

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, June 27, 2017

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

CONVENE MEETING

At 6:41 p.m., Mayor Jones convened the meeting in the Council Chamber.

ROLL CALL PRESENT: (7) Mayor Jones, Council Members Beard,
O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen

ABSENT: (0) None

INVOCATION

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

COMMUNITY SPOTLIGHT: RECOGNITION OF 7 LEAVES CAFÉ FOR WINNING THE
2017 FAMILY-OWNED BUSINESS OF THE YEAR AWARD (F: 52.3)

RECOGNITION OF THE MEMBERS OF THE ALBERT E. SCHWAB AMERICAN LEGION
POST 555 FOR HONORING THE TRADITION OF COMMEMORATING AND HELPING
VETERANS (F: 52.3)

ORAL COMMUNICATIONS

Speakers: Charles Mitchell

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

Council Member Klopfenstein announced that the Orange County Vector Control will have a booth that includes a 13 foot inflatable mosquito on Main Street during the Garden Grove Classic Car show on Friday, June 30, 2017, at 4:00 p.m. The purpose is to educate the public on mosquitoes and how to mitigate and protect themselves from illness. She noted that there has been a confirmed report of the West Nile Virus from a mosquito found in La Habra, and she urged residents to be

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

Fiscal Year 2017/18 Measure M2 Seven-Year Capital Improvement Plan, be approved; and

Resolution No. 9434-17 entitled: A Resolution of the City Council of the City of Garden Grove concerning the status and update of the Circulation Element, Local Signal Synchronization Plan, and Mitigation Fee Program for the Measure M (M2) Program, be adopted.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

AWARD OF CONTRACT TO RUSS BASSET CORPORATION FOR THE PURCHASE AND INSTALLATION OF COMMUNICATION CONSOLES FOR THE POLICE DEPARTMENT COMMUNICATIONS DIVISION (F: 55-Russ Basset Corporation)

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

The procurement and installation of communication consoles for the Police Department Communications Division consistent with the terms and conditions of CMAS (California Multiple Award Schedules) Contract No. 4-08-71-0077C, be authorized;

A contract be awarded to Russ Bassett Corporation in the amount of \$113,759.26; and

The City Manager be authorized to execute the agreement on behalf of the City and make minor adjustments as appropriate.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

APPROVAL OF AMENDMENT NO. 3 TO THE AGREEMENT WITH CABCO YELLOW, INC., FOR THE SENIOR MOBILITY PROGRAM (F: 55-Cabco Yellow, Inc.)

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

Amendment No. 3 to the Agreement with Cabco Yellow, Inc., for transportation services for the City's Senior Mobility Program at the H. Louis Lake Senior Center, in the amount not to exceed \$204,225 during Fiscal Year 2017/2018, be approved; and

The City Manager be authorized to execute Amendment No. 3 on behalf of the City, including making minor modifications as appropriate and necessary.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

ADOPTION OF RESOLUTIONS IMPLEMENTING TERMS AND CONDITIONS OF
EMPLOYMENT FOR MIDDLE MANAGEMENT AND CENTRAL MANAGEMENT
(F: 78.13B)(F: 78.13A)

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

Resolution No. 9435-17 entitled: A Resolution of the City Council of the City of Garden Grove establishing salaries, fringe benefits and exempting Middle Management Classifications from Municipal Code Section 2.44.390 and overtime, be adopted;

Resolution No. 9436-17 entitled: A Resolution of the City Council of the City of Garden Grove establishing salaries, fringe benefits and exempting Central Management Classifications from Municipal Code Section 2.44.390 and overtime, be adopted; and

The Salary Schedule be approved.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

RECEIVE AND FILE THE 2016 ANNUAL PROGRESS REPORT ON THE STATUS OF THE
GENERAL PLAN (F: 20.2)

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

The 2016 Annual Progress Report on the Status of the General Plan, be received and filed; and

Staff be authorized to transmit the annual Report to the Governor's Office of Planning and Research, and the Housing and Community Development.
The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

RECEIVE AND FILE MINUTES FROM THE MEETING HELD ON JUNE 13, 2017
(F: Vault)

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

The minutes from the meeting held on June 13, 2017, be received and filed.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

WARRANTS (F: 60.5)

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

Payroll Warrants 181269 through 181323; Direct Deposits D313638 through D314357; and Wires W2374 through W2377; 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

Regular Warrants 624494 through 624871; Wires W1883 through W622686; 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.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

APPROVAL TO WAIVE FULL READING OF ORDINANCES LISTED

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

Full reading of Ordinances listed be waived.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

PUBLIC HEARING - ADOPTION OF A RESOLUTION CONFIRMING THE GARDEN GROVE TOURISM IMPROVEMENT DISTRICT ADVISORY BOARD REPORT AND LEVYING AN ASSESSMENT FOR FISCAL YEAR 2017/2018 (F: 32.1)

Following staff's presentation, Mayor Jones declared the Public Hearing open and asked if anyone wished to address the City Council on the matter.

Speakers: None.

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

The City Clerk announced that there were no protests received.

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

Resolution No. 9437-17 entitled: A Resolution of the City Council of the City of Garden Grove confirming the Garden Grove Tourism Improvement District Advisory Board Report, and levying the assessment for the Garden Grove Tourism Improvement District for Fiscal Year 2017-18, be adopted.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

PUBLIC HEARING – ADOPTION OF A RESOLUTION APPROVING THE ANNUAL LEVY OF FISCAL YEAR 2017/18 FOR MAIN STREET ASSESSMENT DISTRICT NO. 1 (F: 34.1)

Following staff's presentation, Mayor Jones declared the Public Hearing open and asked if anyone wished to address the City Council on the matter.

Speakers: Charles Mitchell

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

In response to Charles Mitchell's concerns regarding donations and the Main Street Commission's authority with using funding for the assessment, Council Member Bui requested staff to ensure that the Main Street Commission adheres to the appropriate policy.

The City Clerk announced that there were no protests received.

It was moved by Council Member Klopfenstein, seconded by Council Member T. Nguyen that:

Resolution No. 9438-17 entitled: A Resolution of the City Council of the City of Garden Grove making determinations and confirming the diagram and assessments in the matter of Main Street Assessment District No. 1, be adopted.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

PUBLIC HEARING – ADOPTION OF RESOLUTIONS APPROVING THE ANNUAL LEVY OF FISCAL YEAR 2017/18 ASSESSMENTS FOR GARDEN GROVE STREET LIGHTING DISTRICT, GARDEN GROVE STREET LIGHTING DISTRICT NO. 99-1, AND GARDEN GROVE PARK MAINTENANCE DISTRICT (F: 69.2)

Following staff's presentation, Mayor Jones declared the Public Hearing for Garden Grove Street Lighting District No. 99-1, City of Garden Grove Street Lighting District, and Garden Grove Park Maintenance District open and asked if anyone wished to address the City Council on the matter.

Speakers: None

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

The City Clerk announced that no protests were received; therefore, there is not a majority protest for any of the three Districts.

It was moved by Council Member Bui, seconded by Council Member Klopfenstein that:

Resolution No. 9439-17 entitled: A Resolution of the City Council of the City of Garden Grove making determinations and confirming the diagram and assessment for 2017-18 Fiscal Year for the City of Garden Grove Street Lighting District, be adopted;

Resolution No. 9440-17 entitled A Resolution of the City Council of the City of Garden Grove making determinations and confirming the diagram and assessment for 2017-18 Fiscal Year for the City of Garden Grove Street Lighting District No. 99-1, be adopted; and

Resolution No. 9441-17 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 Fiscal Year 2017-18, be adopted.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

PUBLIC HEARING – ADOPTION OF A RESOLUTION ESTABLISHING AND AMENDING USER FEES FOR VARIOUS CITY SERVICES (F: 60.2A)

Following staff's presentation and City Council discussion, Mayor Jones declared the Public Hearing open and asked if anyone wished to address the City Council on the matter.

Speakers: None

With no response from the audience, Mayor Jones closed the Public Hearing.

It was moved by Council Member Bui, seconded by Council Member T. Nguyen that:

Resolution No. 9442-17 entitled: A Resolution of the City Council of the City of Garden Grove establishing and amending user fees for various City services, be adopted.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

PUBLIC HEARING – ADOPTION OF A RESOLUTION FOR THE FISCAL YEAR 2017/18 AND THE FISCAL YEAR 2018/19 PROPOSED BUDGETS (F: 34.1)

Following staff presentation and City Council discussion, Mayor Jones declared the

Public Hearing open and asked if anyone wished to address the City Council on the matter.

Speakers: Maureen Blackmun

With no further response from the audience, Mayor Jones closed the Public Hearing.

Council Member Beard recommended that the City Council form a budget subcommittee in order to develop objectives for solutions, sustainability, and revenue enhancements, to work with staff, and to report findings.

After further City Council discussion, it was moved by Council Member Bui, seconded by Mayor Jones that:

Resolution No. 9443-17 entitled: A Resolution of the City Council of the City of Garden Grove adopting basic services, cable services, grant services, water services, capital improvements, special assessments relating to Street Lighting, Main Street and Parking District, Tourism Improvement District, and Park Maintenance District Budgets for Fiscal Year 2017-18 and Fiscal Year 2018-19, be adopted;

Resolution No. 9444-17 entitled: A Resolution of the City Council of the City of Garden Grove adopting an appropriations limit for Fiscal Year 2017-18 implementing Article XIII B of the State Constitution pursuant to Section 7900 et seq. of the Government Code, be adopted;

Resolution No. 9445-17 entitled: A Resolution of the City Council of the City of Garden Grove appropriating fund balances as of June 30, 2017 to reserves for future year reappropriation, be adopted;

Resolution No. 9446-17 entitled: A Resolution of the City Council of the City of Garden Grove reappropriating certain Fiscal Year 2016-17 project balances and encumbrances for the Fiscal Year 2017-18, be adopted;

Resolution No. 9447-17 entitled: A Resolution of the City Council of the City of Garden Grove adopting the Garden Grove Housing Authority Budget for Fiscal Year 2017-18 and Fiscal Year 2018-19, be adopted;

\$1.5 million in General Fund funding for the Enterprise Resource Program be deferred for Fiscal Year 2018-19;

\$2.2 million from the Workers' Compensation Fund be transferred as a loan to the General Fund as a placeholder for Fiscal Year 2018-19;

A subcommittee to include Council Members Beard, O'Neill, and K. Nguyen to explore revenue opportunities be approved; and

Balancing measures in Fiscal Year 2018/19 for an early retirement plan, a five percent budget reduction excluding sworn personnel, and paramedic override tax adjustment, be approved.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

ADOPTION OF A RESOLUTION SETTING THE TIME AND DATE TO CONDUCT A PUBLIC HEARING TO INITIATE THE FORMATION OF UNDERGROUND UTILITY DISTRICT NO. 26 ON MAGNOLIA STREET FROM GARDEN GROVE BOULEVARD TO ORANGEWOOD AVENUE, GARDEN GROVE (F: 121.26)

Following staff presentation and City Council discussion; it was moved by Council Member Beard, seconded by Mayor Jones that:

Resolution No. 9448-17 entitled: A Resolution of the City Council of the City of Garden Grove calling for a Public Hearing to determine whether public necessity, health, safety, or welfare requires the formation of an underground utility district on Magnolia Street from Garden Grove Boulevard to Orangewood Avenue, Garden Grove, be adopted.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

SECOND READING AND ADOPTION, BY TITLE ONLY, OF ORDINANCE NO. 2884 (F: 60.11)

(As approved earlier in the meeting, it was moved by Council Member Beard, seconded by Council Member Bui, and approved by a 7-0 vote, that full reading of ordinances listed be waived.)

Following the reading of the title of Ordinance No. 2884 into the record, it was moved by Council Member Beard, seconded by Council Member O'Neill that:

Ordinance No. 2884 entitled: An Ordinance of the City Council of the City of Garden Grove establishing the amount of money for paramedic services that must be raised by an ad valorem tax override and the setting of the tax rate of said override, be adopted.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

MATTERS FROM THE MAYOR, CITY COUNCIL MEMBERS, AND CITY MANAGER
(Matters were heard earlier in the meeting and were continued.)

CONSIDERATION OF CHANGE TO ILLUMINATED BOLSA AVENUE STREET NAME
SIGNS AS REQUESTED BY COUNCIL MEMBER T. NGUYEN AND MAYOR PRO TEM BUI
(F: 100.2)

Council Member T. Nguyen provided a report regarding the request to change two illuminated street name signs to include "Dai Lo Tran Hung Dao" under "Bolsa Avenue" located at the intersections of Bolsa Avenue and Ward Street and Bolsa Avenue and Bushard Street to match signs recently posted in the City of Westminster. The cost estimate to replace the signs is \$1,476.00, and the City of Westminster is offering to pay for the installation.

Council Member Beard questioned the necessity of changing the signs to match with the City of Westminster.

After further discussion, it was moved by Council Member T. Nguyen, seconded by Council Member Bui that:

Two illuminated Bolsa Avenue street name signs be changed to include "Dai Lo Tran Hung Dao" under "Bolsa Avenue" at the intersections of Bolsa Avenue and Ward Street and Bolsa Avenue and Bushard Street be approved; and

That Council Contingency funds be used to pay for the replacements.

The motion carried by a 6-1 vote as follows:

Ayes: (6) O'Neill, T. Nguyen, Bui, Klopfenstein, K. Nguyen,
Jones
Noes: (1) Beard

MATTERS FROM THE MAYOR, CITY COUNCIL MEMBERS, AND CITY MANAGER
(Continued)

Council Member Beard wished everyone a safe and sane July 4th, and reminded everyone that the Administrative Citation for illegal fireworks is \$1,000. He asked for a verbal report on July 4th activities at the next City Council meeting scheduled July 25, 2017.

Council Member O'Neill stated that he wanted everyone to know that he and all of the City Council Members are very aware of the issues the City is faced with in terms of crime and homelessness; that there is a plan in place for hiring as many police officers as possible; however, the budget constraints forces them to be financially prudent and the result is that the City is unable to hire as many police officers as they would like. He asked that the residents of the City watch out for each other and encouraged people to call the non-emergency line for police as we all have to do our part to protect our community. He wished everyone a fun and safe July 4th.

Council Member T. Nguyen thanked staff for all of their work on the budget and expressed that the City Council's goal is to promote Garden Grove and to focus on public safety.

Council Member K. Nguyen thanked staff for the work on the budget. She wished everyone a Happy July 4th, and congratulated her stepfather for getting his American citizenship.

Council Member Klopfenstein announced that the Downtown Business Association is partnering with the Garden Grove Neighborhood Association for a Meet on Main Street on July 12, 2017, at 6:45 p.m. at the Courtyard Center; Officer Brian Hatfield will be there to talk about the homeless issues and to answer questions on the Homeless Task Force.

Council Member Bui wished everyone a Happy July 4th and asked that people be considerate to their neighbors.

Mayor Jones congratulated Sonny Nguyen and his family on being recognized by the Small Business Administration and winning the 2017 Family-Owned Business of the Year Award for the 7 Leaves Café, and expressed his hopefulness that they continue to grow and keep their base in the city.

City Manager Stiles suggested that a representative from City Net attend the Meet on Main event on July 12, 2017, to discuss Homelessness. He asked that everyone encourage their neighbors to use only safe and sane fireworks. He thanked the Finance Department and City staff for their work on the budget, commenting that this is the first two year budget adopted by the City.

CONVENE CLOSED SESSION

At 11:30 p.m., Mayor Jones announced that the City Council was going into Closed Session in the Founders Room to discuss the following matter:

Conference with Labor Negotiators

Pursuant to Government Code Section 54957.6(a)

City Designated Representative: Jany Lee, Human Resources Manager for Laura Stover, Human Resources Director

Employee Organization: International Association of Fire Fighters Garden Grove Local 2005

Conference with Legal Counsel – Anticipated Litigation

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4):

One potential case

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers: None

ADJOURN CLOSED SESSION

At 1:03 a.m., Mayor Jones adjourned Closed Session.

RECONVENE REGULAR MEETING

At 1:05 a.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

CLOSED SESSION REPORT

City Attorney Sandoval announced that on the matter of Conference with Labor Negotiators, there was nothing to report; and on the matter of Conference with Legal Counsel – Anticipated Litigation, the City Council authorized the City Attorney to commence abatement action for property located at 12142 Stanford Avenue, Garden Grove.

ADJOURNMENT

At 1:06 a.m., Mayor Jones adjourned the meeting. The next City Council Meeting will be held on Tuesday, July 25, 2017, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC
City Clerk