

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, March 8, 2011, at 5:40 p.m.

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

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

PUBLIC INPUT ON CLOSED SESSION MATTER

None.

JOINT CLOSED SESSION WITH CITY COUNCIL

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a)
Limon et al. v. City of Garden Grove and Agency for Community Development et al.

Mayor Dalton announced that this matter would not be discussed.

RECESS

At 5:41 p.m., Chair Broadwater declared a recess.

RECONVENE TO CLOSED SESSION

At 6:26 p.m., under the Ralph M. Brown Act, the meeting was reconvened, with all members, present in the Founders Room for Closed Session to discuss the following:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8

Property: 12202 Harbor Boulevard, Garden Grove.

Agency Negotiator: Matthew Fertal, Agency Director.

Negotiating Parties: Daniel Samulski and Steve Lewis, Sunbelt Holdings

Under Negotiation: To obtain direction regarding the price and terms for potential purchase or lease of real property.

RECESS

At 6:42 p.m., Chair Broadwater declared a recess.

RECONVENE IN OPEN SESSION

At 6:45 p.m., Chair Broadwater reconvened the meeting with all members present.

It was announced that the Closed Session item regarding real property negotiations was discussed and no reportable action was taken.

ORAL COMMUNICATIONS – PUBLIC COMMENTS

None.

ORAL COMMUNICATIONS – AGENCY MEMBER COMMENTS

None.

JOINT ACTION WITH THE CITY OF GARDEN GROVE - RESOLUTIONS APPROVING THE PURCHASE AND SALE AGREEMENT BETWEEN THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT AND THE CITY OF GARDEN GROVE FOR PROPERTY LOCATED AT 12892-12942 GROVE STREET, GARDEN GROVE (F: 55-Garden Grove Agency) (XR: 116.PUD-114-06) (XR: 43.4)

Staff report dated March 8, 2011, was introduced and reviewed by staff.

CITY COUNCIL
RESOLUTION NO. 9034-11

It was moved by Council Member Do, seconded by Council Member Nguyen, and carried by unanimous vote that full reading of Resolution No. 9034-11 be waived and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING A

PURCHASE AND SALE AGREEMENT BETWEEN THE CITY AND THE AGENCY FOR COMMUNITY DEVELOPMENT, AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH, be and hereby is adopted; that the Mayor is authorized to execute the Agreement and pertinent documents on behalf of the City; and the City Manager and Finance Director are authorized to implement the Agreement and make minor modifications as needed on behalf of the City.

AGENCY
RESOLUTION NO. 694

It was moved by Member Do, seconded by Member Nguyen, and carried by unanimous vote that full reading of Resolution No. 694 be waived and said Resolution entitled A RESOLUTION OF THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF GARDEN GROVE AND THE AGENCY, AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH, be and hereby is adopted; that the appropriation of \$2.3 million from the Redevelopment Housing Set Aside Fund be and hereby is authorized; the Agency Chair is authorized to execute the Purchase and Sale Agreement and pertinent documents on behalf of the Agency; and the Agency Director and Finance Director are authorized to implement the Agreement and make minor modifications as needed on behalf of the Agency.

JOINT ACTION WITH THE CITY OF GARDEN GROVE - RESOLUTIONS APPROVING THE COOPERATION AGREEMENT BETWEEN THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT AND THE CITY OF GARDEN GROVE (F: 55-Garden Grove Agency) (XR: P-60.1) (XR: 43.4)

Staff report dated March 8, 2011, was introduced and reviewed by staff.

CITY COUNCIL
RESOLUTION NO. 9035-11

It was moved by Council Member Do, seconded by Council Member Nguyen and carried by unanimous vote that full reading of Resolution No. 9035-11 be waived and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AUTHORIZING AND APPROVING A COOPERATION AGREEMENT BETWEEN THE CITY AND THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT AND MAKING CERTAIN DETERMINATIONS AND APPROVALS IN CONNECTION THEREWITH, be and hereby is adopted; and the Authorized Officers are authorized and directed to take all actions

necessary or convenient to implement the agreement on behalf of the City.

AGENCY
RESOLUTION NO. 695

It was moved by Member Nguyen, seconded by Member Jones, and carried by unanimous vote that full reading of Resolution No. 695 be waived and said Resolution entitled A RESOLUTION OF THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT AUTHORIZING AND APPROVING A COOPERATION AGREEMENT BETWEEN THE AGENCY AND THE CITY OF GARDEN GROVE AND MAKING CERTAIN DETERMINATIONS AND APPROVALS IN CONNECTION THEREWITH, be and hereby is adopted; and the Authorized Officers are authorized and directed to take all actions necessary or convenient to implement the agreement on behalf of the Agency.

MATTERS FROM AGENCY MEMBERS AND DIRECTOR

None.

ADJOURNMENT

At 6:55 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR, CMC
SECRETARY

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, Garden Grove, on Tuesday, March 8, 2011, at 5:42 p.m.

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

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

ORAL COMMUNICATIONS - PUBLIC

None.

PENSION REFORM (F: 78.12)

Staff provided information on Pension Reform, and will continue to monitor this issue. Staff will provide periodic updates to the City Council as necessary.

ADJOURNMENT

At 6:25 p.m., the Study Session was declared adjourned.

KATHLEEN BAILOR, CMC
CITY CLERK

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, March 8, 2011, at 5:40 p.m.

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

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

PUBLIC INPUT ON CLOSED SESSION MATTER

None.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a) - Limon et al. v.
City of Garden Grove and Agency for Community Development et al.

Mayor Dalton announced that the Closed Session on this matter would
not be held.

RECESS

At 5:41 p.m., the Mayor declared a recess.

RECONVENE

At 6:44 p.m., Mayor Dalton reconvened the meeting 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.

ORAL COMMUNICATIONS – PUBLIC COMMENTS

None.

ORAL COMMUNICATIONS – COUNCIL MEMBER COMMENTS

None.

WRITTEN COMMUNICATIONS – REQUEST FROM SENATOR LOU CORREA THAT THE CITY CO-SPONSOR THE ASIAN PACIFIC ISLANDER HERITAGE MONTH CELEBRATION EVENT SCHEDULED FOR THURSDAY, MAY 5, 2011, FROM 6:00 P.M. TO 8:30 P.M. AT THE COMMUNITY MEETING CENTER (Chron)

It was moved by Council Member Nguyen, seconded by Council Member Do, and carried by unanimous vote that the request from Senator Lou Correa for co-sponsorship by the City of the Asian Pacific Islander Heritage Month Celebration event on Thursday, May 5, 2011, from 6:00 p.m. to 8:30 p.m. at the Community Meeting Center, be and hereby is approved.

AGREEMENT WITH THE COUNTY OF ORANGE ACCEPTING JUSTICE ASSISTANCE GRANT FUNDS TO PAY A PORTION OF THE CITY'S JAIL SERVICES CONTRACT (F: 82.5)

Staff report dated March 8, 2011, was introduced.

It was moved by Council Member Do, seconded by Council Member Nguyen, and carried by unanimous vote that the Agreement by and between the City of Garden Grove and the County of Orange to accept 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) Program funds, in the amount of \$64,394, to partially fund the Police Department's jail services contract with Correctional Systems, Inc., be and hereby is approved; and the Mayor is authorized to execute the agreement on behalf of the City.

AMENDMENT TO THE AGREEMENT WITH ONE MORE PRODUCTIONS FOR OPERATION OF THE GEM THEATER AND PROPOSED RENTAL RATES (F: 55-One More Productions)

Staff report dated March 8, 2011, was introduced.

It was moved by Council Member Do, seconded by Council Member Nguyen, and carried by unanimous vote that Amendment No. 1 of the Agreement by and between the City of Garden Grove and One More

Productions for the management of the Gem Theater, be and hereby is approved; that the new facility rental rates, be and hereby are approved; and the City Manager is authorized to execute the agreement on behalf of the City.

MINUTES

It was moved by Council Member Do, seconded by Council Member Nguyen, and carried by unanimous vote that the minutes of the Regular Meetings of the City Council held October 12, 2010, October 26, 2010, and November 9, 2010, be and hereby are received and filed.

WARRANTS (F: 60.5)

It was moved by Council Member Do, seconded by Council Member Nguyen, and carried by unanimous vote that Regular Warrants 488534 through 490477, Wires W731 through W739, and Direct Deposits W489215 through W490162; and Payroll Warrants 168758 through 168843, Direct Deposits D201046 through D202116, and Wires W1653 through W1656, 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 Do, seconded by Council Member Nguyen, and carried by unanimous vote that full reading of all Ordinances listed for consideration of adoption be waived.

PUBLIC HEARING – AMENDMENT NO. A-158-11. AMENDMENT TO THE PLANNED UNIT DEVELOPMENT NO. PUD-144-02 ZONE ADDING 'AMBULANCE SERVICE' AS A PERMITTED USE AT THE SOUTHEAST CORNER OF KNOTT STREET AND PATTERSON DRIVE, GARDEN GROVE, SUBJECT TO CONDITIONAL USE PERMIT APPROVAL (F: 115.A-158-11)
(XR: 116.PUD-144-02)

Staff report dated March 8, 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.

ORDINANCE NO. 2791 was introduced for first reading and the title read in full, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-158-11, AN AMENDMENT TO THE PLANNED UNIT DEVELOPMENT NO. PUD-144-02 ZONE TO ADD 'AMBULANCE SERVICE' AS A PERMITTED USE, SUBJECT TO CONDITIONAL USE PERMIT APPROVAL

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

It was moved by Council Member Broadwater, seconded by Council Member Nguyen, and carried by unanimous vote that Ordinance No. 2791, be and hereby is passed to second reading.

APPOINTMENTS TO CITY COMMISSIONS (F: 122.1)

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote that Stan Beitler, Paul Ernst, LacTan Nuygen, M. Chona Preston, and Dien Tran be and hereby are appointed to the City's Administrative Board of Appeals.

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that Doug Coleman, Steve Dalat, Hooshang Farahmand, Jeremy Harris, Audrey Pecor, and Rebecca Weimer be and hereby are appointed to the City's Main Street Commission.

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that Lillian Foster, Lucille Freer, Allison Hanna, Jerry Kill, Gustavo Lopez, James Pope, and Toby Rubin be and hereby are appointed to the City's Neighborhood Improvement and Conservation Commission.

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that Gigi Horowitz, Gary Lazenby, Dorothy Malcolm, Robin Marcario, Darren Piccirillo, Marilyn Tortolano, and Jack Wallin be and hereby are appointed to the City's Parks, Recreation and Arts Commission.

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that Kris Beard, George Brietigam, Phat Bui, Jennifer Cabral, Dennis Ellsworth, and Joseph Pak be and hereby are appointed to the City's Planning Commission.

COUNCIL MEMBER NGUYEN ANNOUNCED THAT DUE TO A POTENTIAL CONFLICT OF INTEREST, AS SHE IS MARRIED TO JOE DOVINH, SHE WOULD BE RECUSING HERSELF FROM THE NEXT MATTER.

COUNCIL MEMBER NGUYEN LEFT THE MEETING AT 7:03 P.M.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote of those present that Joseph Dovinh be and hereby is appointed to the City's Planning Commission.

COUNCIL MEMBER NGUYEN RETURNED TO THE MEETING AT 7:04 P.M.

It was moved by Council Member Nguyen, seconded by Mayor Dalton, and carried by unanimous vote that Nolan Alejandro, Randy Arbgast, Kathryn Feather, and John Rodriguez be and hereby are appointed to the City's Traffic Commission.

MAYOR DALTON ANNOUNCED THAT DUE TO A POTENTIAL CONFLICT OF INTEREST, AS HE IS THE FATHER OF ROBERT DALTON, HE WOULD BE RECUSING HIMSELF FROM THE NEXT MATTER.

MAYOR DALTON LEFT THE MEETING AT 7:06 P.M.

MAYOR PRO TEM JONES ASSUMED THE POSITION AS CHAIR.

It was moved by Mayor Pro Tem Jones, seconded by Council Member Broadwater, and carried by unanimous vote of those present that Robert Dalton be and hereby is appointed to the City's Traffic Commission.

MAYOR DALTON RETURNED TO THE MEETING AT 7:07 P.M. AND REGAINED THE POSITION AS CHAIR.

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that Leonard Begg, Nicolas Constantino, Charles Mitchell, Nguyen Nguyen, and Harry Pearce be and hereby are appointed to the City's Sanitary District Advisory Commission.

APPOINTMENTS TO VARIOUS CITY COUNCIL COMMITTEES AND AD HOC COMMITTEES (122.1)

It was moved by Council Member Broadwater, seconded by Council Member Nguyen, and carried by unanimous vote that the current City Council representatives to the City Council standing committees, the City Council ad hoc committees, and the outside organizations, be and hereby are reappointed.

JOINT ACTION WITH THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT - RESOLUTIONS APPROVING THE PURCHASE AND SALE AGREEMENT BETWEEN THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT AND THE CITY OF GARDEN GROVE FOR PROPERTY LOCATED AT 12892-12942, GROVE STREET, GARDEN GROVE (F: 55-Garden Grove Agency) (XR: 116.PUD-114-06) (XR: 43.4)

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AGENCY RESOLUTION NO. 694

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Aside Fund be and hereby is authorized; the Agency Chair is authorized to execute the Purchase and Sale Agreement and pertinent documents on behalf of the Agency; and the Agency Director and Finance Director are authorized to implement the agreement and make minor modifications as needed on behalf of the Agency.

JOINT ACTION WITH THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT - RESOLUTIONS APPROVING THE COOPERATION AGREEMENT BETWEEN THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT AND THE CITY OF GARDEN GROVE (F: 55-Garden Grove Agency) (XR: P-60.1) (XR: 43.4)

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AGENCY
RESOLUTION NO. 695

It was moved by Member Nguyen, seconded by Member Jones, and carried by unanimous vote that full reading of Resolution No. 695 be waived and said Resolution entitled A RESOLUTION OF THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT AUTHORIZING AND APPROVING A COOPERATION AGREEMENT BETWEEN THE AGENCY AND THE CITY OF GARDEN GROVE AND MAKING CERTAIN DETERMINATIONS AND APPROVALS IN CONNECTION THEREWITH, be and hereby is adopted; and the Authorized Officers are authorized and directed to take all actions necessary or convenient to implement the agreement on behalf of the Agency.

AWARD OF CONTRACT TO C J CONCRETE CONSTRUCTION, INC. FOR ON-CALL CONCRETE CONSTRUCTION (F: 55-C J Concrete)

Staff report dated March 8, 2011, was introduced and reviewed by staff.

It was moved by Council Member Broadwater, seconded by Council Member Do, and carried by unanimous vote that the Contract for Cost Option B for on-call concrete repair services, in an amount not to exceed \$600,000 for the first year with four one year options to renew at \$400,000 per year, be and hereby is awarded to C J Concrete Construction, Inc.; the City Manager is authorized to execute the agreement on behalf of the City; and the Finance Director is authorized to allocate \$300,000 to the FY 2010/11 budget.

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

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

Council Member Jones stated that if the legislature passes the Governor's recommendation to abolish redevelopment agencies, not only would the State be taking money from the City to balance its budget, but future benefits of redevelopment would no longer be realized.

Mayor Dalton offered his condolences to the Ballard Family on the passing of Jo Ballard, community volunteer and the wife of Garden Grove's first Police Chief, Reese Ballard.

ADJOURNMENT

At 7:13 p.m., the meeting was declared adjourned in memory of Jo Ballard.

KATHLEEN BAILOR, CMC
CITY CLERK