

## 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, October 9, 2012, at 6:35 p.m.

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

ABSENT: (0) NONE

#### ORAL COMMUNICATIONS

None.

#### FORMER HOUSING SET ASIDE FUND ASSET DUE DILIGENCE REVIEW (F: A-34.6) (XR: A-46.1SA) (XR: A-46.1OB)

Staff report dated October 9, 2012, was introduced.

It was moved by Member Nguyen, seconded by Chair Jones, and carried by unanimous vote that the Housing Asset Due Diligence Review be and hereby is approved; and staff is directed to transmit the Review to the Oversight Board for consideration, and to other process participants.

#### MINUTES (F: Vault)

It was moved by Member Broadwater, seconded by Member Dalton that the minutes of the meetings held June 12, 2012, and June 26, 2012, be and hereby are received and filed. Motion carried by the following vote:

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

WARRANTS (F: 60.5)

It was moved by Member Nguyen, seconded by Chair Jones, and carried by unanimous vote that Regular Warrants 000396 through 000406, and Wire W953, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

AWARD OF CONTRACT TO PALP INC., DBA EXCEL PAVING COMPANY FOR PROJECT NO. 7245 – HARBOR BOULEVARD STREET IMPROVEMENTS

(F: 96.proj.7245)

Staff report dated October 9, 2012, was introduced and reviewed by staff.

It was moved by Member Broadwater, seconded by Member Beard, and carried by unanimous vote that the protest submitted by Palp, Inc., dba Excel Paving Company be and hereby is upheld, and find that the bid submitted by GMC Engineering, Inc. was non-responsive due to GMC Engineering, Inc.'s stated intent to subcontract in excess of 50 percent of the contract price; that any irregularity in the bid submitted by Palp, Inc., dba Excel Paving Company be and hereby is waived; that the contract for the construction of Project No.7245 – Harbor Boulevard Street Improvements, located on the westerly side of Harbor Boulevard between Palm Street and Lampson Avenue, Garden Grove, in the amount of \$1,256,113, be and hereby is awarded to Palp, Inc., dba Excel Paving Company; that Successor Agency funds be used to construct the proposed street improvements as authorized by the Department of Finance; and that the Director is authorized to execute the Agreement on behalf of the Successor Agency, and to make minor modifications as appropriate thereto.

ADJOURNMENT

At 7:20 p.m., the meeting was declared adjourned to Tuesday, October 25, 2012.

TERESA POMEROY  
DEPUTY 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, October 9, 2012, at 6:15 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 6:27 p.m.  
COUNCIL MEMBER NGUYEN absent at Roll Call, but joined the meeting at 6:27 p.m.

ORAL COMMUNICATIONS ON CLOSED SESSION MATTERS ONLY

None.

ADJOURN TO CLOSED SESSION

At 6:17 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 – PENDING LITIGATION  
Significant exposure to litigation pursuant to Government Code Section 54956.9(a) – Orozco v. City of Garden Grove

RECESS

At 6:30 p.m., Mayor Dalton declared a recess.

RECONVENE IN OPEN SESSION

At 6:35 p.m., Mayor Dalton reconvened the meeting with all Council Members present.

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

### INVOCATION AND PLEDGE

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

### COMMUNITY SPOTLIGHT - LEAH CECIL, FORMER MISS GARDEN GROVE 2011 (F: 52.3)

Mayor Dalton and the City Council Members recognized Leah Cecil, Former Miss Garden Grove 2011, for her achievement as Miss California 2012.

### ORAL COMMUNICATIONS - PUBLIC COMMENTS

Sam Mirze spoke on his concern regarding legal zoning for a newly established Hookah Lounge located at 12342 Brookhurst Street. Mayor Dalton directed staff to contact Mr. Mirze.

Sherrill Hueber and Dorothy Allen spoke regarding member recruitment for the Orange County Grand Jury.

Verla Lambert spoke regarding marijuana dispensaries.

Verla Lambert, Charles Mitchell, Josh McIntosh, and Rod Powell spoke on various civic and community concerns.

Peter Katz spoke regarding the Vietnam War Museum and the upcoming speaker series on Thursday, November 8, 2012 at 6:00 p.m. at the Courtyard Center.

Rod Powell spoke regarding the marijuana dispensary located on Brookhurst at Orangewood in proximity to public schools.

### COUNCIL MEMBER RESPONSE TO PUBLIC COMMENTS

Council Member Broadwater commented on the sign outside the marijuana dispensary located on Brookhurst at Orangewood and requested staff to investigate.

### RECESS

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

RECONVENE

At 7:21 p.m., Mayor Dalton reconvened the meeting with all Council Members present.

ACCEPTANCE OF PROJECT AS COMPLETE FOR PROJECT NO. S-1089 - FIRE STATION NO. 3 EXTERIOR RENOVATION  
(F: 55- Frank Shariat General Engineering)

Staff report dated October 9, 2012, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that Project No. S-1089 - Fire Station No. 3 Exterior Renovation 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.

PURCHASE ORDER TO SIMPSON CHEVROLET FOR THE PURCHASE OF ONE UTILITY TRUCK FOR THE PUBLIC WORKS DEPARTMENT (F: 60.4)

Staff report dated October 9, 2012, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that the Finance Director be and hereby is authorized to issue a Purchase Order in the amount of \$32,289.57 to Simpson Chevrolet for the purchase of one new utility truck.

AMENDMENT TO THE AGREEMENT WITH OPEN SPATIAL CORPORATION FOR MOBILE MAPPING SOFTWARE FOR THE CITY'S STORMWATER, AND SEWER SYSTEMS (F: 55-Open Spatial Corporation)

Staff report dated October 9, 2012, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that Amendment No. 3 to the Agreement by and between the City of Garden Grove and the Open Spatial Corporation for providing proprietary software for a mobile mapping application, in the amount of \$61,200, 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.

MINUTES (F: Vault)

It was moved by Council Member Jones, seconded by Council Member Broadwater, that the minutes of the meetings held June 12, 2012, and June 26, 2012, be and hereby are received and filed. Motion carried by the following vote:

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

WARRANTS

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that Regular Warrants 531208 through 532219, Wires W951 through W954, and Direct Deposits W531388 through W532207; and Payroll Warrants 172865 through 172941, Direct Deposits D229916 through DD230747, and Wires W1830 through W1833, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

LETTER OF RESIGNATION FROM MARK ROSEN, CITY REPRESENTATIVE TO THE ORANGE COUNTY VECTOR CONTROL DISTRICT BOARD (F: 23.20)

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that Mark Rosen's letter of resignation from the Orange County Vector Control District Board be and hereby is accepted with regret.

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

Council Member Broadwater expressed his sorrow for the passing of his friend Tom Petrosine, and offered condolences to the Petrosine family. He commended Mr. Petrosine's service and involvement with the community.

Council Member Nguyen offered condolences to the Petrosine family. She reminded everyone to buy in Garden Grove, and she also thanked former Council Member Mark Rosen for his service to the community.

Council Member Jones offered condolences to the Petrosine family. He encouraged attendance at the upcoming Korean Festival this weekend.

Council Member Beard encouraged families with small children to attend the 14th annual Jack O' Lantern Jamboree at the Atlantis Play Center, and noted that presale tickets will be available October 15 through October 25 in City Hall.

Mayor Dalton offered his condolences to the Petrosine family and adjourned the meeting in his memory.

ADJOURNMENT

At 7:25 p.m., the meeting was declared adjourned in memory of Tom Petrosine to Tuesday, October 23, 2012.

TERESA POMEROY  
DEPUTY CITY CLERK