

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, Beckles, Broadwater, Jones, Nguyen, O'Connor, Phan
Noes: (0) None
Absent: (0) None

ADJOURNMENT

At 6:46 p.m., the meeting was adjourned.

Kathy Bailor, CMC
Secretary

MINUTES

GARDEN GROVE SANITARY DISTRICT BOARD OF DIRECTORS

Regular Meeting

Tuesday, August 26, 2014

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

CONVENE MEETING

At 6:53 p.m., President Phan convened the meeting in the Council Chamber.

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

 ABSENT: (0) None

ORAL COMMUNICATIONS (Held simultaneously with the City Council and the
Successor Agency.)

Speakers: Jeff Snow, Rod Powell, Charles Mitchell, Craig Durfey, Robin Marcario,
Tony Flores.

RECESS

At 7:21 p.m., President Phan declared a recess.

RECONVENE

At 7:23 p.m., President Phan reconvened the meeting with all Members present.

MINUTES (F: Vault)

It was moved by Member Beard, seconded by Member Nguyen that:

The minutes of the meeting held June 24, 2014, be received and filed.

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

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

ADJOURNMENT

At 7:24 p.m., the meeting was declared adjourned.

Kathy Bailor, CMC
Secretary

WARRANTS (F: 60.5)

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

The Regular Warrants 000968 through 000980, and Wire W1297, be approved as presented in the warrant register submitted, and have been audited for accuracy and funds are available for payment thereof by the Finance Director.

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

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

ADJOURNMENT

At 7:22 p.m., the meeting was adjourned.

Kathy Bailor, CMC
Secretary

CONVENE CLOSED SESSION

At 5:40 p.m., Mayor Broadwater adjourned the meeting to the Founders Room for Closed Session with all Council members present.

ADJOURN CLOSED SESSION

At 6:40 p.m., Mayor Broadwater adjourned the Closed Session.

CONVENE OPEN SESSION

At 6:48 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.

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

Invocation: Susan Emery, Assistant City Manager

Pledge: Council Member Phan

PRESENTATIONS

Community Spotlight: Recognition of Veronica Gomez for fundraising to benefit the Police Department K-9 Unit. (F: 52.3)

ORAL COMMUNICATIONS (Held simultaneously with the Successor Agency and the Sanitary District.)

Speakers: Rod Powell, Charles Mitchell, Craig Durfey, Robin Marcario, Tony Flores.

Jeff Snow, Ambassador for the 2015 Special Olympics World Summer Games, requested the City's support in securing accommodations for participants in the upcoming 2015 World Special Olympics.

Council Member Response to Public Comments: Council Member Nguyen requested that Mr. Snow's request for support for the upcoming 2015 Special

Olympics World Summer Games be agendized on an upcoming City Council meeting.

RECESS

At 7:21 p.m., Mayor Broadwater declared a recess.

RECONVENE

At 7:24 p.m., Mayor Broadwater reconvened the meeting with all Council Members present.

CONTRACT WITH LPA, INC., FOR DESIGN SERVICES FOR THE RENOVATION OF THE GARDEN GROVE COMMUNITY MEETING CENTER (F: 55-LPA, Inc.)

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

The Agreement with LPA, Inc. for the preparation of design plans for renovation of the Garden Grove Community Meeting Center, in the amount not to exceed \$126,240, be approved; and

The City Manager, or his designee, be authorized to sign and execute the Agreement on behalf of the City, including making minor modifications as appropriate and necessary.

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

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

CULTURAL ARTS FUND (F: 122.65)

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

The use of additional monies from the Cultural Arts Fund, in the amount of \$40,000, to pay for both cultural and visual arts within the community, be authorized.

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

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

MINUTES (F: Vault)

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

The minutes from the meetings held May 13, 2014, and May 27, 2014, be received and filed.

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

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

WARRANTS (F: 60.5)

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

Regular Warrants 570309 through 570729; and Wires W1293 through W1297, 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.

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

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

WAIVER OF FULL READING OF ORDINANCES LISTED

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

Full Reading of Ordinances listed be waived.

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

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

PUBLIC HEARING - ORDINANCE APPROVING AMENDMENT NO. A-009-2014
AMENDING THE CITY'S MUNICIPAL CODE TO PERMIT "PARKING FACILITIES (FOR
FEE)" IN THE M-P (INDUSTRIAL PARK) ZONE (F: 115.A-009-2014)

(As approved earlier in the meeting: It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by a 5-0 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: Craig Durfey

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

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

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

The Ordinance is determined to be categorically exempt pursuant to Article 5, Section 15061 of the guidelines of the California Environmental Quality Act; and

Ordinance No. 2844 entitled: An Ordinance of the City Council of the City of Garden Grove approving Amendment No. A-009-2014, to amend Title 9 of the Garden Grove Municipal Code, Section 9.16.020.030, to permit "Parking Facilities (For Fee)" in the M-P (Industrial Park) Zone, subject to a conditional use permit), be passed to second reading.

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

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

RECESS

At 7:30 p.m., Mayor Broadwater declared a recess.

RECONVENE

At 7:53 p.m., Mayor Broadwater reconvened the meeting with all Council Members present.

PUBLIC HEARING - ORDINANCE APPROVING AMENDMENT NO. A-008-2014 TO PERMIT A NEWLY DEFINED USE "ART GALLERY/RETAIL BUSINESS WITH TATTOO ART STUDIO" IN THE CC-2 (CIVIC CENTER - MAIN STREET) ZONE
(F: 115.A-008-2014)

This matter was considered later in the meeting.

PURCHASE ORDER TO RAMCO RUGGED FOR IN-CAR COMPUTERS FOR POLICE VEHICLES MOBILE COMPUTER TERMINALS (MCTS) (F: 60.4)

Following staff's presentation:

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

The Finance Director be authorized to issue a Purchase Order to RAMCO Rugged, in the amount not to exceed \$462,915.20, to purchase Patrol PC brand in-car computers (MCTS), consistent with and according to the pricing and contract terms of the bidding process of the New Jersey State Police.

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

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

PURCHASE ORDER TO PIERCE MANUFACTURING INC., FOR TWO FIRE ENGINES (F: 60.4)

Following staff's presentation:

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

The Finance Director be authorized to issue a Purchase Order, in the amount of \$1,235,317.49, to Pierce Manufacturing Inc. for the purchase of two (2) new fire engines.

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

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

CONTRACT WITH SPILLMAN TECHNOLOGIES, INC., FOR PUBLIC SAFETY SOFTWARE AND RELATED COMPONENTS (F: 55-Spillman Technologies, Inc.)

Following staff's presentation:

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

A contract be awarded to Spillman Technologies, Inc., the highest scoring proposer, in the amount of \$1,502,458, pursuant to available funds in the budget and

supplemental funding;

The cost of annual maintenance fees for the duration of the agreement, which are subject to a 3% annual increase, be approved;

The cost of \$50,000 for internal Information Technology support for this project be approved;

The cost of not more than 10% of the contract amount for unforeseen expenses during the project management and implementation stages of the project with the approval of the City Manager or his designee, be approved; and

The City Manager or his designee be authorized to execute the agreement on behalf of the City.

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

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

CONTRACT WITH R.J. NOBLE COMPANY, FOR PROJECT NO. 7270 – BROOKHURST STREET RECONSTRUCTION FROM CHAPMAN AVENUE TO KATELLA AVENUE, GARDEN GROVE (F: 96.proj.7270)

Following staff's presentation:

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

A Contract be awarded to R. J. Noble Company, in the amount of \$2,874,230, for Project No. 7270 - Brookhurst Street Reconstruction from Chapman Avenue to Katella Avenue; and

The City Manager or his designee be authorized to execute the agreement, and make minor modifications as appropriate thereto, on behalf of the City.

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

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

PUBLIC HEARING - ORDINANCE APPROVING AMENDMENT NO. A-008-2014 TO PERMIT A NEWLY DEFINED USE "ART GALLERY/RETAIL BUSINESS WITH TATTOO ART STUDIO" IN THE CC-2 (CIVIC CENTER - MAIN STREET) ZONE
(F: 115.A-008-2014)

(As approved earlier in the meeting: It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by a 5-0 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 in support: Mira Zimet, also representing Pat Callahan, Patti Callahan, Doug Gibson, Whitney Bagg, Eric Weintrab; Bob Ramsey; Nicholas Crotwell; John Rittenhouse, also representing Michal Cree, Brian Spaulding, Denny Callahan, and Rommee Callahan; Jutta Riheberg, also representing Geof Riheberg and Cameron Palm; Janvier Vargas, also representing Joe Sulak, Nina Sulak, Joey Vargas, and Zander Morris; John Quiggle, also representing Bryan Schuller, Seantee Schuller, Barbra Garheart, and Gary Garheart; Chantel L'Heureux, also representing Billy L'Heureux and Kelly Ott; Cheryl Smyth, also representing Sarah Rodriguez;

Speakers in opposition: Charles Mitchell

RECESS

At 9:04 p.m., Mayor Broadwater declared a recess.

RECONVENE

At 9:24 p.m., Mayor Broadwater reconvened the meeting with all Council Members present.

PUBLIC HEARING - ORDINANCE APPROVING AMENDMENT NO. A-008-2014 TO PERMIT A NEWLY DEFINED USE "ART GALLERY/RETAIL BUSINESS WITH TATTOO ART STUDIO" IN THE CC-2 (CIVIC CENTER - MAIN STREET) ZONE (continued)
(F: 115.A-008-2014)

Speakers in support: Krystin Gibson; Matt Provencia; Danielle Cree; Carlos Jimenez, also representing Grace Jimenez; Rebecca Mills; Josh McIntosh; Stewart Bagg; and Kurtis Gibson.

Speakers in opposition: Jim Schierberl; John Wildsmith; Ric Lerma; Lynn Shaw; Verna Chumley; Event Planner for the Downtown Business Association; Scott Weimer; Dan Collins; John Scott; John Holm; and Peter Katz.

Letters of support submitted by: Wendy Ellis; Kai Reiss; Crystal Cervantes; and Carlos Cervantes.

Letters of opposition submitted by: Adrienne Holm; Martha McFarren; Maureen Blackmun; Darrel Blackmun; Andrea Perez; Sharon Sunda; Russell McDonald Sr.

During the Public Hearing, two petitions were submitted – one in support; and one in opposition to the zone change.

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

RECESS

At 10:39 p.m., Mayor Broadwater declared a recess.

RECONVENE

At 10:45 p.m., Mayor Broadwater reconvened the meeting with all Council Members present.

PUBLIC HEARING - ORDINANCE APPROVING AMENDMENT NO. A-008-2014 TO PERMIT A NEWLY DEFINED USE "ART GALLERY/RETAIL BUSINESS WITH TATTOO ART STUDIO" IN THE CC-2 (CIVIC CENTER – MAIN STREET) ZONE (continued)
(F: 115.A-008-2014)

COUNCIL MEMBER DISCUSSION

Staff responded to Council Member Phan's inquiries regarding the layout of the business, distance from the dance studio, and crime rate near and around other tattoo parlors within the city.

Council Member Beard moved that the Applicant's request be denied without prejudice.

In response to Council Member Jones, staff provided a history of the code changes for Main Street. In response to the concern that this code change triggers other adult uses on Main Street, staff indicated that any use for Main Street would need to go through the Conditional Use Permit process, reviewed by the Planning Commission, and approved by the City Council.

The City Attorney provided information on the legal standard that needs to be met for the Court to overturn a City Council's decision. A decision cannot be made arbitrarily or capriciously; decisions should be made on a rational basis.

Council Member Jones indicated that as he cannot find a reason to say no to the Applicant's request, he will be supporting the zone change.

Council Member Phan suggested a six-month review of the business be added as a condition to the Conditional Use Permit.

Mayor Broadwater and Council Member Nguyen expressed concern of spot zoning and the negative affect it could have amongst the other Business Owners on Main Street.

Council Member Nguyen seconded Council Member Beard's motion to deny the Applicant's request without prejudice.

Council Member Phan disclosed that he serves on the Garden Grove Downtown Business Association Board, but did not vote on this matter when it came before the Board. He further stated that he would be supporting the zone change.

The motion carried by a 3-2 vote as follows:

Ayes: (3) Beard, Broadwater, Nguyen
Noes: (2) Jones, Phan
Absent: (0) None

PURCHASE ORDER TO RAMCO RUGGED FOR IN-CAR COMPUTERS FOR POLICE VEHICLES MOBILE COMPUTER TERMINALS (MCTS) (F: 60.4)

This matter was considered earlier in the meeting.

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This matter was considered earlier in the meeting.

ADJOURNMENT

At 11:26 p.m., the Mayor Broadwater adjourned the meeting in memory of Marines who have recently died in combat: Justin Allen, Bret Linley, Matt Weikert, Justus Bartlett, Dave Santos, Chase Stanley, Jesse Reed, Matt Johnson, Zachery Fisher, Brandon King, Chris Goeke, and Sheldon Tate.

Kathleen Bailor, CMC
City Clerk