

## 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, September 11, 2012, at 6:42 p.m.

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

ABSENT: (0) NONE

#### ORAL COMMUNICATIONS

None.

#### WARRANTS (F: 60.5)

It was moved by Member Beard, seconded by Member Nguyen, and carried by unanimous vote that Regular Warrants 000379 through 000382, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

#### ADJOURNMENT

At 7:14 p.m., the meeting was declared adjourned to Tuesday, September 25, 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, September 11, 2012, at 6:34 p.m.

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

ABSENT: (0) NONE

INVOCATION AND MOMENT OF SILENCE IN RECOGNITION OF THE EVENT OF 9-11 AND PLEDGE

Susan Emery, Community Development Director, gave the Invocation. Council Member Jones led the Pledge of Allegiance to the Flag of the United States of America.

COMMUNITY SPOTLIGHT - 2012 GARDEN GROVE CHAMBER OF COMMERCE MAN AND WOMAN OF THE YEAR (F: 52.3)

Mayor Dalton and the City Council Members recognized Gerry Newkirk and Evie Schild Hart for being named 2012 Garden Grove Chamber of Commerce Man and Woman of the Year.

ORAL COMMUNICATIONS – PUBLIC COMMENTS

Peggy Bergin spoke on Mesothelioma and announced that September 26, 2012, is Mesothelioma Awareness Day.

Alma Valdez and Lucille Kring requested that action be taken on the cars for sale parked along Katella Avenue. Mayor Dalton directed staff to contact Ms. Valdez within the week.

Raymond Choi, representing the Korean Festival Foundation, requested that the City Council approve the Foundation's agreement to conduct the Korean Festival, and to allow that monthly payments be made.

Robin Marcario, Josh McIntosh, and Rod Powell spoke on various civic and community issues.

Helen Smith requested that the City investigate code violations at a home in her neighborhood. Mayor Dalton directed staff to contact Ms. Smith within the week.

COUNCIL MEMBER RESPONSE TO PUBLIC COMMENTS

None.

RECESS

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

RECONVENE IN OPEN SESSION

At 7:15 p.m., Mayor Dalton reconvened the meeting with all Council Members present.

RESOLUTION INITIATING THE FALL 2012 WEED ABATEMENT PROGRAM  
DECLARING THAT A NUISANCE EXISTS IN CONNECTION WITH THE  
EXISTENCE OF WEEDS, RUBBISH, AND REFUSE ON CERTAIN PROPERTIES  
WITHIN THE CITY OF GARDEN GROVE (F: 113.1FALL)

Staff report dated September 11, 2012, was introduced.

RESOLUTION NO. 9142-12

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that full reading of Resolution No. 9142-12 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DECLARING THAT A NUISANCE EXISTS IN CONNECTION WITH THE EXISTENCE OF WEEDS, RUBBISH, AND REFUSE ON CERTAIN PROPERTIES WITHIN THE CITY OF GARDEN GROVE AND AUTHORIZING THE CITY CLERK TO MAIL A WRITTEN NOTICE OF THE NUISANCE(S) IN ACCORDANCE WITH THE PROVISIONS OF GOVERNMENT CODE SECTION 39566 AND 39567.1, be and hereby is adopted.

AWARD OF CONTRACT TO RT CONTRACTOR CORP. TO RENOVATE THE  
RESTROOMS AT THE COMMUNITY MEETING CENTER AND AT THE H. LOUIS  
LAKE SENIOR CENTER (F: 55-RT CONTRACTOR CORP.)

Staff report dated September 11, 2012, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that the contract for the restroom renovation at the Community Meeting Center and the

H. Louis Lake Senior Center, in the amount of \$163,000, be and hereby is awarded to RT Contractor Corporation; and the City Manager is authorized to execute the Agreement on behalf of the City, and to make minor modifications as appropriate.

AGREEMENT WITH ORANGE COUNTY CONSERVATIONS CORPS. TO PROVIDE PARK MAINTENANCE, LITTER ABATEMENT, AND RECYCLING SERVICES THROUGHOUT THE CITY (F: 55-Orange County Conservations Corps.)

Staff report dated September 11, 2012, was introduced.

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 the Orange County Conservation Corps. to provide park maintenance, litter abatement, and recycling services throughout the city using Department of Conservations grant funds, in the amount of \$46,150, be and hereby is approved; and the City Manager is authorized to execute the Agreement on behalf of the City, and make minor modifications as appropriate thereto.

AGREEMENT WITH CITY OF NEWPORT BEACH TO TRANSFER GARDEN GROVE'S UNUSED SOUTHERN CALIFORNIA EDISON RULE 20A CREDITS TO THE CITY OF NEWPORT BEACH (F: 55-CITY OF NEWPORT BEACH)

Staff report dated September 11, 2012, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that the Memorandum of Understanding by and between the City of Garden Grove and the City of Newport Beach, for the transfer of Garden Grove's Rule 20A credits to the City of Newport Beach, for compensation in the amount of \$831,591.90, be and hereby is approved; and the City Manager is authorized to execute the Agreement on behalf of the City, and make minor modifications as appropriate thereto.

WARRANTS (F: 60.5)

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that Regular Warrants 529513 through 530621, Wire W944, and Direct Deposits W529773 through W530616, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

AMENDMENT TO THE AGREEMENT WITH THE KOREAN FESTIVAL FOUNDATION OF ORANGE COUNTY TO CONDUCT THE KOREAN FESTIVAL AT THE GARDEN SQUARE PARKING LOT THE WEEKEND OF OCTOBER 12 TO OCTOBER 14, 2012 (F: 55-Korean Festival Foundation of Orange County)

Staff report dated September 11, 2012, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Jones,, and carried by unanimous vote that Amendment No. 1 to the Agreement by and between the City of Garden Grove and the Korean Festival Foundation of Orange County to conduct the Korean Festival at the Garden Square parking lot from October 12 through October 14, 2012, be and hereby is approved with an amendment to the payment schedule as follows: \$8,000 upfront; \$1,200 monthly for ten months; and the Mayor is authorized to execute the Agreement on behalf of the City, including any minor modifications as appropriate thereto.

WAIVER OF FULL READING OF ORDINANCES LISTED

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

PUBLIC HEARING - AMENDMENT NO. A-168-12: CONSIDERATION OF A REQUEST TO CHANGE THE ZONING DESIGNATION OF PROPERTY LOCATED AT 12332 BROOKHURST STREET, GARDEN GROVE, FROM C-1 TO C-2 (F: 115.A-168-12)

Council Member Nguyen announced she has a legal relationship with clients that live within 500 feet of the subject project, and recused herself from considering this matter due to a potential conflict of interest.

COUNCIL MEMBER NGUYEN LEFT THE MEETING AT 7:18 P.M.

Staff report dated September 11, 2012, was introduced and reviewed by staff. It was noted that this Public Hearing was continued from the August 28, 2012, meeting.

Mayor Dalton declared the Public Hearing open and asked if anyone wished to address the City Council on the matter.

Tiffanie Le, Manager of the restaurant and representing the Applicant, requested the City Council's support, and responded to inquires.

Peggy Bergin spoke in opposition to the project; and Josh McIntosh spoke in favor of the project.

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

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

ORDINANCE NO. 2820 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-168-12, CHANGING THE ZONING DESIGNATION OF THE SUBJECT PROPERTY LOCATED AT 12332 BROOKHURST STREET AND IDENTIFIED AS ASSESSOR'S PARCEL NOS. 089-362-01 AND 02, FROM C-1 (NEIGHBORHOOD COMMERCIAL) TO C-2 (COMMUNITY COMMERCIAL)

Following the reading of the Ordinance title, it was moved by Council Member Broadwater that Ordinance No. 2820, be passed to second reading.

After further discussion by the City Council Members concerning the impact on the neighborhood due to the noise coming from the restaurant, a substitution motion was moved by Council Member Jones seconded by Council Member Beard, that Ordinance No. 2820, be passed to second reading, and that the Planning Commission is hereby directed to review the food and alcohol sales receipts, and the hours of operation in six months.

AYES:	COUNCIL MEMBERS:	(3)	BEARD, BROADWATER, JONES
NOES:	COUNCIL MEMBERS:	(1)	DALTON
ABSENT:	COUNCIL MEMBERS:	(1)	NGUYEN

COUNCIL MEMBER NGUYEN RETURNED TO THE MEETING AT 7:48 P.M.

2011-12 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) (F: 117.10D)

Staff report dated September 11, 2012, 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 the 2011-12 Consolidated annual Performance and Evaluation Report (CAPER) be and hereby is accepted; and staff is direct to transmit the Report to the Housing and Urban Development Department (HUD.)

AWARD OF CONTRACT TO NOBEST, INC. FOR PROJECT NO. 7230 – MEDIAN INSTALLATION ON LAMPSON AVENUE, WEST OF VALLEY VIEW STREET EAST TO KNOTT STREET, GARDEN GROVE (F: 96.proj.7230)

Staff report dated September 11, 2012, 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. 7230 – Median Installation on Lampson Avenue, west of Valley View Street east to Knott Street, Garden Grove, in the amount of \$1,510,000, be and hereby is awarded to Nobest Inc.; and the City Manager is authorized to execute the Agreement on behalf of the City, and to make minor modifications as appropriate.

SECOND READING OF ORDINANCE NO. 2819 - AMENDMENT NO. A-169-12. TEXT AMENDMENT TO THE HARBOR CORRIDOR SPECIFIC PLAN TO MODIFY THE SIZE LIMITATION ON MEDICAL OFFICE USES WITHIN RETAIL SHOPPING DEVELOPMENTS LOCATED IN THE DISTRICT COMMERCIAL ZONE (12892 THROUGH 12952 HARBOR BOULEVARD, GARDEN GROVE) (F: 115.A-169.12)

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

ORDINANCE NO. 2819 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 AMENDMENT NO. A-169-12, A TEXT AMENDMENT TO SUBSECTION (b)(4) OF SECTION 9360.3.4 OF THE HARBOR CORRIDOR SPECIFIC PLAN TO MODIFY THE LIMITATION ON THE SIZE OF MEDICAL OFFICE USES WITHIN RETAIL SHOPPING DEVELOPMENTS LOCATED IN THE DISTRICT COMMERCIAL ZONE OF THE HARBOR CORRIDOR SPECIFIC PLAN AREA IN ORDER TO INCREASE THE ALLOWABLE SIZE OF SUCH MEDICAL OFFICE USES TO A MAXIMUM OF 25 PERCENT OF THE TOTAL BUILDING SQUARE FOOTAGE OF A RETAIL SHOPPING DEVELOPMENT, SUBJECT TO SATISFACTION OF APPLICABLE PARKING REQUIREMENTS

Following the reading of the Ordinance title, it was moved by Council Member Jones, seconded by Council Member Nguyen that Ordinance No. 2819 be and hereby is declared adopted with the following vote:

AYES:	COUNCIL MEMBERS:	(4)	BEARD, JONES, NGUYEN, DALTON
NOES:	COUNCIL MEMBERS:	(1)	BROADWATER
ABSENT:	COUNCIL MEMBERS:	(0)	NONE

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

The Mayor and Council Members commented on the anniversary of the 9-11 tragedy, and their appreciation to police and fire personnel.

Council Member Broadwater requested staff to investigate the condition of Clinton Street between Westminster Avenue and Trask Avenue.

Council Member Nguyen requested staff to investigate the parking situation on the northwest corner of Imperial Avenue and Benton Street.

Council Member Jones encouraged residents and business owners to form a Neighborhood and/or Business Watch.

Council Member Beard announced that September is National Disaster Preparedness Month, and September 29, 2012, is National Prescription Drug Take-Back Day.

ADJOURNMENT

At 8:02 p.m., the meeting was declared adjourned to Tuesday, September 25, 2012.

KATHLEEN BAILOR, CMC  
CITY CLERK