

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, January 24, 2012, at 5:31 p.m.

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

ABSENT: (2) COUNCIL MEMBER JONES absent at Roll Call,
but joined the meeting at 5:35 p.m.
COUNCIL MEMBER NGUYEN absent at Roll
Call, but joined the meeting at 5:39 p.m.

ORAL COMMUNICATIONS ON CLOSED SESSION MATTERS

None.

ADJOURN TO CLOSED SESSION

At 5:33 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 LABOR NEGOTIATORS

Pursuant To Government Code Section 54957.6

City Designated Representative: John D.R. Clark, Human Resources Director

Employee Organizations: Orange County Employee's Association (OCEA); OCEA Employee's League; International Association of Fire Fighters Garden Grove Local 2005; Garden Grove Police Association; Garden Grove Police Management Association

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a)

Nguyen v. City of Garden Grove

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a)

Owens v. City of Garden Grove

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(c)
12721 Harbor Boulevard (ten potential cases)

RECESS

At 7:15 p.m., the Mayor declared a recess.

RECONVENE IN OPEN SESSION

At 7:24 p.m., Mayor Dalton reconvened the meeting in the Council Chamber with all Council Members present.

Mayor Dalton announced that the previously disclosed Closed Session matters regarding Conference with Labor Negotiators and existing litigation were discussed, and no reportable action was taken.

The City Attorney announced that by unanimous vote the City Council authorized the initiation of Unlawful Detainer Actions for 12721 Harbor Boulevard, Garden Grove.

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 - RECOGNITION OF CITY COUNCIL SUPPORT BY THE FRIDAY NIGHT LIGHTS FLAG FOOTBALL ASSOCIATION (F: 52.3)

Kris Murphy and participants of the Friday Night Lights Flag Football Association thanked the City Council for its support, and provided the Mayor with a plaque and all the Council Members with hats and shirts as mementos.

PRESENTATION - GENDER EQUITY REPORT BY THE COMMUNITY SERVICES DEPARTMENT (F: 52.3)

It was announced that this matter would be rescheduled.

ORAL COMMUNICATIONS – PUBLIC COMMENTS

Charles Mitchell inquired why the Agency and City continue to purchase properties with the elimination of redevelopment.

COUNCIL MEMBER RESPONSE TO PUBLIC COMMENTS

Council Member Broadwater explained that there are still contractual obligations that must be met.

RECESS

At 7:30 p.m., the Mayor declared a recess.

RECONVENE

At 8:04 p.m., Mayor Dalton reconvened the meeting with all Council Members present.

PROCLAMATION RECOGNIZING FEBRUARY 19-25, 2012, AS NATIONAL ENGINEERS WEEK (F: 83.1)

Staff report dated January 24, 2012, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that February 19-25, 2012, be and hereby is recognized as National Engineers Week.

ACCEPTANCE OF PROJECT AS COMPLETE FOR PROJECT NO. 7237 PHASE XI – FIVE ARTERIAL STREET REHABILITATION PROJECT (F: 96.proj.7237 Phase XI)

Staff report dated January 24, 2012, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that Project No. 7237 Phase XI – Five Arterial Street Rehabilitation Project be accepted as complete; that 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 retention payment when appropriate to do so.

ACCEPTANCE OF PROJECT AS COMPLETE FOR PROJECT NO. 7247 – EUCLID STREET AT GARDEN GROVE BOULEVARD INTERSECTION IMPROVEMENTS PROJECT (F: 96.proj.7247)

Staff report dated January 24, 2012, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that Project No. 7247 – Euclid Street at Garden Grove Boulevard Intersection Improvements Project be accepted as complete; that 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 retention payment when appropriate to do so.

RESOLUTION ADOPTING A NEGATIVE DECLARATION AND APPROVING THE WEST GARDEN GROVE SUPPLEMENTAL TRANSMISSION MAIN AND CHAPMAN AVENUE SEWER IMPROVEMENTS PROJECT NO. 72 (F: 92.proj.72)

Staff report dated January 24, 2012, was introduced.

RESOLUTION NO. 9091-12

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that full reading of Resolution No. 9091-12 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A NEGATIVE DECLARATION AND APPROVING THE WEST GARDEN GROVE SUPPLEMENTAL TRANSMISSION MAIN AND CHAPMAN AVENUE SEWER IMPROVEMENTS PROJECT NO. 72, be and hereby is adopted.

RESOLUTION FOR KNOTT STREET TRAFFIC SIGNAL SYNCHRONIZATION IMPROVEMENT PROJECT TO THE OCTA FOR FUNDING UNDER MEASURE 2 REGIONAL TRAFFIC SYNCHRONIZATION PROGRAM (F: 100.3) (XR: 24.11)

Staff report dated January 24, 2012, was introduced.

RESOLUTION NO. 9092-12

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous that full reading of Resolution No. 9092-12 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING THE SUBMITTAL OF THE KNOTT STREET IMPROVEMENT PROJECT TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE COMPETITIVE MEASURE M2 REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM, be and hereby is adopted.

AGREEMENT WITH THE COUNTY OF ORANGE FOR THE USE OF THE ORANGE COUNTY SHERIFF'S KATELLA TRAINING FACILITY AND FIRING RANGE

(F: 55-County of Orange)

Staff report dated January 24, 2012, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous that the Agreement by and

between the City of Garden Grove and the County of Orange, for the use of the Orange County Sheriff's Department Katella Firing Range and Training Facility, in the amount of \$29,000, be and hereby is approved; that the City Manager is authorized to make minor modifications deemed necessary on behalf of the City, and the Mayor is authorized to execute the Agreement.

CITY OF GARDEN GROVE'S 2012 INVESTMENT POLICY, APPOINTMENT OF A CITY TREASURER AND A DEPUTY CITY TREASURER, AND DELEGATION OF INVESTMENT AUTHORITY (F: 127.7) (XR: 60.8)

Staff report dated January 24, 2012, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous that the City of Garden Grove's 2012 Investment Policy, be and hereby is approved; that John D.R. Clark be reappointed as City Treasurer, and Kingsley Okereke be reappointed as the Deputy City Treasurer; and the City Treasurer and Deputy City Treasurer are delegated the responsibility to invest or to reinvest City funds.

WARRANTS (F: 60.5)

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that Regular Warrants 510983 through 512525, Direct Deposits W511386 through W512318, and Wires W822 through W826, and Wires W828 through W831; and Payroll Warrants 170965 through 171125, Direct Deposits D216336 through D217685, and Wires W1746 through W1753, 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.

AWARD OF CONTRACT TO REPUBLIC ITS FOR ON-CALL TRAFFIC SIGNAL AND STREET LIGHTING MAINTENANCE AND REPAIR SERVICES
(F: 55-Republic ITS)

Staff report dated January 24, 2012, was introduced and reviewed by staff.

It was moved by Council Member Beard, seconded by Council Member Jones, and carried by unanimous vote that the contract for on-call traffic signal and street lighting maintenance and repair services, in the amount not to exceed \$300,000, be and hereby is awarded to Republic ITS; and the City Manager is authorized to execute the Agreement and make minor modifications as necessary on behalf of the City.

RESOLUTION APPROVING AN AFFORDABLE HOUSING AGREEMENT WITH TAMERLANE ASSOCIATES, LLC FOR THE PURCHASE AND REHABILITATION OF FOUR UNITS LOCATED AT 12142 TAMERLANE DRIVE, GARDEN GROVE, AND OPTION AGREEMENTS FOR THE OPTION TO PURCHASE MULTI-FAMILY APARTMENT BUILDINGS LOCATED AT 12162 AND 12172 TAMERLANE DRIVE, GARDEN GROVE (F: 117.16Z) (F: 117.16W)

Staff report dated January 24, 2012, was introduced and reviewed by staff.

RESOLUTION NO. 9093-12

It was moved by Council Member Broadwater, seconded by Council Member Nguyen, and carried by unanimous that full reading of Resolution No. 9093-12 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AN AFFORDABLE HOUSING LOAN AGREEMENT BETWEEN THE CITY OF GARDEN GROVE AND TAMERLANE ASSOCIATES, LLC, AND MAKING CERTAIN OTHER FINDINGS IN CONNECTION THEREWITH, be and hereby is adopted; that the Option Agreements for 12162 and 12172 Tamerlane Drive, Garden Grove are approved; that the City Manager is authorized to execute the Agreements and pertinent documents and make minor modifications thereto on behalf of the City; and the Finance Director is authorized to appropriate \$1,220,992 from available proceeds from the sale of other City assets/properties in City funds.

PURCHASE AGREEMENT WITH MANUEL AND MARIA RUIZ FOR THE ACQUISITION OF REAL PROPERTY AT 12235 CHOISSER ROAD, GARDEN GROVE (F: 84.1)

Staff report dated January 24, 2012, was introduced and reviewed by staff.

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that the Agreement by and between the City of Garden Grove and Manuel R. and Maria Ruiz to acquire and lease the property at 12235 Choisser Road, Garden Grove, be and hereby is approved; that the City Manager is authorized

to execute the Purchase and Sale Agreement, Lease Agreement, and related pertinent documents and make modifications as needed on behalf of the City; that the City Clerk is authorized to accept the Grant Deed on behalf of the City; and the Finance Director is authorized to draw a warrant in the amount of \$445,000, and funds necessary for closing costs, from available proceeds of sale of other City assets/properties in City funds.

SECOND READING OF ORDINANCE NO. 2808 - AMENDMENT TO THE GARDEN GROVE MUNICIPAL CODE: GENERAL UPDATE OF TITLE 5 (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. 2808 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 TITLE 5 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 Broadwater, seconded by Council Member Nguyen, and carried by unanimous vote that Ordinance No. 2808 be and hereby is declared adopted.

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

Council Member Nguyen encouraged all to buy in Garden Grove, and buy USA made products. She encouraged residents to be on the alert for the scam about loan modifications.

Council Member Jones encouraged participation in the Tet New Year celebration in Little Saigon.

Council Member Beard complimented the Mayor on his presentation at the State of the City Luncheon.

Mayor Dalton commented on the difficult budget decisions facing the City Council.

ADJOURNMENT

At 8:15 p.m., the meeting was declared adjourned to the next Regular Meeting, Tuesday, February 14, 2012.

KATHLEEN BAILOR, CMC
CITY CLERK