

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, February 9, 2010, at 5:37 p.m.

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

ABSENT: (0) NONE

PUBLIC INPUT ON CLOSED SESSION ITEM

None.

RECESS

At 5:38 p.m., the meeting was recessed to the Founders Room for a Study Session.

RECONVENE IN FOUNDERS ROOM FOR CLOSED SESSION

At 6:16 p.m., under the Ralph M. Brown Act, the meeting was reconvened for Closed Session in the Founders Room to discuss the following:

CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

City Designated Representatives: Matthew J. Fertal, City Manager, and John D.R. Clark, Human Resources Director.

Employee Organizations: Orange County Employee's Association (OCEA); OCEA Employee's League; Garden Grove Fire Fighters Local 2005; Garden Grove Police Association; Middle Management; Central Management; and unrepresented Part-Time Employees.

## RECONVENE IN OPEN SESSION

At 6:58 p.m., Mayor Dalton reconvened the meeting with all Council Members present.

It was announced that the discussion on the previously disclosed Closed Session item would be discussed further at the end of the meeting.

## INVOCATION AND PLEDGE

The Invocation was given by Keith Jones, Public Works Director. Council Member Broadwater led the Pledge of Allegiance to the Flag of the United States of America.

## PRESENTATION - COMMUNITY SPOTLIGHT (F: 52.3)

Mayor Dalton called forward Lon and Linda Cahill, and presented them with a Resolution in honor of their meritorious recognition as 2010 Cypress College Americana Awards Garden Grove Citizens of the Year.

## PRESENTATION - BUSINESS SPOTLIGHT (F: 52.3)

Mayor Dalton called forward Tam and Linh Nguyen, proprietors of Advance Beauty College, and presented them with a Resolution and gift recognizing them as February 2010 Outstanding Business Honorees.

## ORAL COMMUNICATIONS - PUBLIC

Vu Nguyen spoke in support of and offered his assistance in bringing a Vietnam War Museum to Garden Grove.

Craig and Lynn White provided information on a liability claim they filed against the City regarding how short-term vacation rental properties within the city are being handled.

David Vill announced the upcoming AARP meeting scheduled for Tuesday, February 16, 2010, to be held at the Community Meeting Center. The topic for discussion will be elder abuse.

Peter Katz commented on the City of Garden Grove's and the City of Santa Ana's Go Local Light Rail project being considered for funding by the Orange County Transportation Authority. He thanked the Council

Members for their support in appointing him to the Vietnam War Museum Ad Hoc Exploratory Committee.

Charles Mitchell spoke in support of bringing a war museum to Garden Grove, suggesting that it be a combination of the Vietnam and Korean Wars.

#### RECESS

At 7:34 p.m., the Mayor declared a recess.

#### RECONVENE

At 7:39 p.m., Mayor Dalton reconvened the City Council meeting with all Council Members present.

#### PROCLAMATION DECLARING FEBRUARY 14-20, 2010, AS NATIONAL ENGINEERS WEEK (F: 83.1)

Staff report dated February 9, 2010, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that February 14-20, 2010, be and hereby is proclaimed as National Engineers Week.

#### AWARD OF CONTRACT TO RICHARD C. SLADE AND ASSOCIATES, LLC, FOR THE PROFESSIONAL HYDROGEOLOGIC AND ENGINEERING SERVICES FOR THE WELL NO. 31 DRILLING PROJECT, AND REPAIRS TO WELL NO. 28 (F: 112.11) (XR: 24.12)

Staff report dated February 9, 2010, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that the contract for professional hydrogeologic and engineering services for the Well No. 31 drilling project and Well No. 28 repairs, in the amount of \$218,096, be and hereby is awarded to Richard C. Slade and Associates, LLC, and the City Manager is authorized to execute the agreement.

RESOLUTION AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE SURFACE TRANSPORTATION PROGRAM (STP) MASTER AND SUPPLEMENTAL AGREEMENTS, AND RELATED CERTIFICATIONS (F: 55.1A) (XR: 24.1)

Staff report dated February 9, 2010, was introduced.

RESOLUTION NO. 8944-10

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that full reading of Resolution No. 8944-10 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE AND SIGN VARIOUS STATE AND FEDERAL DOCUMENTS REQUIRED FOR HIGHWAY PROJECTS, be and hereby is adopted.

AMENDMENT TO THE AGREEMENT WITH RBF CONSULTING TO PROVIDE ENGINEERING DESIGN SERVICES FOR PHASE II OF THE FIBER OPTIC SIGNAL INTERCONNECT SYSTEM (F: 55) (XR: 24.11)

Staff report dated February 9, 2010, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that Amendment No. 1 to the Agreement by and between the City of Garden Grove and RBF Consulting, for Fiber Optic Signal Interconnect System Design Services, for an additional cost of \$72,790, not to exceed \$281,324, be and hereby is approved; and the City Manager is authorized to execute the agreement.

ACCEPTANCE OF PROJECT AS COMPLETE FOR THE TRASK AVENUE STREET REHABILITATION PROJECT NO. 7225 (F: 96.proj.7225) (XR: 24.11)

Staff report dated February 9, 2010, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that the Trask Avenue Street Rehabilitation Project No. 7225 be accepted as complete; the Mayor is authorized to execute the Notice of Completion of Public Works Improvement and Work; and the Finance Director is authorized to release the retention payment when appropriate to do so.

## MINUTES

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that the City Council minutes for Regular Meetings held October 13, 2009, and October 27, 2009; and the Study Session held September 22, 2009, be and hereby are received and filed.

## WARRANTS (F: 60.5)

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that Regular Warrants 459972 through 461904, Wires W578 through W591, and Direct Deposits W460465 through W461513; and Payroll Warrants 164753 through 164882, Direct Deposits D182649 through D183318, and Wires W1521 through W1524, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

## RESOLUTION HONORING LON AND LINDA CAHILL AS 2010 CYPRESS COLLEGE AMERICANA AWARDS, GARDEN GROVE CITIZENS OF THE YEAR (F: 52.2)

Staff report dated February 9, 2010, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that the Resolution honoring Lon and Linda Cahill as 2010 Cypress College Americana Awards, Garden Grove Citizens of the Year, be and hereby is adopted.

## 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.

SECOND READING OF ORDINANCE NO. 2767, NO. 2768, AND NO. 2769

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.

ORDINANCE NO. 2767 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 ADOPTING A REVISION TO A DEVELOPMENT AGREEMENT BETWEEN TOURA #3 L.P., (DEVELOPER), AND THE CITY OF GARDEN GROVE FOR PROPERTY LOCATED ON THE SOUTHEAST CORNER OF STANFORD AVENUE AND ADELLE STREET, AT 8642 STANFORD AVENUE, PARCEL NO. 133-463-11 (F: 116.SP-372-05) (XR: 80.1)

Following the reading of the Ordinance title, it was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote that Ordinance No. 2767 be and hereby is declared adopted.

ORDINANCE NO. 2768 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 ADOPTING A NEGATIVE DECLARATION AND APPROVING AMENDMENT NO. A-151-09, AN AMENDMENT TO TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE RELATING TO GROUP HOMES, BOARDING/LODGING FACILITIES, AND CHILD DAY CARE FACILITIES (F: 115.A-151-09) (XR: 50.3)

Following the reading of the Ordinance title, it was moved by Council Member Jones, seconded by Council Member Do, and carried by unanimous vote that Ordinance No. 2768 be and hereby is declared adopted.

ORDINANCE NO. 2769 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 CODE AMENDMENT NO. A-152-09, TO INCORPORATE LANDSCAPE WATER EFFICIENCY REQUIREMENTS INTO TITLE 9 (ZONING ORDINANCE, REORGANIZED OCTOBER 2009) OF THE MUNICIPAL CODE (F: 115.A-152-09) (XR: 50.3)

Following the reading of the Ordinance title, it was moved by Council Member Jones, seconded by Council Member Broadwater, and carried by unanimous vote that Ordinance No. 2769 be and hereby is declared adopted.

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

Council Member Broadwater indicated that he would like to speak with Mr. Nguyen about his ideas for the war museum, and to Mr. and Mrs. White about their concerns about renting their home.

Council Member Nguyen invited everyone to the Tet Festival events in Garden Grove and Westminster this weekend; encouraged everyone to share their ideas with her concerning the war museum; reminded residents to buy in Garden Grove; and announced that the Senate passed the health care reform bill, and more information is available on the Senate's website.

Council Member Jones encouraged everyone to attend the Tet Festival activities this weekend.

Council Member Do and Mayor Dalton assured Mr. and Mrs. White that while the material they provided tonight was voluminous, the City Council would look into their matter.

## ADJOURN TO CLOSED SESSION

At 7:44 p.m., under the Ralph M. Brown Act, the meeting was adjourned to Closed Session in the Founders Room to continue discussion the following:

### CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

City Designated Representatives: Matthew J. Fertal, City Manager, and John D.R. Clark, Human Resources Director.

Employee Organizations: Orange County Employee's Association (OCEA); OCEA Employee's League; Garden Grove Fire Fighters Local 2005; Garden Grove Police Association; Middle Management; Central Management; and unrepresented Part-Time Employees.

## RECONVENE IN OPEN SESSION

At 8:42 p.m., Mayor Dalton reconvened the meeting with all Council Members present.

It was announced that the previously disclosed item was discussed and no reportable action was taken.

ADJOURNMENT

At 8:43 p.m., the meeting was declared adjourned.

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, February 9, 2010, at 7:07 p.m.

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

ABSENT: (0) NONE

#### ORAL COMMUNICATIONS – PUBLIC

None.

AFFORDABLE HOUSING LOAN AGREEMENTS WITH TAMERLANE ASSOCIATES, LLC, FOR THE PURCHASE AND REHABILITATION OF RENTAL PROPERTIES LOCATED AT 12162 AND 12172 TAMERLANE DRIVE, GARDEN GROVE (F: 117.16W) (XR: A-55.193) (XR: 43.4)

Staff report dated February 9, 2010, was introduced.

#### RESOLUTION NO. 679

It was moved by Member Nguyen, seconded by Member Dalton, and carried by unanimous vote that full reading of Resolution No. 679 be waived, and said Resolution entitled A RESOLUTION OF THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT APPROVING AN AFFORDABLE HOUSING LOAN AGREEMENT BETWEEN THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT AND TAMERLANE ASSOCIATES, LLC, AND MAKING CERTAIN OTHER FINDINGS IN CONNECTION THEREWITH, be and hereby is adopted.

RESOLUTION NO. 680

It was moved by Member Nguyen, seconded by Member Dalton, and carried by unanimous vote that full reading of Resolution No. 680 be waived, and said Resolution entitled A RESOLUTION OF THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT APPROVING AN AFFORDABLE HOUSING LOAN AGREEMENT BETWEEN THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT AND TAMERLANE ASSOCIATES, LLC, AND MAKING CERTAIN OTHER FINDINGS IN CONNECTION THEREWITH, be and hereby is adopted.

ADJOURNMENT

At 7:38 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR  
SECRETARY