

MINUTES

GARDEN GROVE HOUSING AUTHORITY

Adjourned Regular Meeting

Tuesday, December 9, 2014

Community Meeting Center

11300 Stanford Avenue, Garden Grove, CA 92840

CONVENE MEETING

At 6:32 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 SUCCESSOR ANNUAL REPORT REGARDING THE LOW AND MODERATE
INCOME HOUSING ASSET FUND – FISCAL YEAR 2013-2014 (F: H-128.1)

It was moved by Commissioner Jones, seconded by Commissioner Broadwater that:

The 2013-2014 Housing Successor Annual Report be received and filed.

The motion carried by a 5-0-2 vote as follows:

Ayes: (5) Beard, Beckles, Broadwater, Jones, Phan

Noes: (0) None

Absent: (0) Nguyen, O'Connor

ADJOURNMENT

At 6:36 p.m., the meeting was adjourned to Tuesday, January 27, 2015, at 6:30 p.m., at the Garden Grove Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

Kathleen Bailor, CMC
Secretary

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

Member Beard be reselected as Vice President.

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

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

ADJOURNMENT

At 9:15 p.m., the meeting was declared adjourned to Tuesday, January 27, 2015, at 6:30 p.m. at the Garden Grove Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

Kathleen Bailor, CMC
Secretary

MINUTES

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

Regular Meeting

Tuesday, December 9, 2014

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

CONVENE MEETING

At 8:35 p.m., Chair Jones convened the meeting in the Council Chamber with all Members present.

ROLL CALL PRESENT: (5) Chair Jones, Members Beard, Bui, Nguyen, Phan

 ABSENT: (0) None

ORAL COMMUNICATIONS

Speakers: Dietrich Nicholson, Craig Durfey, Josh McIntosh, Charles Mitchell, George Brietigam, Tonu Thi Phuong

SELECTION OF CHAIR AND VICE CHAIR

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

Member Jones be reselected as Chair.

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

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

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

Member Beard be reselected as Vice Chair.

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

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

MINUTES

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

The minutes from the November 11, 2014, meeting be received and filed.

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

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

WARRANTS (F: 60.5)

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

The Regular Warrants 1061 through 1067, and 1068 through 1070, 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.

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

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

RECESS

At 9:14 p.m., Chair Jones declared a recess.

CLOSED SESSION

At 12:07 a.m., Chair Jones announced that the Successor Agency will be going into Closed Session regarding the following:

Public Employee Appointment

Title: Director

CONVENE CLOSED SESSION IN THE FOUNDERS ROOM

At 12:08 a.m., Chair Jones convened the meeting with all Members present to the Founders Room for Closed Session.

ADJOURN CLOSED SESSION AND RECONVENE OPEN SESSION IN THE COUNCIL CHAMBER FOR CLOSED SESSION REPORT

At 2:29 a.m., Chair Jones adjourned the Closed Session, and convened the meeting with all Members present to the Council Chamber for Open Session.

At 2:29 a.m., the Mayor announced there was no reportable action.

ADJOURNMENT

At 2:30 a.m., the meeting was declared adjourned to Tuesday, January 13, 2015 at 5:30 p.m., at the Garden Grove Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

Kathleen Bailor, CMC
Secretary

PRESENTATION

Community Spotlight: Recognition of Police Chief Kevin Raney retiring after 37 years of service to the city. (F: 52.3)

ADOPTION OF A RESOLUTION OF COMMENDATION FOR KEVIN RANEY
RECOGNIZING HIS 37 YEARS OF DEDICATED SERVICE TO THE CITY OF GARDEN
GROVE (F: 82.1)(XR: 52.1)

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

A Resolution of Commendation for Kevin Raney recognizing his 37 years of dedicated service to the city of Garden Grove, be adopted.

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

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

ORAL COMMUNICATIONS

Speakers: Dietrich Nicholson, Craig Durfey, Josh McIntosh, Charles Mitchell,
George Brietigam, Tonu Thi Phuong

SELECTION OF MAYOR PRO TEMPORE (F: 46.1)(XR: 10.2)(VIP)

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

Council Member Phan be selected as Mayor Pro Tem.

Council Member Bui moved a substitute motion, seconded by Council Member Phan that:

Council Member Jones be selected as Mayor Pro Tem.

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

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

RECESS

At 9:11 p.m., Mayor Nguyen declared a recess.

RECONVENE

At 9:18 p.m., Mayor Nguyen reconvened the meeting with all Council Members present.

RESOLUTION OF COMMENDATION FOR KEVIN RANEY RECOGNIZING HIS 37 YEARS OF DEDICATED SERVICE TO THE CITY OF GARDEN GROVE (F: 82.1)(XR: 52.1)

This matter was considered earlier in the meeting.

FIRST AMENDMENT TO THE AGREEMENT AMONG THE COUNTY OF ORANGE, COMMUNITY SERVICES PROGRAMS, INC., CHILDREN'S BUREAU OF SOUTHERN CALIFORNIA, INTERVAL HOUSE, AND THE CITY FOR FAMILIES AND COMMUNITIES TOGETHER (FACT) GRANT FUNDING FOR THE OPERATION OF THE MAGNOLIA PARK FAMILY RESOURCE CENTER (F: 55-County of Orange)

This matter was considered later in the meeting.

AGREEMENT WITH HDL COMPANIES FOR CONSTRUCTION SITE USE TAX AUDITING SERVICES AT THE WATERPARK HOTEL SITE (F: A-55.245)

This matter was considered later in the meeting.

MINUTES (F: Vault)

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

The minutes from the meeting held November 11, 2014, be received and filed.

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

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

WARRANTS (F: 60.5)

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

Regular Warrants 575557 through 575835, 575836 through 576480, and 576481 through 576708; Wires W1340 through W1342, and W1343 through W1348; and Direct Deposits W575835 through W576479, be approved as presented in the payroll register submitted, that has been audited for accuracy and funds are available for payment thereof by the Finance Director; and

Payroll Warrants 177317 through 177475; Direct Deposits D267284 through DD268317; and Wires W2083 through W2086, be approved as presented in the payroll register submitted, that has 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, Bui, Jones, Nguyen, Phan
Noes: (0) None
Absent: (0) None

READING OF ORDINANCES LISTED

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

Full Reading of Ordinances listed be waived.

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

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

FIRST AMENDMENT TO THE AGREEMENT AMONG THE COUNTY OF ORANGE, COMMUNITY SERVICES PROGRAMS, INC., CHILDREN'S BUREAU OF SOUTHERN CALIFORNIA, INTERVAL HOUSE, AND THE CITY FOR FAMILIES AND COMMUNITIES TOGETHER (FACT) GRANT FUNDING FOR THE OPERATION OF THE MAGNOLIA PARK FAMILY RESOURCE CENTER (F: 55-County of Orange)

Council Member Beard requested that this matter be considered separately from the rest of the consent calendar. He announced that, although he is employed by the County of Orange, Orange County Community Resources Department, there is no conflict of interest for him voting on this agreement as his department is not involved in this matter.

Council Member Phan announced that he too is employed by the County of Orange District Attorney's Office, and this matter may present a conflict of interest. Therefore, he announced he will not participate in this matter.

COUNCIL MEMBER PHAN LEFT THE MEETING: 9:19 P.M.

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

The First Amendment to the Agreement with the County of Orange Social Services Agency be approved, and

The City Manager be authorized to sign and execute the Agreement, including making any modifications during the contract period for the operation and implementation of the contract services.

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

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

COUNCIL MEMBER PHAN RETURNED TO THE MEETING: 9:20 P.M.

AGREEMENT WITH HDL COMPANIES FOR CONSTRUCTION SITE USE TAX AUDITING SERVICES AT THE WATERPARK HOTEL SITE (F: A-55.245)

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

After discussion, it was moved by Council Member Beard, seconded by Council Member Jones that:

The Consultant Services Agreement with HdL Companies for construction site use tax auditing services at the Waterpark Hotel site, in an amount not to exceed \$150,000 be approved; and

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

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

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

PUBLIC HEARING - AMENDMENT NO. A-008-2014 REGARDING A NEW 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 Beard 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 Nguyen declared the Public Hearing open and asked if anyone wished to

address the City Council on the matter.

Speakers in support: Robin Macario, George Brietigam, Josh McIntosh, Linda Zamora, Manuel Mancera Jr., Nina Nguyen, Bob Ramsey, Yvonne Ho, Brian Smith, Celia Gotts, Joey Vargas, Rebecca Mills, Geoffrey Rineberg, Mina Zimet, Jutta Rineberg, Kip Smith, Gunner Barrera, Krystin Gibson, John Quiggle, Janvier Vargas, Chantal L'Heureux, Reverend Greg Fero

Speakers in opposition: Scott Weimer, Ruhina Khan, Peter Katz, Charles Mitchell

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

Council Member Phan moved to postpone this matter until January in order to look into the friction amongst Main Street business owners. Council Member Bui seconded the motion.

After discussion, the motion failed by a 2-3 vote as follows:

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

After further discussion, it was moved by Council Member Nguyen, seconded by Council Member Phan that:

The City Council's action of August 26, 2014, to not approve Amendment No. A-008-2014 be rescinded;

Ordinance No. 2850 be determined to be categorically exempt from the California Environmental Quality Act pursuant to Title 14, California Code of Regulations, Section 15061(b)(3); and

Ordinance No. 2850 entitled: An Ordinance of the City Council of the City of Garden Grove approving Amendment No. A-008-2014, a Code Amendment to allow an Art Gallery/Retail Business with Tattoo Art Studio Use in the CC-2 (Civic Center-Main Street) Zone subject to Conditional Use Permit Approval, be passed to second reading.

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

Ayes: (5) Beard, Bui, Jones, Nguyen
Noes: (0) None
Abstain: (1) Phan
Absent: (0) None

PROCESS FOR APPLICATIONS FOR CITY COMMISSION APPOINTMENTS (F: 122.1)

Mayor Nguyen announced that the City Clerk's Office will be accepting applications for the six City Commissions until January 8, 2015, at 5:30 p.m.

RESOLUTION APPROVING THE SUBMITTAL OF TRAFFIC SIGNAL SYNCHRONIZATION IMPROVEMENT PROJECTS TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE COMPREHENSIVE TRANSPORTATION FUNDING PROGRAM (WESTMINSTER AVENUE, CHAPMAN AVENUE, AND HARBOR BOULEVARD, GARDEN GROVE) (F: 100.1)

Following staff's presentation, and City Council discussion:

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

Resolution No. 9268-14 - A Resolution approving the submittal of Traffic Signal Synchronization Improvement Projects to the Orange County Transportation Authority for funding under the Comprehensive Transportation Funding Program, be adopted.

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

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

CITYWIDE ENGINEERING AND TRAFFIC SPEED SURVEY ESTABLISHING SPEED LIMITS ON ROADWAYS WITHIN THE CITY AS REQUIRED BY THE CALIFORNIA VEHICLE CODE (F: 100.1)

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

Following staff's presentation, reading the Ordinance title into the record, and City Council discussion:

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

Ordinance No. 2851 entitled: An Ordinance of the City Council of the City of Garden Grove amending Chapter 36 of Title 10 of the Garden Grove Municipal Code establishing speed limits for certain designated city streets based upon an updated Traffic and Engineering Speed Survey, be passed to second reading.

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

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

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

Resolution No. 9269-14 – A Resolution accepting and approving the Functional Classification Changes for select streets within the city of Garden Grove, be adopted.

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

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

ORDINANCE NO. 2849 PRESENTED FOR SECOND READING AND ADOPTION - MUNICIPAL CODE TITLE 14 REGARDING WATER CONSERVATION
(F: 50.2)(XR: 112.7)

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

Following the reading of the title of Ordinance No. 2849 into the record, it was moved by Council Member Bui, 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 adopted.

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

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

CITY COUNCIL CLOSED SESSION EVALUATION OF CITY MANAGER AND CITY ATTORNEY, AS REQUESTED BY MAYOR NGUYEN (F: 46.1)

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

Evaluation of the City Manager and the City Attorney be listed on the January 13, 2015, City Council agenda under Closed Session.

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

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

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

The Mayor and Council Members expressed appreciation to outgoing City Manager Matthew Fertal for his years of service to the City of Garden Grove.

Mayor Nguyen commented on the City's annual Tree Lighting Service and thanked staff for an excellent event.

CLOSED SESSION

The Mayor announced that the City Council will be going into Closed Session regarding the following:

Public Employee Appointment

Title: City Manager

CONVENE CLOSED SESSION IN THE FOUNDERS ROOM

At 12:08 a.m., Mayor Nguyen reconvened the meeting with all Council Members present to the Founders Room for Closed Session.

ADJOURN CLOSED SESSION

At 2:29 a.m., Mayor Nguyen adjourned the Closed Session.

RECONVENE OPEN SESSION IN THE COUNCIL CHAMBER FOR CLOSED SESSION REPORT

At 2:29 a.m., Mayor Nguyen announced that the City Council would be reviewing applications and conducting interviews for the Interim City Manager at the Tuesday, December 16, 2014 adjourned regular meeting. Anyone interested in being considered for this position should provide their information to the City Clerk's Office by Monday, December 15, 2014, by 5:00 p.m. The Interim City Manager will

not be considered for the permanent City Manager position.

ADJOURNMENT

At 2:30 a.m., the meeting was adjourned to Tuesday, December 16, 2014, at 7:00 p.m., at the Garden Grove Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

Kathleen Bailor, CMC
City Clerk