

ADJOURNMENT

At 8:44 p.m., the meeting was adjourned.

Kathleen Bailor, CMC
Secretary

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, September 10, 2013

Community Meeting Center
11300 Stanford Avenue, Garden Grove, CA 92840

CONVENE MEETING

At 5:32 p.m., Mayor Broadwater convened the meeting in the Council Chamber.

ROLL CALL PRESENT: (4) Mayor Broadwater, Council Members Beard,
Jones, Phan

ABSENT: (1) Council Member Nguyen absent at Roll Call,
but joined the meeting at 5:35 p.m.

Mayor Broadwater announced that the City Council was going into Closed Session on two matters. The first matter is the pending litigation matter of Johnson v. Garden Grove. The second matter is a threat of litigation by The Union of Vietnamese Student Associations regarding the Tet Festival.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9(d)(1)
Johnson v. Garden Grove

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9 (d)(2) (One potential case)

ORAL COMMUNICATIONS ON CLOSED SESSION MATTERS

Speakers: None.

CONVENE IN CLOSED SESSION

At 5:35 p.m., Mayor Broadwater, with all Council Members present, adjourned to the Founders Room for Closed Session.

ADJOURN CLOSED SESSION

At 6:43 p.m., Mayor Broadwater adjourned the Closed Session.

CONVENE OPEN SESSION

At 6:52 p.m., Mayor Broadwater convened the meeting in the Council Chamber.

ROLL CALL PRESENT: (5) Mayor Broadwater, Council Members Beard, Jones, Nguyen, Phan

 ABSENT: (0) None

Mayor Broadwater announced that there was no reportable actions taken on the previously disclosed Closed Session matters.

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES

Invocation: Susan Emery, Community Development Director

Pledge: Council Member Phan

PRESENTATIONS

Community Spotlight: Recognition of the 2013 Garden Grove Chamber of Commerce Man and Woman of the Year, John Smalley and Stacy Margolin. (F: 52.3)

Presentation: Donation from Target Stores to the City's Police Department. (F: 52.3)

Postponed.

ORAL COMMUNICATIONS (Held simultaneously with the Successor Agency Oral Communications.)

Speakers: Charles Mitchell, Teresa Mathany, German Santos, and Peter Katz; Request by the Garden Grove Community Arts Society Ray Gibb, Josh McIntosh; Tet Festival Contract: Arlene H, Dennis Nguyen, Neil Nguyen, Joe Blash, Tiffany Nguyen-Lieu, Luong Phan, Tracy Pham, Uc Nguyen, Dan Jacobson, Thanh Hien Tran, Jason Doan

Council Member response to Public Comments:

The Mayor and Council Members supported the past efforts of The Union of Vietnamese Student Associations (UVSA) to operate a Tet Festival in the city. Two issues raised that affect a future decision on a

contract for the 2014 Tet Festival were: 1.) the City's direct costs of hosting the festival be paid by UVSA; and 2.) the audits for the previous four Tet Festivals be provided to the City, per the requirement in the current contract.

RECESS

At 8:25 p.m., Mayor Broadwater declared a recess.

RECONVENE

At 8:41 p.m., Mayor Broadwater reconvened the meeting with all Council Members present.

WRITTEN COMMUNICATIONS - REQUEST FROM THE GARDEN GROVE COMMUNITY ARTS SOCIETY FOR THE USE OF THE GEM THEATER FOR THE 2013 INDIE FEST USA EVENT (F: 88.1)

Postponed.

PROJECT NO. 7230 - MEDIAN INSTALLATION ON LAMPSON AVENUE, WEST OF VALLEY VIEW STREET TO KNOTT AVENUE, GARDEN GROVE (F: 96.proj.7230)

It was moved by Council Member Nguyen, seconded by Council Member Beard that:

Project No. 7230 – Median Installation on Lampson Avenue project be accepted as complete; and the Mayor be authorized to execute the Notice of Completion of Public Works Improvement and Work; and

The Finance Director be authorized to release the retention payment when appropriate to do so.

The motion carried by a 5-0 vote as follows:

Ayes: (5) Beard, Broadwater, Jones, Nguyen, Phan
Noes: (0) None
Absent: (0) None

PROJECT NO. 7237 - ARTERIAL/RESIDENTIAL STREET REHABILITATIONS AT WESTMINSTER AVENUE (BUSHARD STREET TO BROOKHURST STREET); CLINTON STREET (TRASK AVENUE TO WESTMINSTER AVENUE); CHAPMAN AVENUE (9TH STREET TO WEST STREET); TRASK AVENUE (HARBOR BOULEVARD TO THE SR 22 FREEWAY ON-RAMP); AND RESIDENTIAL STREETS NORTH OF CHAPMAN AVENUE, GARDEN GROVE (F: 96.proj.7237)

It was moved by Council Member Nguyen, seconded by Council Member Beard that:

Project No. 7237 – Arterial/Residential Street Rehabilitations at Westminster Avenue (Bushard Street to Brookhurst Street); Clinton Street (Trask Avenue to Westminster Avenue); Chapman Avenue (9th Street to West Street); Trask Avenue (Harbor Boulevard to the SR 22 Freeway on-ramp); and residential streets north of Chapman Avenue be accepted as complete, and the Mayor be authorized to execute the Notice of Completion of Public Works Improvement and Work, and

The Finance Director be authorized to release the retention payment when appropriate to do so.

The motion carried by a 5-0 vote as follows:

Ayes: (5) Beard, Broadwater, Jones, Nguyen, Phan
Noes: (0) None
Absent: (0) None

LOCAL ASSISTANCE LAW ENFORCEMENT FUNDS FROM THE CALIFORNIA BOARD OF STATE AND COMMUNITY CORRECTIONS (F: 82.15)

It was moved by Council Member Nguyen, seconded by Council Member Beard that:

The Local Assistance law enforcement funds from the California Board of State and Community Corrections (BSCC), in the amount of \$94,367.48, be accepted; and

The allocation of these funds be authorized to be used at the Police Department for front-line law enforcement services.

The motion carried by a 5-0 vote as follows:

Ayes: (5) Beard, Broadwater, Jones, Nguyen, Phan
Noes: (0) None
Absent: (0) None

RESOLUTION INITIATING THE FALL 2013 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: 113.1.fall)

It was moved by Council Member Nguyen, seconded by Council Member Beard that:

Resolution No. 9202-13 - 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 adopted; and

Staff be directed to proceed with the weed abatement process as required under Government Code Section 39500 et seq, which also requires mailing of written Weed Abatement Notices to property owners as listed in the last Equalized Assessment Roll and as officially identified in Exhibit A to the Resolution, dated September 10, 2013.

The motion carried by a 5-0 vote as follows:

Ayes: (5) Beard, Broadwater, Jones, Nguyen, Phan
Noes: (0) None
Absent: (0) None

AMENDMENT NO. 3 TO THE AGREEMENT WITH THE ORANGE COUNTY
TRANSPORTATION AUTHORITY FOR THE M2 COMPREHENSIVE TRANSPORTATION
FUNDING PROGRAM (F: 23.18C)

It was moved by Council Member Nguyen, seconded by Council Member Beard that:

Amendment No. 3 to the Orange County Transportation Authority's Master Funding Agreement for the Comprehensive Transportation Funding Program be approved;
and

The Mayor be authorized to execute Amendment No. 3 to the Orange County Transportation Authority's Master Funding Agreement for the Comprehensive Transportation Funding Program, excluding any minor modifications as appropriate.

The motion carried by a 5-0 vote as follows:

Ayes: (5) Beard, Broadwater, Jones, Nguyen, Phan
Noes: (0) None
Absent: (0) None

WARRANTS (F: 60.5)

It was moved by Council Member Nguyen, seconded by Council Member Beard that:

The Regular Warrants 550604 through 550766, and 550767 through 551489; Wire W117; and Direct Deposits W550766 through W551488 be approved as presented in the warrant register submitted, and have been audited for accuracy and funds are available for payment thereof by the Finance Director; and

The Payroll Warrants 174730 through 174830; Direct Deposits D245904 through DD246571; and Wires W1946 through W1949; be approved as presented in the payroll register submitted, and have been audited for accuracy and funds are available for payment thereof by the Finance Director.

The motion carried by a 5-0 vote as follows:

Ayes: (5) Beard, Broadwater, Jones, Nguyen, Phan
Noes: (0) None
Absent: (0) None

ALLOCATE FUNDS FOR THE DEMOLITION AND SITE CLEARANCE LOCATED AT 12291 AND 12311 HARBOR BOULEVARD, AND 12292 AND 12312 THACKERY DRIVE, GARDEN GROVE (F: A-116.6)

It was moved by Council Member Nguyen, seconded by Council Member Beard that:

The Finance Director be authorized to allocate sixty-one thousand, five hundred seventy-four dollars (\$61,574.00) from Package 8850 (Economic Development) for Fiscal Year 2013-2014 for demolition activities at 12291 and 12311 Harbor Boulevard, and 12292 and 12312 Thackery Drive, Garden Grove.

The motion carried by a 5-0 vote as follows:

Ayes: (5) Beard, Broadwater, Jones, Nguyen, Phan
Noes: (0) None
Absent: (0) None

PUBLIC HEARING - ACCEPTANCE OF FISCAL YEAR 2012-13 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) AND SUBMISSION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) (F: 117.10D)

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.

It was moved by Council Member Beard, seconded by Council Member Nguyen that:

The 2012-13 Consolidated Annual Performance and Evaluation Report (CAPER) be accepted; and staff be directed to transmit the report to the U.S. Department of Housing and Urban Development (HUD).

The motion carried by a 5-0 vote as follows:

Ayes: (5) Beard, Broadwater, Jones, Nguyen, Phan
Noes: (0) None
Absent: (0) None

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

The Mayor and Council Members spoke in recognition of the anniversary of the attack on 9-11, the victims, the families, and the effect on our Country.

Council Member Beard commented on the City's Housing Element approved by the State.

Council Member Nguyen encouraged residents to continue to buy in Garden Grove.

Council Member Jones encouraged the residents to provide input on the Re:Imagine Downtown, a community effort to take the good parts of Downtown Garden Grove and tie them together. The survey can be accessed on the City's website.

Mayor Broadwater requested that staff set a meeting with Ray Gibb, of the Garden Grove Community Arts Society, for the use of the Gem Theater for a film festival. Council Member Beard requested to be included in the meeting.

ADJOURNMENT

At 8:52 p.m., the meeting was adjourned in memory of Cal Worthington and James Hassell.

Kathleen Bailor, CMC
City Clerk