuesday, August 4, 2015 by attending the Main Street Block Party in the Memorial Plaza Lot, from 5:30 p.m. to 8:00 p.m.

In an effort to prevent crime and build safer and stronger communities, this night is intended to educate community members about the Neighborhood Watch Program. This event encourages and motivates residents to join an established Watch in their area or create a new one if one does not already exist.

Participants will learn about the importance of developing a relationship with the Garden Grove Police Department and Neighborhood Watch groups and get a chance to meet Crime Prevention Officers, Beat Patrol Officers, and other members of the Community Policing staff. This annual event is designed to strengthen our communities by encouraging neighborhoods to engage in stronger relationships with each other and with their local law enforcement partners.

For more information, please visit the Facebook event page <https://www.facebook.com/events/1639761852903057/> or contact the police department at (714) 741-5761.

###

## **MISCELLANEOUS ITEMS**

July 30, 2015

1. Calendar of Events
2. Agenda for the August 6, 2015 Planning Commission meeting.
3. Thank you card from Mrs. Susan Bermudez for the flowers sent in honor of Retired Officer Rick Bermudez who passed away recently.
4. Cities Advocates dated July 24 and 28, 2015



**GARDEN GROVE**

CALENDAR OF EVENTS

July 30, 2015 – August 20, 2015

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Thursday	July 30	6:30 p.m.- 8:30 p.m.	Summer Concert Series – Grilled Cheese Sandwich (90s to Today), Eastgate Park
Thursday- Saturday	July 30- August 1	8:00 p.m.	Shakespeare Orange County presents "Romeo & Juliet", Festival Amphitheater
Tuesday	August 4	11:30 a.m.- 1:00 p.m.	OCEA Hot Dog Day (employees) Civic Center Park (Between the Senior Center and the Credit Union)
Tuesday	August 4	5:30 p.m.- 8:00 p.m.	National Night Out on Historical Main Street
Thursday	August 6	6:30 p.m.- 8:30 p.m.	Summer Concert Series – Flashback Heart Attack (New Wave 80s), Eastgate Park
		7:00 p.m.	Planning Commission Meeting, Council Chamber
Friday	August 7		City Hall Closed
Tuesday	August 11	5:30 p.m.- 6:30 p.m.	Welcome Reception for the New City Manager (by invitation only), Courtyard Center
		6:30 p.m. 6:30 p.m.	Successor Agency Meeting, Council Chamber City Council Meeting, Council Chamber
Wednesday	August 12	2:00 p.m.	Oversight Board Meeting, Courtyard Center
Thursday	August 13	9:00 a.m.	Zoning Administrator Meeting, City Hall, 3 <sup>rd</sup> Floor Training Room
		6:30 p.m.- 8:30 p.m.	Summer Concert Series – Stone Soul (Motown) Eastgate Park
Thursday- Saturday	August 13-15	8:00 p.m.	Shakespeare Orange County presents "As You Like It", Festival Amphitheater
Saturday	August 15	8:00 a.m.- Noon	Project "GO" Graffiti Off, Municipal Service Center
Thursday	August 20	6:30 p.m.	Summer Movies in the Park, "Big Hero 6" Village Green
		7:00 p.m.	Planning Commission Meeting, Council Chamber



A G E N D A

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

AUGUST 6, 2015

COMMUNITY MEETING CENTER  
11300 STANFORD AVENUE

REGULAR SESSION – 7:00 P.M. COUNCIL CHAMBER

ROLL CALL: CHAIR O'NEILL, VICE CHAIR KANZLER  
COMMISSIONERS MAI, MARGOLIN, PAK, PAREDES, ZAMORA

Members of the public desiring to speak on any item of public interest, including any item on the agenda except public hearings, must do so during Oral Communications at the beginning of the meeting. Each speaker shall fill out a card stating name and address, to be presented to the Recording Secretary, and shall be limited to five (5) minutes. Members of the public wishing to address public hearing items shall do so at the time of the public hearing.

Any person requiring auxiliary aids and services due to a disability should contact the City Clerk's office at (714) 741-5035 to arrange for special accommodations. (Government Code §5494.3.2).

All revised or additional documents and writings related to any items on the agenda, which are distributed to all or a majority of the Planning Commissioners within 72 hours of a meeting, shall be available for public inspection (1) at the Planning Services Division during normal business hours; and (2) at the City Council Chamber at the time of the meeting.

Agenda item descriptions are intended to give a brief, general description of the item to advise the public of the item's general nature. The Planning Commission may take legislative action it deems appropriate with respect to the item and is not limited to the recommended action indicated in staff reports or the agenda.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

- A. ORAL COMMUNICATIONS - PUBLIC
- B. APPROVAL OF MINUTES: July 16, 2015
- C. ITEMS FOR CONSIDERATION (Not a Public Hearing)
  - C.1. VARIANCE NO. V-011-2015

APPLICANT: DAVID WEBBER  
LOCATION: SOUTH SIDE OF GARDEN GROVE BOULEVARD,  
WEST OF EUCLID STREET AT 11100 AND 11102  
GARDEN GROVE BOULEVARD (CIVIC CENTER CORE  
(CC-3) ZONE)

REQUEST: For the Planning Commission to consider and act on a proposed Resolution denying the Applicant's request for Variance approval to deviate from the required number of parking spaces, Municipal Code Section 9.18.140.030 (Parking Spaces Required), to allow the operation of a new 14,300 square foot restaurant/eating establishment, East Seafood Buffet, at 11102 Garden Grove Boulevard. A Public Hearing was held on June 18, 2015 and July 16, 2015. On July 16, 2015, following conclusion of the Public Hearing, the Planning Commission voted to direct Staff to prepare a Resolution of Denial of the requested Variance for its consideration.

STAFF RECOMMENDATION: Staff recommends the Planning Commission either, (1) adopt the proposed Resolution denying Case No. Variance No. V-011-2015 and authorize the Chair to execute said Resolution, or (2) provide further direction to Staff.

- D. MATTERS FROM COMMISSIONERS
- E. MATTERS FROM STAFF
- F. ADJOURNMENT



GARDEN GROVE PLANNING COMMISSION  
Community Meeting Center, 11300 Stanford Avenue, Garden Grove, CA 92840

Regular Meeting Minutes  
Thursday, July 16, 2015

CALL TO ORDER: 7:00 p.m.

ROLL CALL:

Chair O'Neill  
Vice Chair Kanzler  
Commissioner Mai  
Commissioner Margolin  
Commissioner Pak  
Commissioner Paredes  
Commissioner Zamora

Absent: Mai, O'Neill

PLEDGE OF ALLEGIANCE: Led by Margolin.

ORAL COMMUNICATIONS – PUBLIC: None.

JUNE 18, 2015 MINUTES:

Action: Received and filed.

Motion: Margolin Second: Zamora

Ayes: (5) Kanzler, Margolin, Pak, Paredes, Zamora

Noes: (0) None

Absent: (2) Mai, O'Neill

CONTINUED PUBLIC HEARING – VARIANCE NO. V-011-2015. FOR PROPERTY LOCATED AT 11100 AND 11102 GARDEN GROVE BOULEVARD, SOUTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF EUCLID STREET.

Applicant: David Webber  
Date: July 16, 2015

Request: Variance approval to deviate from the required number of parking spaces, Municipal Code Section 9.18.140.030 (Parking Spaces Required), to allow the operation of a new 14,300 square foot restaurant/eating establishment, East Seafood Buffet, at 11102 Garden Grove Boulevard. The site is in the CC-3 (Civic Center Core) zone.

Action: Continued Public Hearing held. One letter of opposition

submitted by Costco Wholesale and a second letter of opposition submitted by Josh McIntosh were entered into the record. Speaker(s): David Webber (Applicant), Xiu Fang Chen (Proposed Restaurant Owner), Gil Cozine (Costco Wholesale), Graham Allichorn (Red Mountain Retail Group on behalf of property owner), Tiffany Giordano (RK Engineering Group, Inc.). Commissioner Zamora advised the Commission that she had been contacted by three (3) members of the public, the owner of the Del Taco restaurant adjacent to the subject Site, Josh McIntosh, and another resident, each of whom expressed concerns regarding the proposed Variance. The Public Hearing was closed.

Action: A motion by Commissioner Pak to adopt a Resolution to approve the requested Variance was withdrawn by Commissioner Pak prior to being seconded.

Action: A motion to direct staff to prepare, for consideration by the Planning Commission at the next regular Planning Commission meeting, a Resolution of Denial of the requested Variance based on the inability of the Commission to make the following required Finding required for approval of the Variance for the reasons stated by Costco Wholesale and articulated by the Planning Commissioners at the meeting:

*Required Finding: The granting of the requested Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located.*

Motion: Margolin Second: Zamora

Ayes: (3) Margolin, Paredes, Zamora

Noes: (2) Kanzler, Pak

Absent: (2) Mai, O'Neill

MATTERS FROM COMMISSIONERS: Commissioner Zamora commented that a Vietnamese coffee house on Lincoln Way was always packed with customers even though the business was dirty with tables on the sidewalk. She spoke to the owner regarding clean up and the tables, however, a week later there had been no change. She also mentioned the parking lot was dangerous, especially with the wrought iron fence on the corner, which splits and obstructs the shared driveway on Euclid Street. Staff replied that the Dalat property owner installed the fence to delineate his property from the corner property and that the owners do not have a congenial relationship.

Commissioner Zamora then mentioned that drivers going northbound on Taft Street into the Costco parking lot were backed up and asked if there was a solution to the congestion and also wondered if southbound drivers were making illegal left turns over the double yellow lines. Staff responded that there was no room to widen the intersection nor to fit a turn pocket and that it was not illegal to turn left over the double yellow lines. Zamora also asked for a solution, perhaps an eye-level sign, to prohibit drivers from making illegal left turns from Taft Street onto Garden Grove Boulevard. Staff replied that the vicinity already had too many signals and that the Police Department and Traffic Engineering Division would revisit and study the area.

Commissioner Kanzler asked staff to provide information on Assembly Bill 551 (AB551), the Urban Agriculture Incentive Zone.

MATTERS FROM STAFF: Staff stated that the requested Resolution of Denial would be brought back to the Thursday, August 6, 2015 Planning Commission meeting and that the Thursday, August 20, 2015 Study Session at 6:00 p.m. would include the General Plan, Zoning, Mixed Use, and AB551.

ADJOURNMENT: At 8:55 p.m. to the next Regular Meeting of the Garden Grove Planning Commission on Thursday, August 6, 2015, at 7:00 p.m. in the Garden Grove Council Chamber, 11300 Stanford Avenue, Garden Grove.

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Motion: Margolin Second: Zamora

Ayes: (5) Kanzler, Margolin, Pak, Paredes, Zamora

Noes: (0) None

Absent: (2) Mai, O'Neill

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Judith Moore, Recording Secretary

# COMMUNITY DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

<b>AGENDA ITEM NO.:</b> C.1.	<b>SITE LOCATION:</b> South side of Garden Grove Boulevard, west of Euclid Street, at 11100 and 11102 Garden Grove Boulevard
<b>HEARING DATE:</b> August 6, 2015	<b>GENERAL PLAN:</b> Civic Center Mixed Use
<b>CASE NO.:</b> Variance No. V-011-2015	<b>ZONE:</b> CC-3 (Civic Center Core)
<b>APPLICANT:</b> David Webber	<b>CEQA DETERMINATION:</b> Exempt
<b>PROPERTY OWNER(S):</b> Emerald Square II, LLC	<b>APN:</b> 099-105-40 & 42

**REQUEST:**

For the Planning Commission to consider and act on a proposed Resolution denying the Applicant's request for Variance approval to deviate from the required number of parking spaces, Municipal Code Section 9.18.140.030 (Parking Spaces Required), to allow the operation of a new 14,300 square foot restaurant/eating establishment, East Seafood Buffet, at 11102 Garden Grove Boulevard.

**DISCUSSION:**

On July 16, 2015, following conclusion of the Public Hearing, the Planning Commission voted 3-2 (Commissioners O'Neill and Mai absent) to direct Staff to prepare a Resolution of Denial of the requested Variance for its consideration, based on the inability of the Commission to make the following required finding for approval of a variance, based on the reasons stated by Costco Wholesale and articulated by the Planning Commissioners at the meeting:

*"The granting of the requested Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located."*

Staff has prepared the attached Resolution of Denial for the Planning Commission's consideration.

Subsequent to the July 16th meeting, the Applicant's representative provided Staff with an email containing additional information and conditions the Applicant would be willing to accept if the Planning Commission would reconsider its decision to deny the Variance request. A copy of this email is attached to this Report. The Public Hearing for this matter has been closed. Therefore, if the Planning Commission wishes to reconsider its action of July 16th and/or take further public testimony or evidence on this matter, a new Public Hearing will need to be scheduled and noticed.

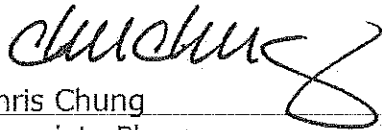
**RECOMMENDATION:**

Staff recommends that the Planning Commission either:

1. Adopt the proposed Resolution denying Variance No. V-011-2015, and authorize the Chair to execute the Resolution; or
2. Provide further direction to Staff.



Karl Hill  
Planning Services Manager



By: Chris Chung  
Associate Planner

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**Parking Variance No. V-011-2015 Reconsideration Request**

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**From :** David W <david@rdscompany.com>

Fri, Jul 17, 2015 02:53 PM

**Subject :** Parking Variance No. V-011-2015 Reconsideration Request**To :** chrisc@ci.garden-grove.ca.us, Karl Hill <karlh@ci.garden-grove.ca.us>**Cc :** Graham Allchorn <GAllchorn@rmrginc.com>, joycechen99@yahoo.com

Hi Chris &amp; Karl,

Per our conversation this morning Chris, the applicant would like staff to provide the planning commission with additional information and conditions that we would be willing to accept in order for the planning commission to reconsider the resolution for our Variance No. V-011-2015 being voted on at the August 6th, 2015 public hearing.

1. Per the email below, the Tenant is willing to provide managed valet parking during peak hours of restaurant activity. This would alleviate any further parking concerns on our site and would also help to police the overflow parking coming from the Costco property onto our site.
2. The property owner is willing to add pedestrian crossing signage and flashing stop signs at the two major exits of their property on to Garden Grove Blvd. indicating that there is pedestrian and bicycle traffic crossing the drive-aisle in those areas to provide additional visibility and measures to preserve public safety.
3. Please also advise the commission that per current code and zoning, our building can be re-tenanted with any reasonable retail use as allowed by current code & zoning by right at 5/1000 without any parking variance and no additional conditions for improvement. We have requested our variance as we would prefer to tenant our building as currently proposed with East Seafood Buffet and provide the improvements requested by staff with this approval rather than doing nothing as we think it makes it a better development both for us and for the city overall.

Please confirm receipt of this request and we will be in attendance at the hearing on 8/6/15 to answer any questions or to provide any further clarifications if requested by the planning commission for their reconsideration for an approval of our variance request.

Sincerely,

David T. Webber

Retail  
Development  
Solutions  
5670 Wilshire Blvd. – Suite 1800

RESOLUTION NO. 5848-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE DENYING CASE NO. VARIANCE NO. V-011-2015, A REQUEST FOR A VARIANCE TO DEVIATE FROM THE REQUIRED NUMBER OF PARKING SPACES FOR PROPERTIES LOCATED AT THE SOUTH SIDE OF GARDEN GROVE BOULEVARD, AT 11100 AND 11102 GARDEN GROVE BOULEVARD, PARCEL NOS. 099-105-40 AND 42.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on August 6, 2015, does hereby deny Case No. Variance No. V-011-2015.

BE IT FURTHER RESOLVED in the matter of Variance No. V-011-2015, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by David Webber on behalf of the property owner, Emerald Square II, LLC ("Applicant").
2. The subject Site is located on the South side of Garden Grove Boulevard at 11100 and 11102 Garden Grove Boulevard and consists of two properties identified as Assessor's Parcel Numbers 099-105-40 and 099-105-42. The two properties have a combined gross area of approximately 2.5 acres, make up an integrated development, and are developed with an existing approximately 30,000 square foot building and 152 on-site surface parking spaces. The 30,000 square foot building has recently been divided into two separate tenant spaces.
3. The property has a General Plan Land Use designation of Civic Center Mixed Use, and is currently zoned CC-3 (Civic Center Core).
4. The Applicant is requesting Variance approval to deviate from the required number of parking spaces, Municipal Code Section 9.18.140.030 (Parking Spaces Required), to allow the operation of a new 14,300 square foot restaurant/eating establishment, East Seafood Buffet, in a newly created tenant space with an address of 11102 Garden Grove Boulevard, in conjunction with the operation of an Office Depot retail establishment in a newly modified smaller tenant space with the address of 11100 Garden Grove Boulevard. The Garden Grove Municipal Code requires a minimum of 222 parking spaces for the combined proposed two uses on the subject Site. Since there are only 152 parking spaces on the subject Site, the Applicant has requested a Variance from the required number of onsite parking spaces required in order to allow for the proposed combination of uses on the subject Site.
5. In order to approve the Variance, all of the findings required by California Government Code Section 65906 and set forth in Garden Grove Municipal Code Section 9.32.030.D.6 must be made.
6. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject property have been reviewed.

7. Report submitted by City staff was reviewed.
8. Pursuant to a legal notice, a public hearing was opened on June 18, 2015, and duly continued to, and held on, July 16, 2015, and all interested persons were given an opportunity to be heard. The public hearing was closed on July 16, 2015.
9. Following the conclusion of the public hearing on July 16, 2015, and after giving due and careful consideration to the matter, the Planning Commission voted to direct City staff to prepare this Resolution denying the Applicant's requested Variance based on the facts and reasons stated in this Resolution. The Planning Commission gave further due and careful consideration to this matter prior to adopting this Resolution on August 6, 2015.
10. Because the application is denied, the Project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to the provisions of Article 19, Section 15270(a) of the CEQA Guidelines.

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Section 9.32.030 are as follows:

FACTS:

The subject (2) properties (with Assessor's Parcel Nos. 099-105-40 & 42) have a gross lot area of approximately 2.5 acres, making up an integrated development, and are developed with an existing approximately 30,000 square foot building. The properties are zoned CC-3 (Civic Center Core) and have General Plan Land Use Designations of Civic Center Mixed Use. The properties abut CC-3 zoned properties to the north, across Garden Grove Boulevard, south, east, and west.

The existing 30,000 square foot building is located in the center with parking lots located at the front, fronting along Garden Grove Boulevard, and at the rear, behind the building, to the south. The Site provides a total of 152 parking spaces, of which eighty-four (84) parking spaces are located in the front parking lot area, and the remaining sixty-eight (68) parking spaces are located in the rear parking lot area.

Office Depot previously occupied the entire existing 30,000 square foot building. In April of 2015, a building permit was obtained for the construction of a demising wall, splitting the existing 30,000 square foot tenant space into a 15,700 square foot tenant space and a 14,300 square foot tenant space. Office Depot has downsized its operation and is now occupying the 15,700 square foot tenant space, with the address of 11100 Garden Grove Boulevard. If the Variance were approved, the proposed East Seafood Buffet restaurant would occupy the newly created 14,300 square foot tenant space, which has a new address of 11102 Garden Grove Boulevard.



For a retail commercial use under 40,000 square feet in gross floor area, the Garden Grove Municipal Code ("Code") requires a minimum of one (1) parking space per 200 square feet of gross floor area. Thus, prior to the division of the existing 30,000 square foot Office Depot tenant space, Code required a minimum of 150 parking spaces for the Office Depot retail use. The existing site provides a total of 152 total parking spaces, which is a surplus of two (2) parking spaces above the minimum required if the entire building contained retail uses.

Following the division of the existing 30,000 square foot tenant space into two (2) tenant spaces, the Office Depot will occupy the 15,700 square foot tenant space. Based on the Code requirement of a minimum of one (1) parking space per 200 square feet of gross floor area for retail uses, a minimum of seventy-nine (79) parking spaces would thus be required by Code for the reduced-sized Office Depot retail store ( $15,700/200 = 78.5$ ). For restaurant/eating establishment uses in this location, the Garden Grove Municipal Code requires a minimum of one (1) parking space per 100 square feet of gross floor area - or double the amount required for retail uses. Thus, the proposed East Seafood Buffet restaurant, which would occupy the newly created 14,300 square foot tenant space, would require a minimum of 143 parking spaces ( $14,300/100 = 143$ ). Therefore, based on Code for restaurant and retail land use parking rates, a total of 222 parking spaces ( $79 + 143$ ) would be required for the subject Site for the proposed combination of restaurant and retail uses on the Site.

Since only 152 parking spaces are currently provided on the Site, there are seventy (70) (or approximately thirty-two percent (32%)) fewer parking spaces provided on the Site than would typically be required by Code. Municipal Code Section 9.18.140.060, Joint Use and Parking Management, states that when there is any reduction in parking beyond ten percent (10%), a parking management plan is required. However, said reduction may not exceed twenty-five percent (25%). Therefore, because the subject proposal exceeds the twenty-five percent (25%) threshold allowed by Code, the Applicant has requested approval of a Variance to deviate from the minimum number of required parking spaces and to allow it to operate its proposed combination of retail and restaurant uses with only the existing 152 spaces provided.

The subject Site is functionally part of a larger shopping center. To the west of the subject Site is an existing fast-food drive-thru eating establishment, Del Taco, and an existing large retail store, Costco Wholesale. A driveway runs along the westerly property line of the subject Site which provides reciprocal access to the Del Taco and Costco Properties utilizing the existing driveways. A Reciprocal Easement Agreement (REA) exists between the owners of three (3) sites, which provides for reciprocal access and shared parking between the subject Site and the Costco and Del Taco Properties. The REA also purports to provide for a specified number of parking spaces to be maintained on each of the properties subject to the REA according to the types of uses located on the properties.

Costco Wholesale submitted a letter, dated June 16, 2015, which was entered into the record at the public hearing. In its letter, Costco Wholesale objected to the proposed Variance on the basis that, due to the layout between the Costco Property and the Office Depot Property, the Costco parking lot will become the default parking area for the proposed restaurant, which will materially and adversely impact Costco's business operations. In addition, Costco asserted in its letter that the proposed combination of retail and restaurant uses on the subject Site would violate the terms of the REA between the owners of the Costco Property, the Del Taco Property, and the subject Site due to the increased number of parking spaces required for a restaurant use. A representative of Costco appeared at the public hearing and reiterated the concerns expressed in Costco's letter. The Costco representative also testified that Costco is aware of numerous negative comments from customers about the current availability of convenient parking for Costco and that operation of the proposed restaurant use will result in further reduced availability of parking spaces for Costco's customers, exacerbate the current parking challenges, and result in potential customers choosing not to shop at Costco. The Costco representative estimated the potential sales loss to Costco as a result of the additional parking demand generated by the proposed new restaurant within the shopping center could be as much as \$2.5 million per year.

Several emails from a nearby resident were also introduced into the record at the public hearing. In these emails, the resident noted existing parking and traffic problems associated with the Costco parking lot, asserted that Costco customers frequently park in the Office Depot parking lot, and concluded that approval of the Variance would result in more traffic problems and congestion in the area in which the subject Site is located and would be detrimental to the neighborhood in which the resident lives.

California Government Code Section 65906 places express limitations on the granting of variances. In addition to these minimum standards for variances imposed by State law, Garden Grove Municipal Code Section 9.32.030.D.6 contains additional findings that must be made in order to grant a property owner's request for a variance.

FINDINGS AND REASONS:

In order to approve the Variance, all of the findings required by California Government Code Section 65906 and set forth in Garden Grove Municipal Code Section 9.32.030.D.6 must be made. In this case, based on the totality of information provided, the Planning Commission finds that for the following reasons, the following required finding for approval of the requested Variance cannot be made:

Required Finding:

*The granting of the requested Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located.*

Reasons Required Finding Cannot Be Made:

*The Applicant is proposing to operate a restaurant in a portion of the 30,000 square foot building that was previously occupied entirely by an Office Depot retail use. The parking demand generated by the proposed restaurant use is anticipated to be significantly greater than the parking demand generated for a retail use in the same tenant space. As a result, the Applicant is requesting a variance to allow it to offer 70 (or 32%) fewer parking spaces on the subject Site than would otherwise be required by the Municipal Code for the combination of uses proposed.*

*The subject Site is functionally part of a larger shopping center with a Reciprocal Easement Agreement (REA) providing for reciprocal access and parking between the subject Site and the adjacent properties occupied by Costco Wholesale and Del Taco. As indicated by the testimony and evidence provided at the public hearing, observed parking and circulation challenges already exist in this shopping center. Because the proposed new restaurant use would generate more parking demand than the retail use that previously occupied the same tenant space, granting of the requested Variance to permit operation of the proposed restaurant will result in an overall reduction in available parking for the shopping center as a whole, thus potentially exacerbating the existing parking and circulation challenges in the shopping center.*

*Costco Wholesale provided evidence that granting of the requested Variance would result in a reduction in the perceived availability of parking for its customers, which would result in a material loss of sales and harm to its business. Costco Wholesale also indicated that operation of the proposed restaurant would violate the terms of the REA between the owners of the subject Site, the Costco site, and the Del Taco Site due to the higher parking demand of a restaurant use. It is reasonable to conclude that the additional parking demand generated by the proposed restaurant would have similar adverse impacts on Del Taco. Significant loss of sales, reduction in property values, or other harm to these adjacent businesses would be contrary*

*to the City's interests and detrimental to the overall public welfare. The evidence provided by the Applicant and/or in the record does not sufficiently demonstrate that granting of the requested Variance to allow operation of the proposed combination of restaurant and retail uses on the Site without the addition of additional parking spaces will not adversely affect the neighboring properties or exacerbate the existing parking and circulation issues in the area.*

*For these reasons, the Planning Commission concludes that it is unable to affirmatively make the required finding that the granting of the requested variance would not be materially detrimental to the public welfare or result in injury to the property or improvements in the same vicinity and zone as the subject Site.*

#### RELIANCE ON THE RECORD

Unless otherwise provided, each and every one of the findings and conclusions in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the requested Variance. The findings and conclusions constitute the independent findings and conclusions of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole. Unless otherwise provided, all summaries of information in this Resolution are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The requested Variance does not possess characteristics that would justify the request in accordance with Municipal Code Section 9.32.030.D.6 (Variance).
2. The applicant's request for Variance No. V-011-2015 is denied in its entirety.

Dear Mayor Nguyen,  
City Council & staff,

During a time  
like this  
we realize how much  
our friends and relatives  
really mean  
to us . . . .

Your expression  
of sympathy will always  
be remembered

Thank you so much for  
the beautiful flowers for  
Ret. officer Rick Bermudez.  
Sincerely, Susan

July 24, 2015  
Issue #71

## **Cities Concerned with Redevelopment Dissolution Bill, Should Prepare for Legislature's Return Aug. 17**

When the Legislature returns from its summer recess on Aug. 17, the State Capitol will become chaotic with action on many bills prior to the session's adjournment on Sept. 11. Therefore, it remains important for city officials concerned about AB 113's harmful provisions to take advantage of the remaining weeks of the legislative recess to communicate with their legislators and update letters. *For more, see Page 2.*



## **New Report Ranks 15 California Urban Areas as Having the Worst Roads in the U.S.**

*Poor Pavement Conditions Also Lead to High Car Maintenance and Repair Costs*

According to a new report released Thursday, 15 of California's urban centers have pavement conditions that rank among the nation's most deteriorated. The same report found that the poor condition of California's pothole-filled roads also puts California among the states with the highest in the nation costs for car maintenance. *For more, see Page 2.*



## **Two Keynote Speakers Announced for League Annual Conference**

The League of California Cities® announces two keynote speakers for the 2015 Annual Conference & Expo in San José this Sept. 30–Oct. 2. *For more, see Page 4.*

Earlier this week, the League submitted a packet to the members of the Senate Budget Committee, the members of the Assembly Democrat Working Group and key legislative consultants containing nearly 100 letters from cities that have recently confirmed with the League that they remain opposed to AB 113.

The major concern for many cities with AB 113 is its effort to reverse court decisions and existing incentives offered to cities in AB 1484 of 2012 as encouragement to expeditiously resolve issues and obtain a Department of Finance "finding of completion." Now that many agencies have made the concessions necessary to obtain these findings, it is simply wrong to move the goalposts and change the rules.

Prior to the legislative break, the Senate Budget Committee canceled a scheduled hearing on the bill, no hearing is currently scheduled. The Assembly Democrat Caucus also convened a small working group several weeks ago to examine the redevelopment proposal. Assembly Member Chris Holden (D-Pasadena) chairs this committee.

#### **City AB 113 Summer Break "To Do" List**

1. If a city is harmed by this proposal and is not listed in opposition, they need to get an opposition letter submitted to the Legislature.
2. If a city is listed in opposition, they should check in with their legislators over the break and remind them of their continued opposition and what the impacts would be to their community. Personal meetings during the break may be particularly helpful.
3. Each city that is opposed to the bill is encouraged to also send an updated oppose letter on the bill (sample attached), especially if their prior letter was to a previous RN # version, so legislators or staff cannot later say that they haven't heard from their city on AB 113. If a city has problems with the definition of "loan" or interest rate in AB 113, then they are also encouraged to add specifics in the letter that reflect estimated local impacts.

The League has prepared a sample letter that city officials can use to oppose AB 113 that is available through the League's website.

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#### **'TRIP' Continued from Page 1...**

TRIP, a national transportation group based in Washington D.C., issued a report today examining pavement conditions and associated vehicle operation costs nationwide. The report, *Bumpy Roads Ahead: America's Roughest Rides and Strategies to Make our Roads Smoother*, can be found here. According to TRIP, poor roads cost the average California motorist \$762 per year. But in some communities, such as Los Angeles and the Bay Area, the cost of poor roads is much higher, more than \$1,000 per year in vehicle maintenance costs.

"Sadly, this report tells us nothing new. Every California driver knows our roads are filled with potholes and in poor repair," said Jim Earp, executive consultant, California Alliance for Jobs. "Year after year nothing gets done to provide adequate funding to fix our roads. Thankfully Gov. Jerry Brown has called a special session of the Legislature this year to figure out how to provide ongoing, reliable, and accountable funding for major road improvements. Our industry will be very involved in letting legislators know this is a priority."

California's poor rankings year after year underscore the need for additional funding to repair state highways and local streets and roads. California's roadway system, whether they be freeways, major urban thoroughfares, residential streets or rural streets, is interconnected. It all must be well-maintained in order for California to thrive. Today, too much of the network is in disrepair and the longer we wait to make repairs, the worse they will be come and the more expensive to fix.

Governor Brown has called a special session of the Legislature to address this topic. The backlog in California is significant:

- Estimates are that local streets and roads face an estimated shortfall of \$78 billion in deferred maintenance and an annual shortfall of \$7.8 billion.
- CalTrans faces a \$59 billion backlog in deferred maintenance and an annual shortfall in the State Highway Operation and Protection Program (SHOPP) of \$5.7 billion.

“In the Bay Area and Los Angeles the poor condition of the roads is costing drivers an extra \$1000 a year in car maintenance and repairs,” said Chris McKenzie, executive director, League of California Cities. “Local streets and roads are the backbone of our transportation system. Cities and counties in fact maintain more than 80 percent of all the roadways within California. The special Legislative session called by Governor Brown to provide additional funding for road repairs is coming at a critical time. We need to start making a serious dent in the billions of dollars of needed repairs. City officials are looking forward to engaging with legislators when they return in August.”

“Every time this report is issued, California has the most number of urban centers on the list of poor roads in the nation,” said Matt Cate, executive director, California State Association of Counties. “The problem is tied directly to the fact that resources for road repair have been shifted and become more scarce. We need to address this problem and find additional and long term funding to begin tackling the billions of dollars in needed repairs. County supervisors are actively involved in the special legislative session this year, in the hopes that we get something done.”

According to the TRIP report, the Federal Highway Administration estimates that each dollar spent on road, highway and bridge improvements results in an average benefit of \$5.20 in the form of reduced vehicle maintenance costs, reduced delays, reduced fuel consumption, improved safety, reduced road and bridge maintenance costs and reduced emissions as a result of improved traffic flow.

HIGHEST SHARE OF MAJOR ROADS AND HIGHWAYS WITH PAVEMENTS THAT ARE IN POOR CONDITION AND PROVIDE A ROUGH RIDE (Source: TRIP Report, July 23, 2015)

**Larger Metro Areas (500,000+ population)**

San Francisco-Oakland  
 Nationwide Ranking: #1  
 Percent of Roads in Poor Condition: 74 percent  
 Annual Vehicle Maintenance Costs: \$1,044

Los Angeles-Long Beach-Orange County  
 Nationwide Ranking: #2  
 Percent of Roads in Poor Condition: 73 percent  
 Annual Vehicle Maintenance Costs: \$1,031

Concord  
 Nationwide Ranking: #3  
 Percent of Roads in Poor Condition: 62 percent  
 Annual Vehicle Maintenance Costs: \$924

San Jose  
 Nationwide Ranking: #8  
 Percent of Roads in Poor Condition: 53 percent  
 Annual Vehicle Maintenance Costs: \$844

San Diego  
 Nationwide Ranking: #9  
 Percent of Roads in Poor Condition: 51 percent  
 Annual Vehicle Maintenance Costs: \$843

Riverside/San Bernardino  
 Nationwide Ranking: #12  
 Percent of Roads in Poor Condition: 46 percent  
 Annual Vehicle Maintenance Costs: \$812



Sacramento  
Nationwide Ranking: #20  
Percent of Roads in Poor Condition: 42 percent  
Annual Vehicle Maintenance Costs: \$767

**Medium-Sized Metro Areas (250,000-500,000 population)**

Temecula-Murrieta  
Nationwide Ranking: #1  
Percent of Roads in Poor Condition: 47 percent  
Annual Vehicle Maintenance Costs: \$857

Antioch  
Nationwide Ranking: #3  
Percent of Roads in Poor Condition: 52 percent  
Annual Vehicle Maintenance Costs: \$831

Santa Rosa  
Nationwide Ranking: #5  
Percent of Roads in Poor Condition: 49 percent  
Annual Vehicle Maintenance Costs: \$811

Hemet  
Nationwide Ranking: #7  
Percent of Roads in Poor Condition: 36 percent  
Annual Vehicle Maintenance Costs: \$758

Oxnard  
Nationwide Ranking: #15  
Percent of Roads in Poor Condition: 36 percent  
Annual Vehicle Maintenance Costs: \$669

Victorville-Hesperia-Apple Valley  
Nationwide Ranking: #16  
Percent of Roads in Poor Condition: 32 percent  
Annual Vehicle Maintenance Costs: \$664

Stockton  
Nationwide Ranking: #18  
Percent of Roads in Poor Condition: 34 percent  
Annual Vehicle Maintenance Costs: \$657

Modesto  
Nationwide Ranking: #19  
Percent of Roads in Poor Condition: 30 percent  
Annual Vehicle Maintenance Costs: \$636

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'Annual Conference' Continued from Page 1...

Join fellow city colleagues for these entertaining and informative sessions:

- **Greg Lucas, California State Librarian**  
**"If You Build It They Will Come — The Huge Civic Payoff of 21st Century Libraries"**  
Throughout history, cities have been the incubators of civic, cultural, educational, and economic innovation in California. City officials don't need to look any further than their local public library for a hotbed of innovation and a major catalyst for building a stronger city. Join former political reporter and now California State Librarian, Greg Lucas, as he takes you on a tour of the ways in which community libraries are engaging citizens, transforming the way we learn and grow, helping expand local economies, and providing

vibrant and energetic urban places that attract entrepreneurs, families, potential employees, and tomorrow's leaders. Greg will be speaking at the opening general session which starts at 3 p.m. on Sept. 30 at the San José Convention Center.

- **Cam Marston, Leading Expert on the Impact of Generational Change "A Workplace in Transition"**

Only yesterday, Generation X entered the workplace and managers were perplexed with their behavior. Today Gen X'ers are the managers and are struggling to accommodate and retain the Millennial generation (aka Gen Y). Millennials are the single largest generation in the workplace. Though fluent with technological communications (they don't prefer it, they mandate it), their ability to empathize in person has been stymied due to an increase in handheld technology. Still very relevant are the Boomers who are busier than they had ever thought they'd be at this point in their lives and careers. Learn the ins and outs of a workplace in transition. Get tips on working with, and for, each of the different generations and enjoy a humorous approach to mixing them all together. Cam will be speaking at the general session which starts at 9:45 a.m. on Oct. 1 at the San José Convention Center.

Register before Aug. 5 and receive \$50 off registration. Registration and more information can be found on the League's website.

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July 28, 2015  
Issue #72

**Final CalPERS Webinar on Fund Risk and Volatility Set for July 30**  
*Additional CalPERS Rate Increases Being Considered to Reduce Volatility*

If you haven't done so already, city officials will have their final opportunity this Thursday to receive a briefing by CalPERS staff on options the CalPERS Board of Administration is studying to reduce risk and volatility in the fund. Both strategies are intended to ensure the long-term sustainability of the fund and **will have impacts to member and employer contributions in the future**. It is important to note that taking no action may pose an even higher risk of rate increases in the future. *For more, see Page 2.*



**Governor's Administration Releases Proposal for Modernizing Groundwater  
Adjudication Process**  
*Legislation also Proposed*

The primary method for solving groundwater disputes and protecting groundwater basins prior to the Sustainable Groundwater Management Act (SGMA) was litigation. When over-pumping led to a crisis, like seawater intrusion or chronic overdraft, people had little choice but to file a lawsuit, called an adjudication, in which all rights to water in a basin could be defined by a court. *For more, see Page 3.*

The pension fund will be holding its final webinar July 30 at 1:00 p.m. to brief city officials about the implementation and impacts of these strategies, including an opportunity to ask questions. [Register online](#) to participate.

The League will be conducting a member survey to solicit feedback on this issue in the next few days which will be due Aug. 7. It will use the information to possibly inform its recommendation to the CalPERS Board of Administration on Aug. 19. Here is some additional information on the issue.

**Introduction:** CalPERS has sponsored webinars in the last few months to solicit feedback on staff proposals currently under study by the Board to reduce the "volatility" of its investments and the risk of steep employer/employee contribution rate increases caused by serious investment losses.

**Overview:** Pension system costs (benefits and administration) are funded by investment earnings and employer/employee contributions. When investment earnings vastly exceed the estimated rate of investment return,<sup>1</sup> the unanticipated excess is used to pay costs and stabilize or lower contribution rates. When the earnings are under the "discount rate," contribution rates may have to be increased in the future. CalPERS has a goal of the system being 100 percent funded in order to weather future investment losses, keep contribution rates stable, and avoid shifting the cost of paying retiree benefits to future generations.

**Impact on Cities of CalPERS Investment Losses.** When CalPERS suffered a 24 percent loss in the value of its investments in 2008-09, it initially delayed increasing contribution rates. In recent years it began recovering those losses over a shorter period of time, lowered its discount rate, and adopted new retiree longevity projections. This collectively required a rate increase on average for cities of roughly 50 percent that is currently being phased-in over six years at a growing cost to city budgets. If city revenues decline due to another recession during this phase-in, the financial pressure will only increase.

**How to Reduce Investment Return Volatility.** Recently, the CalPERS senior staff began a discussion with the board about whether CalPERS should reduce the risk of similar future employer contribution rate spikes by shifting to a less "volatile" mix of investments, lowering its discount rate (currently at 7.5 percent compared to comparable corporate rates of 5 percent), and make up the difference through small increases in employer (and PEPRAs employee) contribution rates each year over the next few decades.

**More Retirees; Fewer Active Workers.** Another increasing financial pressure on the system is that there will soon be more retirees drawing benefits than active workers contributing. From two active workers for each retiree in 2002, the ratio fell to 1.45 to one by 2012, and by 2023 it is expected to be 1.0 to 1.0 and to decline afterwards. Fewer active employees compared to retirees means fewer people contributing to paying the obligations of the pension system.

**Reducing the Risk of Catastrophic Losses.** Finally, if funding of the pension system drops below 50 percent of the projected assets needed to pay future pensions, some pension experts warn returning to full funding becomes nearly impossible since it would require such onerous contribution rates and unlikely investment returns. CalPERS staff estimate that with the current investment volatility (i.e., discount rate and investment strategy) the probability of CalPERS funding levels falling below 50 percent at any point in the next 30 years is 26 percent (miscellaneous) and 29 percent (public safety) for local agencies (see page 24 of [CalPERS report](#)). The question is whether this is an acceptable level of volatility risk? The CalPERS staff has expressed concerns about this level of risk.

**Key Questions.** In its webinars and Board of Administration meeting, CalPERS is asking itself, employers and employees these questions:

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<sup>1</sup> The estimated rate of return by CalPERS is an informed projection of future investment earnings from employer and employee contributions, discounted to its present value. Hence it is known as the "discount rate."

- A. Should CalPERS reduce the “volatility” of its investments to reduce the risk of future rate spikes and loss in funded status for the pension system by reducing its discount rate and increasing employer (and PEPRA employee) contribution rates gradually over the next few decades?
- B. If “yes,” how should CalPERS do it? CalPERS staff have identified two options:
1. Flexible Glide Path Option: after a great investment year (i.e., earnings in excess of 11.5 percent) use 50 percent of the returns over the discount rate for contribution rate relief and 50 percent for risk mitigation by lowering the discount rate.
  2. Blended Glide Path Option: similar to Flexible Glide Path, but it would happen in stages called checkpoints. As an example, those checkpoints could be set at four year intervals with a goal of reducing the discount rate by 15 basis points during each interval. During a checkpoint year, CalPERS would assess whether that goal had been met. If the goal had not been met, CalPERS could still move forward with reducing the discount rate, even after a bad year. This would in turn put upwards pressure on employer rates (and employee rates as well for PEPRA members). Under the blended model, the enactment of risk mitigation measures is a certainty. Under the flexible model, risk mitigation would only follow years of great earnings.

**Note:** for a fuller discussion of these options, see the November 2014 review of Funding Levels and Risks by the CalPERS staff or the CalPERS webinar presentation.

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This is an expensive and cumbersome process, sometimes lasting decades. SGMA now requires groundwater basins to be managed sustainably through local management plans, but does not define water rights. The Administration believes that this leaves a need to provide water right holders with a forum for resolving legal disputes over water rights.

Gov. Jerry Brown signed SGMA into law, committing to reforming the adjudication process. The Administration recently released its proposal and if enacted, the legislation would provide a modern, comprehensive adjudication process for all groundwater basins that are regulated under SGMA, and an option for basins that are not. The proposal seeks to make adjudications more cost-effective, provide a process to settle water right disputes, and ensure that litigants don’t misuse the court system to obstruct or delay SGMA. The League is in the process of reviewing the Governor’s proposal.

Supporting documents include:

- Summary of Administration’s Proposal for Modernizing Groundwater Adjudication Process
- Proposed Legislation Text: Administration Proposal for Modernizing the Groundwater Adjudication Process

The Legislature is also considering two bills that pertain to the adjudication process, SB 226 (Pavley) and AB 1390 (Alejo).

Visit California Groundwater for news and information on implementation of SGMA.

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