

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 8, 2010, at 6:34 p.m.

ROLL CALL: PRESENT: (5) MAYOR DALTON, COUNCIL MEMBERS
BROADWATER, DO, JONES, NGUYEN

ABSENT: (0) NONE

INVOCATION AND PLEDGE

Keith Jones, Public Works Director, gave the Invocation. Council Member Jones led the Pledge of Allegiance to the Flag of the United States of America.

STUDY SESSION - PROPOSED BUDGET FOR FISCAL YEAR 2010-11 (F: 34.1)

This matter was considered later in the meeting.

PRESENTATION - COMMUNITY SPOTLIGHT (F: 52.3)

Mayor Dalton called forward Lorne Clark and Charlene Conney, 2010 Volunteer Man and Woman of the Year, and Strawberry Ball King and Queen, and presented each with a Certificate of Recognition and memento in recognition of being exceptional role models through their commitment and service benefiting the community.

PRESENTATION - SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) (F: 52.3)

Philip Law, SCAG Corridors Program Manager, provided information on the Pacific Electric Right of Way/West Santa Ana Branch Corridor Alternatives Analysis Transit Study.

PRESENTATION - ORANGE COUNTY TRANSPORTATION AUTHORITY (F: 52.3) (XR: 23.18)

Tamara Warren, OCTA Representative, provided an update on the Central County Corridor Major Investment Study.

PROCLAMATION RECOGNIZING JUNE 19, 2010, AS OVERSEAS VIETNAMESE VETERANS OF THE REPUBLIC OF SOUTH VIETNAM DAY OF REMEMBRANCE (F: 83.1)

It was moved by Council Member Broadwater, seconded by Council Member Nguyen, and carried by unanimous vote that June 19, 2010, be and hereby is recognized as Overseas Vietnamese Veterans of the Republic of South Vietnam Day of Remembrance in Garden Grove.

ORAL COMMUNICATIONS – PUBLIC COMMENTS

Representatives from KBC Hai Ngoai expressed their appreciation for the City Council's recognition of June 19, as Overseas Vietnamese Veterans of the Republic of South Vietnam Day of Remembrance.

Bob Main spoke in opposition to the Statewide Ballot Measure requiring voter approval before local governments can start up or expand electric service.

David Lautherboren and Robin Marcario expressed sorrow on the passing of Bob Owens, and commented on Mr. Owens' contributions to the community.

Charles Mitchell commented on the primary election and how school districts were created. He inquired as to the need of additional construction at the intersection of Westminster Avenue and Newland Street. The Mayor asked staff to provide a status on the construction project at the intersection of Westminster Avenue and Newland Street.

ORAL COMMUNICATIONS - COUNCIL MEMBER COMMENTS

Council Member Broadwater agreeing with Mr. Main spoke in opposition to the Statewide Ballot Measure requiring voter approval before local governments can start up or expand electric service.

Mayor Dalton cautioned voters to read the propositions thoroughly; depending on how a proposition is written, 'yes' does not always mean what the voter might think.

RECESS

At 7:14 p.m., the Mayor declared a recess.

RECONVENE

At 7:18 p.m., Mayor Dalton reconvened the City Council meeting with all Council Members present.

RESOLUTION COMMENDING LORNE CLARK AND CHARLENE CONNEY FOR BEING NAMED 2010 GARDEN GROVE STRAWBERRY BALL KING AND QUEEN
(F: 52.2)

It was moved by Council Member Broadwater, seconded by Mayor Dalton, and carried by unanimous vote that the Resolution acknowledging and commending this year's Garden Grove's Senior Volunteers of the Year, Lorne Clark and Charlene Conney, be and hereby is approved.

PROCLAMATION RECOGNIZING JUNE 19, 2010, AS OVERSEAS VIETNAMESE VETERANS OF THE REPUBLIC OF SOUTH VIETNAM DAY OF REMEMBRANCE
(F: 83.1)

This matter was considered earlier in the meeting.

AGREEMENT WITH JOHN HUGHES AND SHEILA BEHRENS FOR PROPERTY EXCHANGE OF A PORTION OF REAL PROPERTY LOCATED AT 11762 LORALEEN STREET, GARDEN GROVE (F: 84.1) (XR: 43.4)

Staff report dated June 8, 2010, was introduced.

It was moved by Council Member Broadwater, seconded by Mayor Dalton, and carried by unanimous vote that the Agreement for Reciprocal Conveyance of Real Property and Escrow Instructions by and between the City of Garden Grove and John G. Hughes and Sheila M. Behrens, for the exchange of approximately 1,800 square feet of real property generally located at 11762 Loreleen Street, Garden Grove, be and hereby is approved; and the City Manager is, on behalf of the City, authorized to execute the agreement and any other pertinent documents to effectuate the agreement.

ADOPTION OF RENEWED MEASURE M SEVEN-YEAR CAPITAL IMPROVEMENT PROGRAM (CIP), AND RESOLUTION INDICATING COMPLIANCE WITH THE MASTER PLAN OF ARTERIAL HIGHWAYS (MPAH) (F: 23.18C)

Staff report dated June 8, 2010, was introduced.

It was moved by Council Member Broadwater, seconded by Mayor Dalton, and carried by unanimous vote that the Measure M Seven-Year Capital Improvement Program (CIP) be and hereby is adopted, that full reading of Resolution No. 8977-10 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

GARDEN GROVE CONCERNING THE CONSISTENCY OF THE CITY OF GARDEN GROVE CIRCULATION ELEMENT WITH THE MASTER PLAN OF ARTERIAL HIGHWAYS, be and hereby is adopted; and the Public Works Director is authorized to certify compliance with OCTA's Maintenance of Effort requirements.

AWARD OF CONTRACT TO TETRA TECH FOR ENGINEERING SERVICES FOR FIRE FLOW WATER IMPROVEMENTS PROJECT NO. FF04 (F: 55) (XR: 24.11)

Staff report dated June 8, 2010, was introduced.

It was moved by Council Member Broadwater, seconded by Mayor Dalton, and carried by unanimous vote that the contract for professional engineering services for Project No. FF04 - Fire Flow Water Improvements, in the amount of \$167,314, be and hereby is awarded to Tetra Tech; and the City Manager is authorized to execute the agreement on behalf of the City.

RESOLUTIONS CONCERNING THE NOVEMBER 2, 2010, GENERAL MUNICIPAL ELECTION (F: 58.2)

Staff report dated June 8, 2010, was introduced.

RESOLUTION NO. 8978-10

It was moved by Council Member Broadwater, seconded by Mayor Dalton, and carried by unanimous vote that full reading of Resolution No. 8978-10, be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2010, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES, be and hereby is adopted.

RESOLUTION NO. 8979-10

It was moved by Council Member Broadwater, seconded by Mayor Dalton, and carried by unanimous vote that full reading of Resolution No. 8979-10, be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2010, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE, be and hereby is adopted.

RESOLUTION NO. 8980-10

It was moved by Council Member Broadwater, seconded by Mayor Dalton, and carried by unanimous vote that full reading of Resolution No. 8980-10, be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2010, be and hereby is adopted.

RESOLUTION NO. 8981-10

It was moved by Council Member Broadwater, seconded by Mayor Dalton, and carried by unanimous vote that full reading of Resolution No. 8981-10, be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, PROVIDING FOR THE CONDUCT OF A SPECIAL RUNOFF ELECTION FOR ELECTIVE OFFICES IN THE EVENT OF A TIE VOTE AT ANY MUNICIPAL ELECTION, be and hereby is adopted.

MINUTES (F: Vault)

It was moved by Council Member Broadwater, seconded by Mayor Dalton, and carried by unanimous vote that the City Council minutes for the Regular Meetings held April 13, 2010; April 27, 2010; and May 11, 2010; Study Session held April 13, 2010; and Special Meeting held May 11, 2010, be and hereby are received and filed.

WARRANTS (F: 60.5)

It was moved by Council Member Broadwater, seconded by Mayor Dalton, and carried by unanimous vote that Regular Warrants 471334 through 472904, Wires W626 through W459762, Wires W631 through W634, and Wires W471899 through W472850, 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 LISTED

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

INITIATION OF PROCEEDINGS FOR THE LEVYING OF FY 2010-2011 ASSESSMENTS FOR THE GARDEN GROVE STREET LIGHTING DISTRICT, STREET LIGHTING DISTRICT NO. 99-1, AND THE PARK MAINTENANCE DISTRICT (F: 69.1) (XR: 73.1) (XR: 24.11)

Staff report dated June 8, 2010, was introduced and reviewed by staff.

RESOLUTION NO. 8982-10

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that full reading of Resolution No. 8982-10, be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 (SECTIONS 22500 ET SEQ. OF THE CALIFORNIA STREETS AND HIGHWAYS CODE) INITIATING PROCEEDINGS TO LEVY ANNUAL ASSESSMENTS FOR THE 2010-11 FISCAL YEAR FOR THE CITY OF GARDEN GROVE STREET LIGHTING DISTRICT AND ORDERING THE CITY ENGINEER TO PREPARE AND FILE A REPORT IN ACCORDANCE WITH ARTICLE 4 OF CHAPTER 1 OF SAID ACT, be and hereby is adopted.

RESOLUTION NO. 8983-10

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that full reading of Resolution No. 8983-10, be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 (SECTIONS 22500 ET SEQ. OF THE CALIFORNIA STREETS AND HIGHWAYS CODE) INITIATING PROCEEDINGS TO LEVY ANNUAL ASSESSMENTS FOR THE 2010-11 FISCAL YEAR FOR THE CITY OF GARDEN GROVE STREET LIGHTING DISTRICT NO. 99-1 AND ORDERING THE CITY ENGINEER TO PREPARE AND FILE A REPORT IN ACCORDANCE WITH ARTICLE 4 OF CHAPTER 1 OF SAID ACT, be and hereby is adopted.

RESOLUTION NO. 8984-10

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that full reading of Resolution No. 8984-10, be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 (SECTIONS 22500 ET SEQ. OF THE CALIFORNIA STREETS AND HIGHWAYS CODE) INITIATING PROCEEDINGS TO LEVY ANNUAL ASSESSMENTS FOR THE 2010-11 FISCAL YEAR FOR THE CITY OF

GARDEN GROVE PARK MAINTENANCE DISTRICT AND ORDERING THE CITY ENGINEER TO PREPARE AND FILE A REPORT IN ACCORDANCE WITH ARTICLE 4 OF CHAPTER 1 OF SAID ACT, be and hereby is adopted.

RESOLUTION NO. 8985-10

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that full reading of Resolution No. 8985-10, be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING THE ENGINEER'S REPORTS REGARDING THE LEVY OF AN ANNUAL ASSESSMENT WITHIN THE CITY OF GARDEN GROVE STREET LIGHTING DISTRICT, CITY OF GARDEN GROVE STREET LIGHTING DISTRICT NO. 99-1, AND THE CITY OF GARDEN GROVE PARK MAINTENANCE DISTRICT FOR FISCAL YEAR 2010-11, be and hereby is adopted.

RESOLUTION NO. 8986-10

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that full reading of Resolution No. 8986-10, be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 (SECTIONS 22500 ET SEQ. OF THE CALIFORNIA STREETS AND HIGHWAYS CODE) DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE CITY OF GARDEN GROVE STREET LIGHTING DISTRICT FOR FISCAL YEAR 2010-11 AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING ON THE LEVY OF THE PROPOSED ASSESSMENTS, be and hereby is adopted.

RESOLUTION NO. 8987-10

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that full reading of Resolution No. 8987-10, be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 (SECTIONS 22500 ET SEQ. OF THE CALIFORNIA STREETS AND HIGHWAYS CODE) DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE CITY OF GARDEN GROVE STREET LIGHTING DISTRICT 99-1 FOR FISCAL YEAR 2010-11 AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING ON THE LEVY OF THE PROPOSED ASSESSMENTS, be and hereby is adopted.

RESOLUTION NO. 8988-10

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that full reading of Resolution No. 8988-10, be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 (SECTIONS 22500 ET SEQ. OF THE CALIFORNIA STREETS AND HIGHWAYS CODE) DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE CITY OF GARDEN GROVE PARK MAINTENANCE DISTRICT FOR FISCAL YEAR 2010-11 AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING ON THE LEVY OF THE PROPOSED ASSESSMENTS, be and hereby is adopted.

AWARD OF CONTRACT TO R.J. NOBLE COMPANY INC. FOR THE FAIRVIEW STREET/TRASK AVENUE INTERSECTION IMPROVEMENT PROJECT NO. 7255 (F: 96.proj.7255) (XR: 24.11)

Staff report dated June 8, 2010, was introduced and reviewed by staff.

It was moved by Council Member Do, seconded by Council Member Jones, and carried by unanimous vote that the contract for the construction of Project No. 7255 – Fairview Street/Trask Avenue Intersection Improvements, in the amount of \$499,433.25, be and hereby is awarded to R.J. Noble Company Inc.; and the City Manager is authorized to execute the agreement on behalf of the City.

AWARD OF CONTRACT TO R.J. NOBLE COMPANY INC. FOR THE BROOKHURST STREET/GARDEN GROVE BOULEVARD INTERSECTION IMPROVEMENTS PROJECT NO. 7265 (F: 96.proj.7265) (XR: 24.11)

Staff report dated June 8, 2010, was introduced and reviewed by staff.

It was moved by Council Member Nguyen, seconded by Council Member Do, and carried by unanimous vote that the contract for the construction of Project No. 7265 – Brookhurst Street/Garden Grove Boulevard Intersection Improvements, in the amount of \$390,255.50, be and hereby is awarded to R.J. Noble Company Inc.; and the City Manager is authorized to execute the agreement on behalf of the City.

AWARD OF CONTRACT TO MOORE ELECTRICAL CONTRACTING, INC. FOR PHASE II OF THE FIBER OPTIC INTERCONNECT SYSTEM AND TRAFFIC MANAGEMENT CENTER TENANT IMPROVEMENT PROJECT NO. 7243 (F: 96.proj.7243) (XR: 24.11)

Staff report dated June 8, 2010, was introduced and reviewed by staff.

It was moved by Council Member Jones, seconded by Council Member Nguyen, and carried by unanimous vote that the contract for the construction of Project No. 7243 – Phase II of the Fiber Optic Interconnect System and Traffic Management Center Tenant Improvement Project, in the amount of \$3,703,121, be and hereby is awarded to Moore Electrical Contracting, Inc.; and the City Manager is authorized to execute the agreement on behalf of the City.

FIRST AMENDMENTS TO AFFORDABLE HOUSING AGREEMENTS WITH TAMERLANE ASSOCIATES, LLC (F: 117.16Q-V, X & Y)

Staff report dated June 8, 2010, was introduced and reviewed by staff.

It was moved by Council Member Broadwater, seconded by Council Member Jones, and carried by unanimous vote that the eleven First Amendments to the Affordable Housing Loan Agreements by and between the City of Garden Grove and Tamerlane Associates, LLC to extend the City's terms to repurchase the properties from the Owner (Option Terms) and amend the definitions of the repurchase prices for the properties (Option Prices), be and hereby is approved; and the City Manager is authorized to execute the agreements on behalf of the City and all other documents necessary to implement the agreements.

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

Council Member Broadwater offered his condolences to the Owens' family.

Council Member Nguyen offered her condolences to the Owens' family; announced that housing applications will be accepted from July 1 through July 31, 2010; and encouraged everyone to buy in Garden Grove.

Council Member Jones offered his condolences to the Owens' family.

Mayor Dalton offered his condolences to the Owens' family, and stated he would be adjourning the meeting in memory of Robert "Bob" Owens.

STUDY SESSION - PROPOSED BUDGET FOR FISCAL YEAR 2010-11 (F: 34.1)

Staff recapped the City's efforts over the past two fiscal years to address the City's budget constraints due to the economic downturn. Additionally, a synopsis was provided of the challenges faced, and the strategies used to develop a balanced budget for Fiscal Year 2010-11, for the City Council's consideration.

ADJOURN TO CLOSED SESSION

At 8:11 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 REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: 12471 Harbor Boulevard, Garden Grove

City's Negotiator: Chet Yoshizaki, Economic Development Director

Negotiating Parties: Inge Realty Company

Under Negotiation: To obtain direction regarding the price and terms for potential acquisition of an easement over real property.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: 12521 Harbor Boulevard, Garden Grove

City's Negotiator: Chet Yoshizaki, Economic Development Director

Negotiating Parties: Paul Nikolau and Joyce Nikolau as Trustees of the Nikolau Living Trust dated September 13, 2005

Under Negotiation: To obtain direction regarding the price and terms for potential acquisition of an easement over real property.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: 12494 Harbor Boulevard, Garden Grove

City's Negotiator: Chet Yoshizaki, Economic Development Director

Negotiating Parties: Hugo J. Martinez and Mariam C. Martinez

Under Negotiation: To obtain direction regarding the price and terms for potential acquisition of an easement over real property.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: 9038 Trask Avenue, Garden Grove

City's Negotiator: Chet Yoshizaki, Economic Development Director

Negotiating Parties: In-N-Out Burger Inc.

Under Negotiation: To obtain direction regarding the price and terms for potential acquisition of an easement over real property.

RECONVENE IN OPEN SESSION

At 8:37 p.m., Mayor Dalton reconvened the meeting in the Council Chamber with all Council Members present.

It was announced that the previously disclosed items were discussed and no reportable action was taken.

ADJOURNMENT

At 8:38 p.m., the meeting was declared adjourned in memory of Robert "Bob" Owens.

KATHLEEN BAILOR
CITY CLERK

MINUTES

GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT

A Regular Meeting of 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 8, 2010, at 7:01 p.m.

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

ABSENT: (0) NONE

ORAL COMMUNICATIONS

None.

RENEWAL OF AGREEMENT WITH GARDEN GROVE CHAMBER OF COMMERCE
FOR AMBASSADOR BUSINESS RETENTION BUREAU SERVICES (F: A-55.150)
(XR: 43.4)

Staff report dated June 8, 2010, was introduced.

It was moved by Member Jones, seconded by Member Nguyen, and carried by unanimous vote that the two-year Agreement by and between the Garden Grove Agency for Community Development and the Garden Grove Chamber of Commerce to administer the Ambassador Business Retention Bureau (ABRB), in the amount of \$44,100 per year, be and hereby is approved; and the Director is authorized to execute the pertinent documents on behalf of the Agency when appropriate to do so.

MINUTES (F: Vault)

It was moved by Member Jones, seconded by Member Nguyen, and carried by unanimous vote that the Agency minutes for the Regular Meetings held April 13, 2010; April 27, 2010; and May 11, 2010; be and hereby are received and filed.

ADJOURNMENT

At 7:15 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR
SECRETARY