

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, October 11, 2011, at 7:10 p.m.

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

ABSENT: (0) NONE

PUBLIC INPUT ON CLOSED SESSION MATTERS

It was announced that the below listed Closed Session was cancelled.

CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: 12361 Chapman Avenue, Garden Grove

Agency Negotiator: Matthew Fertal, Agency Director

Negotiating Parties: TradeCor, LLC, Perry Mann and Kevin P. Barry

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

ORAL COMMUNICATIONS

None.

MATTERS FROM AGENCY MEMBERS AND DIRECTOR

Chair Broadwater commented on the benefits the City has realized from past redevelopment projects.

ADJOURNMENT

At 7:12 p.m., the meeting was declared adjourned.

TERESA POMEROY
DEPUTY 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, October 11, 2011, at 6:30 p.m.

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

ABSENT: (1) COUNCIL MEMBER NGUYEN absent at Roll Call,
but joined the meeting at 6:39 p.m.

INVOCATION AND PLEDGE

Kingsley Okereke, Finance Director, gave the Invocation. Council Member Jones led the Pledge of Allegiance to the Flag of the United States of America.

PRESENTATION – COMMUNITY SPOTLIGHT (F: 52.3)

Mayor Dalton called forward Marlene Blaue, and presented her with a certificate and a gift in recognition for her support of those serving our country by sending over 2,900 care packages to overseas troops.

PRESENTATION – RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT (F: 52.3)

Raul Rodriguez, Chancellor of Rancho Santiago Community College District, Erlinda Martinez, President of Santa Ana College, and Dr. David Chapel from the Rancho Santiago Community College District provided information and spoke about the vocational programs and the services available to the community.

COMMUNICATIONS – PUBLIC COMMENTS

Robin Marcario commented on the Orange County Water District Turf Removal Program; sidewalk repair work near her home; and the upcoming Public Works Open House.

Peter Katz commented on the success of the Moving Wall event sponsored by the City.

Peggy Bergin commented on the Moving Wall event, and the need for road improvements; and inquired about the process to become a home business and obtaining a resale license.

Charles Mitchell commented on the Moving Wall event, and expressed his support for a Vietnam War Museum in Garden Grove.

COUNCIL MEMBER RESPONSE TO PUBLIC COMMENTS

None.

RECESS

At 7:13 p.m., the Mayor declared a recess.

RECONVENE

At 7:25 p.m., Mayor Dalton reconvened the meeting with all Council Members present.

ACCEPTANCE OF PROJECT AS COMPLETE FOR IFB NO. S-1059-A - PHASE 2 STREET SIGN REPLACEMENT AND INSTALLATION (F: 55-BC Rentals, Inc. dba BC Traffic Specialist)

Staff Report dated October 11, 2011, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that IFB No. S-1059-A - Phase 2 Street Sign Replacement and Installation be accepted as complete; that 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 retention payment in the amount of \$29,813.31 when appropriate to do so.

AGREEMENT WITH THE COUNTY OF ORANGE ACCEPTING JUSTICE ASSISTANCE GRANT PROGRAM FUNDS TO SUPPORT THE JAIL SERVICES CONTRACT (F: 82.15)

Staff report dated October 11, 2011, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that the Agreement by and between the City of Garden Grove and the County of Orange, Sheriff-Coroner Department, to accept the 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) Program funds in the amount of \$54,293 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.

RESPONSE TO THE GRAND JURY REPORT ENTITLED "COMPENSATION STUDY OF ORANGE COUNTY CITIES" (F: 23.1)

Staff report dated October 11, 2011, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that the response to the Orange County Grand Jury's Report, "Compensation Study of Orange County Cities," be and hereby is approved; and that the Human Resources Director is directed to file the response with the Presiding Judge of the Superior Court of Orange County.

CLARIFICATION OF 'COMPENSATION EARNABLE' REPORTED TO CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (F: 78.12)

Staff report dated October 11, 2011, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that the City of Garden Grove October 3, 2011, Salary Schedule, and the City of Garden Grove Part Time Pay Rates October 7, 2011, be and hereby are approved in conformance with CCR 570.5; and that in conformance with CCR §571, the following assignment pays are approved: Water Certification Premium: Five percent (5%) added to base pay for employees routinely engaged in water quality testing upon recommendation of the Director of Public Works and the approval of the Director of Human Resources and the City Manager; Utility Systems Operation Premium: Five percent (5%) added to base pay for employees routinely engaged in utility systems planning upon recommendation of the Director of Public Works and the approval of the Director of Human Resources and the

City Manager; Lead Worker/Supervisor Premium: Five percent (5%) added to base pay for employees routinely engaged in lead, supervision, or coordinating the work of others upon recommendation of the relevant Department Head and the approval of the Director of Human Resources and the City Manager; Training Premium: Five percent (5%) added to base pay for employees routinely engaged in the training of employees in complex or highly specialized tasks upon recommendation of the relevant Department Head and the approval of the Director of Human Resources and the City Manager.

CLARIFICATION OF PRE-TAX TREATMENT OF MEMBER-PAID CONTRIBUTIONS TO CALPERS (F: 78.12)

Staff report dated October 11, 2011, was introduced.

RESOLUTION NO. 9083-11

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that full reading of Resolution No. 9083-11 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE TO TAX DEFER MEMBER-PAID CONTRIBUTIONS EMPLOYER CODE 0979, be and hereby is adopted.

RIGHT OF ENTRY AND AGREEMENT WITH MIRIAM M. STRICKLER, TRUSTEE OF THE STRICKLER SURVIVOR TRUST, FOR A WATER LINE EASEMENT LOCATED AT 11762 WESTERN AVENUE, GARDEN GROVE (F: 112.1)

Staff report dated October 11, 2011, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that the Right of Entry and Agreement and Easement Deed by and between the City of Garden Grove and Miriam M. Strickler, Trustee of the Strickler Survivors Trust, and as Trustee of the Strickler Decedents Trust, for capital improvements, and granting an Easement Deed at 11762 Western Avenue, Garden Grove, be and hereby is approved; that the City Manager is authorized to execute the Agreement, including minor modifications, on behalf of the City; that the City's Right of Way Agent is authorized to approve the Easement Deed as to execution and description; and the City Clerk is authorized to accept the Easement Deed for the new water easement, on behalf of the City.

RIGHT OF ENTRY AND AGREEMENT WITH CORNING GARDEN GROVE, LLC, FOR CAPITAL IMPROVEMENTS LOCATED AT 11782 WESTERN AVENUE, GARDEN GROVE (F: 112.1)

Staff report dated October 11, 2011, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that the Right of Entry and Agreement by and between the City of Garden Grove and Corning Garden Grove, LLC, for capital improvements at 11782 Western Avenue, Garden Grove, be and hereby is approved; and the City Manager is authorized to execute the Agreement, including minor modifications, on behalf of the City.

BUDGET APPROPRIATION FOR THE PURCHASE OF PROPERTY LOCATED AT 13650 S. HARBOR BOULEVARD, GARDEN GROVE (F: 34.1) (XR: 84.1)

Staff report dated October 11, 2011, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that a budget appropriation in the amount of \$2.45 million, plus interest, from available proceeds of sale of other City assets and properties in City funds for the purchase of property located at 13650 S. Harbor Boulevard, Garden Grove, be and hereby is approved.

WARRANTS (F: 60.5)

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that Regular Warrants 503714 through 505643, Wires W791 through W800, and Direct Deposits W504356 through W505333; and Payroll Warrants 170431 through 170514, Direct Deposits D212277 through D212945, and Wires W1719 through W1722, 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 Beard, and carried by unanimous vote that full reading of all Ordinances listed for consideration of adoption be waived.

PUBLIC HEARING - APPEAL OF DENIAL OF SITE PLAN NO. SP-460-11 AND VARIANCE NO. V-189-11 - THE APPLICANT, KHANH MAI VO, REQUESTED APPROVAL TO CONVERT AN EXISTING COMMUNAL RECREATION ROOM INTO A RESIDENTIAL DWELLING UNIT WITHIN AN EXISTING TRIPLEX LOCATED AT 8742 STANFORD AVENUE, GARDEN GROVE (F: 116.SP-460-11)

Council Member Beard announced that as he had heard this item as a Planning Commissioner on April 7, 2011, he recused himself from considering this matter due to a potential conflict of interest.

COUNCIL MEMBER BEARD LEFT THE MEETING AT 7:28 P.M.

Staff report dated October 11, 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.

Mr. Leon Tran, representing the applicant, and the applicant, Mr. Charles Minh Le, provided documentation and requested support for approval of a fourth studio dwelling unit to an existing triplex citing economic reasons; and referenced a building permit issued in 1978 for the property indicating four units, which was provided to him by his realtor.

Mayor Dalton questioned staff whether this matter was taken to court. Staff responded that it was the understanding that this matter was taken to court with the property deemed a three unit dwelling unit. Also noted, the property was not annexed into the city of Garden Grove until 1980.

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

Council Member Broadwater commented that the building permit citing four units might have been an error; however, he could not support the request.

Council Member Nguyen expressed concern that the unit used as a studio is too small at 380 square feet, as the minimum studio unit per code is 500 square feet.

RESOLUTION NO. 9084-11

It was moved by Council Member Broadwater, seconded by Mayor Dalton, and carried by unanimous vote of those present that full reading of Resolution No. 9084-11 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DENYING THE APPEAL AND UPHOLDING THE PLANNING COMMISSION'S DECISION TO DENY SITE PLAN NO. SP-460-11 AND VARIANCE NO. V-189-11, be and hereby is adopted.

COUNCIL MEMBER BEARD RETURNED TO THE MEETING AT 7:50 P.M.

PUBLIC HEARING - AMENDMENT TO THE GARDEN GROVE MUNICIPAL CODE - GENERAL UPDATE OF TITLE 8, CHANGING OBSOLETE REFERENCES, CONFORMING LANGUAGE TO CURRENT CITY ORGANIZATION AND TO RECENT STATE AND/OR FEDERAL LAWS (F: 50.2)

Staff report dated October 11, 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.

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

ORDINANCE NO. 2802 was introduced for first reading and the title read in full, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AMENDING TITLE 8 OF THE GARDEN GROVE MUNICIPAL CODE TO REMOVE OBSOLETE REFERENCES, TO CONFORM REFERENCES TO CURRENT CITY ORGANIZATION AND PRACTICES, TO MAKE CONSISTENT WITH RECENT CHANGES IN STATE AND FEDERAL LAWS, AND TO MAKE OTHER NONSUBSTANTIVE CHANGES

Following the reading of the Ordinance title, it was moved by Council Member Broadwater, seconded by Council Member Beard, and carried by unanimous vote that Ordinance No. 2802 be and hereby is passed to second reading.

AWARD OF CONTRACT TO ARNAZ ENGINEERING CONTRACTORS, INC., FOR
PROJECT NO. 7393 - WELL NO. 31 EQUIPPING PROJECT
(F: 112.11.proj.7393-Well 31)

Staff report dated October 11, 2011, was introduced and reviewed by staff.

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that the contract for Project No. 7393 – Well No. 31 Equipping Project, in the amount of \$1,671,470, be and hereby is awarded to Arnaz Engineering Contractors, Inc.; that all other bids are hereby rejected; and that the City Manager is authorized to execute the Agreement, including minor modifications as needed, on behalf of the City.

AWARD OF CONTRACT TO WEST COAST ARBORISTS, INC. – RFP NO. S-1076,
FOR AS-NEEDED TREE MAINTENANCE SERVICE
(F: 55-West Coast Arborists, Inc.)

Staff report dated October 11, 2011, 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 contract for tree maintenance service, in the firm fixed price amount of \$330,000 per year for the first three years, with the option to renew the contract for an additional two years for a total not to exceed the amount of \$1,650,000 over a five year period, be and hereby is awarded to West Coast Arborists, Inc.; and the City Manager is authorized to execute the Agreement and each of the option year extensions, on behalf of the City.

SECOND READING OF ORDINANCE NO. 2800 - AMENDMENT TO THE GARDEN
GROVE MUNICIPAL CODE: GENERAL UPDATE OF TITLE 1 AND TITLE 18,
CHANGING OBSOLETE REFERENCES, CONFORMING LANGUAGE TO CURRENT
CITY ORGANIZATION AND TO RECENT STATE AND/OR FEDERAL LAWS
(F: 50.2)

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

ORDINANCE NO. 2800 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 AMENDING TITLES 1 AND 18 OF THE GARDEN GROVE MUNICIPAL CODE TO REMOVE OBSOLETE REFERENCES, TO CONFORM REFERENCES TO CURRENT CITY ORGANIZATION AND PRACTICES, TO MAKE CONSISTENT WITH RECENT CHANGES IN STATE AND FEDERAL LAWS, AND TO MAKE OTHER NON-SUBSTANTIVE CHANGES

Following the reading of the Ordinance title, it was moved by Council Member Beard, seconded by Council Member Broadwater, and carried by unanimous vote that Ordinance No. 2800 be and hereby is adopted.

SECOND READING OF ORDINANCE NO. 2801 - UPDATING THE CITY BINGO REGULATIONS (F: 50.2)

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

ORDINANCE NO. 2801 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 AMENDING CHAPTER 50 OF TITLE 8 OF THE GARDEN GROVE MUNICIPAL CODE TO AUTHORIZE REMOTE CALLER BINGO GAMES

Following the reading of the Ordinance title, it was moved by Council Member Beard, seconded by Mayor Dalton, and carried by unanimous vote that Ordinance No. 2801 be and hereby is adopted.

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

Council Member Broadwater commented on the ever-increasing cost of water rates charged by private water companies, and noted that private water companies cannot provide a more cost effective level of service than the City.

Council Member Nguyen commented that during these difficult economic times, there are a number of homeowners going through foreclosures. She commented on learning another perspective of the Vietnam War by attending the Moving Wall event.

Council Member Jones commented that he was impressed with the Moving Wall event and praised staff for their work.
Council Member Beard commented that it was an honor and a privilege

to participate in the Moving Wall event. He announced the upcoming Korean Festival, October 14th-16th, 2011.

Mayor Dalton commented that he was moved and proud that the City could host the Moving Wall event. He thanked Laura Schwalm, Superintendent of the Garden Grove Unified School District, for allowing high school students to experience this event.

ADJOURNMENT

At 8:05 p.m., the meeting was adjourned.

TERESA POMEROY
DEPUTY CITY CLERK