

## 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, on Tuesday, July 25, 2006, at 6:25 p.m.

ROLL CALL: PRESENT: (3) PRESIDENT DALTON, MEMBERS KREBS,  
NGUYEN

ABSENT: (2) MEMBER LEYES, VICE PRESIDENT ROSEN  
(Member Leyes joined the meeting at  
6:37 p.m.)

#### PUBLIC INPUT ON CLOSED SESSION ITEM

There was no input from the public concerning the Closed Session item.

#### ADJOURN TO CLOSED SESSION

At 6:27 p.m., under the Ralph M. Brown Act, the President announced that the meeting was being adjourned to Closed Session in the Founders Room to discuss the following:

#### **CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a) - Pending Litigation [Litigation to which local agency is a party and has been initiated formally.]**

Sanitation District Board of Directors closed session to confer with Litigation Counsel regarding pending litigation: *RD Golf Center Company, LLC vs. Garden Grove Sanitary District; the City of Garden Grove; Matthew Fertal; the Garden Grove Agency for Community Development; Atrium Plaza, LLC; Flamingo Street, LLC; Landmark Companies, LLC; Rigg Hotel; Garden Grove Lodging, LLC; Harbor Suites, LLC; Buca Incorporated; and Does 1-10, Inclusive*, Pending in Orange County Superior Court (OCSC), Case No. 04CC12195, filed December 15, 2004.

MEMBER LEYES JOINED THE MEETING AT 6:37 P.M.

RECESS

At 6:53 p.m., the President declared a recess.

RECONVENE IN OPEN SESSION

At 7:04 p.m., the meeting was reconvened in the Council Chamber with President Dalton and Members Krebs, Leyes, and Nguyen in attendance, and it was announced that the previously disclosed item was discussed and that no reportable action was taken.

RECESS

At 7:05 p.m., the President declared a recess.

RECONVENE

At 7:10 p.m., the meeting was reconvened with President Dalton and Members Krebs, Leyes, and Nguyen in attendance.

ORAL COMMUNICATIONS – PUBLIC

There were no oral communications relevant to the Sanitary District.

RECESS

At 7:25 p.m., the President declared a recess.

RECONVENE

At 7:50 p.m., the meeting was reconvened with President Dalton and Members Krebs, Leyes, and Nguyen in attendance.

STATUS REPORT ON THE SANITARY DISTRICT OPERATIONS WITHIN THE CITY (F: S-128.3)

Staff report dated July 25, 2006, was introduced, reviewing the status of the Garden Grove Sanitary District activities from mid-June through mid-July, 2006.

It was moved by Member Krebs, seconded by Member Leyes, and carried by unanimous vote of those present, that the Status Report on the Sanitary District activities within the city from mid-June through mid-July, 2006, be and hereby is received and ordered filed.

FIRST AMENDMENT TO GOLF PRACTICE CENTER LEASE AGREEMENT WITH  
RD GOLF CENTER COMPANY, LLC, LOCATED AT 12261 CHAPMAN AVENUE.  
(F: S-55.4)

Staff report dated July 25, 2006, was introduced.

It was moved by Member Krebs, seconded by Member Leyes, and carried by unanimous vote of those present, that the First Amendment to the Golf Practice Center Lease Agreement by and between the Garden Grove Sanitary District and RD Golf Center Company, LLC, be and hereby is approved; and the President and Secretary are authorized to execute the agreement.

MINUTES (F: Vault)

Member Nguyen announced that she would abstain from voting on the June 27, 2006, Minutes inasmuch as she did not attend that meeting.

Member Krebs moved, seconded by Member Leyes, that the Minutes of the Regular Meeting of the Sanitary District held June 27, 2006, be and hereby are approved. Said motion carried by the following vote:

AYES:	MEMBERS:	(3)	DALTON, LEYES, KREBS
NOES:	MEMBERS:	(0)	NONE
ABSENT:	MEMBERS:	(1)	ROSEN
ABSTAIN:	MEMBERS:	(1)	NGUYEN

It was moved by Member Krebs, seconded by Member Leyes, and carried by unanimous vote of those present, that the Minutes of the Adjourned Regular Meeting of the Sanitary District held July 11, 2006, be and hereby are approved.

ADJOURNMENT

At 7:52 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR  
DEPUTY SECRETARY