

MINUTES

GARDEN GROVE CITY COUNCIL

A Regular Meeting of the City Council of the City of Garden Grove was called to order in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, on Tuesday, January 13, 2009, at 6:39 p.m.

ROLL CALL: PRESENT: (5) MAYOR DALTON, COUNCIL MEMBERS
BROADWATER, DO, JONES, NGUYEN

ABSENT: (0) NONE

INVOCATION AND PLEDGE

Keith Jones, Public Works Director, gave the Invocation. Council Member Do led the Pledge of Allegiance to the Flag of the United States of America.

PRESENTATION - COMMUNITY SPOTLIGHT

Mayor Dalton called forward members of the Garden Grove Community Emergency Response Team, and presented them with Certificates of Recognition for their ancillary efforts during the November 2008 Freeway Complex Fires. (F: 52.3) (XR: 61.1)

ORAL COMMUNICATIONS – PUBLIC

Peter Katz, Greg Beard, Bob Owens, David Vill, and Rod Powell addressed the City Council regarding various community and civic matters. (F: 53.3)

Maryann Greenfelder addressed the City Council, requesting assistance from the City in purchasing their new home. The Mayor directed staff to contact Mrs. Greenfelder on a daily basis regarding the status of the purchase and provide any possible assistance. (F: 53.3) (XR: 43.4) (XR: 57.5)

Gail Taylor, representing Cypress College, addressed the City Council, inviting the Council Members to the upcoming Cypress College Americana Awards event. (F: 53.3)

Nguyen Hung, representing the Organizing Committee of the Candlelight Vigil to Pray for Thai Ha Parish and Archdiocese of Ha Noi, presented the City Council with a plaque in appreciation to the City for allowing the use of the showmobile for their event in September 2008. (F: 53.3)

WRITTEN COMMUNICATIONS - REQUEST FROM THE GARDEN GROVE COMMUNITY FOUNDATION AND THE GARDEN GROVE CHAMBER OF COMMERCE (F: 130.15)

Correspondence dated January 13, 2009, from the Garden Grove Community Foundation was introduced.

It was moved by Mayor Dalton, seconded by Council Member Do, and carried by unanimous vote that the request from the Garden Grove Community Foundation and the Garden Grove Chamber of Commerce for use of the Willowick Golf Course for their annual golf classic on May 13, 2009, be and hereby is approved.

WRITTEN COMMUNICATIONS - REQUEST FROM THE ORANGE COUNTY VECTOR CONTROL DISTRICT (F: 23.20)

Correspondence dated October 21, 2008, from the Orange County Vector Control was introduced.

It was moved by Mayor Dalton, seconded by Council Member Jones, and carried by unanimous vote that Dr. Sheldon Singer be reappointed to the Orange County Vector Control District Board of Trustees for a four-year term, be and hereby is approved.

RECESS

At 7:24 p.m., the Mayor declared a recess.

RECONVENE

At 7:36 p.m., Mayor Dalton reconvened the meeting with all Council Members present.

AGREEMENT WITH THE CITY OF ANAHEIM (GRANT ADMINISTRATOR) FOR FY08 URBAN AREAS SECURITY INITIATIVE (UASI) GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) (F: 55) (XR: 82.15) (XR: 82.1) (XR: 92.4)

Staff report dated January 13, 2009, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that the Agreement by and between the City of Garden Grove and the City of Anaheim as Grant Administrator for the FY08 Urban Areas Security Initiative (UASI) Grant from the Federal Emergency Management Agency (FEMA), be and hereby is approved; and the Chief of Police and City Clerk are authorized to execute the agreement on behalf of the City.

AGREEMENT WITH FLEMING ENVIRONMENTAL, INC., FOR AQMD MANDATED IMPROVEMENTS AT THE CITY'S THREE FUELING SITES (F: 55) (XR: 24.1)

Staff report dated January 13, 2009, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that the Agreement by and between the City of Garden Grove and Fleming Environmental, Inc., to perform the AQMD mandated improvements at the City's three fueling sites, in the amount of \$114,280, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement on behalf of the City.

AGREEMENT WITH THOMCO CONSTRUCTION, INC., FOR THE CONSTRUCTION OF A GARAGE FOR THE CITY'S EMERGENCY COMMAND CENTER VEHICLE (F: 55) (XR: 82.1)

Staff report dated January 13, 2009, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that the Agreement by and between the City of Garden Grove and Thomco Construction, Inc., for the construction of a garage for the City's Emergency Command Center Vehicle, in the amount of \$97,790, be and hereby is approved; and the City Manager and City Clerk are authorized to execute the agreement on behalf of the City.

AWARD OF CONTRACT TO WEST COAST BACKHOE SERVICES, INC., FOR CONSTRUCTION SERVICES TO REPLACE 31 GATE VALVES AT VARIOUS LOCATIONS (F: 55) (XR: 24.1) (XR: 24.12)

Staff report dated January 13, 2009, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that a contract in the amount of \$140,050.45 be awarded to West Coast Backhoe Services, Inc., for construction services to replace 31 gate valves at various locations; and the City Manager and City Clerk are authorized to execute the agreement on behalf of the City.

RESOLUTION APPOINTING JOHN D.R. CLARK AS CITY TREASURER (F: 60.8)

Staff report dated January 13, 2009, was introduced.

RESOLUTION NO. 8865-09

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that full reading of Resolution No. 8865-09 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE REPEALING RESOLUTION NO. 8682-06 AND APPOINTING A CITY TREASURER, be and hereby is adopted.

APPOINTMENT OF NEW DEPARTMENT SECRETARY AT "E" STEP OF SALARY RANGE E143 (F: 78.1)

Staff report dated January 13, 2009, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that the appointment of a Department Secretary candidate at Step "E" of salary range E143, be and hereby is approved.

WARRANTS (F: 60.5)

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that Regular Warrants 431959-433949, Wires W443-W459; and Payroll Warrants 159305 through 159941, Direct Deposits D162112 thru D164109, and Wires W1386 thru W1397, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

WAIVER OF FULL READING OF ORDINANCES LISTED

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that full reading of all Ordinances listed for consideration of adoption be waived.

AGREEMENT WITH JOSE T. SANCHEZ AND DARLENE L. SANCHEZ FOR ACQUISITION OF REAL PROPERTY LOCATED AT 12401 HARBOR BOULEVARD (F: 84.1) (XR: 43.4)

Staff report dated January 13, 2009, was introduced and reviewed by staff.

Council Member Broadwater moved approval of the agreement.

Following City Council discussion regarding the appraisal methods, service calls, and Fire Department needs, Council Member Jones moved a substitute motion, seconded by Council Member Broadwater, and carried by unanimous vote that the matter be continued for two weeks.

SECOND READING OF ORDINANCE NO. 2739

ORDINANCE NO. 2739 was presented for second reading and adoption and the title read in full, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-144-08, AN AMENDMENT TO PLANNED UNIT DEVELOPMENT NO. PUD-107-96 TO ALLOW A CHILDREN'S LEARNING CENTER, SUBJECT TO THE APPROVAL OF A CONDITIONAL USE PERMIT (F: 115.A-144-08)

In response to concerns raised by Council Members, staff was asked to provide additional information on the floor plan and the conditions imposed on the Learning Center to provide adequate staffing and protection of the children.

It was moved by Council Member Do, seconded by Council Member Broadwater, and carried by unanimous vote that the matter be continued for two weeks.

APPOINTMENT OF A COUNCIL MEMBER TO FILL A TWO-YEAR TERM ON THE GARDEN GROVE COMMUNITY FOUNDATION BOARD (F: 130.15) (XR: 53.1)

Correspondence dated January 13, 2009, from the Garden Grove Community Foundation was introduced.

Council Member Jones moved that Council Member Do be appointed.

Council Member Broadwater indicated that he would like to be appointed.

Council Member Broadwater moved a substitute motion, seconded by Council Member Nguyen, and carried by unanimous vote that Council Member Broadwater be and hereby is appointed to fill a two-year term on the Garden Grove Community Foundation Board.

DISCUSSION OF COMMERCIAL/RECREATION VEHICLE PARKING FINES, AS REQUESTED BY COUNCIL MEMBER BROADWATER (F: 82.1) (XR: 53.1)

Council Member Broadwater expressed concern on commercial trucks parking in areas that are not allowed. The citation of \$30 is not a deterrent.

After City Council discussion, staff was requested to bring back an ordinance for City Council's consideration that would more effectively address the issue.

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

Council Member Broadwater clarified that the State of the City is a fundraising event for and sponsored by the Chamber of Commerce. He announced that he became a new grandfather today to Jeremy James Broadwater, Jr. (F: 53.1)

Council Member Nguyen urged residents to shop in Garden Grove. She requested traffic information on the Yockey Street and Garden Grove Boulevard intersection. She reminded residents that City Commission applications are being accepted in the City Clerk's Office. She offered her congratulations to the Broadwater family. (F: 53.1)

Council Member Jones commented on the State of the City event, and offered his congratulations to the Broadwater family. (F: 53.1)

Council Member Do commented on Orange County Supervisor Nguyen's swearing-in ceremony, and requested the Mayor adjourn the meeting in memory of Tiffany Le, the mother of a very dear friend of Supervisor Nguyen's. (F: 53.1)

Mayor Dalton offered his congratulations to the Broadwater family. He reviewed the Commission appointment process, indicating that he would be making nominations based on Council Member requests. (F: 53.1) (XR: 122.1)

ADJOURNMENT

At 8:21 p.m. the meeting was declared adjourned in memory of Tiffany Le. (F: 46.9)

KATHLEEN BAILOR
CITY CLERK

MINUTES

GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT

A Regular Meeting of the Garden Grove Agency for Community Development was called to order in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, on Tuesday, January 13, 2009, at 6:47 p.m.

ROLL CALL: PRESENT: (5) CHAIR BROADWATER, MEMBERS DALTON, DO, JONES, NGUYEN

ABSENT: (0) NONE

ORAL COMMUNICATIONS - PUBLIC

None.

RECESS

At 7:23 p.m., the Chair declared a recess.

RECONVENE

At 7:25 p.m., the meeting was reconvened with Chair Broadwater and all Members present.

AGREEMENT WITH OVERLAND, PACIFIC & CUTLER, INC., FOR ACQUISITION, RELOCATION, AND PROPERTY MANAGEMENT SERVICES ON AN AS-NEEDED BASIS (F: A-55.290) (XR: 43.4) (XF: 57.9)

Staff report dated January 13, 2009, was introduced.

It was moved by Member Jones, seconded by Member Do, and carried by unanimous vote, that the Agreement by and between the Garden Grove Agency for Community Development and Overland, Pacific & Cutler, Inc., for acquisition, relocation, and real property services, in the amount of \$150,000 for a two-year period, be and hereby is approved, and the Director and Secretary are authorized to execute the agreement on behalf of the Agency.

AMENDMENT TO COMMERCIAL REHABILITATION AGREEMENT WITH UNION DODGE, INC. (F: A-55.240) (XR: A-55.174)

Staff report dated January 13, 2009, was introduced and reviewed by staff.

It was moved by Member Jones, seconded by Member Do, and carried by unanimous vote, that the First Amendment to the Commercial Rehabilitation Agreement by and between the Garden Grove Agency for Community Development and Union Dodge, Inc., be and hereby is approved; the Director and Secretary are authorized to execute the agreement on behalf of the Agency; and the Finance Director is authorized to draw a warrant in the amount of \$270,000 when appropriate to do so.

MATTERS FROM AGENCY MEMBERS AND DIRECTOR

In response to comments made under City Council Oral Communications regarding the upcoming State of the City event, Chair Broadwater clarified for the public that the event is a fundraiser for and hosted by the Chamber of Commerce, not the City. Arrangements are made by the Chamber of Commerce, including the location and cost with no City funds. (F: A-53.1)

RECESS

At 7:35 p.m., Chair Broadwater declared a recess.

RECONVENE AND ADJOURN TO CLOSED SESSION

At 8:22 p.m., the meeting was reconvened with Chair Broadwater and all Members present.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Properties: The Central Hub includes the following parcels listed by Assessor Parcel Number (APN) and current owners. APN 231-431-02 and 231-431-03 owned by the Garden Grove Agency for Community Development.

Agency's Negotiators: Matthew Fertal, Agency Director; Chet Yoshizaki, Economic Development Director; Greg Blodgett, Economic Development Sr. Project Manager.

Negotiating Parties: Chad McWhinney for McWhinney Investments I, LLC

Under Negotiation: The purpose of the Closed Session is to seek direction from the Agency about negotiations to acquire certain real property and the parameters for price and terms of payment related to such real property acquisition and disposition.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8

Properties: The Central Hub includes the following parcels listed by Assessor Parcel Number (APN) and current owners. 12581 Harbor Boulevard, APN 231-441-39 owned by Cheyenne Gold Trust; and 12591 Harbor Boulevard, APN 231-441-40 owned by Leon Elster, Inc., Stuart and Rachel Elster Family Trust, and Leon Elster Inc., Defined Benefits Plan.

Agency's Negotiators: Matthew Fertal, Agency Director; Chet Yoshizaki, Economic Development Director; Greg Blodgett, Economic Development Sr. Project Manager

Negotiating Parties: Cheyenne Gold Trust and Leon Elster, Inc., Stuart and Rachel Elster Family Trust, and Leon Elster Inc., Defined Benefits Plan.

Under Negotiation: The purpose of the Closed Session is to seek direction from the Agency about negotiations to acquire certain real property and the parameters for price and terms of payment related to such real property acquisition.

RECONVENE IN OPEN SESSION

At 9:24 p.m., the meeting was reconvened in the Council Chamber with Chair Broadwater and all Members present. Chair Broadwater announced that the Closed Session items previously announced were discussed, and there was no reportable action.

ADJOURNMENT

At 9:25 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR
SECRETARY