

## 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, December 13, 2011, at 5:35 p.m.

ROLL CALL: PRESENT: (3) MAYOR DALTON, COUNCIL MEMBERS BEARD, JONES

ABSENT: (2) COUNCIL MEMBER BROADWATER absent at Roll Call, but joined the meeting at 5:38 p.m.  
COUNCIL MEMBER NGUYEN absent at Roll Call, but joined the meeting at 5:50 p.m.

#### ORAL COMMUNICATIONS ON STUDY SESSION AND CLOSED SESSION MATTERS

None.

#### ADJOURN TO FOUNDERS ROOM

At 5:42 p.m., the meeting was adjourned to the Founders Room.

#### STUDY SESSION - THREE YEAR FISCAL PLAN

Staff reviewed the current budget situation and financial outlook, and provided recommended solutions and strategies. City Council directed staff to return with additional information regarding the animal services contract and the crossing guard contract.

#### CLOSED SESSION

At 6:30 p.m., under the Ralph M. Brown Act, the Mayor convened the Closed Session, with all Council Members present, to discuss the following:

##### CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: Haster-Basin, Assessor's Parcel Number 23160138

City Negotiator: Matthew Fertal, City Manager

Negotiating Party: County of Orange

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

#### RECESS

At 7:03 p.m., the Mayor declared a recess.

#### RECONVENE IN OPEN SESSION

At 7:11 p.m., Mayor Dalton reconvened the meeting in the Council Chamber with all Council Members present.

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

#### INVOCATION AND PLEDGE

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

#### PRESENTATION - COMMUNITY SPOTLIGHT (F: 52.3)

The Mayor and Council Members honored Doris Kothman, Gloria Pickrell, and Kevin Raney who have served the City for 35 years.

#### ORAL COMMUNICATIONS - PUBLIC COMMENTS

Alexander Kim, Public Affairs Manager for Southern California Gas Company, presented Pat Halbertstadt, Chief Professional Officer of the Boys and Girls Clubs of Garden Grove, an Educational Grant of \$20,000.

Jeremy Harris, President and CEO of the Garden Grove Chamber of Commerce, invited the Mayor, Council Members, staff, and the public to the Chamber's Holiday Mixer, Wednesday, December 14, 2011, at 5:30 p.m., hosted by Farmers and Merchants Bank.

Paul Real requested the City update codes to allow drought resistant landscaping consistent with the Metropolitan Water District's program for water conservation; and expressed concern about citations he received from Code Enforcement.

Mayor Dalton directed staff to contact Mr. Real regarding his concerns.

COUNCIL MEMBER RESPONSE TO PUBLIC COMMENTS

None.

RECESS

At 7:28 p.m., the Mayor declared a recess.

RECONVENE

At 7:33 p.m., Mayor Dalton reconvened the meeting with all Council Members present.

REORGANIZATION OF THE CITY COUNCIL (F: 46.1) (XR: 10.2) (VIP)

It was moved by Council Member Jones, seconded by Council Member Beard, and carried by unanimous vote that Council Member Nguyen be and hereby is selected as Mayor Pro Tem.

AWARD OF CONTRACT TO IWATER, INC., FOR THE OPERATION OF WATER VALVES AT VARIOUS LOCATIONS IN THE CITY OF GARDEN GROVE (F: 55-iWater, Inc.)

Staff report dated December 13, 2011, was introduced.

It was moved by Council Member Beard, seconded by Council Member Nguyen, and carried by unanimous vote that the contract for the operation of 2,203 water gate valves, in the amount of \$127,774, be and hereby is awarded to iWater, Inc.; and the City Manager is authorized to execute the Agreement, including making minor modifications thereto, on behalf of the City.

2010-11 ANNUAL REPORT FOR THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT (F: A-128.3)

Staff report dated December 13, 2011, was introduced.

It was moved by Council Member Beard, seconded by Council Member Nguyen, and carried by unanimous vote that the FY 2010-2011 Annual Report for the Garden Grove Agency for Community Development be and hereby is approved; and staff is authorized to transmit the report to the State Controller.

ACCEPTANCE AND ALLOCATION OF 2011-2012 OFFICE OF TRAFFIC SAFETY  
GRANT FUNDS FOR SOBRIETY CHECKPOINTS WITHIN THE CITY OF  
GARDEN GROVE (F: 82.15)

Staff report dated December 13, 2011, was introduced.

It was moved by Council Member Beard, seconded by Council Member Nguyen, and carried by unanimous vote that participation in the Sobriety Checkpoint Mini-Grant Program for 2011-2012 is hereby authorized; that the California Office of Traffic Safety Grant, in the amount of \$65,235, be and hereby is accepted and allocated to implement DUI/CDL checkpoints; and the Police Chief, Finance Director, and Finance Manager are authorized to execute the Grant Agreement on behalf of the City.

PURCHASE ORDER WITH DOOLEY ENTERPRISES, INC., FOR AMMUNITION  
FOR THE POLICE DEPARTMENT (F: 60.4) (XR: 82.1)

Staff report dated December 13, 2011, was introduced.

It was moved by Council Member Beard, seconded by Council Member Nguyen, and carried by unanimous vote that the Finance Director be and hereby is authorized to issue a Purchase Order in the amount of \$90,000 to Dooley Enterprises, Inc., for the purchase of Winchester duty and training ammunition.

MINUTES (F: Vault)

It was moved by Council Member Beard, seconded by Council Member Nguyen, and carried by unanimous vote that the minutes of the Regular Meetings held September 13, 2011, September 27, 2011, October 11, 2011, October 25, 2011, and November 8, 2011, be and hereby are received and filed.

WARRANTS (F: 60.5)

It was moved by Council Member Beard, seconded by Council Member Nguyen, and carried by unanimous vote that Regular Warrants 509267 through 510575, Direct Deposits W509625 through W510571, Wires W814 through W816; and Payroll Warrants 170798 through 170874, Direct Deposits D214982 through D215653, and Wires W1738 through W1741, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

AGREEMENT WITH AECOM FOR ONGOING PLANNING AND ENVIRONMENTAL STUDIES FOR SITE "C" (NORTHWEST CORNER HARBOR BOULEVARD AND TWINTREE LANE) AS RELATED TO THE MASTER PLAN (F: A-116.15)

Staff report dated December 13, 2011, was introduced.

It was moved by Council Member Beard, seconded by Council Member Nguyen, and carried by unanimous vote that the transfer of \$62,140 from the General Plan Trust Fund Account to Fund 111, General Purpose, be and hereby is approved; that the allocation of \$62,140 be and hereby is approved to fund the professional services agreement with AECOM; that the Agreement by and between the City of Garden Grove and AECOM for ongoing planning and environmental studies for the Site "C" project area located on the northwest corner of Harbor Boulevard and Twintree Lane as related to the Master Plan, be and hereby is approved; and the City Manager is authorized to execute the Agreement and make minor modifications if necessary.

AGREEMENT WITH AECOM FOR ONGOING PLANNING AND ENVIRONMENTAL STUDIES FOR SITE "C" (NORTHWEST CORNER HARBOR BOULEVARD AND TWINTREE LANE) (F: A-116.15)

Staff report dated December 13, 2011, was introduced.

It was moved by Council Member Beard, seconded by Council Member Nguyen, and carried by unanimous vote that the transfer of \$20,000 from the General Plan Trust Fund Account to Fund 111, General Purpose be and hereby is approved; that the allocation of \$20,000 be and hereby is approved to fund the professional services agreement with AECOM; that the Agreement by and between the City of Garden Grove and AECOM for ongoing planning and environmental studies for the Site "C" project area located on the northwest corner of Harbor Boulevard and Twintree Lane, be and hereby is approved; and the City Manager is authorized to execute the Agreement and make minor modifications if necessary.

WAIVER OF FULL READING OF ORDINANCES LISTED

It was moved by Council Member Beard, 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 TO THE GARDEN GROVE MUNICIPAL CODE. GENERAL UPDATE OF TITLE 3 CHANGING OBSOLETE REFERENCES AND CONFORMING LANGUAGE TO CURRENT CITY ORGANIZATION AND TO RECENT STATE AND/OR FEDERAL LAWS (F: 50.2)

Staff report dated December 13, 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. 2805 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 3 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

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

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. 2805 be and hereby is passed to second reading.

PUBLIC HEARING - AMENDMENT NO. A-162-11 AND NEGATIVE DECLARATION. AMENDMENT TO TITLE 9 TO ALLOW INDOOR SPORTS FACILITY USES IN THE M-P (INDUSTRIAL PARK) ZONE SUBJECT TO CONDITIONAL USE PERMIT APPROVAL AT THE SOUTHEAST CORNER OF WESTERN AVENUE AND LAMPSON AVENUE AT 12552 WESTERN AVENUE, GARDEN GROVE (F: 115.A-162-11) (XR: 50.3)

Staff report dated December 13, 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.

Sarah Eusebi spoke in favor of the amendment.

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

ORDINANCE NO. 2806, was introduced for first reading, and the title read in full, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A NEGATIVE DECLARATION AND APPROVING AMENDMENT NO. A-162-11, A CODE AMENDMENT TO ALLOW "INDOOR SPORTS FACILITY" USES IN THE M-P (INDUSTRIAL PARK) ZONE SUBJECT TO CONDITIONAL USE PERMIT APPROVAL

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

Following the reading of the Ordinance title, it was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that Ordinance No. 2806 be and hereby is passed to second reading.

PUBLIC HEARING - AMENDMENT NO. A-164-11 AND NEGATIVE DECLARATION. AMENDMENT TO PLANNED UNIT DEVELOPMENT NO. PUD-104-70 TO ADD "INDOOR SPORTS FACILITY" AS A PERMITTED USE AT 12821 KNOTT STREET, GARDEN GROVE, AT THE NORTHWEST CORNER OF KNOTT STREET AND ACACIA AVENUE, SUBJECT TO CONDITIONAL USE PERMIT APPROVAL (F: 115.A-164-11) (XR: 50.3)

Staff report dated December 13, 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.

Sal Guirguis spoke in favor of the amendment, and requested the City's assistance in improving the maintenance of Brady Way.

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

ORDINANCE NO. 2807, was introduced for first reading, and the title read in full, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A NEGATIVE DECLARATION AND APPROVING AMENDMENT NO. A-164-11, A CODE AMENDMENT TO ALLOW "INDOOR SPORTS FACILITY" AS A PERMITTED USE IN THE PUD-104-70 (PLANNED UNIT DEVELOPMENT) ZONE SUBJECT TO CONDITIONAL USE PERMIT APPROVAL

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

Following the reading of the Ordinance title, it was moved by Council Member Beard, seconded by Council Member Nguyen, and carried by unanimous vote that Ordinance No. 2807 be and hereby is passed to second reading.

DISCUSSION REGARDING ADMINISTRATIVE CITATIONS AS REQUESTED BY COUNCIL MEMBER NGUYEN (F: 50.2) (XR: 82.1)

The City Council concurred with Council Member Nguyen's request to have staff place discussion of the Administration Citation procedure on a future agenda, and to bring statistics relating to the application of the administrative procedure.

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

Council Member Broadwater requested the Mayor adjourn tonight's meeting in memory of Larry Callahan, long time community volunteer.

Council Member Nguyen provided an update on the Orange County Community Assistance Foundation's fundraising efforts, and reminded the public to support Garden Grove businesses.

Council Member Beard complimented staff on the tree lighting ceremony and the Winterfest. He warned the public that this time of year scams are prevalent.

Mayor Dalton complimented staff on the tree lighting ceremony and expressed his condolences to the Callahan family on the passing of Larry Callahan.

ADJOURNMENT

At 7:55 p.m., the meeting was declared adjourned in memory of Larry Callahan.

KATHLEEN BAILOR, CMC  
CITY CLERK



## MINUTES

### GARDEN GROVE INDUSTRIAL DEVELOPMENT AUTHORITY

A Special Meeting of the Garden Grove Industrial Development Authority was called to order in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, on Tuesday, December 13, 2011, at 7:22 p.m.

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

ABSENT: (0) NONE

#### ORAL COMMUNICATIONS

None.

#### RECESS

At 7:28 p.m., the Chair declared a recess.

#### RECONVENE

At 7:31 p.m., Chair Nguyen reconvened the meeting with all Members present.

#### SELECTION OF CHAIR AND VICE CHAIR (F: I-10.3) (VIP)

It was moved by Member Broadwater, seconded by Member Jones, and carried by unanimous vote that Member Broadwater be and hereby be selected as Chair.

It was moved by Chair Broadwater, seconded by Member Jones, and carried by unanimous vote that Member Dalton be and hereby be selected as Vice Chair.

2011 ANNUAL REPORT OF THE INDUSTRIAL DEVELOPMENT AUTHORITY  
(F: I-128.1)

Staff report dated December 13, 2011, was introduced.

It was moved by Member Nguyen, seconded by Member Dalton, and carried by unanimous vote that the 2011 Industrial Development Authority Annual Report be and hereby is received and filed.

MINUTES (F: Vault)

It was moved by Member Nguyen, seconded by Member Dalton, and carried by unanimous vote that the minutes of the Special Meeting held December 14, 2010, be and hereby are received and filed.

MATTERS FROM AUTHORITY MEMBERS

None.

ADJOURNMENT

At 7:32 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR, CMC  
SECRETARY