

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, June 11, 2013, at 6:45 p.m.

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

ABSENT: (0) NONE

ORAL COMMUNICATIONS

None.

RECESS

At 7:33 p.m., Chair Jones declared a recess.

RECONVENE

At 7:45 p.m., Chair Jones 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 meetings held March 12, 2013, and March 26, 2013, be and hereby are received and filed.

WARRANTS (F: 60.5)

It was moved by Member Nguyen, seconded by Member Beard, and carried by unanimous vote that Regular Warrants 000610 through 000621, and Wire W1062, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

ADJOURNMENT

At 7:46 p.m., the meeting was declared adjourned to Tuesday, June 25, 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, June 11, 2013, at 5:31 p.m.

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

ABSENT: (1) MAYOR PRO TEM NGUYEN absent at Roll Call, but joined the meeting at 5:39 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; and 3. 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 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

None.

ADJOURN TO CLOSED SESSION

At 5:32 p.m., under the Ralph M. Brown Act, the meeting was adjourned to Closed Session.

ADJOURNED TO COUNCIL CHAMBER

At 6:20 p.m., the Mayor declared a recess.

RECONVENE IN OPEN SESSION

At 6:33 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

John D.R. Clark, Human Resources Director/City Treasurer, gave the Invocation. Council Member Jones led the Pledge of Allegiance to the Flag of the United States of America.

COMMUNITY SPOTLIGHT (F: 52.3)

Mayor Broadwater and Council Members recognized Dr. Laura Schwalm retiring from the Garden Grove Unified School District after 40 years of service.

COMMUNITY SPOTLIGHT (F: 52.3)

Mayor Broadwater and Council Members recognized the 2013 Garden Grove Strawberry Festival Association Board of Directors.

ORAL COMMUNICATIONS – PUBLIC COMMENTS

Speakers: Peter Katz, Laura Nguyen, Verla Lambert, John Wildsmith, Bruce Tran, Dana Mann, Charles Mitchell, Bea Jones, Keith Doan, and Josh McIntosh

COUNCIL MEMBER RESPONSE TO PUBLIC COMMENTS

None.

RECESS

At 7:33 p.m., Mayor Broadwater declared a recess.

RECONVENE

At 7:47 p.m., Mayor Broadwater reconvened the meeting with all Council Members present.

APPROVAL OF A TRANSFER AGREEMENT WITH THE MUNICIPAL WATER DISTRICT OF ORANGE COUNTY FOR ONE POTABLE WATER TRAILER
(F: 112.5)

This matter was considered later in the meeting.

APPROVAL TO ACCEPT PROJECT NO. 7393 - LAMPSON RESERVOIR WELL 31 AND BOOSTER STATION IMPROVEMENTS AS COMPLETE
(F: 112.11.proj.7393)

Staff report dated June 11, 2013, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that Project No. 7393 – Lampson Reservoir Well 31 and Booster Station Improvements be accepted as complete; that the City Manager is authorized to execute the Notice of Completion of Public Improvement and Work; and the Finance Director is authorized to release the retention payment when appropriate to do so.

APPROVAL OF AN AGREEMENT WITH ALL CITY MANAGEMENT SERVICES, INC. FOR CROSSING GUARD SERVICES (F: 55-All City Management Services, Inc.)

This matter was considered later in the meeting.

APPROVAL OF AN AGREEMENT WITH TURBO DATA SYSTEMS, INC. FOR PARKING CITATION PROCESSING SERVICES (F: 55-Turbo Data Systems, Inc.)

Staff report dated June 11, 2013, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that the Agreement by and between the City of Garden Grove and Turbo Data Systems, Inc., for parking citation processing services, in the amount not to exceed \$165,000 for two years, with an option to extend the agreement for an additional four years, exercised as two, two-year options, be and hereby is approved; that a 10 percent contingency be allocated for the agreement; and the City Manager is authorized to execute the agreement and all related documents on behalf of the City, and make any minor modifications as appropriate thereto.

ADOPTION OF A RESOLUTION AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE ENVIRONMENTAL CLEANUP TIER 1 GRANT PROGRAM ADMINISTERED BY THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR EUCLID STREET IRRIGATION RETROFIT PROJECTS (F: 24.13)

Staff report dated June 11, 2013, was introduced.

Resolution No. 9187-13

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that full reading of Resolution No. 9187-13 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AUTHORIZING RECEIPT OF FUNDS FOR THE ENVIRONMENTAL CLEANUP TIER 1 GRANT PROGRAM UNDER ORANGE COUNTY LOCAL TRANSPORTATION AUTHORITY ORDINANCE NO. 3 FOR THE 2013 TIER 1 EUCLID STREET IRRIGATION RETROFIT PROJECTS, be and hereby is adopted.

APPROVAL OF TRAVEL RELATED EXPENSES FOR TRAVEL TO SISTER CITY OF ANYANG, KOREA, AND TO WAR MUSEUMS/MEMORIALS IN HAWAII (F: 127.3)

Staff report dated June 11, 2013, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that travel related expenses for City Council Members related to travel to Sister City of Anyang, Korea and war museums/memorials in Hawaii from September 27 through October 6, 2013, and for travel to Sister City of Anyang, Korea for two staff members (from September 29 through October 6, 2013) and a small performing arts group (from October 1 through October 6, 2013), for an estimated cost of \$27,000, be and hereby are approved.

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 meeting held March 12, 2013, be and hereby are received and filed.

APPROVAL OF WARRANTS (F: 60.5)

It was moved by Council Member Nguyen, seconded by Council Member Beard, and carried by unanimous vote that Regular Warrants 545657 through 546604, Wires W1062, and Direct Deposits W545863 through W546603; and Payroll Warrants 173997 through 174055,

Direct Deposits D241229 through DD241882, and Wires W1916 through W1919, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

APPROVAL OF AN AGREEMENT WITH THE ASSOCIATION OF THE VIETNAMESE LANGUAGE AND CULTURE SCHOOLS OF SOUTHERN CALIFORNIA TO CONDUCT THE 2013 MOON FESTIVAL (F: 55-Association of the Vietnamese Language and Culture Schools of Southern California)

This matter was considered later in the meeting.

APPROVAL OF WAIVER OF FULL READING OF ORDINANCES LISTED

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.

APPROVAL OF A TRANSFER AGREEMENT WITH THE MUNICIPAL WATER DISTRICT OF ORANGE COUNTY FOR ONE POTABLE WATER TRAILER (F: 112.5)

Staff report dated June 11, 2013, was introduced.

It was moved by Council Member Beard, seconded by Council Member Nguyen, and carried by unanimous vote that the Transfer Agreement by and between the City of Garden Grove and the Municipal Water District of Orange County, for one potable water trailer, be and hereby is approved; and the City Manager is authorized to execute the agreement and all related documents on behalf of the City, and make minor modifications as necessary thereto.

APPROVAL OF AN AGREEMENT WITH ALL CITY MANAGEMENT SERVICES, INC. FOR CROSSING GUARD SERVICES (F: 55-All City Management Services, Inc.)

Council Member Phan requested that this item to be continued to allow staff to return with information about the bid process.

APPROVAL OF AN AGREEMENT WITH THE ASSOCIATION OF THE VIETNAMESE LANGUAGE AND CULTURE SCHOOLS OF SOUTHERN CALIFORNIA TO CONDUCT THE 2013 MOON FESTIVAL (F: 55-Association of the Vietnamese Language and Culture Schools of Southern California)

Staff report dated June 11, 2013, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Phan, and carried by unanimous vote that this matter be

continued to allow staff time to respond to Mr. Tran's and Mr. Doan's request that the City reconsider the requirement that fees be paid in advance.

PUBLIC HEARING - FISCAL YEAR 2013-14 ANNUAL LEVY OF ASSESSMENTS FOR GARDEN GROVE STREET LIGHTING DISTRICT NO. 99-1, GARDEN GROVE PARK MAINTENANCE DISTRICT, AND GARDEN GROVE STREET LIGHTING DISTRICT (F: 69.1)(XR: 73.1)(XR: 24.11)

Staff report dated June 11, 2013, was introduced and reviewed by staff.

Garden Grove Street Lighting District No. 99-1

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.

The City Clerk announced that no written protests were received.

Resolution No. 9188-13

It was moved by Council Member Phan, seconded by Council Member Nguyen, and carried by unanimous vote that full reading of Resolution No. 9188-13 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE MAKING DETERMINATIONS AND CONFIRMING THE DIAGRAM AND ASSESSMENT FOR 2013-2014 FISCAL YEAR FOR THE CITY OF GARDEN GROVE STREET LIGHTING DISTRICT NO. 99-1, be and hereby is adopted.

Garden Grove Park Maintenance District

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.

The City Clerk announced that no written protests were received.

Resolution No. 9189-13

It was moved by Council Member Jones, seconded by Council Member Phan, and carried by unanimous vote that full reading of Resolution

No. 9189-13 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE MAKING DETERMINATIONS FOR THE CITY OF GARDEN GROVE PARK MAINTENANCE DISTRICT AND CONFIRMING THE DIAGRAM AND ASSESSMENT FOR 2013-2014 FISCAL YEAR, be and hereby is adopted.

Garden Grove Street Lighting District

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.

The City Clerk announced that no written protests were received.

Resolution No. 9190-13

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote that full reading of Resolution No. 9190-13 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE MAKING DETERMINATIONS AND CONFIRMING THE DIAGRAM AND ASSESSMENT FOR 2013-2014 FISCAL YEAR FOR THE CITY OF GARDEN GROVE STREET LIGHTING DISTRICT, be and hereby is adopted.

ADOPTION OF RESOLUTION OF INTENTION TO LEVY AN ASSESSMENT FOR THE MAIN STREET ASSESSMENT DISTRICT NO. 1, AND TO SET THE TIME AND PLACE FOR THE PUBLIC HEARING (F: 31.4)

Staff report dated June 11, 2013, was introduced and reviewed by staff.

Resolution No. 9178-13A

It was moved by Council Member Jones, seconded by Council Member Phan, and carried by unanimous vote that full reading of Resolution No. 9178-13A be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, DECLARING ITS INTENTION TO ORDER THE MAINTENANCE OF CERTAIN IMPROVEMENTS IN THE "MAIN STREET ASSESSMENT DISTRICT NO. 1" IN THE CITY OF GARDEN GROVE; DESCRIBING THE DISTRICT TO BE BENEFITED, AND DECLARING ITS INTENTION TO LEVY AN ASSESSMENT TO PAY THE COST AND EXPENSES THEREOF; AND

SETTING THE TIME AND PLACE FOR THE PUBLIC HEARING ON THE QUESTION OF THE LEVY OF THE PROPOSED ASSESSMENT, be and hereby is adopted.

APPROVAL OF THE RENEWED MEASURE M SEVEN-YEAR CAPITAL IMPROVEMENT PROGRAM (CIP), CERTIFY COMPLIANCE WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY'S MAINTENANCE OF EFFORT REQUIREMENTS, AND ADOPTION OF A RESOLUTION CONFIRMING COMPLIANCE WITH THE MASTER PLAN OF ARTERIAL HIGHWAYS (MPAH) (F: 23.18C)

Staff report dated June 11, 2013, was introduced and reviewed by staff.

It was moved by Council Member Jones, seconded by Council Member Phan, and carried by unanimous vote that the FY 2013-14 Measure M2 Seven-Year Capital Improvement Program be and hereby is approved; that the Finance Director is authorized to certify compliance with Orange County Transportation Authority's Maintenance of Effort requirements; and to adopt Resolution No. 9192-13.

Resolution No. 9192-13

It was moved by Council Member Jones, seconded by Council Member Phan, and carried by unanimous vote that full reading of Resolution No. 9192-13 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE CONCERNING THE STATUS OF THE CIRCULATION ELEMENT FOR THE CITY OF GARDEN GROVE, be and hereby is adopted.

APPROVAL OF AN AGREEMENT WITH DAN C. CORYELL FOR THE ACQUISITION OF REAL PROPERTY LOCATED AT 12371 HARBOR BOULEVARD, GARDEN GROVE (F: 84.1)

Staff report dated June 11, 2013, was introduced and reviewed by staff.

It was moved by Council Member Nguyen, seconded by Council Member Jones, and carried by unanimous vote that the acquisition of the real property located at 12371 Harbor Boulevard, Garden Grove, be and hereby is approved; that the Finance Director is authorized to appropriate Three Hundred Fifty Thousand Dollars (\$350,000.00) and necessary funds for closing costs from Fund 108 (Land Sale Proceeds) for Fiscal Year 2013-2014 for the acquisition of the subject property; that the City Manager is authorized to execute the Agreement, Grant Deed, and pertinent documents with Dan C. Coryell Sr., and make minor modifications as needed, on behalf of the City; that the City

Clerk is hereby authorized to accept the Grant Deed on behalf of the City; that the Finance Director is hereby authorized to draw a warrant in the amount of Three Hundred Fifty Thousand Dollars (\$350,000.00) and necessary funds for the purchase of the subject property and closing costs; and the City Manager is authorized to execute rental agreements on an interim basis pending construction of the fire station.

FIRST READING AND INTRODUCTION OF ORDINANCE AMENDING THE MUNICIPAL CODE ESTABLISHING SOCIAL HOST LIABILITY (F: 50.2) (XR: 44.1) (XR: 82.1)

Staff report dated June 11, 2013, was introduced and reviewed by staff.

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.

Ordinance No. 2831 was introduced for first reading and the title read in full, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ESTABLISHING SOCIAL HOST LIABILITY FOR THE CONSUMPTION OF ALCOHOL BY PERSONS UNDER 21 YEARS OF AGE AT PARTIES, GATHERINGS, OR EVENTS

Following the reading of the Ordinance title, it was moved by Council Member Beard, seconded by Council Member Nguyen, and carried by unanimous vote that Ordinance No. 2831, be and hereby is passed to second reading.

ADOPTION OF A RESOLUTION APPROVING THE ANNUAL REPORT OF THE GARDEN GROVE TOURISM IMPROVEMENT DISTRICT ADVISORY BOARD, DECLARING ITS INTENTION TO LEVY ASSESSMENTS FOR FISCAL YEAR 2013-14 FOR THE GARDEN GROVE TOURISM IMPROVEMENT DISTRICT, AND FIXING THE TIME AND PLACE OF PUBLIC HEARING THEREON AND GIVING NOTICE THEREOF (F: 32.1)

Staff report dated June 11, 2013, was introduced and reviewed by staff.

Resolution No. 9191-13

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote that full reading of Resolution No. 9191-13 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING THE ANNUAL REPORT OF THE GARDEN GROVE TOURISM IMPROVEMENT DISTRICT ADVISORY BOARD, DECLARING ITS

INTENTION TO LEVY ASSESSMENTS FOR FISCAL YEAR 2013-2014 FOR THE GARDEN GROVE TOURISM IMPROVEMENT DISTRICT, FIXING THE TIME AND PLACE OF PUBLIC HEARING THEREON AND GIVING NOTICE THEREOF, be and hereby is adopted.

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

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.

Ordinance No. 2830 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 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

Following the reading of the Ordinance title, it was moved by Council Member Beard, seconded by Council Member Nguyen, and carried by unanimous vote of those present that Ordinance No. 2830, be and hereby is declared adopted.

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

Staff provided information on the recent accidents at the Lampson Avenue/Manley Street intersection.

Council Member Beard announced the upcoming seminar on Living with Coyotes on Tuesday, June 18, 2013, at 6:00 p.m., at the Garden Grove Community Meeting Center; and Atlantis Play Center's 50th Anniversary celebration Saturday, June 15, 2013, from Noon to 4:00 p.m.

Council Member Nguyen announced the Anniversary celebration being held in the city of Westminster this Saturday, June 15, 2013, at 2:00 p.m. at the Asian Garden Mall; and spoke in support of Juneteenth celebrations and the Garden Grove Neighborhood Association upcoming meeting.

Council Member Phan stated that he would be participating in the Red Cross Blood Drive on Sunday, June 23, 2013, from 10:00 a.m. to 4:00 p.m., at the Union Bank at 13952 Brookhurst Street, Westminster; and announced the upcoming event at the Vietnam War Memorial, Sunday, June 16, 2013, at 11:00 a.m.

Council Member Jones encouraged everyone to attend Atlantis Play Center's 50th Anniversary celebration this Saturday, June 15, 2013, from Noon to 4:00 p.m.

Mayor Broadwater announced that he recently officiated over his first marriage ceremony.

Mayor Broadwater offered his condolences to the Morales Family on the passing of Armando Morales, long-time employee of the City of Garden Grove.

ADJOURNMENT

At 8:35 p.m., the meeting was declared adjourned in memory of Armando Morales to Tuesday, June 25, 2013.

KATHLEEN BAILOR, CMC
CITY CLERK