

MINUTES

GARDEN GROVE HOUSING AUTHORITY

Regular Meeting

Tuesday, November 25, 2014

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

CONVENE MEETING

At 6:39 p.m., Chair Beard convened the meeting in the Council Chamber.

ROLL CALL PRESENT: (5) Chair Beard, Commissioners Beckles,
Broadwater, Jones, Phan

 ABSENT: (2) Commissioners Nguyen, O'Connor

ORAL COMMUNICATIONS

Speakers: None.

HOUSING AUTHORITY STATUS REPORTS FOR SEPTEMBER AND OCTOBER 2014
(F: H-117.2)

It was moved by Commissioner Nguyen, seconded by Commissioner Phan that:

The Housing Authority Status Reports for September and October 2014, be received and filed.

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

RESOLUTION ADOPTING A SUPPLEMENTAL HOUSING AUTHORITY BUDGET FOR FISCAL YEAR 2014-2015 (F: H-34.1)

It was moved by Commissioner Nguyen, seconded by Commissioner Phan that:

Resolution No. 168-14 – A Resolution adopting a Supplemental Housing Authority Budget for Fiscal Year 2014-2015, be adopted.

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

MINUTES (F: Vault)

It was moved by Commissioner Nguyen, seconded by Commissioner Phan that:

The minutes of the meeting held September 23, 2014, be received and filed.

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

PUBLIC HEARING - HOUSING AUTHORITY REVISED ADMINISTRATIVE PLAN
(F: 117.10D)

Following staff's presentation:

Chair Beard declared the Public hearing open and asked if anyone wished to address the Housing Authority on the matter.

Speakers: None

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

It was moved by Commissioner Broadwater, seconded by Commission Nguyen that:

The November 25, 2014 Revised Administrative Plan, be approved.

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 6:36 p.m., the meeting was adjourned to Tuesday, December 9, 2014, at 6:30 p.m., at the Garden Grove Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

Kathleen Bailor, CMC
Secretary

MINUTES

GARDEN GROVE SANITARY DISTRICT BOARD OF DIRECTORS

Regular Meeting

Tuesday, November 25, 2014

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

CONVENE MEETING

At 7:01 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

Speakers: Craig Durfey, Julie Diep, Samantha Afable, Scott Harrison,
Scott Weimer, Adrienne Holm, John Holm, Tony Flores,
Maureen Blackmun, Keith Riley, Robin Marcario, Charles Mitchell,
Josh McIntosh, Rod Powell

PROJECT NO. 7822 – LENORE AVENUE/LAMPSON AVENUE SEWER IMPROVEMENTS
(F: 92.proj.7822)

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

Project No. 7822 – Lenore Avenue/Lampson Avenue Sewer Improvements Project
be accepted as complete;

The General 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 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 Member Nguyen, seconded by Member Beard that:

The minutes from the September 23, 2014, meeting 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

CONTRACT WITH PAULUS ENGINEERING, INC. FOR PROJECT NO. 7831 – JOYZELLE DRIVE/HILL ROAD WATER AND SEWER IMPROVEMENTS (F: 92.proj.7831)

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

The contract be awarded to Paulus Engineering, Inc., for \$885,695, for the construction of Project No. 7831 – Joyzelle Drive/Hill Road Water and Sewer Improvements Project;

Sewer funds in the amount of \$654,245 be appropriated for the sewer improvements portion of the Project; and

The General Manager be authorized to execute the agreement, and make minor modifications as appropriate, on behalf of the Sanitary District.

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 8:30 p.m., the meeting was declared adjourned to Tuesday, December 9, 2014, at 6:30 p.m., at the Garden Grove Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

Kathleen Bailor, CMC
Secretary

APPROVAL TO RENAME THE POLICE DEPARTMENT JUVENILE JUSTICE CENTER TO "BRUCE BEAUCHAMP JUVENILE JUSTICE CENTER" (F: 82.12)(XR: 82.1)

It was moved by Mayor Broadwater, seconded by Council Member Jones that:

The Garden Grove Police Department Juvenile Justice Center be renamed to the "Bruce Beauchamp Juvenile Justice Center" in memory of Bruce Beauchamp, be approved.

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

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

ORAL COMMUNICATIONS

Speakers: Craig Durfey, Julie Diep, Samantha Afable, Scott Harrison, Scott Weimer, Adrienne Holm, John Holm, Tony Flores, Maureen Blackmun, Keith Riley, Robin Marcario, Charles Mitchell, Josh McIntosh, Rod Powell

Council Member Response to Public Comments: In response to Mr. Flores' comments, Mayor Broadwater requested a legal opinion from the City Attorney.

RECESS

At 7:50 p.m., Mayor Broadwater declared a recess.

RECONVENE

At 8:30 p.m., Mayor Broadwater reconvened the meeting with all Council Members present.

RENAME THE POLICE DEPARTMENT JUVENILE JUSTICE CENTER TO "BRUCE BEAUCHAMP JUVENILE JUSTICE CENTER" (F: 82.12)(XR: 82.1)

This matter was considered earlier in the meeting.

FISCAL YEAR 2013-14 DEVELOPMENT IMPACT FEE ANNUAL REPORT (F: 60.2D)

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

The Fiscal Year 2013-14 Development Impact Fee Annual Report, pursuant to Government Code Section 66006(b), 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 Nguyen, seconded by Council Member Phan that:

Regular Warrants 575167 through 575556; and Wires W1338 and W1339, be approved as presented in the warrant register submitted that have been audited for accuracy and funds are available for payment thereof by the Finance Director; and

Payroll Warrants 177255 through 177316; Direct Deposits D266992 through DD267657; and Wires W2079 through W2082, be approved as presented in the payroll register submitted that 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

FULL READING OF ORDINANCES LISTED

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

RESOLUTION ADOPTING A SUPPLEMENTAL HOUSING AUTHORITY BUDGET FOR FISCAL YEAR 2014-2015 (F: H-34.1)(XR: 34.1)

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

Resolution No. 9263-14 – A Resolution adopting a Supplemental Housing Authority Budget for Fiscal Year 2014-2015, be adopted.

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

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

RESOLUTION ADOPTING A BUDGET REALLOCATION FOR FISCAL YEAR 2014-15
(F: 34.1)

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

Resolution No. 9264-14 – A Resolution adopting a budget reallocation for Fiscal Year 2014-2015, be adopted.

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

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

RESOLUTION AMENDING THE CENTRAL MANAGEMENT PERSONNEL
CLASSIFICATION LIST TO ADD THE POSITION OF PUBLIC SAFETY ADMINISTRATIVE
OFFICER AND ESTABLISHING THE SALARY THEREFOR, AND APPROVAL OF A
PREVIOUSLY AUTHORIZED SETTLEMENT AGREEMENT WITH DAVID BARLAG
REGARDING THREATENED LITIGATION (F: 78.1)(XR: 78.13A)

This matter was considered later in the meeting.

DEMOLITION OF THE BLACK ANGUS BUILDING PROJECT AT 12900 EUCLID STREET,
GARDEN GROVE (F: 55-J&G Industries, Inc.)

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

The Black Angus Demolition Project, at 12900 Euclid Street, Garden Grove, be accepted as complete;

The City Manager be authorized to execute the Notice of Completion; and

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

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

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

RESOLUTION AMENDING THE CENTRAL MANAGEMENT PERSONNEL CLASSIFICATION LIST TO ADD THE POSITION OF PUBLIC SAFETY ADMINISTRATIVE OFFICER AND ESTABLISHING THE SALARY THEREFOR, AND APPROVAL OF A PREVIOUSLY AUTHORIZED SETTLEMENT AGREEMENT WITH DAVID BARLAG REGARDING THREATENED LITIGATION (F: 78.1)(XR: 78.13A)

Council Member Phan requested that this matter be considered separately from the rest of the consent calendar.

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

Resolution No. 9265-14 – A Resolution amending Resolution No. 9251-14 adding a new classification of Public Safety Administrative Officer, with a current basic salary of \$17,967 per month, to the Central Management Personnel Classification list, be adopted;

The Settlement Agreement with David Barlag regarding threatened litigation be approved; and

The execution of the Settlement Agreement by the City Manager be ratified.

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

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

PUBLIC HEARING - PROTEST HEARING REGARDING THE 2014 FALL WEED/RUBBISH ABATEMENT NOTICES (F: 113.1.fall2014)

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.

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

Due to no objections received, staff be directed to proceed with the scheduled weed abatement.

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 - MUNICIPAL CODE AMENDMENT AMENDING TITLE 14
REGARDING WATER CONSERVATION (F: 50.2)(XR: 112.7)

(As approved earlier in the meeting: It was moved by Council Member Nguyen, seconded by Council Member Phan, 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: None.

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

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

Ordinance No. 2849 entitled:

An Ordinance of the City Council of the City of Garden Grove amending Chapter 40 of Title 14 of the Garden Grove Municipal Code to reflect recent changes in State Law regarding water conservation and amending Sections 14.08.090 and 14.20.020 of Title 14 of the Garden Grove Municipal Code to update outdated provisions, 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

PUBLIC HEARING - AGREEMENT WITH GARDEN GROVE MXD, INC. REGARDING DEVELOPMENT AND OPERATING COVENANTS FOR THE WATER PARK HOTEL INCLUDING A DETERMINATION THAT NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED (F: A-55.346)

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.

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

Resolution No. 9266-14 – A Resolution approving an agreement re development and operating covenants by and between the City of Garden Grove and Garden Grove MXD, Inc.; making certain findings in connection therewith; and authorizing the execution and implementation of said Agreement regarding development and operating covenants, be adopted.

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 PAULUS ENGINEERING, INC. BY THE SANITARY DISTRICT FOR THE CONSTRUCTION OF PROJECT NO. 7831 – JOYZELLE DRIVE/HILL ROAD WATER AND SEWER IMPROVEMENTS (F: 92.proj.7831)

Following staff's presentation:

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

The contract for the construction of Project No. 7831 – Joyzelle Drive/Hill Road Water and Sewer Improvements Project awarded to Paulus Engineering, Inc. by the Sanitary District, be approved; and

The appropriation of \$231,450 in Water Funds for the water improvements portion of the Project, be approved.

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

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

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

The Mayor and Council Members wished the citizens of Garden Grove a Happy Thanksgiving.

Council Member Nguyen encouraged everyone to buy in Garden Grove.

Council Member Phan commented about the allegations made during Public comment.

Mayor Broadwater reported on his 22 years of service on the City Council. He offered his condolences to the Powers Family, and the Beitler Family for the loss of their loved ones.

CLOSED SESSION IN THE FOUNDERS ROOM

The City Attorney announced the following information concerning the Closed Session matters:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pending Litigation - Pursuant to Government Code Section 54956.9 (d)(1)
McGraw v. City of Garden Grove

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Threat of Litigation - Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) (One potential case): Terry Franke and Californians Aware alleging a Brown Act Violation relating to the distribution of the Management Partners Report on October 14, 2014.

CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION

Pursuant to Government Code Section 54956.9 (d)(4) (Three potential cases):
1. Property at 10131 Imperial Avenue; 2. Properties at 11464 Westminster Avenue, and 11931 Newhope Avenue; 3. Property at 11191 Rainier Avenue. For all these properties there are multiple code violations relating to property maintenance

With regard to the Public Employee Discipline/Dismissal/Release matter, that has been removed from the agenda.

At 9:15 p.m., Mayor Broadwater adjourned to Closed Session and convened the Closed Session in the Founders Room with all Council Members present.

ADJOURN CLOSED SESSION

Mayor Broadwater adjourned the Closed Session to Open Session.

RECONVENE OPEN SESSION IN THE COUNCIL CHAMBER FOR CLOSED SESSION REPORT

The City Attorney announced that the City Council authorized staff to initiate litigation on the properties located at 10131 Imperial Avenue, 11464 Westminster Avenue; 11931 Newhope Avenue, and 11191 Rainer Avenue, Garden Grove. There was no other reportable action.

ADJOURNMENT

The meeting was adjourned in memory of Delbert "Del" Powers, and Margaret Beitler to December 9, 2014, at the Garden Grove Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

Kathleen Bailor, CMC
City Clerk