

MINUTES

GARDEN GROVE HOUSING AUTHORITY

A Regular Meeting of the Garden Grove Housing Authority was called to order in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, on Tuesday, September 25, 2012, at 6:36 p.m.

ROLL CALL: PRESENT: (7) CHAIR BEARD, COMMISSIONERS BECKLES, BROADWATER, DALTON, JONES, NGUYEN, O'CONNOR

ABSENT: (0) NONE

ORAL COMMUNICATIONS

None.

HOUSING AUTHORITY STATUS REPORT FOR AUGUST 2012 (F: H-117.2)

Staff report dated September 25, 2012, was introduced.

It was moved by Commissioner Nguyen, seconded by Commissioner Beard, and carried by unanimous vote that the August 2012 Housing Authority Status Report regarding Section 8 Rental Assistance Program, be and hereby is received and filed.

MINUTES (F: Vault)

It was moved by Commissioner Nguyen, seconded by Commissioner Beard, and carried by unanimous vote that the minutes of the meeting held July 24, 2012, be and hereby are received and filed.

ADJOURNMENT

At 6:37 p.m., the meeting was declared adjourned to Tuesday, October 23, 2012.

KATHLEEN BAILOR, CMC
SECRETARY

MINUTES

GARDEN GROVE SANITARY DISTRICT

A Regular Meeting of the Garden Grove Sanitary District Board of Directors was called to order in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, on Tuesday, September 25, 2012, at 6:40 p.m.

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

ABSENT: (0) NONE

ORAL COMMUNICATIONS

None.

RECESS

At 7:01 p.m., President Broadwater declared a recess.

RECONVENE

At 7:03 p.m., President Broadwater reconvened the meeting with all Members present.

MINUTES (F: Vault)

It was moved by Member Nguyen, seconded by Member Beard, and carried by unanimous vote that the minutes of the meeting held July 24, 2012, be and hereby are received and filed.

ADJOURNMENT

At 7:04 p.m., the meeting was declared adjourned to Tuesday, October 23, 2012.

KATHLEEN BAILOR, CMC
SECRETARY

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 25, 2012, at 5:30 p.m.

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

ABSENT: (1) MEMBER NGUYEN absent at Roll Call, but
joined the meeting at 6:00 p.m.

ORAL COMMUNICATIONS ON CLOSED SESSION MATTERS ONLY

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 REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Properties: 12302 Harbor Boulevard, Garden Grove;
12511, 12531 Twintree Lane, Garden Grove

Successor Agency
Negotiator: Matthew Fertal, Director

Negotiating Party: Berkeley Neff, Property Owner

Under Negotiation: To obtain direction regarding the acquisition of
the real property.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Properties: 12231 Tamerlane Drive, Garden Grove

Successor Agency
Negotiator: Matthew Fertal, Director

Negotiating Party: Larry Nguyen, Property Owner

Under Negotiation: To obtain direction regarding the acquisition of the real property.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Properties: 12291, 12246, 12252, 12262, 12282, 12322
Thackery Drive; 12241, 12261, 12271, 12321
Harbor Boulevard; 12231 Tamerlane Drive,
Garden Grove

Successor Agency
Negotiator: Matthew Fertal, Director

Negotiating Party: Ronnie Lam, Kam Sang Company, Inc.

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

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Properties: 12222, 12252, 12262, 12272, 12292, 12302
Harbor Boulevard; 12511, 12531, 12551, 12571
Twintree Lane; and 12237, 12239 Choisser Road,
Garden Grove

Successor Agency
Negotiator: Matthew Fertal, Director

Negotiating Party: Land & Design, Inc.

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

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to
Government Code Section 54956.9(b) (one potential case)

RECESS

At 6:32 p.m., Chair Jones declared a recess.

RECONVENE IN OPEN SESSION

At 6:40 p.m., Chair Jones reconvened the meeting with all Members present.

Chair Jones announced that the Closed Session matters previously disclosed were discussed and no reportable actions were taken.

ORAL COMMUNICATIONS

None.

MINUTES (F: Vault)

It was moved by Member Broadwater, seconded by Member Beard, and carried by unanimous vote that the minutes of the meeting held May 22, 2012, be and hereby are received and filed.

WARRANTS (F: 60.5)

It was moved by Member Broadwater, seconded by Member Beard, and carried by unanimous vote that Regular Warrants 000383 through 000395, and Wire W946, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

ADJOURNMENT

At 7:02 p.m., the meeting was declared adjourned to Tuesday, October 9, 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 25, 2012, at 5:30 p.m.

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

ABSENT: (1) COUNCIL MEMBER NGUYEN absent at Roll Call, but joined the meeting at 6:00 p.m.

ORAL COMMUNICATIONS ON CLOSED SESSION MATTERS ONLY

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 REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Properties: 12302 Harbor Boulevard, Garden Grove,
12511, 12531 Twintree Lane, Garden Grove

City Negotiator: Matthew Fertal, City Manager

Negotiating Party: Berkeley Neff, Property Owner

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

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Properties: 12131, 12141, 12161, 12171, 12181, 12201,
12211, 12132, 12142, 12162, 12172, 12182,
12202, 12212, 12222 Tamerlane Drive, Garden
Grove

City Negotiator: Matthew Fertal, City Manager
Negotiating Party: Chuck Fry, Tamerlane Associates, LLC
Under Negotiation: To obtain direction regarding the price and terms for the acquisition of the real property.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: 12231 Tamerlane Drive, Garden Grove
City Negotiator: Matthew Fertal, City Manager
Negotiating Party: Larry Nguyen
Under Negotiation: To obtain direction regarding the price and terms for the acquisition of the real property.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Properties: 12131, 12141, 12161, 12171, 12181, 12201, 12211, 12132, 12142, 12162, 12172, 12182, 12202, 12212, 12222, 12231 Tamerlane Drive; 12251, 12261, 12281, 12321, 12292, 12311, 12312 Thackery Drive; 12291, 12311 Harbor Boulevard, Garden Grove
City Negotiator: Matthew Fertal, City Manager
Negotiating Party: Ronnie Lam, Kam Sang Company, Inc.
Under Negotiation: To obtain direction regarding the price and terms for the disposition of the real property.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Properties: 12302 Harbor Boulevard; 12511, 12531 Twintree Lane; and 12235, 12233 Choisser Road, Garden Grove
City Negotiator: Matthew Fertal, City Manager
Negotiating Party: Land & Design Inc.

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

RECESS

At 6:15 p.m., Mayor Dalton declared a recess.

RECONVENE IN OPEN SESSION

At 6:39 p.m., Mayor Dalton reconvened the meeting with all Council Members present.

Mayor Dalton announced that the Closed Session matters previously disclosed were discussed and no reportable actions were taken.

INVOCATION AND PLEDGE

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

ORAL COMMUNICATIONS – PUBLIC COMMENTS

Peter Katz announced the upcoming Free Speaker Series, featuring Frans Vandebroek, Vietnam Veteran, sponsored by the Vietnam War Museum of America Foundation, Thursday, November 8, 2012, at 6 p.m., at The Courtyard Center, 12732 Main Street, Garden Grove.

Russ and Donna McDonald requested assistance concerning a claim they filed. The Mayor directed staff to contact Mr. and Mrs. McDonald.

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

Josh McIntosh requested the curb at the intersection of Grove Avenue and Park Avenue be painted red. The Mayor directed staff to contact Mr. McIntosh.

Toby Rubin announced a Candidate Forum she is hosting at her home on behalf of the Central Garden Grove Neighborhood Association on Saturday, October 6, 2012, at 3:00 p.m.

COUNCIL MEMBER RESPONSE TO PUBLIC COMMENTS

Council Member Broadwater recognized the Scout Troop in the audience.

Council Member Beard commented on the protocol followed for Council Meetings based on the Roberts Rules of Order.

WRITTEN COMMUNICATIONS - A REQUEST FROM THE VIETNAMESE INTERFAITH COUNCIL TO HOST A CANDIDATE FORUM AT THE COURTYARD CENTER ON SATURDAY, OCTOBER 6, 2012, FROM 1:00 P.M. TO 5:00 P.M. (F: 88.1)

It was moved by Council Member Beard, seconded by Council Member Nguyen, and carried by unanimous vote that the request from the Vietnamese Interfaith Council in America to use the Courtyard Center for a Candidate Forum free of charge, be and hereby is approved.

WRITTEN COMMUNICATIONS - A REQUEST FROM THE GARDEN GROVE CHAMBER OF COMMERCE, VIETNAMESE AMERICAN CHAMBER, AND THE KOREAN AMERICAN CHAMBER OF ORANGE COUNTY TO HOST A CANDIDATE FORUM AT THE COMMUNITY MEETING CENTER ON WEDNESDAY, OCTOBER 10, 2012, FROM 6:00 P.M. TO 9:30 P.M. (F: 88.1)

It was moved by Council Member Beard, seconded by Council Member Nguyen, and carried by unanimous vote that the request from the Garden Grove Chamber of Commerce, Vietnamese American Chamber, and the Korean American Chamber of Orange County to use the Community Meeting Center, Council Chamber, for a Candidate Forum free of charge, be and hereby is approved.

RECESS

At 7:01 p.m., Mayor Dalton declared a recess.

RECONVENE IN OPEN SESSION

At 7:05 p.m., Mayor Dalton reconvened the meeting with all Council Members present.

Mayor Dalton announced that the Closed Session matters previously disclosed were discussed and no reportable actions were taken.

PROCLAMATION RECOGNIZING SEPTEMBER 26, 2012, AS MESOTHELIOMA AWARENESS DAY (F: 83.1)

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that September 26, 2012, be and hereby be recognized as Mesothelioma Awareness Day in Garden Grove.

RESOLUTION REQUESTING THE LOAN OF A HUEY HELICOPTER FROM THE U.S. ARMY ON BEHALF OF THE VIETNAM WAR MUSEUM OF AMERICA FOUNDATION (F: 130.20)

Staff report dated September 25, 2012, was introduced.

RESOLUTION NO. 9143-12

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that full reading of Resolution No. 9143-12 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING THE REQUEST OF A LOAN OF A HUEY HELICOPTER FROM U.S. ARMY ON BEHALF OF THE VIETNAM WAR MUSEUM OF AMERICA FOUNDATION, be and hereby is adopted.

AMENDMENT TO THE COOPERATIVE AGREEMENT NO. C-95-974 WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) TO EXTEND THE AUDIT PERIOD FOR PROGRAMS FUNDED UNDER THE MEASURE M1 PROGRAM (F: 55-Orange County Transportation Authority)

Staff report dated September 25, 2012, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that Amendment No. 14 to Cooperative Agreement No. C-95-974 by and between the City of Garden Grove and the Orange County Transportation Authority to extend the auditing time limit for any Measure M1 Combined Transportation Funding Program funded project from 90 days to five years after project completion, be and hereby is approved; and the Mayor is authorized to execute the Agreement on behalf of the City.

AWARD OF CONTRACT TO MASTER LANDSCAPE AND MAINTENANCE INC. FOR LANDSCAPE AND STORM DRAIN MAINTENANCE (F: 55-Master Landscape and Maintenance Inc.)

Staff report dated September 25, 2012, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that the contract to provide oleander trimming and storm drain maintenance, in the firm fixed price of \$52,133.76 for 3 years, be and hereby is awarded to Master Landscape and Maintenance, Inc., and the City Manager is authorized to execute the Agreement on behalf of the City, and to make minor modifications as necessary thereto.

ACCEPTANCE OF PROJECT AS COMPLETE FOR THE 2012 LOCAL STREET
REHABILITATION PROJECT #S-1095 PART 1 AND 2

(F: 55 Sully Miller Contracting Co.)

Staff report dated September 25, 2012, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that Project No. S-1095 Part 1 and 2 2012 Local Street Rehabilitation Project 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 when appropriate to do so.

MINUTES (F: Vault)

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that the minutes of the meetings held May 8, 2012, and May 22, 2012, be and hereby are received and filed.

WARRANTS

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that Regular Warrants 530622 through 531207, Wires W945 through W950; and Payroll Warrants 172691 through 172864, Direct Deposits D228727 through DD229412, and D229411 through DD2300778, and Wires W1822 through W1829, 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 Jones, and carried by unanimous vote that full reading of all Ordinances listed for consideration of adoption be waived.

SECOND READING OF ORDINANCE NO. 2820 - AMENDMENT NO. A-168-12 -
CHANGING 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 7:04 P.M.

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 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-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 Jones, seconded by Council Member Beard that Ordinance No. 2820 be and hereby is declared adopted with the following vote:

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 7:05 P.M.

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

Council Member Broadwater announced that the Arab Festival is being held September 28, 29, and 30, 2012, at The Village Green.

Council Member Nguyen announced that the Moon Festival is being held September 30, 2012, at Garden Grove Park.

Council Member Jones, responding to comments about a possible conflict of interest. He stated that he has not voted on any matter in which he has had a conflict of interest.

Council Member Jones and Council Member Beard commented on the Association of California Cities – Orange County (ACCOC) recent awards ceremony for local government innovations. They suggested that the City look into the programs that other cities are implementing to see if any are viable options for Garden Grove.

Council Member Beard, responding to accusations that he doesn't respond to requests from the public, commented that there was a miscommunication about the matter. As a Council Member he responds to the public's requests.

Mayor Dalton commented that with the election coming up, many comments made during Oral Communications are politically motivated, and that the protocol under which the City Council operates doesn't allow for a conversation and/or debate between the speaker or Council Members.

ADJOURNMENT

At 7:10 p.m., the meeting was declared adjourned to Tuesday, October 9, 2012.

KATHLEEN BAILOR, CMC
CITY CLERK