

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, May 28, 2013, at 6:55 p.m.

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

ABSENT: (0) NONE

ORAL COMMUNICATIONS

None.

HOUSING AUTHORITY STATUS REPORT FOR APRIL 2013 (F: H-117.2)

Staff report dated May 28, 2013, was introduced.

It was moved by Commissioner Nguyen, seconded by Commissioner Phan, and carried by unanimous vote that the April 2013 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 Phan, and carried by unanimous vote that the minutes of the meeting held April 23, 2013, be and hereby are received and filed.

PUBLIC HEARING - APPROVAL OF THE MAY 28, 2013, REVISED HOUSING AUTHORITY ADMINISTRATIVE PLAN (F: H-127.2)

Staff report dated May 28, 2013, was introduced and reviewed by staff.

Chair Beard declared the Public Hearing open and asked if anyone wished to address the Housing Authority on the matter.

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

It was moved by Commissioner Nguyen, seconded by Commissioner Phan, and carried by unanimous vote that the May 28, 2013 Revised Housing Authority Administrative Plan, be and hereby is approved.

ADJOURNMENT

At 6:57 p.m., the meeting was declared adjourned to Tuesday, June 25, 2013.

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, May 28, 2013, at 7:16 p.m.

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

ABSENT: (0) NONE

ORAL COMMUNICATIONS

None.

RECESS

At 7:34 p.m., President Phan declared a recess.

RECONVENE

At 7:41 p.m., President Phan reconvened the meeting with all Members present.

APPROVAL OF AGREEMENT WITH CIVILTEC ENGINEERING, INC., FOR ON-CALL CONSTRUCTION INSPECTION SERVICES (F: 55-Civiltec Engineering, Inc.)

Staff report dated May 28, 2013, was introduced.

It was moved by Member Nguyen, seconded by Member Beard, and carried by unanimous vote that the Agreement with Civiltec Engineering, Inc. for a 2-year period in the amount of \$245,000, for on-call construction inspection services for sewer projects, be and hereby is approved; and the General Manager is authorized to execute the Agreement on behalf of the Sanitary District and make minor modifications as appropriate.

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 April 23, 2013, be and hereby are received and filed.

ADJOURNMENT

At 7:42 p.m., the meeting was declared adjourned to Tuesday,
June 25, 2013.

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, May 28, 2013, at 7:16 p.m.

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

ABSENT: (0) NONE

ORAL COMMUNICATIONS

None.

WARRANTS (F: 60.5)

It was moved by Member Nguyen, seconded by Member Phan, and carried by unanimous vote that Regular Warrants 000599 through 000609, and WiresW1058 through W1060, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT WITH NEWAGE GARDEN GROVE, LLC FOR THE DEVELOPMENT OF THE SHERATON HOTEL LOCATED AT 12221 HARBOR BOULEVARD, GARDEN GROVE(F: A-55.298)

Staff report dated May 28, 2013, was introduced and reviewed by staff.

RESOLUTION NO. 12-13

It was moved by Member Nguyen, seconded by Member Phan, and carried by unanimous vote that full reading of Resolution No. 12-13 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ACTING AS SUCCESSOR AGENCY TO THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT APPROVING AN AMENDMENT TO A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT AND NEWAGE GARDEN GROVE, LLC., be and hereby is adopted.

LONG RANGE PROPERTY MANAGEMENT PLAN (F: A-46.1.SA)

Staff report dated May 28, 2013, was introduced and reviewed by staff.

RESOLUTION NO. 13-13

It was moved by Member Nguyen, seconded by Member Phan, and carried by unanimous vote that full reading of Resolution No. 13-13 be waived, and said Resolution entitled A RESOLUTION OF THE SUCCESSOR AGENCY TO THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT APPROVING THE LONG RANGE PROPERTY MANAGEMENT PLAN, be and hereby is adopted.

ADJOURNMENT

At 7:40 p.m., the meeting was declared adjourned to Tuesday, June 11, 2013.

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, May 28, 2013, at 5:30 p.m.

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

ABSENT: (2) COUNCIL MEMBER PHAN absent at Roll Call, but joined the meeting at 5:33 p.m.
MAYOR PRO TEM NGUYEN absent at Roll Call, but joined the meeting at 5:43 p.m.

CLOSED SESSION

Mayor Broadwater announced that the City Council was going into Closed Session to discuss the following matters: 1. Threatened litigation against the City by the EZ Wellness Center and by the Garden Grove Patient Group; 2. Initiation of litigation against medical marijuana dispensaries that continue to operate; 3. The pending litigation matter of Clapper v. City of Garden Grove; and 4. The potential sale of real property at 3001 and 3017 West 5th Street, Santa Ana.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Pursuant to Government Code Section 54956.9 (d)(2)
(Two potential cases)

CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION
Pursuant to Government Code Section 54956.9 (d)(4)
(Three potential cases)

CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION
Pursuant to Government Code Section 54956.9 (d)(1)
(Clapper v. City of Garden Grove)

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8

Properties: 3001 and 3017 W. 5th Street, Santa Ana, CA 92703

City's Negotiator: Matthew J. Fertal, City Manager
Negotiating Party: Steve Sheldon, The Sheldon Group

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

ORAL COMMUNICATIONS FOR CLOSED SESSION

There were no speakers.

ADJOURN TO CLOSED SESSION

At 5:31 p.m., under the Ralph M. Brown Act, the meeting was adjourned to Closed Session.

ADJOURNED TO COUNCIL CHAMBER

At 6:40 p.m., the Mayor declared a recess.

RECONVENE IN OPEN SESSION

At 6:57 p.m., Mayor Broadwater reconvened the meeting with all Council Members present.

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

BUSINESS SPOTLIGHT (F: 52.3)

Mayor Broadwater and Council Members recognized the Garden Grove Downtown Business Association for their continued efforts on Main Street.

PRESENTATION (F: 52.3) (XR: 62.2) (XR: 23.18)

Sarah King, Orange County Transportation Authority Community Outreach, presented an update on the SR-22/I-405/I-605 West County Connectors Project.

ORAL COMMUNICATIONS – PUBLIC COMMENTS

Speakers: Lourdes Gutierrez, Josh McIntosh, Charles Mitchell, Peter Katz.

COUNCIL MEMBER RESPONSE TO PUBLIC COMMENTS

Responding to Ms. Gutierrez comments, Council Member Beard stated that staff is developing a Social Host Ordinance that will be brought forward to the City Council for consideration.

RECESS

At 7:34 p.m., Mayor Broadwater declared a recess.

RECONVENE

At 7:43 p.m., Mayor Broadwater reconvened the meeting with all Council Members present.

AWARD OF CONTRACT TO TURBO DATA SYSTEMS, INC. FOR PARKING CITATION PROCESSING SERVICES (F: 55-Turbo Data Systems, Inc.)

This matter was pulled from consideration.

AWARD OF CONTRACT TO CIVILTEC ENGINEERING, INC., FOR ON-CALL CONSTRUCTION INSPECTION SERVICES (F: 55-Civiltec Engineering, Inc.)

Staff report dated May 28, 2013, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that the contract for on-call construction inspection services for water projects, in the amount of \$245,000 for two years, be and hereby is awarded to Civiltec Engineering, Inc.; and the City Manager is authorized to execute the contract and make minor modifications as appropriate on behalf of the City.

MINUTES (F: Vault)

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that the minutes of the meetings held February 12, 2013, and February 26, 2013, be and hereby are received and filed.

WARRANTS (F: 60.5)

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that Regular Warrants 545265 through 545656, and Wires W1054 through W1061; and Payroll Warrants 173939 through 173996, Direct Deposits D240581 through DD241230, and Wires W1912 through W1915, 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

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.

PUBLIC HEARING - GENERAL PLAN AMENDMENT NO. GPA-1-13(A)
AMENDING THE HOUSING ELEMENT OF THE CITY'S GENERAL PLAN FOR THE
PERIOD 2014 TO 2021 (F: 20.GPA-1-13(A))

Staff report dated May 28, 2013, was introduced and reviewed by staff.

Mayor Broadwater 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.

RESOLUTION NO. 9186-13

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote that full reading of Resolution No. 9186-13 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A MITIGATED NEGATIVE DECLARATION AND APPROVING GENERAL PLAN AMENDMENT NO. GPA-1-13(A) AMENDING THE GENERAL PLAN HOUSING ELEMENT FOR THE 2014-2021 PLANNING PERIOD, be and hereby is adopted.

ACCEPTANCE OF LETTER OF RESIGNATION FROM PLANNING
COMMISSIONER/ADMINISTRATIVE BOARD OF APPEALS COMMISSIONER
JENNIFER CABRAL (F: 122.10A) (XR: 122.2C)

Jennifer Cabral's letter of resignation from the Planning Commission and the Administrative Board of Appeals was accepted with regret.

TRAFFIC COMMISSION RECOMMENDATION - APPROVAL OF REMOVING A CROSSWALK AT THE INTERSECTION OF HARBOR BOULEVARD AND TRASK AVENUE, GARDEN GROVE (F: 100.1)(XR: 122.11)

Staff report dated May 28, 2013, was introduced and reviewed by staff.

It was moved by Council Member Nguyen, seconded by Council Member Phan, and carried by unanimous vote that the Traffic Commission's recommendation to remove the north leg crosswalk at the intersection of Harbor Boulevard and Trask Avenue, Garden Grove, be and hereby is approved.

APPROVAL OF AN AGREEMENT WITH THE COUNTY OF ORANGE FOR FORENSIC CRIME LAB SERVICES (F: 55-County of Orange - Sheriff-Coroner)

Council Member Beard announced that although he is an employee for the County of Orange, voting on this matter poses no conflict of interest as the department he is employed has no involvement with this agreement.

Council Member Phan announced that as an Deputy District Attorney for the County he would be recusing himself from considering this matter due to a potential conflict of interest.

COUNCIL MEMBER PHAN LEFT THE MEETING AT 7:55 P.M.

Staff report dated May 28, 2013, was introduced and reviewed by staff.

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote of those present that the Agreement by and between the City of Garden Grove and the County of Orange for forensic services for fiscal year 2013-14, in the amount of \$420,189.00, be and hereby is approved; and the Mayor is authorized to execute the agreement on behalf of the City.

COUNCIL MEMBER PHAN RETURNED TO THE MEETING AT 7:57P.M.

FIRST READING OF ORDINANCE NO. 2830 -AMENDING THE MUNICIPAL CODE REGARDING TOWING (F: 82.2)(XR: 50.2)

Staff report dated May 28, 2013, was introduced and reviewed by staff.

ORDINANCE NO. 2830 was introduced for first reading and the title read in full, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AMENDING SECTIONS 5.52.090, 5.52.150, 5.52.220, 5.52.330, 5.52.360, AND 5.52.400 OF CHAPTER 5.52 OF TITLE 5 OF

THE GARDEN GROVE MUNICIPAL CODE PERTAINING TO TOW TRUCKS,
TOWING OPERATION AND TOW TRUCK DRIVER PERMITS, AND
ROTATIONAL TOW SERVICES

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.

Following the reading of the Ordinance title, it was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that Ordinance No. 2830, be and hereby is passed to second reading.

SECOND READING OF ORDINANCE NO. 2829 (F: 50.2)(XR: 78.6)(XR: 78.8)

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

ORDINANCE NO. 2829 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 2, CHAPTER 44 OF THE MUNICIPAL CODE PERTAINING TO THE PROBATIONARY PERIOD FOR FIREFIGHTERS AND POLICE OFFICERS

Following the reading of the Ordinance title, it was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote of those present that Ordinance No. 2829, be and hereby is declared adopted.

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

Council Member Beard commented on the Strawberry Festival; the Police Memorial; and a recent auto accident at Lampson Avenue and Manley Street.

Council Member Nguyen commented on the Police Memorial, the Strawberry Festival and Parade; and congratulated the Downtown Business Association.

Council Member Phan commented on the Strawberry Festival, and a celebration he attended in honor of Buddha's Birthday.

Council Member Jones commented on the Strawberry Festival, and encouraged college graduates to contact the City to be recognized for their accomplishment.

Mayor Broadwater requested information regarding a recent car accident at the intersection of Lampson Avenue and Manley Street, and requested that discussion on this intersection be placed on the next City Council agenda.

ADJOURNMENT

At 8:09 p.m., the meeting was declared adjourned in memory of Jay Mastroianni and Ken Slimmer to Tuesday, June 11, 2013.

KATHLEEN BAILOR, CMC
CITY CLERK