

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, February 22, 2011, at 6:43 p.m.

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

ABSENT: (0) NONE

ORAL COMMUNICATIONS

Public Comments: None.

Commissioner Comments: None.

HOUSING AUTHORITY STATUS REPORTS FOR JANUARY 2011 (F: H-117.2)

Staff report dated February 22, 2011, was introduced.

It was moved by Commissioner Broadwater, seconded by Commissioner Do, and carried by unanimous vote that the January 2011 Housing Authority Status Report regarding the Section 8 Rental Assistance Program, be and hereby is received and filed.

MINUTES

It was moved by Commissioner Broadwater, seconded by Commissioner Do, and carried by unanimous vote that the minutes of the Regular Meeting of the Housing Authority held January 25, 2011, be and hereby are received and filed.

MATTERS FROM COMMISSIONERS AND DIRECTOR (H-10.3)

Chair Nguyen and the other Commissioners welcomed newly appointed Commissioner Carol Beckles.

ADJOURNMENT

At 6:45 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR, CMC
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, February 22, 2011, at 6:54 p.m.

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

ABSENT: (0) NONE

ORAL COMMUNICATIONS

Public Comments: None.

District Member Comments: None.

RECESS

At 7:02 p.m., President Dalton declared a recess.

RECONVENE

At 7:04 p.m., President Dalton reconvened the meeting with all Members present.

MINUTES (F: Vault)

It was moved by Member Do, seconded by Member Nguyen, and carried by unanimous vote that the minutes of the Regular Meetings held November 23, 2010, and January 25, 2011, be and hereby are received and filed.

ADJOURNMENT

At 7:05 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR, CMC
SECRETARY

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, February 22, 2011, at 6:54 p.m.

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

ABSENT: (0) NONE

PUBLIC INPUT ON CLOSED SESSION MATTER

None.

CLOSED SESSION

None.

ORAL COMMUNICATIONS

None.

RESOLUTION APPROVING USE OF HOUSING SET ASIDE FUNDS FOR THE FISCAL YEAR 2010-11 SUPPLEMENTAL EDUCATIONAL REVENUE AUGMENTATION FUND (SERAF) PAYMENT (F: A-34.6) (XR: 43.4)

Staff report dated February 22, 2011, was introduced.

RESOLUTION NO. 693

It was moved by Member Jones, seconded by Member Do, and carried by unanimous vote that full reading of Resolution No. 693 be waived, and said Resolution entitled A RESOLUTION OF THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT APPROVING THE BORROWING OF A PORTION OF ITS LOW AND MODERATE INCOME HOUSING FUNDS FOR THE PURPOSE OF PAYING ITS SUPPLEMENTAL EDUCATIONAL REVENUE AUGMENTATION FUND (SERAF) PAYMENT FOR FISCAL YEAR 2010-11, be and hereby is adopted.

MATTERS FROM AGENCY MEMBERS AND DIRECTOR

None.

ADJOURNMENT

At 7:03 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR, CMC
SECRETARY

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, February 22, 2011, at 5:43 p.m.

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

ABSENT: (1) COUNCIL MEMBER NGUYEN absent at Roll
Call, but joined the meeting at 5:48 p.m.

PUBLIC INPUT ON CLOSED SESSION MATTER

None.

ADJOURN TO CLOSED SESSION

At 5:45 p.m., under the Ralph M. Brown Act, the meeting was adjourned to Closed Session in the Founders Room to discuss the following:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(b) (Two potential cases)

Mayor Dalton stated that the City Council would be going into Closed Session as noted on the agenda for purposes of discussion under Government Code Section 54956.9(b), to discuss the facts and circumstances involving potential enforcement of the City Ordinance on medical marijuana dispensaries.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9(c) (Two potential cases)

RECESS

At 6:40 p.m., the Mayor declared a recess.

RECONVENE IN OPEN SESSION

At 6:46 p.m., Mayor Dalton reconvened the meeting with all Council Members present.

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

INVOCATION AND PLEDGE

Keith Jones, Public Works Director, gave the Invocation. Mayor Dalton led the Pledge of Allegiance to the Flag of the United States of America.

PRESENTATION – COMMUNITY SPOTLIGHT (F: 52.3)

Mayor Dalton called forward Pat Halberstadt, Chief Professional Officer for the Boys and Girls Club of Garden Grove, and longtime resident, and presented her with a certificate in recognition for her achievement as the 2011 Cypress College Americana Citizen of the Year.

ORAL COMMUNICATIONS – PUBLIC COMMENTS

In honor of the deaths of Major Dick Winters and Ed Mauser serving in Easy Company during World War II, Charles Mitchell read a poem, 'A Soldier Died Today.'

ORAL COMMUNICATIONS – COUNCIL MEMBER COMMENTS

Council Member Broadwater expressed disappointment with the poem portraying all politicians in a negative manner.

RECESS

At 7:02 p.m., the Mayor declared a recess.

RECONVENE

At 7:06 p.m., Mayor Dalton reconvened the meeting with all Council Members present.

PROCLAMATION RECOGNIZING FEBRUARY 20-26, 2011, AS NATIONAL ENGINEERS WEEK (F: 83.1)

Staff report dated February 22, 2011, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that February 20-26, 2011, be and hereby is recognized as National Engineers Week.

FINAL TRACT MAP NO. 17022 AND A SUBDIVISION AGREEMENT WITH DAVID NGUYEN FOR PROPERTY AT 12661 NELSON STREET, GARDEN GROVE (F: 116.PUD-111-06) (XR: 24.11)

Staff report dated February 22, 2011, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that Final Tract Map No. 17022 and the Subdivision Improvement Agreement for property located at 12661 Nelson Street, Garden Grove, be and hereby are approved; the Subdivision Improvement Bonds are accepted; and the City Manager is authorized to execute the agreement on behalf of the City.

AGREEMENT WITH THE ANAHEIM/ORANGE COUNTY VISITORS AND CONVENTION BUREAU TO PROVIDE MARKETING SERVICES FOR THE GARDEN GROVE TOURISM IMPROVEMENT DISTRICT (F: 55-Anaheim/Orange County Visitors & Convention Bureau) (XR: 32.1)

Staff report dated February 22, 2011, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that the Agreement by and between the City of Garden Grove and the Anaheim/Orange County Visitors and Convention Bureau to provide services for the Garden Grove Tourism Improvement District, be and hereby is approved; and the City Manager is authorized to execute the agreement and make changes as appropriate on behalf of the City.

AGREEMENT WITH MACIAS GINI & O'CONNELL LLP TO PROVIDE THE CITY'S ANNUAL AUDIT FOR FISCAL YEARS 2010-11, 2011-12, AND 2012-13; AND RATIFICATION OF TERMINATION OF THE PRIOR AUDITOR SERVICES CONTRACT (F: 55-Macias Gini & O'Connell LLP) (XR: 60.1) (XR: 55-Mayer Hoffman McCann P.C.)

Staff report dated February 22, 2011, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that the Agreement by and between the City of Garden Grove and Macias, Gini, and O'Connell LLP, to serve as the City's Independent Auditor for Fiscal Years 2010-11 through 2012-13, in the amount of \$231,916, with two optional renewal years; be and hereby is approved; the City Manager or his designee, the Finance Director, is authorized to execute all related and enabling agreements; and termination of the prior auditor services contract with Mayer Hoffman McCann P.C. is hereby ratified.

AMENDMENT TO THE AGREEMENT WITH TURBO DATA SYSTEMS, INC. FOR PARKING CITATION PROCESSING SERVICES (F: 55-Turbo Data Systems) (XR: 24.1)

Staff report dated February 22, 2011, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that Amendment No. 3 to the Agreement by and between the City of Garden Grove and Turbo Data Systems, Inc., extending the term of the agreement for two years in the amount of \$165,000, be and hereby is approved; and the City Manager is authorized to execute the agreement on behalf of the City.

AGREEMENT BETWEEN THE MUNICIPAL WATER DISTRICT OF ORANGE COUNTY (MWDOC) AND ITS 28 MEMBER AGENCIES (F: 112.5) (XR: 24.12)

Staff report dated February 22, 2011, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that the Agreement by and between the City of Garden Grove and the Municipal Water District of Orange County (MWDOC), and its 28 Member Agencies, be and hereby is approved; and the Mayor is authorized to execute the agreement on behalf of the City.

AWARD OF CONTRACT TO J&S STRIPING COMPANY, INC., FOR IFB NO. S-1068-A - STREET STRIPING, CURB PAINTING, AND SIGN INSTALLATION SERVICE (F: 55-J&S Striping Company) (XR: 24.1)

Staff report dated February 22, 2011, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that the contract for IFB

No. S-1068-A – Street Striping, Curb Painting, and Sign Installation Service, in the amount not to exceed \$225,017.50 per year for up to five years, be and hereby is awarded to J&S Striping Co., Inc.; the City Manager is authorized to execute the agreement and any amendments to the contract on behalf of the City; and the Finance Director is authorized to appropriate \$16,000 to the FY 2010/11 Public Works budget.

CO-SPONSORSHIP OF THE GARDEN GROVE HIGH SCHOOL FOOTBALL BANQUET (F: 87.1) (XR: 48.4) (XR: 90.5)

Staff report dated February 22, 2011, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that co-sponsorship of the Garden Grove High School Football Banquet held at the Community Meeting Center, Butterfield Room on February 12, 2011, be and hereby is approved; and staff is authorized to refund Garden Grove High School the cost of the facility.

RESOLUTION INITIATING THE SPRING 2011 WEED ABATEMENT PROGRAM, AND DECLARING THAT A PUBLIC NUISANCE EXISTS AND NEEDS TO BE ABATED AS A RESULT OF GROWING OR STORAGE OF WEEDS, RUBBISH, REFUSE, AND DIRT (F: 113.1spring2011) (XR: 61.1)

Staff report dated February 22, 2011, was introduced.

RESOLUTION NO. 9031-11

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that full reading of Resolution No. 9031-11, be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DECLARING THAT A NUISANCE EXISTS IN CONNECTION WITH THE EXISTENCE OF WEEDS, RUBBISH, AND REFUSE ON CERTAIN PROPERTIES WITHIN THE CITY OF GARDEN GROVE AND AUTHORIZING THE CITY CLERK TO MAIL A WRITTEN NOTICE OF THE NUISANCE(S) IN ACCORDANCE WITH THE PROVISIONS OF GOVERNMENT CODE SECTION 39566 AND 39567.1, be and hereby is adopted.

RESOLUTION APPROVING USE OF HOUSING SET ASIDE FUNDS FOR THE FISCAL YEAR 2010-11 SUPPLEMENTAL EDUCATIONAL REVENUE AUGMENTATION FUND (SERAF) PAYMENT (F: A-34.6) (XR: 43.4)

Staff report dated February 22, 2011, was introduced.

RESOLUTION NO. 9032-11

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that full reading of Resolution No. 9032-11 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING THE BORROWING BY THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT OF A PORTION OF THE AGENCY'S LOW AND MODERATE INCOME HOUSING FUNDS FOR THE PURPOSE OF PAYING ITS SUPPLEMENTAL EDUCATIONAL REVENUE AUGMENTATION FUND PAYMENT FOR FISCAL YEAR 2010-11, be and hereby is adopted.

MEMBERSHIP IN SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (F: 74.16)

Staff report dated February 22, 2011, was introduced.

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that the Community Development Director is authorized to submit the City's request for membership and pay the FY 2011-2012 annual membership dues in the amount of \$15,921 to the Southern California Association of Governments (SCAG); that the Joint Powers Agreement by and between the City of Garden Grove and the Southern California Association of Governments (SCAG), be and hereby is approved; and the City Manager is authorized to execute the agreement on behalf of the City.

WARRANTS (F: 60.5)

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that Regular Warrants 488099 through 488407, and Wires W728 and W730; and Payroll Warrants 168665 through 168757, Direct Deposits D200793 through D201455, and Wires W1649 through W1652, 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 Do, and carried by unanimous vote that full reading of all Ordinances listed for consideration of adoption be waived.

PUBLIC HEARING – AMENDED AND RESTATED AGREEMENT WITH CHEVRON ENERGY SOLUTIONS TO INSTALL A PHOTOVOLTAIC (PV) SYSTEM ON THE ROOFTOPS OF THE CITY MUNICIPAL YARD BUILDINGS AND THE PUBLIC SAFETY BUILDING (F: 55-Chevron Energy Solutions) (XR: 24.1)

Staff report dated February 22, 2011, was introduced and reviewed by staff.

Mayor Dalton declared the Public Hearing open and asked if anyone wished to address the City Council on the matter.

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

RESOLUTION NO. 9033-11

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that full reading of Resolution No. 9033-11 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING CERTAIN ENERGY MEASURES FOR ENERGY SERVICES AND AUTHORIZING THE EXECUTION OF THE AMENDED AND RESTATED AGREEMENT WITH CHEVRON ENERGY SOLUTIONS COMPANY AND MAKING OTHER DETERMINATIONS THEREWITH, be and hereby is adopted.

AWARD OF CONTRACT TO ALL AMERICAN ASPHALT FOR PROJECT NO. 7237 – FIVE ARTERIAL STREET REHABILITATION 2011 (F: 96.proj.7237) (XR: 24.11)

Staff report dated February 22, 2011, was introduced and reviewed by staff.

It was moved by Council Member Do, seconded by Council Member Nguyen, and carried by unanimous vote that the contract for Project No. 7237 – Five Arterial Street Rehabilitation 2011 at Chapman Avenue (Valley View Street to Springdale Street); Western Avenue (Garden Grove Boulevard to Simmons Place); Chapman Avenue

(Western Avenue to the city of Stanton boundary); Garden Grove Boulevard (Beach Boulevard to Fern Street); Trask Avenue (Euclid Street to 700 feet west of Harbor Boulevard) in the amount of \$2,197,854, be and hereby is awarded to All American Asphalt; and the City Manager is authorized to execute the agreement on behalf of the City.

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

The Mayor and Council Members wished Council Member Jones' wife, Mani, a very happy birthday.

Council Member Nguyen reminded everyone to continue to buy in Garden Grove.

Mayor Dalton complimented staff and the Chamber of Commerce on the recent Job Fair and suggested that another job fair be held soon. He provided information on the CSM Fitness Equipment Company, and suggested that the Boys and Girls Club might benefit from a partnership with them.

ADJOURN TO CLOSED SESSION

At 7:15 p.m., under the Ralph M. Brown Act, the meeting was adjourned to Closed Session in the Founders Room to continue discussion of the following:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(b) (Two potential cases)

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9(c) (Two potential cases)

RECONVENE IN OPEN SESSION

At 8:17 p.m., Mayor Dalton reconvened the meeting with all Council Members present.

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

ADJOURNMENT

At 8:20 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR, CMC
CITY CLERK