

## MINUTES

### THE CITY OF GARDEN GROVE AS SUCCESSOR AGENCY TO THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT

A Regular Meeting of The City of Garden Grove as Successor Agency to 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 13, 2012, at 7:02 p.m.

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

ABSENT: (1) MEMBER NGUYEN

#### ORAL COMMUNICATIONS

Peggy Bergin commented on items listed for consideration at tonight's meeting.

AWARD OF CONTRACT TO J & G INDUSTRIES, INC. FOR ASBESTOS TESTING AND ABATEMENT, LEAD TESTING AND ABATEMENT, AND DEMOLITION OF STRUCTURES AT 12252-12292 HARBOR BOULEVARD, GARDEN GROVE (F: 55-J & G Industries, Inc.) (XR: A-116.15)

Staff report dated March 13, 2012, was introduced.

It was moved by Member Dalton, seconded by Member Beard, and carried by unanimous vote of those present that demolition and related services be performed at 12252, 12262, 12272, and 12292 Harbor Boulevard, Garden Grove, (Site C), on an emergency basis pursuant to Garden Grove Municipal Code Section 2.50.060(c); and that the contract for the asbestos testing, asbestos abatement, lead testing, lead abatement, and demolition of these six structures, in the amount of \$45,000, be and hereby is awarded to J & G Industries, Inc.; and the Director is authorized to execute the Agreement, and make minor modifications as appropriate, on behalf of the Successor Agency.

MINUTES (F: Vault)

It was moved by Member Dalton, seconded by Member Beard, and carried by unanimous vote of those present that the minutes of the meeting held February 14, 2012, be and hereby are received and filed.

ADJOURNMENT

At 7:14 p.m., the meeting was declared adjourned to Tuesday, March 27, 2012.

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, March 13, 2012, at 6:03 p.m.

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

ABSENT: (2) COUNCIL MEMBER NGUYEN  
COUNCIL MEMBER BROADWATER absent at  
Roll Call, but joined the meeting at 6:18 p.m.

ORAL COMMUNICATIONS ON CLOSED SESSION MATTERS ONLY

None.

ADJOURN TO CLOSED SESSION

At 6:04 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 – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a)  
Dang et al. v. City of Garden Grove

RECESS

At 6:52 p.m., the Mayor declared a recess.

RECONVENE IN OPEN SESSION

At 6:55 p.m., Mayor Dalton reconvened the meeting with Council Members Beard, Broadwater, and Jones present.

Mayor Dalton 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 Broadwater led the Pledge of Allegiance to the Flag of the United States of America.

## COMMUNITY SPOTLIGHT: RECOGNITION OF SANDY THOMAS AS THE 2012 CYPRESS COLLEGE AMERICANA CITIZEN OF THE YEAR (F: 52.3)

This matter to be rescheduled.

## PROCLAMATION ACKNOWLEDGING MARCH 30, 2012, AS WELCOME HOME VIETNAM VETERANS DAY, PRESENTED TO THE VIETNAM WAR MUSEUM FOUNDATION OF AMERICA (F: 83.1) (XR: 130.20)

Following remarks by Foundation President General McCuen, the Proclamation was presented.

## ORAL COMMUNICATIONS – PUBLIC COMMENTS

Peggy Bergin commented on items listed for consideration at tonight's meeting.

Verla Lambert commented on the water and sewer rate adjustments.

Charles Mitchell commented on the need for government and individuals to be accountable.

## COUNCIL MEMBER RESPONSE TO PUBLIC COMMENTS

None.

## RECESS

At 7:12 p.m., the Mayor declared a recess.

## RECONVENE

At 7:15 p.m., Mayor Dalton reconvened the meeting with Council Members Beard, Broadwater and Jones present.

## PROCLAMATION ACKNOWLEDGING MARCH 30, 2012, AS WELCOME HOME VIETNAM VETERANS DAY (F: 83.1)

Staff report dated March 13, 2012, was introduced.

It was moved by Council Member Beard, seconded by Council Member Jones, and carried by unanimous vote of those present that March 30, 2012, be and hereby is proclaimed as "Welcome Home Vietnam Veterans Day" in Garden Grove.

APPROVAL OF PLANS AND SPECIFICATIONS FOR ORANGE COUNTY FLOOD DISTRICT'S HASTER RETARDING BASIN, PUMP STATION, AND RECREATIONAL FIELD PROJECT AT THE EAST GARDEN GROVE-WINTERSBURG CHANNEL SYSTEM AT TWIN LAKES PARK (F: 92.2)

Staff report dated March 13, 2012, was introduced.

It was moved by Council Member Beard, seconded by Council Member Jones, and carried by unanimous vote of those present that the plans and specifications for the Orange County Flood Control District's Haster Retarding Basin, Pump Station, and Recreational Field Project within the East Garden Grove-Wintersburg Channel System at Twin Lakes Park, be and hereby are approved, per California Contract Code 21020.9.

EASEMENT DEED WITH LJI ENTERPRISES FOR THE INSTALLATION AND MAINTENANCE OF A TRAFFIC DETECTOR LOOP SIGNAL SYSTEM AT 12700 KNOTT STREET, GARDEN GROVE (F: 84.1)

Staff report dated March 13, 2012, was introduced.

It was moved by Council Member Beard, seconded by Council Member Jones, and carried by unanimous vote of those present that the acquisition of the easement over real property located at 12700 Knott Street, Garden Grove with LJI Enterprises for the installation and maintenance of a traffic detector loop signal system, be and hereby is approved; and the City Clerk is authorized to accept the Easement Deed on behalf of the City.

AGREEMENT WITH NORTHROP GRUMMAN SYSTEMS CORPORATION FOR MAINTENANCE OF THE POLICE DEPARTMENT'S COMPUTER AIDED DISPATCH SYSTEM AND MOBILE COMPUTER TERMINALS (F: 55-Northrop Grumman Systems Corporation)

Staff report dated March 13, 2012, was introduced.

It was moved by Council Member Beard, seconded by Council Member Jones, and carried by unanimous vote of those present that the Agreement by and between the City of Garden Grove and Northrop Grumman Systems Corporation, for the software support and maintenance of the Police Department's Altaris Computer Aided Dispatch (CAD) system and Mobile Computer Terminals (MCT's), in an

amount not to exceed \$52,072, be and hereby is approved; and the City Manager is authorized to execute the Agreement, making any modifications or signing any implementation agreements as appropriate during the contract period for the operation and implementation of the contract services.

POLICE DEPARTMENT DISPATCH CENTER OFFICE FURNITURE REPLACEMENT  
(F: 82.15)

Staff report dated March 13, 2012, was introduced.

It was moved by Council Member Beard, seconded by Council Member Jones, and carried by unanimous vote of those present that the utilization of the California Multiple Award Schedule (CMAS) program be authorized, and contracts to purchase furniture for the Police Department Dispatch Center to be reimbursed by State 9-1-1 funds, up to \$70,354.75, be and hereby are approved.

RESOLUTION AMENDING THE MEMORANDUM OF UNDERSTANDING WITH THE GARDEN GROVE POLICE ASSOCIATION CONCERNING RETIREE MEDICAL TRUST PAYMENTS (F: 78.8B)

Staff report dated March 13, 2012, was introduced.

RESOLUTION NO. 9099-12

It was moved by Council Member Beard, seconded by Council Member Jones, and carried by unanimous vote of those present that full reading of Resolution No. 9099-12 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AMENDING THE MEMORANDUM OF UNDERSTANDING ON SALARIES, WAGES, AND FRINGE BENEFITS FOR THE TERM 2009-2011 BY AND BETWEEN THE GARDEN GROVE POLICE ASSOCIATION AND THE CITY OF GARDEN GROVE, be and hereby is adopted.

A RESOLUTION APPROVING SALARY, WAGES, AND FRINGE BENEFITS FOR MIDDLE MANAGEMENT EMPLOYEES AND ESTABLISHING A SALARY PLAN AND EXEMPTING MIDDLE MANAGEMENT CLASSIFICATIONS FROM MUNICIPAL CODE SECTION 2.44.390 AND OVERTIME (F: 78.13)

Staff report dated March 13, 2012, was introduced.

RESOLUTION NO. 9100-12

It was moved by Council Member Beard, seconded by Council Member Jones, and carried by unanimous vote of those present that full reading of Resolution No. 9100-12 be waived, and said Resolution

entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING SALARY, WAGES, AND FRINGE BENEFITS FOR MIDDLE MANAGEMENT EMPLOYEES OF THE CITY OF GARDEN GROVE AND ESTABLISHING A SALARY PLAN AND EXEMPTING MIDDLE MANAGEMENT CLASSIFICATIONS FROM MUNICIPAL CODE SECTION 2.44.390 AND OVERTIME AND RESCINDING RESOLUTION NO. 8889-09 AND RESOLUTION NO. 8961-10, be and hereby is adopted.

A RESOLUTION ESTABLISHING A SALARY PLAN FOR CERTAIN POSITIONS IN CENTRAL MANAGEMENT CLASSIFICATIONS AND EXEMPTING CENTRAL MANAGEMENT CLASSIFICATIONS FROM MUNICIPAL CODE SECTION 2.44.390 AND OVERTIME (F: 78.13A)

Staff report dated March 13, 2012, was introduced.

RESOLUTION NO. 9101-12

It was moved by Council Member Beard, seconded by Council Member Jones and carried by unanimous vote of those present that full reading of Resolution No. 9101-12 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ESTABLISHING A SALARY PLAN FOR CERTAIN POSITIONS IN CENTRAL MANAGEMENT CLASSIFICATIONS AND EXEMPTING CENTRAL MANAGEMENT CLASSIFICATIONS FROM MUNICIPAL CODE SECTION 2.44.390 AND OVERTIME AND RESCINDING RESOLUTION NO. 8887-09 AND RESOLUTION NO. 8960-10, be and hereby is adopted.

WARRANTS (F: 60.5)

It was moved by Council Member Beard, seconded by Council Member Jones, and carried by unanimous vote of those present that Regular Warrants 515005 through 516448, Wires W844 through W847, and Direct Deposits W515546 through W516444; Payroll Warrants 171415 through 171492, Direct Deposits D219221 through D220422, and Wires W1768 through W1771, and Successor Agency Warrants 000101-000146, and Wires W846 and W847, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

MINUTES (F: Vault)

It was moved by Council Member Beard, seconded by Council Member Jones, and carried by unanimous vote of those present that the minutes of the meeting held February 14, 2012, be and hereby are received and filed.

WAIVER OF FULL READING OF ORDINANCES LISTED

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

PUBLIC HEARING - AMENDMENTS NO. A-160-11 AND NO. A-161-11. AMENDMENTS TO MIXED USE REGULATIONS AND DEVELOPMENT STANDARDS (CHAPTER 9.18 OF THE LAND USE CODE), AND CHANGES TO THE ZONING MAP CONSISTENT WITH THE CITY'S GENERAL PLAN (F: 115.A-160-11) (F: 115.A-161-11)

Mayor Dalton announced that due to a potential conflict of interest, he would be recusing himself from considering this matter.

MAYOR DALTON LEFT THE MEETING AT 7:17 P.M.

Staff report dated March 13, 2012, was introduced and reviewed by staff.

Presiding Officer Jones 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. 2814 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-160-11 AND AMENDMENT NO. A-161-11, TO IMPLEMENT THE GARDEN GROVE GENERAL PLAN BY AMENDING TITLE 9 OF THE GARDEN GROVE MUNICIPAL CODE TO ESTABLISH NEW MIXED USE ZONES AND CORRESPONDING NEW MIXED USE REGULATIONS AND DEVELOPMENT STANDARDS AND TO MAKE CORRESPONDING CHANGES TO THE ZONING MAP AND EXISTING DEFINITIONS AND SIGN STANDARDS

It was moved by Council Member Beard, seconded by Council Member Jones, and carried by unanimous vote of those present 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 of those present that Ordinance No. 2814, be and hereby is passed to second reading.



MAYOR DALTON RETURNED TO THE MEETING AT 7:19 P.M.

AGREEMENT WITH i.i. FUELS INC., TO PROVIDE FUEL FOR CITY VEHICLES AND EQUIPMENT (F: 55-i.i. Fuels Inc.)

Staff report dated March 13, 2012, was introduced and reviewed by staff.

It was moved by Council Member Beard, seconded by Council Member Jones, and carried by unanimous vote of those present that the City of Garden Grove piggyback on the City of Huntington Beach's Bid No. 07-0179; that the Agreement by and between the City of Garden Grove and i.i. Fuels, Inc., in the amount of \$3,600,000 for three (3) years, with an option to extend for an additional two (2) years, at a cost of \$1,200,000 per option year, for a total of \$6,000,000 over five (5) years for the purchase of fuel, be and hereby is approved; and the City Manager is authorized to execute the Agreement, and make minor modifications as appropriate, on behalf of the City.

SECOND READING OF ORDINANCE NO. 2812 - GENERAL PLAN AMENDMENT NO. GPA-1-12(A); AMENDMENT NO. A-163-12 AND A NEGATIVE DECLARATION. GENERAL PLAN AMENDMENT CHANGING THE LAND USE DESIGNATION AND REZONING THE PROPERTY LOCATED AT 9721 EAST 11<sup>TH</sup> STREET, GARDEN GROVE (F: 20.GPA-1-12(A)) (XR: 115.A-163-12)

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

ORDINANCE NO. 2812 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 ADOPTING A NEGATIVE DECLARATION AND APPROVING ZONE CHANGE AMENDMENT NO. A-163-12, TO CHANGE THE ZONING FROM R-3 (MULTIPLE-FAMILY RESIDENTIAL) TO R-1-6 (SINGLE-FAMILY RESIDENTIAL WITH A MINIMUM LOT SIZE OF 6,000 SQUARE FEET)

Following the reading of the Ordinance title, it was moved by Council Member Jones, seconded by Council Member Beard, and carried by unanimous vote of those present that Ordinance No. 2812 be and hereby is declared adopted.

SECOND READING OF ORDINANCE NO. 2813 - AMENDMENT TO THE GARDEN GROVE MUNICIPAL CODE. GENERAL UPDATE OF TITLE 2 CHANGING OBSOLETE REFERENCES AND CONFORMING LANGUAGE TO CURRENT CITY ORGANIZATION AND TO RECENT STATE AND/OR FEDERAL LAWS (F: 50.2)

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

ORDINANCE NO. 2813 was presented for second reading and adoption and the title read in full, being AN ORDINANCE OF THE CITY COUNCIL OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AMENDING TITLE 2 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 of those present that Ordinance No. 2813 be and hereby is declared adopted.

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

Council Member Beard commented on the opening of the Little League season and the City's Traffic Management Center grand opening.

Mayor Dalton commented on the many different youth sports programs available and commended staff for their efforts and dedication on behalf of the youth of the city.

ADJOURNMENT

At 7:26 p.m., the meeting was declared adjourned to Tuesday, March 27, 2012.

KATHLEEN BAILOR, CMC  
CITY CLERK