

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, February 27, 2018

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

CONVENE CLOSED SESSION

At 5:44 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

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers:    None

CONVENE CLOSED SESSION

At 5:46 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 Legal Counsel – Anticipated Litigation

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): one potential case.

ADJOURN CLOSED SESSION

At 6:20 p.m., Mayor Jones adjourned the Closed Session.

CONVENE REGULAR MEETING

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



Council Members present.

ADOPTION OF A RESOLUTION APPROVING PARTICIPATION IN THE MOBILE SOURCE AIR POLLUTION REDUCTION REVIEW COMMITTEE (MSRC) LOCAL GOVERNMENT PARTNERSHIP PROGRAM (F: 24.13)

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

Resolution No. 9478-18 entitled A Resolution of the City Council of the City of Garden Grove approving participation in the Mobile Source Air Pollution Reduction Review Committee (MSRC) Local Government Partnership Program for \$50,000 MSRC matching funds, 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 SUPPORTING AND ADOPTING THE ONE WATER ONE WATERSHED 2.0 PLAN – THE SANTA ANA WATERSHED INTEGRATED REGIONAL WATERSHED MANAGEMENT PLAN (F: 112.7)

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

Resolution No. 9479-18 entitled a Resolution of the City Council of the City of Garden Grove supporting and adopting the One Water One Watershed 2.0 Plan, the Integrated Regional Water Management Plan for the Santa Ana River Watershed, 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

ADOPTION OF A RESOLUTION FOR INCLUSION IN THE 2018/2019 THROUGH 2023/2024 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM (F: 24.13)(XR: 36.1)

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

Resolution No. 9480-18 entitled a Resolution of the City Council of the City of Garden Grove certifying that the City has the resources to fund the projects submitted for inclusion in the 2018/2019 through 2023/2024 Federal

Transportation Improvement Program and confirming the City's commitment to implement all projects submitted to the 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

APPROVAL OF VOIDING UNCLAIMED CHECKS PURSUANT TO GOVERNMENT CODE SECTION 50055 FOR AMOUNTS UNDER \$15.00 OR WHEN DEPOSITORS ARE UNKNOWN (F: 60.1)

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

Voiding the unclaimed checks of less than fifteen dollars, which remain uncashed after one year, be approved;

Voiding the unclaimed checks where the depositor is unknown, which remain uncashed after one year, be approved; and

The Finance Director be authorized to transfer the resulting funds to the general fund or other funds 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

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO NATIONAL AUTO FLEET GROUP FOR ONE (1) NEW POLICE PATROL VEHICLE

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

The Finance Director be authorized to issue a purchase order in the amount of \$30,553.72 to National Auto Fleet Group for the purchase of one (1) new police patrol vehicle.

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

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO HANSON ASSOCIATES FOR THE INSTALLATION OF A PREFABRICATED PATIO SHELTER IN THE ATLANTIS PLAY CENTER AT GARDEN GROVE PARK

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

The Finance Director be authorized to issue a purchase order in the amount of \$58,000 to Hanson Associates for the purchase of a pre-fabricated patio shelter to be installed in the Atlantis Play Center at Garden Grove Park.

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 A COVENANT AND AGREEMENT WITH CARITAS ACQUISITIONS I, LLC FOR CONSTRUCTION AND MAINTENANCE OF A STORM DRAIN FACILITY AND MONUMENT SIGNS AT 13096 BLACKBIRD STREET, GARDEN GROVE (F: 107.3)

This matter was considered later in the meeting.

RECEIVE AND FILE MINUTES FROM THE MEETING HELD ON FEBRUARY 13, 2018 (F: Vault)

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

The minutes from the meeting held on February 13, 2018, 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

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

Regular Warrants 634929 through 635318; Wires W2101 through W2107; 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

Payroll Warrants 182033 through 182066; Direct Deposits D325286 through D326385; Wires W2442 through W2445; 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 OF A COVENANT AND AGREEMENT WITH CARITAS ACQUISITIONS I, LLC FOR CONSTRUCTION AND MAINTENANCE OF A STORM DRAIN FACILITY AND MONUMENT SIGNS AT 13096 BLACKBIRD STREET, GARDEN GROVE (F: 107.3)

Following the City Attorney's report, noting the changes to the agreement provided at the meeting, and City Council questions, it was moved by Council Member K. Nguyen, seconded by Council Member Klopfenstein that:

The Covenant and Agreement for Construction and Maintenance of Storm Drain Facility and Monument Signs at 13096 Blackbird Street, Garden Grove (Bahia Mobile Home Park), be approved; and

The City Manager be authorized to sign the agreement on behalf of the City.

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

REQUIRED FINANCIAL DISCLOSURE TO IMPLEMENT A CALIFORNIA PUBLIC EMPLOYEE'S RETIREMENT SYSTEM TWO-YEAR EARLY RETIREMENT OPTION (F: 78.12)

Following Staff presentation and City Council comments expressing the need for more time and more information and to include eligible Fire Department employees in the financial disclosure documents, it was moved by Mayor Jones, seconded by Council Member Bui that:

This item be brought back in four weeks.

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

Council Member Klopfenstein congratulated Noelle Kim from Community Relations for receiving the Citrus Hero Award for the month of February for letting residents know about the threat of the Asian Citrus Psyllid and Huanglongbing through videos posted on the City's website and on social media pages.

Council Member Bui expressed his gratitude to Bobby Dalton for providing free security services for the TET Festival parade. He thanked Maureen Blackmun for bringing attention to the issue of the bus benches, and noted that when he voted to approve the contract with Focus Media Group to provide the bus benches, the City Council was promised that advertisement with positive content good for the city would be on the benches. He expressed his disappointment that the company advertised for an adult book store, and that he would like staff to contact Focus Media Group.

Council Member O'Neill thanked Nicholas Dibs for persistently requesting that the Youth in Government Day be brought back to the City, and noted that this program was phased out when he himself was in high school. He expressed confidence in the students who attended the recent Youth in Government Day event and expects good things from them in the future. In response to tonight's speakers, he commented that a neighborhood meeting could be held to educate the residents on the right procedure for reporting short term rentals; and that he is in favor of parking permits in those neighborhoods affected by the 200,000 square foot expansion of the Anaheim Convention Center. He noted that he likes the color of the bus benches provided by Focus Media Group, and stated that the bus bench in question advertised the name of the adult book store's business in proximity to the adult book store. He stated that while he is not a proponent of adult businesses, he would not be in favor of discrimination. He encouraged businesses in Garden Grove with a bus bench near their business to advertise on the bench; and he noted that there are some benches with advertising reserved for community groups and city events.

Council Member Beard commented on a need for the City Council to review the contract with Focus Media Group; that there is a need for clarification on the City's legal rights on control over the content of the bus bench advertisements; that he agrees with Council Member O'Neill and he likes the color of the bus benches but indicated he is open to discussion if it is not too late to change the color. He thanked Nicholas Dibs for requesting the Youth in Government Day program be brought back to the City, and he thanked the staff for their work on the event, noting the support from the Garden Grove Community Foundation. He asked that there be a future discussion item on the City's policies and procedures for employee performance evaluations for staff, managers, City Manager, and City Attorney, as well as performance measures and evaluation of the City Manager and City Attorney at a future meeting.

In response to comments made during Oral Communications, Mayor Jones stated that the In-N-Out Burger restaurant that was planning to locate at the former Bob's Big Boy on Harbor Boulevard has pulled out because they met with resistance from Preserve OC to maintain the original features of the Googie architectural style. He also noted that he plans to follow up with Roger Kotch, CFO of In-N-Out Burger, on a possibility of reevaluating the decision. He commented that the contract with Focus Media Group was with the best intention to bring in new benches and provide a revenue stream; however, the decision was made quickly and they may have needed more time to work out details. He was not expecting as bright a green as the benches are and that the old unappealing blue benches would be replaced rather than side by side with the new benches, which is an eyesore. He stated that direction to staff needs to be how this situation can be fixed.

City Manager Stiles stated that the bus benches will be addressed at the next City Council meeting. He commented on a recent tour of Santiago High School and Clinton Elementary School, and commended the School District's new construction to modernize school buildings. He announced the upcoming ground breaking for the Steelcraft project on Euclid Street adjacent to City Hall on Monday, March 5, 2018, at 10:00 a.m.

#### ADJOURNMENT

At 8:17 p.m., Mayor Jones adjourned the meeting. The next City Council Meeting will be held on Tuesday, March 13, 2018, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC  
City Clerk