

THE CITY OF GARDEN GROVE AS SUCCESSOR AGENCY
TO THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT

Tuesday, June 10, 2014

CONVENE MEETING

ABSENT: (1) Member Nguyen

WARRANTS (F: 60.5)

The motion carried by a 4-0-1 vote as follows:

6/10/14

PUBLIC HEARING - ADOPTION OF A RESOLUTION APPROVING THE PURCHASE AND SALE AGREEMENT WITH MICHAEL J. HENNESSEY DBA THE HENNESSEY GROUP, FOR THE SALE OF REAL PROPERTY LOCATED AT 13502 LANNING STREET, 13501 BARNETT WAY AND 13502 BARNETT WAY, GARDEN GROVE (THIS MATTER CONTINUED FROM THE MAY 27, 2014, MEETING) (F: A-84.1)

Following staff's presentation:

Chair Jones declared the Public Hearing open and asked if anyone wished to address the Success Agency on the matter.

Speakers: None.

There being no response from the audience, the Public Hearing was declared closed.

It was moved by Chair Jones, seconded by Member Beard that:

The Purchase and Sale Agreement with Michael J. Hennessey dba The Hennessey Group for the sale of real property located 13502 Lanning Street, 13501 Barnett Way and 13502 Barnett Way, in the amount of \$515,000, be approved;

Resolution No. 25-14 – A Resolution of The City of Garden Grove as Successor Agency to the Garden Grove Agency for Community Development approving a Purchase and Sale Agreement with Michael J. Hennessey dba The Hennessey Group in accordance with the Long Range Property Management Plan and the dissolution laws, be adopted;

The Director be authorized to transmit, on behalf of the Successor Agency, this Resolution and Agreement to the Oversight Board for approval; and

The Secretary be authorized to accept the grant deed on behalf of the Successor Agency; and

Upon approval by the Oversight Board and the California Department of Finance, the Director be authorized to execute the Purchase and Sale Agreement, Assignment, and any other required related documents on behalf of the Successor Agency and to make minor modifications as needed.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Broadwater, Jones, Phan
Noes: (0) None
Absent: (1) Nguyen

ADJOURNMENT

At 7:36 p.m., the meeting was adjourned.

Kathleen Bailor, CMC
Secretary

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, June 10, 2014

Community Meeting Center
11300 Stanford Avenue, Garden Grove, CA 92840

CONVENE MEETING

At 5:37 p.m., Mayor Broadwater convened the meeting in the Council Chamber.

ROLL CALL PRESENT: (3) Mayor Broadwater, Council Members Beard,
Phan

ABSENT: (2) Council Member Jones absent at Roll Call, but
joined the meeting at 5:42 p.m.
Council Member Nguyen absent at Roll Call,
but joined the meeting at 5:50 p.m.

Mayor Broadwater announced that the City Council was going into a Study Session regarding the proposed remodeling of the Community Meeting Center, and then into Closed Session regarding two matters, anticipated litigation and real property negotiations.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9 (d)(4) (One potential case)

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Properties: 12601, 12641, 12681 Harbor Boulevard, Garden Grove

City's Negotiator: Matthew J. Fertal, City Manager

Negotiating Party: GGMXD, Inc., Trae Rigby

Under Negotiation: Discussion of price and terms of payment.

ORAL COMMUNICATIONS ON STUDY SESSION OR CLOSED SESSION MATTERS

Speakers: None

CONVENE STUDY SESSION FOR COMMUNITY MEETING CENTER REMODEL PRESENTATION

At 5:38 p.m., Mayor Broadwater adjourned to the Founders Room for the Study Session with Council Members Beard and Phan present.

COUNCIL MEMBER JONES JOINED THE MEETING AT 5:42 P.M.

COUNCIL MEMBER NGUYEN JOINED THE MEETING AT 5:50 P.M.

COMMUNITY MEETING CENTER REMODEL PRESENTATION (F: 48.4)

ADJOURN STUDY SESSION

At 6:05 p.m., Mayor Broadwater adjourned the Study Session.

CONVENE CLOSED SESSION

At 6:05 p.m., Mayor Broadwater convened the Closed Session in the Founders Room with all Council Members present.

ADJOURN CLOSED SESSION

At 6:54 p.m., Mayor Broadwater adjourned the Closed Session.

CONVENE OPEN SESSION

At 6:55 p.m., Mayor Broadwater reconvened the meeting with all Council Members present.

ROLL CALL PRESENT: (5) Mayor Broadwater, Council Members Beard, Jones, Nguyen, Phan

ABSENT: (0) None

CLOSED SESSION REPORT

Mayor Broadwater announced that there was no reportable action concerning property negotiations. The anticipated litigation matter will be discussed at the end of the Open Session.

CONSIDER AUTHORIZATION OF A LETTER TO PRESIDENT OBAMA REGARDING HUMAN RIGHTS VIOLATIONS IN VIETNAM AND RECENT AGGRESSION BY CHINA IN VIETNAM'S TERRITORIAL WATERS (F: 88.1)

It was moved by Council Member Phan, seconded by Council Member Nguyen that:

The proposed letter to President Obama regarding human rights violations in Vietnam and recent aggression by China in Vietnam's territorial waters, be approved to mail.

The motion carried by a 5-0 vote as follows:

Ayes: (5) Beard, Broadwater, Jones, Nguyen, Phan
Noes: (0) None
Absent: (0) None

COUNCIL MEMBER NGUYEN LEFT THE MEETING AT 7:01 P.M.

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES

Invocation: Susan Emery, Community Development Director
Pledge: Council Member Jones

PRESENTATIONS

Community Spotlight - Recognition of AYSO Region 59 for winning the State Championship. (F: 52.3)

ORAL COMMUNICATIONS (Held simultaneously with the Successor Agency.)

Speakers: Sam Mirza, John Wildsmith, Charles Mitchell, Peter Katz, Carlyn Tamane, Robin Marcario

RECESS

At 7:33 p.m., Mayor Broadwater declared a recess.

RECONVENE

At 7:37 p.m., Mayor Broadwater reconvened the meeting with Council Members Beard, Jones, and Phan present.

RESOLUTIONS RELATING TO CALLING OF NOVEMBER 4, 2014, GENERAL MUNICIPAL ELECTION (F: 58.2)

It was moved by Council Member Beard, seconded by Council Member Phan that:

Resolution No. 9232-14 - A Resolution of the City Council of the City of Garden Grove, California, calling for the holding of a General Municipal Election to be held on Tuesday, November 4, 2014, for the election of certain officers as required by the provisions of the laws of the State of California relating to General Law cities,

be adopted.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Broadwater, Jones, Phan
Noes: (0) None
Absent: (1) Nguyen

It was moved by Council Member Beard, seconded by Council Member Phan that:

Resolution No. 9233-14 - A Resolution of the City Council of the City of Garden Grove, California, requesting the Board of Supervisors of the County of Orange to consolidate a General Municipal Election to be held on Tuesday, November 4, 2014, with the Statewide General Election to be held on the date pursuant to Section 10403 of the Elections Code, be adopted.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Broadwater, Jones, Phan
Noes: (0) None
Absent: (1) Nguyen

It was moved by Council Member Beard, seconded by Council Member Phan that:

Resolution No. 9234-14 - A Resolution of the City Council of the City of Garden Grove, California, adopting regulations for Candidates for elective office pertaining to Candidates Statements submitted to the voters at an election to be held on Tuesday, November 4, 2014, be adopted.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Broadwater, Jones, Phan
Noes: (0) None
Absent: (1) Nguyen

BIDS FOR THE PURCHASE OF A ROADHOG ASPHALT MILLING MACHINE (F: 60.4)

It was moved by Council Member Beard, seconded by Council Member Phan that:

Bids received for the purchase of a Roadhog Model RH48200 Asphalt Milling Machine, per Bid No. IFB S-1132, be rejected.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Broadwater, Jones, Phan
Noes: (0) None
Absent: (1) Nguyen

EASEMENT AT PROPERTY LOCATED AT 10222 WESTMINSTER AVENUE, GARDEN GROVE, FOR PUBLIC STREET AND HIGHWAY PURPOSES IN CONJUNCTION WITH SITE PLAN NO. SP-479-13 (F: 116.SP-479-13)

It was moved by Council Member Beard, seconded by Council Member Phan that:

The easement for public street and highway purposes for the property located at 10222 Westminster Avenue, Garden Grove (Site Plan No. SP-479-13), be accepted; and

The City Clerk be authorized to accept the Street Deed on behalf of the City.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Broadwater, Jones, Phan
Noes: (0) None
Absent: (1) Nguyen

PROJECT NO. 7272 – IRRIGATION INSTALLATION ON ACACIA, NELSON, AND STANFORD STREETS AS COMPLETE (F: 112.proj.7272)

It was moved by Council Member Beard, seconded by Council Member Phan that:

Project No. 7272 – Irrigation Installation on Acacia, Nelson and Stanford Streets be accepted as complete;

The City Manager be authorized to execute the Notice of Completion of Public Works Improvement and Work; and

The Finance Director be authorized to release the retention payment when appropriate to do so.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Broadwater, Jones, Phan
Noes: (0) None
Absent: (1) Nguyen

RESOLUTIONS AUTHORIZING THE SUBMITTAL OF APPLICATIONS TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR CALHOME FUNDS TO BE USED FOR THE CITY'S FIRST-TIME HOMEBUYERS PROGRAM AND OWNER OCCUPIED REHABILITATION PROGRAM FOR SINGLE-FAMILY HOMES AND MANUFACTURED HOMES (F: 117.4A)

It was moved by Council Member Beard, seconded by Council Member Phan that:

Resolution No. 9235-14 - A Resolution of the City Council of the City of Garden Grove authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the CalHome Program; the execution of a standard agreement if selected for such funding and the execution of any amendments thereto; and any related documents necessary to participate in the CalHome Program (single-family homes), be adopted; and

The City Manager be authorized to execute the applications, the Standard Agreements, and all other documents required by the HCD for the City's participation in the CalHome Program.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Broadwater, Jones, Phan
Noes: (0) None
Absent: (1) Nguyen

It was moved by Council Member Beard, seconded by Council Member Phan that:

Resolution No. 9236-14 - A Resolution of the City Council of the City of Garden Grove authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the CalHome Program; the execution of a standard agreement if selected for such funding and the execution of any amendments thereto; and any related documents necessary to participate in the CalHome Program (manufactured homes), be adopted; and

The City Manager be authorized to execute the applications, the Standard Agreements, and all other documents required by the HCD for the City's participation in the CalHome Program.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Broadwater, Jones, Phan
Noes: (0) None
Absent: (1) Nguyen

WARRANTS (F: 60.5)

It was moved by Council Member Beard, seconded by Council Member Phan that:

Regular Warrants 565352, 565888 through 565972, 565973 through 566621, and 566622 through 566863; Wires W1243 through W1245, W1246, and W1247 through W1252; and Direct Deposits W565972 through W566620 be approved as presented in the warrant registers submitted, and have been audited for accuracy and funds are available for payment thereof by the Finance Director; and

Payroll Warrants 176017 through 176081; Direct Deposits D258965 through DD259618; and Wires W2029 through W2032 be approved as presented in the payroll register submitted, and have been audited for accuracy and funds are available for payment thereof by the Finance Director.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Broadwater, Jones, Phan
Noes: (0) None
Absent: (1) Nguyen

WAIVER OF FULL READING OF ORDINANCES LISTED

It was moved by Council Member Beard, seconded by Council Member Phan that:

Full Reading of Ordinances listed be waived.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Broadwater, Jones, Phan
Noes: (0) None
Absent: (1) Nguyen

PUBLIC HEARING - GENERAL PLAN AMENDMENT NO. GPA-2-13(A); AND ZONE CHANGE AMENDMENT NO. A-172-13. AMENDMENT TO THE GENERAL PLAN LAND USE MAP AND ZONE MAP IN CONJUNCTION WITH A PROPOSED ANNEXATION OF THE CARMEL-LAMPSON ISLAND INTO THE CITY OF GARDEN GROVE. THIS PROPERTY IS LOCATED IN THE UNINCORPORATED AREA OF ORANGE COUNTY LOCATED AT 8141, 8151, AND 8171 LAMPSON AVENUE (F: 20.GPA-2-13(A)) (XR: 115.A-172-13)

(As approved earlier in the meeting: It was moved by Council Member Beard, seconded by Council Member Phan and carried by a 4-0-1 vote that Full Reading of Ordinances listed be waived.)

Following staff's presentation and reading the Ordinance title into the record:

Mayor Broadwater declared the Public Hearing open and asked if anyone wished to address the City Council on the matter.

Speakers: Steve Sarkis, Amber Hall

There being no further response from the audience, the Public Hearing was declared closed.

It was moved by Council Member Jones, seconded by Council Member Beard that:

The Project be determined to be exempt from the California Environmental Quality Act pursuant to Title 14, California Code of Regulations, Sections 15319 and 15061(b)(3);

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Broadwater, Jones, Phan
Noes: (0) None
Absent: (1) Nguyen

It was moved by Council Member Jones, seconded by Council Member Beard that:

Resolution No. 9237-14 - A Resolution of the City Council of the City of Garden Grove approving General Plan Amendment No. GPA-2-13(A) to amend the General Plan Land Use Map to include the property commonly referred to as the Carmel-Lampson Island and generally located east of Beach Boulevard, south of Carmel Drive, west of Arrowhead Street and north of Lampson Avenue, and identified as Assessor Parcel Numbers 131-471-07, 131-471-26, 131-471-28, and 131-471-29, within the "medium density residential" General Plan Land Use Designation, be adopted.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Broadwater, Jones, Phan
Noes: (0) None
Absent: (1) Nguyen

It was moved by Council Member Jones, seconded by Council Member Beard that:

Ordinance No. 2841 entitled:

An Ordinance of the City Council of the City of Garden Grove approving Zone Change Amendment No. A-172-13 in conjunction with the proposed annexation of the property commonly referred to as the Carmel-Lampson Island to the City of Garden Grove to pre-zone the property as R-3 (multiple-family residential), be passed to second reading.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Broadwater, Jones, Phan
Noes: (0) None
Absent: (1) Nguyen

It was moved by Council Member Jones, seconded by Council Member Beard that:

Resolution No. 9238-14 - A Resolution of the City Council of the City of Garden Grove approving Property Tax Exchange Agreement between the City of Garden Grove and the County of Orange regarding the Carmel-Lampson reorganization to the City of Garden Grove, be adopted.

The motion carried by a 4-0-1 vote as follows:

Ayes:	(4)	Beard, Broadwater, Jones, Phan
Noes:	(0)	None
Absent:	(1)	Nguyen

RECESS

At 7:57 p.m., Mayor Broadwater declared a recess.

RECONVENE

At 8:07 p.m., Mayor Broadwater reconvened the meeting with Council Members Beard, Jones, and Phan present.

PUBLIC HEARING - FISCAL YEAR 2014-15 ASSESSMENT FOR THE MAIN STREET ASSESSMENT DISTRICT NO. 1 (F: 31.4)

Following staff's presentation:

Mayor Broadwater declared the Public Hearing open and asked if anyone wished to address the City Council on the matter.

Speakers: Charles Mitchell

There being no further response from the audience, the Public Hearing was declared closed.

The City Clerk announced that no protests were received; therefore, there is not a majority protest.

It was moved by Council Member Jones, seconded by Council Member Beard that:

Resolution No. 9239-14 - A Resolution of the City Council of the City of Garden Grove making determinations and confirming the diagram and assessments in the matter of Main Street Assessment District No. 1, be adopted.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Broadwater, Jones, Phan
Noes: (0) None
Absent: (1) Nguyen

PUBLIC HEARING - FISCAL YEAR 2014-15 GARDEN GROVE TOURISM IMPROVEMENT DISTRICT ADVISORY REPORT AND ASSESSMENT (F: 32.1)

Following staff's presentation:

Mayor Broadwater declared the Public Hearing open and asked if anyone wished to address the City Council on the matter.

Speakers: None

There being no response from the audience, the Public Hearing was declared closed.

The City Clerk announced that no protests were received; therefore, there is not a majority protest.

It was moved by Council Member Jones, seconded by Council Member Phan that:

Resolution No. 9240-14 – A Resolution of the City Council of the City of Garden Grove confirming the Annual Report of the Garden Grove Tourism Improvement District Advisory Board and levying the assessment for Fiscal Year 2014-2015 for the Garden Grove Tourism Improvement District, be adopted.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Broadwater, Jones, Phan
Noes: (0) None
Absent: (1) Nguyen

PUBLIC HEARING - FISCAL YEAR 2014-15 ANNUAL LEVY OF ASSESSMENTS FOR GARDEN GROVE STREET LIGHTING DISTRICT NO. 99-1, GARDEN GROVE PARK MAINTENANCE DISTRICT, AND GARDEN GROVE STREET LIGHTING DISTRICT (F: 69.1)(F: 69.2)

Following staff's presentation:

Mayor Broadwater declared the Public Hearing open and asked if anyone wished to address the City Council on the matter.

Speakers: Charles Mitchell

There being no further response from the audience, the Public Hearing was declared closed.

Garden Grove Street Lighting District No. 99-1 - The City Clerk announced that no protests were received; therefore, there is not a majority protest.

It was moved by Council Member Beard, seconded by Council Member Phan that:

Resolution No. 9241-14 – A Resolution of the City Council of the City of Garden Grove making determinations and confirming the diagram and assessment for 2014-2015 Fiscal Year for the City of Garden Grove Street Lighting District No. 99-1, be adopted.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Broadwater, Jones, Phan
Noes: (0) None
Absent: (1) Nguyen

Garden Grove Park Maintenance District - The City Clerk announced that no protests were received; therefore, there is not a majority protest.

It was moved by Council Member Beard, seconded by Council Member Phan that:

Resolution No. 9242-14 – A Resolution of the City Council of the City of Garden Grove making determinations for the City of Garden Grove Park Maintenance District and confirming the diagram and assessment for 2014-2015 Fiscal Year, be adopted.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Broadwater, Jones, Phan
Noes: (0) None
Absent: (1) Nguyen

Garden Grove Street Lighting District - The City Clerk announced that no protests were received; therefore, there is not a majority protest.

It was moved by Council Member Beard, seconded by Council Member Jones that:

Resolution No. 9243-14 – A Resolution of the City Council of the City of Garden Grove making determinations and confirming the diagram and assessment for 2014-2015 Fiscal Year for the City of Garden Grove Street Lighting District, be adopted.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Broadwater, Jones, Phan
Noes: (0) None
Absent: (1) Nguyen

SECOND READING - AMENDMENT TO PLANNED UNIT DEVELOPMENT
NO. PUD-104-70 TO ALLOW A 59-FOOT TALL ELECTRONIC READER BOARD SIGN AT
AN EXISTING INDOOR SPORTS FACILITY - NEXT LEVEL SPORTS COMPLEX
(F: 116.PUD-104-70(Rev.2014))

(As approved earlier in the meeting: It was moved by Council Member Beard, seconded by Council Member Phan and carried by a 5-0 vote that Full Reading of Ordinances listed be waived.)

Following the reading of the title of the Ordinance by staff:

It was moved by Council Member Beard, seconded by Council Member Jones that:

Ordinance No. 2839, presented for second reading and adoption, by title only, entitled:

An Ordinance of the City Council of the City of Garden Grove approving Planned Unit Development No. PUD-104-70 (Rev. 2014), a text amendment to the Standards of Development for Signage, of Planned Unit Development No. PUD-104-70, to allow a 59'-0" tall freeway-oriented electronic reader board sign, subject to Conditional Use Permit approval, be adopted.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Broadwater, Jones, Phan
Noes: (0) None
Absent: (1) Nguyen

SECOND READING - AMENDMENT NO. A-007-2014 PROHIBITING DONATION
COLLECTION BINS OUTSIDE OF AN ENCLOSED BUILDING (F: 115.A-007-2014)

(As approved earlier in the meeting: It was moved by Council Member Beard, seconded by Council Member Phan and carried by a 5-0 vote that Full Reading of Ordinances listed be waived.)

Following the reading of the title of the Ordinance by staff:

It was moved by Council Member Jones, seconded by Council Member Beard that:

ORDINANCE NO. 2840, presented for second reading and adoption, by title only, entitled:

An Ordinance of the City Council of the City of Garden Grove approving Amendment No. A-007-2014 of the Garden Grove Municipal Code to add Chapter 9.50 to expressly prohibit outdoor donation collection bins throughout the city and to require the removal of all existing outdoor donation collection bins, be adopted.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Broadwater, Jones, Phan
Noes: (0) None
Absent: (1) Nguyen

CONSIDER AUTHORIZATION OF A LETTER TO PRESIDENT OBAMA REGARDING HUMAN RIGHTS VIOLATIONS IN VIETNAM AND RECENT AGGRESSION BY CHINA IN VIETNAM'S TERRITORIAL WATERS (F: 88.1)

This matter was considered earlier during the meeting.

MATTERS FROM THE MAYOR, CITY COUNCIL MEMBERS, AND CITY MANAGER

Council Member Beard commented on the passing of George Zlaket and that the Pacifica High School Girls were heading to the CIF finals.

Council Member Phan commented on the food drive at Lampson School, and congratulated the Pacifica High Schools girls.

Council Member Jones announced that the City is sponsoring an "Open Streets Event" on October 12, 2014.

Mayor Broadwater thanked staff for their efforts on the Garden Grove PRIDE event.

ADJOURN TO CLOSED SESSION

At 8:32 p.m., Mayor Broadwater convened the Closed Session in the Founders Room with Council Members Beard, Jones, and Phan present.

ADJOURNMENT

At 8:57 p.m., the City Attorney reported that there was no reportable action from the Closed Session. The meeting was adjourned.

Kathleen Bailor, CMC
City Clerk