

CONFERENCE WITH LEGAL COUNSEL— EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Montoya vs. Garden Grove (OCSD Case No. 30-2015-00799522-CU-MC-CJC)

ADJOURNMENT OF CLOSED SESSION: 7:00 p.m.

RECONVENE CITY COUNCIL MEETING

At 7:06 p.m., Mayor Pro Tem Jones reconvened the meeting with Council Members Beard, Bui, and Phan present.

INVOCATION AND PLEDGE OF ALLEGIANCE

CLOSED SESSION REPORT

Labor Negotiations – no reportable action.

Property Negotiations – no reportable action.

Existing Litigation with Montoya vs. Garden Grove –considered at the end of the meeting.

PRESENTATIONS

Community Spotlight: Recognition of 2015 Special Olympics Athlete, Gregory Kozlowski. (F: 52.3)

Community Spotlight: Recognition of Allan Roeder in appreciation of his service as Interim City Manager. (F: 52.3)

WRITTEN COMMUNICATIONS - REQUEST TO CO-SPONSOR THE 6TH ANNUAL OC AUTISM BREAKFAST WITH SANTA CLAUS ON SATURDAY, DECEMBER 12, 2015; AND TO WAIVE FEES FOR THE EXCLUSIVE USE OF THE ATLANTIS PLAY CENTER (F: 88.1)

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

The OC Autism's donation request to have the fees waived for exclusive use of the Atlantis Play Center on Saturday, December 12, 2015, be approved.

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

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

ORAL COMMUNICATIONS

Speakers: Gary Hewitt, Verla Lambert, Josh McIntosh, Charles Mitchell, Stephanie Klopfenstein, Maureen Blackmun, Frederick Facenelli, Mike Hearst, Director OCVCD, Robin Marcario

Council Member response to Public comments: In response to public comments, Council Member Bui requested that the matter concerning the role of the City's Vector Control Representative be brought forward on the agenda.

ROLE OF THE CITY REPRESENTATIVE ON THE ORANGE COUNTY VECTOR CONTROL DISTRICT BOARD OF TRUSTEES, AS REQUESTED BY COUNCIL MEMBER BUI (F: 23.20) (XR: 46.5)

After City Council discussion, all parties agreed that better communication between the Vector Control Board and the cities is needed. Should spraying for mosquitoes be necessary in the future, the City Council wants to see earlier notification and public education.

RECESS

At 7:57 p.m., Mayor Pro Tem Jones declared a recess.

RECONVENE CITY COUNCIL MEETING WITH THE PUBLIC FINANCING AUTHORITY

At 8:12 p.m., Mayor Pro Tem Jones reconvened the meeting with Council Members Beard, Bui, and Phan present.

JOINT PUBLIC HEARING WITH THE PUBLIC FINANCING AUTHORITY - ISSUANCE OF LEASE REVENUE BONDS, SERIES 2015A TO REFUND THE 2002 CITY CERTIFICATES OF PARTICIPATION (F: P-60.1) (XR: 60.1)

Following Staff's presentation, Mayor Pro Tem Jones declared the Public Hearing open and asked if anyone wished to address the City Council on the matter.

Speakers: Charles Mitchell; Unknown speaker

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

City Council Action

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

Resolution No. 9319-15 entitled A Resolution authorizing the execution and delivery by the City of a Ground Lease, Lease Agreement, Indenture, Escrow Agreement, Continuing Disclosure Certificate and a Bond Purchase Agreement in connection with the issuance of Garden Grove Public Financing Authority Lease Revenue Bonds, Series 2015A, approving the issuance of such Bonds in an aggregate principal amount not to exceed \$28,000,000, authorizing the distribution of an official statement in connection with the offering and sale of such bonds, and authorizing the execution of necessary documents and certificates and related actions, be adopted.

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

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

Public Finance Authority Action

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

Resolution No. 12-15 entitled A Resolution authorizing the execution and delivery by the Authority of a Ground Lease, Lease Agreement, Indenture, Assignment Agreement, and a Bond Purchase Agreement in connection with the issuance of Garden Grove Public Financing Authority Lease Revenue Bonds, Series 2015A, authorizing the issuance of such Bonds in an aggregate amount not to exceed \$28,000,000, authorizing the distribution of an official statement in connection with the offering and sale of such bonds, and authorizing the execution of necessary documents and certificates and related actions, be adopted.

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

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

RESOLUTION SUPPORTING THE DESIGNATION AS A RECYCLING MARKET DEVELOPMENT ZONE (F: 33.1)

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

Resolution No. 9320-15 entitled A Resolution supporting the designation as a Recycling Market Development Zone pursuant to California Public Resources Code Section 42010, be adopted; and

The City Manager or his designee be authorized to forward the Resolution to the City of Huntington Beach for inclusion in the regional Recycling Market Development Zone application to CalRecycle.

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

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

RESOLUTION APPROVING THE RETENTION SCHEDULE FOR CITYWIDE PUBLIC RECORDS (F: 45.2)

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

Resolution No. 9321-15 entitled A Resolution adopting the records retention schedule for City Records as provided by the Government Code of the State of California, and rescinding Resolution No. 7712-94, be adopted.

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

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

COST SHARING AGREEMENT WITH THE MUNICIPAL WATER DISTRICT OF ORANGE COUNTY FOR THE 2015 URBAN WATER MANAGEMENT PLAN (F: 112.5)

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

The Cost Sharing Agreement with the Municipal Water District of Orange County and participating member agencies for consultant costs for the preparation of the City's 2015 Urban Water Management Plan, be approved; and

The City Manager be authorized to execute the Agreement, in the amount not to exceed \$41,570.

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

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

MEMORANDUM OF UNDERSTANDING WITH THE ORANGE COUNTY
TRANSPORTATION AUTHORITY FOR THE SANTA ANA AND GARDEN GROVE
STREETCAR PROJECT (F: 23.18)

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

The Memorandum of Understanding (MOU) with the Orange County Transportation Authority for the Santa Ana and Garden Grove Streetcar Project, be approved; and

The City Manager be authorized to sign the MOU on behalf of the City.

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

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

ISSUANCE OF A PURCHASE ORDER TO FERGUSON WATERWORKS FOR 140 CLOW
WET BARREL FIRE HYDRANTS (F: 60.4)

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

The Finance Director be authorized to issue a purchase order to Ferguson Waterworks, in the amount of \$219,007.95, for the purchase of 140 Clow Wet Barrel Fire Hydrants.

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

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

CONTRACT WITH R. DEPENDABLE CONSTRUCTION INC., FOR AMERICANS WITH
DISABILITIES ACT (ADA) RENOVATIONS AT THE TIBOR RUBIN BRANCH LIBRARY
(F: 55-R. Dependable Construction, Inc.)(XR: 68.1)

This matter was considered later in the meeting.

RESPONSE TO GRAND JURY REPORT REGARDING UNFUNDED RETIREE HEALTH
CARE OBLIGATIONS (F: 23.1)

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

The response to the Orange County Grand Jury Report for Unfunded Retiree Healthcare obligations, be approved and staff be directed to submit the response to the Orange County Grand Jury.

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

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

CONSIDERATION AND ACTION ON RESPONSE TO GRAND JURY REPORT
REGARDING JOINT POWERS AUTHORITIES (F: 23.1)

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

The response to the Orange County Grand Jury Report regarding Joint Powers Authorities, be approved and staff be directed to submit the response to the Orange County Grand Jury.

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

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

MINUTES (F: Vault)

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

The minutes from the meeting held on August 25, 2015, be received and filed.

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

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

WARRANTS (F: 60.5)

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

Regular Warrants 591235 through 591572; and Wires W1465 through W1474, 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.

Payroll Warrants 178724 through 178789; Direct Deposits D281114 through DD281813; and Wires W2162 through W2165, 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, Bui, Jones, Phan
Noes: (0) None
Absent: (1) Nguyen

CONTRACT WITH R. DEPENDABLE CONSTRUCTION INC., FOR AMERICANS WITH DISABILITIES ACT (ADA) RENOVATIONS AT THE TIBOR RUBIN BRANCH LIBRARY (F: 55-R. Dependable Construction, Inc.)(XR: 68.1)

Council Member Beard requested that this matter be considered separately from the rest of the Consent Calendar. He announced that he is employed by the County of Orange, Orange County Community Resources Department, and this matter may present a conflict of interest. Therefore, he will be recusing himself from considering this matter.

COUNCIL MEMBER BEARD LEFT THE DAIS AT 8:34 P.M.

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

A contract be awarded to R. Dependable Construction Inc., in the amount of \$199,400, to perform ADA renovations at the Tibor Rubin Branch Library; and

The City Manager be authorized to execute the contract and make minor modifications as appropriate.

The motion carried by a 3-0-2 vote as follows:

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

COUNCIL MEMBER BEARD RETURNED TO THE DAIS AT 8:35 P.M.

PUBLIC HEARING - ACCEPTANCE OF FISCAL YEAR 2014-15 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) (F: 117.10D)

Following Staff's presentation, Mayor Pro Tem Jones 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 Phan, seconded by Council Member Bui that:

The Consolidated Annual Performance and Evaluation Report (CAPER) for the period of July 1, 2014, through June 30, 2015, be accepted; and

Staff be directed to transmit the report to the Housing and Urban Development Department (HUD).

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

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

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY BY THE CITY OF AN INDENTURE OF TRUST, A BOND PURCHASE CONTRACT AND AN ESCROW AGREEMENT IN CONNECTION WITH THE ISSUANCE OF WATER REVENUE REFUNDING BONDS, SERIES 2015, APPROVING THE ISSUANCE OF SUCH BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$8,500,000 AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS (F: 60.1)

Following Staff's presentation and City Council discussion, it was moved by Council Member Beard, seconded by Council Member Phan, that:

Resolution No. 9318-15 entitled A Resolution authorizing the execution and delivery by the City of an Indenture of Trust, a Bond Purchase Contract, and an Escrow Agreement in connection with the issuance of Water Revenue Refunding Bonds, Series 2015, approving the issuance of such bonds in an aggregate principal amount not to exceed \$8,500,000, and authorizing the execution of necessary documents and certificates and related actions, be adopted.

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

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

ROLE OF THE CITY REPRESENTATIVE ON THE ORANGE COUNTY VECTOR CONTROL DISTRICT BOARD OF TRUSTEES, AS REQUESTED BY COUNCIL MEMBER BUI (F: 23.20) (XR: 46.5)

This matter was considered earlier in the meeting.

MILLS ACT, AS REQUESTED BY COUNCIL MEMBER PHAN (F: 46.5)

Council Member Phan requested, and the City Council concurred, that staff provide information on what adopting the Mills Act for the city would require.

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

The Council Members expressed their appreciation for Interim City Manager Allan Roeder's service to the City.

Mayor Pro Tem Jones announced a new partnership between the City and Google to help make local businesses more visible to customers, called "Let's Put our Cities on the Map."

City Manager Stiles announced that Cathay Bank and Brookstreet Developers have come to an agreement on the purchase and sale agreement for the Galleria Project. Discussion with the Hoag Foundation will now begin. Although the City is not a party to this agreement or project, City Administration will remain diligent to keep the process moving ahead.

ADJOURN TO CLOSED SESSION: 8:52 p.m.

CONFERENCE WITH LEGAL COUNSEL— EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Montoya vs. Garden Grove (OCSD Case No. 30-2015-00799522-CU-MC-CJC)

ADJOURNMENT OF CLOSED SESSION: 9:23 p.m.

RECONVENE CITY COUNCIL MEETING: 9:25 p.m.

CLOSED SESSION REPORT

There was no reportable action.

ADJOURNMENT

At 9:26 p.m., Mayor Pro Tem Jones adjourned the meeting in memory of Don Butterfield. The next City Council Meeting will be held on Tuesday, October 13, 2015, at 5:30 p.m. at the Courtyard Center, 12732 Main Street, Garden Grove, California.

Kathleen Bailor, CMC
City Clerk

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

Ayes: (5) Beard, Beckles, Bui, Jones, Phan
Noes: (0) None
Absent: (2) Nguyen, O'Connor

ADJOURNMENT

At 7:05 p.m., Vice Chair Beard adjourned the meeting. The next meeting is scheduled for Tuesday, October 27, 2015, at 6:30 p.m. in the Courtyard Center, 12732 Main Street, Garden Grove, California.

Kathleen Bailor, CMC
Secretary

MINUTES

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

Regular Meeting

Tuesday, September 22, 2015

Courtyard Center
12732 Main Street, Garden Grove, CA 92840

CONVENE MEETING

At 5:50 p.m., Chair Jones convened the meeting in the Courtyard Center.

ROLL CALL PRESENT: (4) Chair Jones, Members Beard, Bui, Phan

ABSENT: (1) Member Nguyen

ORAL COMMUNICATIONS FOR CLOSED SESSION MATTERS ONLY

Speakers: None.

CONVENE CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

City Property: 12251, 12261, 12281 and 12321 Thackery Drive; 12262 and 12292
Tamerlane Drive, Garden Grove

Successor Agency Property: 12311 Thackery Drive, Garden Grove

City/Successor Agency Negotiator: Scott C. Stiles, City Manager/Director

Negotiating Parties: Newage Garden Grove, LLC; Kam Sang Company, Inc.

Under Negotiation: To obtain direction regarding the price and terms of payment for
the sale/exchange/disposition of the properties.

ADJOURNMENT OF CLOSED SESSION: 7:00 p.m.

RECONVENE SUCCESSOR AGENCY MEETING

At 7:20 p.m., Chair Jones reconvened the meeting with Members Beard, Bui, and
Phan present.

CLOSED SESSION REPORT

There was no reportable action.

ORAL COMMUNICATIONS

Speakers: Gary Hewitt, Verla Lambert, Josh McIntosh, Charles Mitchell, Stephanie Klopfenstein, Maureen Blackmun, Frederick Facenelli, Mike Hearst, Director OCVCD, Robin Marcario

RESOLUTION APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE 2015-16A FOR JANUARY 1, 2016, THROUGH JUNE 30, 2016 (F: A-46.1.SA) (XR: A-46.1.OB)

It was announced that the information provided to the Successor Agency Members in yellow should be discarded. The original documents are to be considered for this matter.

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

Resolution No. 34-15 entitled a Resolution approving a Recognized Obligation Payment Schedule (ROPS); and authorizing certain other actions pursuant to Health & Safety Code Section 34177, be adopted; and

The Director or his designee be authorized to transmit the approved ROPS to the Oversight Board for approval.

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

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

RESOLUTION APPROVING AMENDMENTS TO THE LONG RANGE PROPERTY MANAGEMENT PLAN (F: A-46.1.SA) (XR: A-46.1.OB)

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

Resolution No. 35-15 entitled a Resolution approving an amendment to the Long Range Property Management Plan, and authorizing the execution of deeds and other actions necessary to implement the Long Range Property Management Plan, be adopted as amended to remove the proposed addition of freeway sign and easement; and

The Director be authorized to transmit the approved Amendment to the Long Range Property Management Plan to the Oversight Board and the Department of Finance for approval.

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

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

MINUTES (F: Vault)

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

The minutes from the meeting held on August 25, 2015, be received and filed.

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

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

WARRANTS (F: 60.5)

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

The Regular Warrants 1274 and 1280, and Wires W1466 through W1468 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 4-0-1 vote as follows:

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

ADJOURNMENT

At 8:11 p.m., Chair Jones adjourned the meeting. The next meeting will be held Tuesday, October 13, 2015, at 5:30 p.m. in the Courtyard Center, 12732 Main Street, Garden Grove, California.

Kathleen Bailor, CMC
Secretary

MINUTES

GARDEN GROVE SANITARY DISTRICT BOARD OF DIRECTORS

Regular Meeting

Tuesday, September 22, 2015

Courtyard Center
12732 Main Street, Garden Grove, CA 92840

CONVENE MEETING

At 7:20 p.m. President Phan convened the meeting in the Courtyard Center.

ROLL CALL PRESENT: (4) President Phan, Members Beard, Bui, Jones
 ABSENT: (1) Member Nguyen

ORAL COMMUNICATIONS

Speakers: Gary Hewitt, Verla Lambert, Josh McIntosh, Charles Mitchell, Stephanie Klopfenstein, Maureen Blackmun, Frederick Facenelli, Mike Hearst, Director OCVCD, Robin Marcario

RECESS

At 7:49 p.m., President Phan declared a recess.

RECONVENE

At 8:11 p.m., President Phan reconvened the Sanitary District meeting with Members Beard, Bui, and Jones present.

MINUTES (F: Vault)

It was moved by Member Jones, seconded by Member Bui that

The minutes from the meetings held on May 12, 2015, and August 25, 2015, be received and filed.

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

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

ADJOURNMENT

At 8:12 p.m., President Phan adjourned the meeting. The next meeting is scheduled for Tuesday, October 27, 2015, at 6:30 p.m. at the Courtyard Center, 12732 Main Street, Garden Grove, California.

Kathleen Bailor, CMC
Secretary