

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, Garden Grove, on Tuesday, May 25, 2010, at 5:36 p.m.

ROLL CALL: PRESENT: (4) MAYOR DALTON, COUNCIL MEMBERS
BROADWATER, DO, NGUYEN

ABSENT: (1) COUNCIL MEMBER JONES absent at Roll Call,
but joined the meeting at 5:45 p.m.

PUBLIC INPUT ON CLOSED SESSION ITEM

None.

CLOSED SESSION

It was announced that the following matter was being removed from consideration.

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

Unrepresented Employees: Police Chief and Deputy Police Chief

RECESS

At 5:37 p.m., the Mayor declared a recess.

RECONVENE

At 7:26 p.m., Mayor Dalton reconvened the City Council meeting in the Council Chamber with all Council Members present.

INVOCATION AND PLEDGE

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

PRESENTATION – ORANGE COUNTY TRANSPORTATION AUTHORITY (F: 52.3)

Niall Barrett, Orange County Transportation Authority Project Manager, presented information regarding the I-405/605 West County Connectors Project.

ORAL COMMUNICATIONS – PUBLIC COMMENTS

Beatrice Jones thanked the City Council and staff for being proactive in recognizing Juneteenth National Freedom Day; and provided background information on the meaning of Juneteenth. She displayed the Juneteenth flag to the audience, and encouraged the City Council to attend upcoming Juneteenth celebrations.

PROCLAMATION DECLARING JUNE 19, 2010, AS JUNETEENTH NATIONAL FREEDOM DAY (F: 83.1)

It was moved by Mayor Dalton, seconded by Council Member Broadwater, and carried by unanimous vote that June 19, 2010, be and hereby is recognized as Juneteenth National Freedom Day in Garden Grove.

ORAL COMMUNICATIONS – PUBLIC COMMENTS (continued)

Tia Christian announced upcoming activities celebrating Juneteenth, and encouraged the City Council to attend.

Charles Mitchell recited an experience of Ed Freeman, Vietnam War hero, and encouraged everyone to remember veterans and the sacrifices made for freedom this Memorial Day. He requested the Mayor adjourn the meeting in honor of Ed Freeman.

Myke Cossota expressed appreciation for the training he received as part of the City's CERT (Civilian Emergency Response Team) Program.

Tony Flores spoke in support of the Solid Waste Disposal Agreement.

Jimmy Freeman stated West Haven Park has been graffitied and Jacalene Lane needs street repair.

ORAL COMMUNICATIONS – COUNCIL MEMBER COMMENTS

None.

RECESS

At 8:05 p.m., the Mayor declared a recess.

RECONVENE

At 8:11 p.m., Mayor Dalton reconvened the City Council meeting with all Council Members present.

PROCLAMATION DECLARING JUNE 19, 2010, AS JUNETEENTH NATIONAL FREEDOM DAY (F: 83.1)

This matter was considered earlier in the meeting.

WEST ORANGE COUNTY WATER BOARD 2010-11 PROPOSED BUDGET (F: 112.9) (XR: 24.12)

Staff report dated May 25, 2010, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that the 2010-11 proposed budget for the West Orange County Water Board, be and hereby is approved.

RESOLUTION AUTHORIZING THE SUBMITTAL OF THE TRANSPORTATION ENHANCEMENT ACTIVITIES PROGRAM APPLICATION TO ORANGE COUNTY TRANSPORTATION AUTHORITY FOR THE STREET MEDIAN REHABILITATION PROJECTS ON VALLEY VIEW STREET, BROOKHURST STREET, AND HARBOR BOULEVARD (F: 55) (XR: 96.1) (XR: 24.11)

Staff report dated May 25, 2010, was introduced.

RESOLUTION NO. 8975-10

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that full reading of Resolution No. 8975-10, be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AUTHORIZING THE APPLICATION FOR FUNDS FOR THE TRANSPORTATION ENHANCEMENT PROGRAM UNDER THE 2005 SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT, TRANSPORTATION EQUITY ACT-LEGACY FOR USERS FOR STREET MEDIAN REHABILITATION PROJECTS ON VALLEY VIEW STREET, BROOKHURST STREET, AND HARBOR BOULEVARD PHASE I, PHASE II, AND PHASE III, be and hereby is adopted.

LICENSE AGREEMENT WITH POWER PLAY SPORTS FOR THE OPERATION OF THE HOCKEY RINK AT PIONEER PARK (F: 55) (XR: 73.18) (XR: 87.1)

Staff report dated May 25, 2010, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that the License Agreement by and between the City of Garden Grove and Frank D'Alessandro, dba Power Play Sports, for the operation of the hockey rink at Pioneer Park, be and hereby is approved; and the City Manager is authorized to execute the agreement on behalf of the City.

ACCEPTANCE OF PROJECT AS COMPLETE FOR PROJECT NO. 7128 - HARBOR BOULEVARD/TRASK AVENUE INTERSECTION IMPROVEMENT PROJECT (F: 96.proj.7128) (XR: 24.11)

Staff report dated May 25, 2010, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that Project No. 7128 - Harbor Boulevard/Trask Avenue Intersection Improvement Project, 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 final payment when appropriate to do so.

ACCEPTANCE OF PROJECT AS COMPLETE FOR IFB NO. S-1050, PHASE 1 STREET SIGN REPLACEMENT AND INSTALLATION (F: 55) (XR: 24.1)

Staff report dated May 25, 2010, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that IFB No. S-1050 - Phase 1 Street Sign Replacement and Installation Project, be accepted as complete; the City Manager is authorized to execute the Notice of Completion of Public Works Improvement and Work; and the Finance Director is authorized to release the final payment when appropriate to do so.

AMENDMENT TO THE AGREEMENT WITH GRW & SON, INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE BUENA CLINTON YOUTH AND FAMILY CENTER PROJECT NO. 7657 (F: 73.20A) (XR: 87.1)

Staff report dated May 25, 2010, was introduced.

It was moved by Council Member Nguyen, 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 GRW & Son,

Inc., for construction management services for Project No. 7657 - Buena Clinton Youth and Family Center Project, in the amount of \$34,000, be and hereby is approved; and the City Manager is authorized to execute the agreement on behalf of the City.

MINUTES

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that the City Council minutes for the Regular Meeting held March 23, 2010, be and hereby are received and filed.

WARRANTS (F: 60.5)

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that Regular Warrants 470923 through 471333, Wires W618 through W625; and Payroll Warrants 165968 through 166096, Direct Deposits D188052 through D188730, and Wires W1559 through W1562, 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 Nguyen, seconded by Council Member Jones, and carried by unanimous vote that full reading of all Ordinances listed for consideration of adoption be waived.

APPROVAL OF AGREEMENT WITH STATE OF CALIFORNIA REGARDING COMPLETION OF CLEAN UP AT 13741 CLINTON STREET, GARDEN GROVE (F: 38.1) (XR: 43.4)

It was announced that this matter was being removed from consideration.

PUBLIC HEARING - APPEAL OF DENIAL OF AMENDMENT NO. A-155-10. THE APPLICANT, MY V. NGUYEN, REQUESTED APPROVAL TO ALLOW 'COFFEEHOUSE' AS A PERMITTED USE IN THE COMMUNITY CENTER SPECIFIC PLAN – OFFICE PROFESSIONAL (CCSP-OP), SPECIFICALLY WITHIN AN OFFICE BUILDING AT 12460 EUCLID STREET, ON THE NORTHEAST CORNER OF LAMPSON AVENUE AND EUCLID STREET (F: 115.A-155-10) (XR: 57.1)

It was announced that this matter was being removed from consideration at the request of the Appellant.

LETTER OF RESIGNATION FROM PLANNING COMMISSIONER BRUCE TRAN
(F: 122.10A)

Planning Commissioner Bruce Tran's resignation was accepted with regret.

RESOLUTION INITIATING PROCEEDINGS FOR MAIN STREET ASSESSMENT
DISTRICT NO. 1 FOR FY 2010-11, APPROVING THE ENGINEER'S REPORT AND
SETTING THE PUBLIC HEARING FOR JUNE 22, 2010 (F: 31.4) (XR: 24.1)

Staff report dated May 25, 2010, was introduced and reviewed by staff.

RESOLUTION NO. 8976-10

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that full reading of Resolution No. 8976-10, be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DECLARING ITS INTENTION TO ORDER THE MAINTENANCE OF CERTAIN IMPROVEMENTS IN THE "MAIN STREET ASSESSMENT DISTRICT NO. 1" IN THE CITY OF GARDEN GROVE; DESCRIBING THE DISTRICT TO BE BENEFITED, AND DECLARING ITS INTENTION TO LEVY AN ASSESSMENT TO PAY THE COST AND EXPENSES THEREOF; AND SETTING THE TIME AND PLACE FOR THE HEARING ON THE QUESTION OF THE LEVY OF THE PROPOSED ASSESSMENT, be and hereby is adopted.

AMENDMENT TO THE PROJECT LIST SUBMITTED TO THE CALIFORNIA
DEPARTMENT OF FINANCE FOR FUNDING UNDER PROP 1B LOCAL STREET AND
ROADS IMPROVEMENTS FOR FISCAL YEAR 2009-10 (F: 55) (XR: 96.1)
(XR: 24.11)

Staff report dated May 25, 2010, was introduced and reviewed by staff.

It was moved by Council Member Broadwater, seconded by Council Member Nguyen, and carried by unanimous vote that the amended list of street rehabilitation projects identified for funding under Proposition 1B – Local Street and Roads Improvements for FY 09/10, be and hereby is approved.

JOINT HEARING WITH THE SANITARY DISTRICT - SOLID WASTE DISPOSAL
AGREEMENT WITH REPUBLIC WASTE SERVICES OF SOUTHERN CALIFORNIA,
DBA GARDEN GROVE DISPOSAL (F: S-55.1) (XR: 24.1)

Staff report dated May 25, 2010, was introduced.

Staff provided a PowerPoint presentation on the background of the City's solid waste agreement, and outlined the negotiating process for the proposed agreement. Significant details of the proposed agreement

include freezing residential rates through June 2011; increased franchise fees; City facility trash service provided at no cost; City reimbursed for administrative costs; increased community and in-kind donations; enhanced solid waste collection programs; and AB 939 indemnification. The net benefit and cost savings to residents, including franchise fees, is approximately \$1.5 million.

It was moved by Council/District Member Broadwater, seconded by Council/District Member Do, and carried by unanimous vote that the new 14-year Agreement by and between the City of Garden Grove, the Garden Grove Sanitary District, and Republic Waste Services of Southern California dba Garden Grove Disposal, to provide an exclusive franchise for solid waste handling services within the City/District with no Consumer Price Index (CPI) increase for regular three-yard commercial service, be and hereby is approved by the City Council; and the City Manager/General Manager is authorized to execute the agreement and to make minor adjustments if necessary.

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

Council Member Broadwater announced a program for Memorial Day at the Magnolia Memorial Park at 10:00 a.m., and announced the upcoming Strawberry Festival.

Council Member Nguyen announced that housing applications will be accepted from July 1 through July 31, 2010; thanked Tony Flores for his interest in the trash agreement; thanked Beatrice Jones for her efforts to have Juneteenth National Freedom Day recognized; commented on the importance of Memorial Day and thanked Charles Mitchell for his touching speech; announced the Strawberry Festival this weekend; thanked Bruce Tran for his service on the Planning Commission; and encouraged everyone to buy in Garden Grove.

Council Member Jones thanked Charles Mitchell for the story he shared and encouraged everyone to take time to reflect on Memorial Day's meaning; announced the Strawberry Festival; and commented on the contacts made at the International Conference of Shopping.

Council Member Do wished everyone a Happy Memorial Day, and commented he is looking forward to seeing everyone at the Strawberry Festival.

Mayor Dalton recognized Beatrice Jones efforts in having Juneteenth National Freedom Day recognized in Garden Grove; challenged Council Member Broadwater to be part of a dunk tank at the Strawberry Festival; announced he will be the guest speaker at the Memorial Day event at Magnolia Memorial Park; and adjourned the meeting in honor of Captain

Ed W. Freeman, United States Army, in recognition of his heroic efforts during the Vietnam War.

ADJOURNMENT

At 8:45 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR
CITY CLERK

MINUTES

GARDEN GROVE CITY COUNCIL

A Study Session of the Garden Grove City Council was called to order in the Founders Room of the Community Meeting Center, 11300 Stanford Avenue, on Tuesday, May 25, 2010, at 5:45 p.m.

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

ABSENT: (0) NONE

ORAL COMMUNICATIONS - PUBLIC

None.

PROPOSED AGREEMENT WITH LAGUNA BEACH COUNTY WATER DISTRICT FOR JOINT OPERATION OF WELL NO. 28 (F: 112.11) (XR: 24.12)

Representatives from the Laguna Beach County Water District (LBCWD) presented a proposal to partner with the City of Garden Grove to construct a Nitrate Removal Facility at Garden Grove's Lampson Facility – Well No. 28.

City staff presented their perspective, concluding staff could not recommend moving forward with this partnership.

Garden Grove's Orange County Water District's (OCWD) representatives, Phil Anthony and Kay Barr, spoke encouraging LBCWD meet with OCWD to determine a feasible project that could meet LBCWD's needs.

After a question and answer period and discussion, it was the consensus of the City Council that there were too many unanswered questions to move forward with this partnership.

ADJOURNMENT

At 7:00 p.m., the Study Session 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, Garden Grove, on Tuesday, May 25, 2010, at 7:41 p.m.

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

ABSENT: (0) NONE

ORAL COMMUNICATIONS

None.

MINUTES (F: Vault)

It was moved by Member Dalton, seconded by Member Do, and carried by unanimous vote that the Agency minutes for the Regular Meeting held March 23, 2010, be and hereby are received and filed.

ADJOURNMENT

At 8:07 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR
SECRETARY

MINUTES

GARDEN GROVE HOUSING AUTHORITY

A Regular Meeting of the Garden Grove Housing Authority was called to order in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, on Tuesday, May 25, 2010, at 7:20 p.m.

ROLL CALL: PRESENT: (7) CHAIR NGUYEN, COMMISSIONERS
BROADWATER, DALTON, DO, JONES, NEVAREZ,
O'CONNOR

ABSENT: (0) NONE

ORAL COMMUNICATIONS

None.

HOUSING AUTHORITY STATUS REPORT FOR APRIL 2010 (F: H-117.2)

Staff report dated May 25, 2010, was introduced.

It was moved by Commissioner Do, seconded by Commissioner Broadwater, and carried by unanimous vote that the April 2010 Housing Authority Status Report regarding the Section 8 Rental Assistance Program, be and hereby is received and filed.

MINUTES

It was moved by Commissioner Do, seconded by Commissioner Broadwater, and carried by unanimous vote that the minutes of the Regular Meeting of the Housing Authority held April 27, 2010, be and hereby are received and filed.

ADJOURNMENT

At 7:25 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR
SECRETARY

MINUTES

GARDEN GROVE SANITARY DISTRICT

A Regular Meeting of the Garden Grove Sanitary District Board of Directors was called to order in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, on Tuesday, May 25, 2010, at 5:36 p.m.

ROLL CALL: PRESENT: (4) PRESIDENT DALTON, MEMBERS BROADWATER, DO, NGUYEN

ABSENT: (1) MEMBER JONES (Absent at Roll Call, but joined the meeting at 5:45 p.m.)

PUBLIC INPUT ON CLOSED SESSION ITEM

None.

ADJOURN TO CLOSED SESSION

At 5:37 p.m., under the Ralph M. Brown Act, the meeting was adjourned to Closed Session to discuss the following:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9(b) – One potential case - Claim submitted by Emae International, Inc.

RECESS

At 7:10 p.m., President Dalton declared a recess.

RECONVENE IN OPEN SESSION

At 7:41 p.m., President Dalton reconvened the meeting in the Council Chamber with all Members present.

ORAL COMMUNICATIONS

None.

RECESS

At 8:05 p.m., President Dalton declared a recess.

RECONVENE

At 8:08 p.m., President Dalton reconvened the meeting with all Members present.

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

MINUTES

It was moved by Member Jones, seconded by Member Nguyen, and carried by unanimous vote that the minutes of the Sanitary District Board Regular Meeting held April 27, 2010, be and hereby are received and filed.

RECESS

At 8:10 p.m., President Dalton declared a recess.

RECONVENE

At 8:12 p.m., President Dalton reconvened the meeting with all Members present.

JOINT HEARING WITH THE CITY COUNCIL - SOLID WASTE DISPOSAL AGREEMENT WITH REPUBLIC WASTE SERVICES OF SOUTHERN CALIFORNIA, DBA GARDEN GROVE DISPOSAL (F: S-55.1) (XR: 24.1)

Staff report dated May 25, 2010, was introduced.

Staff provided a PowerPoint presentation on the background of the City's solid waste agreement, and outlined the negotiating process for the proposed agreement. Significant details of the proposed agreement include freezing residential rates through June 2011; increased franchise fees; City facility trash service provided at no cost; City reimbursed for administrative costs; increased community and in-kind donations; enhanced solid waste collection programs; and AB 939 indemnification. The net benefit and cost savings to residents, including franchise fees, is approximately \$1.5 million.

It was moved by District/Council Member Broadwater, seconded by District/Council Member Do, and carried by unanimous vote that the new 14-year Agreement by and between the City of Garden Grove, the Garden Grove Sanitary District, and Republic Waste Services of Southern California dba Garden Grove Disposal, to provide an exclusive franchise for solid waste handling services within the District/City with no Consumer Price Index (CPI) increase for regular three-yard commercial service, be and hereby is approved by the Board of Directors of the Sanitary District; and the General Manager/City Manager is authorized to execute the agreement and to make minor adjustments if necessary.

ADJOURNMENT

At 8:34 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR
SECRETARY