

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

COMMUNITY SPOTLIGHT: RECOGNITION OF RIC LERMA FOR RECEIVING THE PRESTIGIOUS TITLE OF GARDEN GROVE CITIZEN OF THE YEAR FROM THE CYPRESS COLLEGE 2017 AMERICANA AWARD (F: 52.3)

PRESENTATION PROVIDED BY THE ORANGE COUNTY TRANSPORTATION AUTHORITY REGARDING THE I-405 IMPROVEMENT PROJECT

ORAL COMMUNICATIONS

Fire Chief Schultz spoke regarding the activation of the Emergency Operation Center due to heavy rainfall over the past weekend.

Speakers: Beatrice Jones; Lee Ostendorf; Lynn Aoki; Peter Katz, Tony Flores; Mark Parades; Alicia Medrano; Heidi Vargas; Leonel Cleto; Fernando Villasenor; Walter Muneton; Luis Zamora; Laura Kanter; Luis Gomez; Jose Guardado; Sabiha Khan; Leland Sisk; Julian Garcia; Nicholas Dibs; George Brietigam; Demian Garcia-Monroy; Gerald Dankner; Christopher Kim; Hector Navaro; Michael Verghis; Hoakan Spaberg; Charles Mitchell.

RECESS

At 8:22 p.m., Mayor Jones declared a recess.

RECONVENE

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

RESOLUTION PROMOTING COMMUNITY HARMONY AND SAFETY

City Attorney Sandoval stated that at the November 22, 2016, City Council meeting, Mayor Nguyen motioned to place a Resolution promoting harmony and the City Council approved to take action at the January 24, 2017, City Council meeting.

Council Member Klopfenstein asked to hear from Police Chief Elgin. Police Chief Elgin indicated support for the Resolution commenting that the success of the Police Department weighs on community participation, and that the Police Department is not in the immigration business, but are in the crime fighting business.

After City Council discussion, Council Member K. Nguyen expressed that she is in support of the Resolution as it confirms that Garden Grove is a city of compassion and is a symbolic gesture that serves to make the residents feel comfortable.

Council Member K. Nguyen moved to adopt the Resolution, and was seconded by

Mayor Jones for discussion.

Council Member Klopfenstein stated that she does not support the Resolution as this would be a redundant action as the City did adopt a proclamation in 2015 declaring Garden Grove as a city of compassion.

Council Member Beard stated Garden Grove is a city of compassion and that it is exemplified in what the City is already doing and that he does not see the necessity for this Resolution. He made a Substitute Motion that this Resolution be tabled and that as a minute order action that this current council reaffirm that Garden Grove is a city of compassion and acknowledges the ongoing practice of the Garden Grove Police Department not checking legal status of individuals.

Council Member O'Neill seconded the Substitute Motion, and noted his wife is an immigrant and he has petitioned family members to become citizens. He stated that it is unnecessary to pass a Resolution that neither affects a change nor has a purpose and feels that the Resolution might please a few people, but does more to divide the community.

Council Member K. Nguyen stated that they have heard from 15 people requesting that this Resolution be adopted and only three in opposition during Oral Communications.

Council Member T. Nguyen expressed support for moving forward and adopting the Resolution.

Mayor Jones seconded the original motion and expressed support for the Resolution and agreed that it is a symbolic gesture, but also encouraged the City Council Members to avoid non-issues that take up valuable time.

The Substitute Motion failed by a 3-4 vote as follows:

Ayes: (3) Beard, O'Neill, Klopfenstein
Noes: (4) T. Nguyen, Bui, K. Nguyen, Jones

Resolution No. 9409-17, entitled a Resolution of the City Council of the City of Garden Grove promoting Community Harmony and Safety, be adopted.

The Original Motion carried by a 4-3 vote as follows:

Ayes: (4) T. Nguyen, Bui, K. Nguyen, Jones
Noes: (3) Beard, O'Neill, Klopfenstein

RECESS

At 9:01 p.m., Mayor Jones declared a recess.

The City Manager 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 7-0 vote as follows:

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

AWARD OF CONTRACT TO ABUNDANT WATER WELLS FOR THE DESTRUCTION OF THREE (3) WATER WELLS AT 11741 GILBERT STREET, 13962 YOCKEY STREET, AND 10819 WESTMINSTER AVENUE, GARDEN GROVE

It was moved by Council Member K. Nguyen, seconded by Council Member O'Neill that:

A contract be awarded to Abundant Water Wells in the amount of \$89,385.00 for the destruction of three (3) orphan water wells at 11741 Gilbert Street, 13962 Yockey Street, and 10819 Westminster Avenue, Garden Grove; and

The City Manager be authorized to execute the contract on behalf of the City and make modifications as 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

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO AARDVARK FOR PROJECT 7 ARMOR EQUIPMENT FOR FIRE AND POLICE DEPARTMENTS

Council Member Beard requested this item be considered later in the meeting.

APPROVAL OF AMENDMENT NO. 1 TO THE AGREEMENT WITH ENGINEERING RESOURCES OF SOUTHERN CALIFORNIA, INC., TO PROVIDE ON-CALL CIVIL ENGINEERING PLAN CHECKING AND CONSTRUCTION INSPECTION SERVICES

It was moved by Council Member K. Nguyen, seconded by Council Member O'Neill that:

Amendment No. 1 to the existing Agreement with Engineering Resources of Southern California, Inc., increasing the initial Agreement amount from \$500,000 to \$600,000, a \$100,000 increase, be approved; and

That the City Manager be authorized to execute Amendment No. 1 on behalf of the City and to make minor modifications 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 A NEW POSITION CLASSIFICATION FOR A NETWORK ADMINISTRATOR

It was moved by Council Member K. Nguyen, seconded by Council Member O'Neill that:

Resolution No. 9407-17, entitled A Resolution of the City Council of the City of Garden Grove, California, adding a new employee classification and salary range for Network Administrator, 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

RECEIVE AND FILE MINUTES FROM THE MEETING HELD ON NOVEMBER 22, 2016
(F: Vault)

It was moved by Council Member K. Nguyen, seconded by Council Member O'Neill that:

The minutes from the Regular Meeting held on November 22, 2016, 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 K. Nguyen, seconded by Council Member O'Neill that:

Payroll Warrants 180652 through 180728 and 180732 through 180775; Direct Deposits D305274 through DD305961 and D305960 through DD306648; and Wires W2307 through W2310 and Wires W2318 through W2321; 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 617283 through 617660; and Wires W1742 through W1764; 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

WAIVE FULL READING OF ORDINANCES LISTED

It was moved by Council Member K. Nguyen, seconded by Council Member O'Neill 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

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO AARDVARK FOR PROJECT 7 ARMOR EQUIPMENT FOR FIRE AND POLICE DEPARTMENTS

After City Council discussion, it was moved by Council Member Beard, seconded by Council Member O'Neill that:

The use of sole source distributor Aardvark for the purchase of all Project 7 Armor be authorized; and

The Finance Director be authorized to issue a purchase order to Aardvark in the amount of \$92,301.30 for the purchase of 16 Project 7 armor sets for use by the Fire and Police Departments.

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

COUNCIL MEMBER O'NEILL RECUSED HIMSELF FROM THE MEETING STATING A POTENTIAL CONFLICT FOR THE BIXY AVENUE APARTMENT PROJECT, AS HE SERVED AS A PLANNING COMMISSIONER FOR THE PUBLIC HEARING ON THE PROPOSED PROJECT AND HE LEFT THE MEETING AT 9:12 P.M.

PUBLIC HEARING – ADOPTION OF A RESOLUTION APPROVING SITE PLAN NO. SP-031-2016 FOR THE DEVELOPMENT OF A PROPOSED TEN-UNIT APARTMENT COMPLEX AT 9691 BIXBY AVENUE, GARDEN GROVE, AND TO INTRODUCE FOR FIRST READING AN ORDINANCE ADOPTING DEVELOPMENT AGREEMENT NO. DA-004-2016 ENTITLED AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING DEVELOPMENT AGREEMENT NO. DA-004-2016 BETWEEN THE CITY OF GARDEN GROVE AND TONY LE AND DUNG NGUYEN

(As approved earlier in the meeting: It was moved by Council Member K. Nguyen, seconded by Council Member O'Neill, and approved by a 7-0 vote, that full reading of ordinances listed be waived.)

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

Speakers: Michael Torres, Mike Fieldhouse, Christine Hy, Hector Melara, Ramon Gomez, Maureen Blackmun, Nicolas Dibs

Brian Hamilton, representing the Traffic Consultant for the project addressed the City Council.

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

Emails, letters and a petition were received by the City Council in opposition to the project.

Council Member Klopfenstein stated that she is not opposed to the project; however, there is a parking issue that should be addressed before moving forward.

Council Member Bui indicated that he would prefer to have a more comprehensive traffic study that includes the surrounding area that this project would impact.

Council Member T. Nguyen noted that Bixby Avenue is very narrow and traffic is a main concern, therefore a Traffic Study should be done on the weekend.

Council Member Beard stated that this project is not the right fit for the area because of the density of the area impacting public street parking.

Mayor Jones noted the developer has applied and qualified for a density bonus, and suggested that the project have eight or nine units in order to provide additional parking for the project.

Council Member Bui expressed concern for traffic safety and is not confident with the traffic study. He stated that this be tabled in order to have a more conclusive traffic study.

Mayor Jones asked about the length of time the project had been reviewed and if all of the departments provide technical analyses.

Staff responded that the project has been reviewed within the last several months, and all of the departments technically reviewed the project, which met all of the requirements for emergency access and was determined by Traffic Engineering that the project did not require a traffic study.

Council Member Klopfenstein stated that more time was needed and there is concern about the traffic study.

It was moved by Council Member Bui, seconded by Council Member T. Nguyen that this item be continued to the March 28, 2017, City Council meeting.

The motion carried by a 6-0-1 vote as follows:

Ayes:	(6)	Beard, T. Nguyen, Bui, Klopfenstein, K. Nguyen, Jones
Noes:	(0)	None
Absent:	(1)	O'Neill

COUNCIL MEMBER O'NEILL RETURNED TO THE MEETING AT 10:20 P.M.

APPROVAL OF THE 2017 INVESTMENT POLICY; RE-APPOINTMENT OF A CITY TREASURER AND A DEPUTY CITY TREASURER; AND DELEGATION OF INVESTMENT AUTHORITY

Following staff's presentation and City Council discussion:

It was moved by Mayor Jones, seconded by Council Member Bui that:

The 2017 Investment Policy be approved;

That Kimberly A. Huy be reappointed as City Treasurer, and Kingsley Okereke be reappointed as the Deputy City Treasurer; and

That delegation to the City Treasurer and Deputy City Treasurer be renewed for the responsibility to invest or to reinvest City funds.

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 APPROVING A DEBT MANAGEMENT POLICY
REQUIRED BY SENATE BILL 1029 (JOINT ACTION WITH THE SANITARY DISTRICT)

Following staff's presentation and City Council/Sanitary District discussion:

City Council Action

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

Resolution No. 9408-17 entitled, A Resolution of the City Council of the City of Garden Grove adopting a Debt Management Policy, 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

Sanitary District Action

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

Resolution No. 3766-17 entitled, A Resolution of the Board of Directors of the Garden Grove Sanitary District adopting a Debt Management Policy, be adopted.

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

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

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

RESOLUTION PROMOTING COMMUNITY HARMONY AND SAFETY

This item was considered earlier in the meeting.

DISCUSSION REGARDING PARKING RECREATIONAL VEHICLES, BIG RIG TRUCKS, AND TRAILERS ON CITY STREETS, AS REQUESTED BY COUNCIL MEMBER BEARD

Council Member Beard stated that he has been asked by many in his District about rules and regulations for parking Recreational Vehicles and Big Rig Trucks on the public streets, and requested that the City Council direct staff to study and survey other cities and other cities ordinances.

Council Member O'Neill expressed support, noting there is a problem in his District, and would also like to know what neighboring cities are doing to enforce parking restrictions.

Council Member Beard asked how much staff time would be needed.

City Manager Stiles stated the next four to six weeks.

Council Member K. Nguyen asked whether cars parked on the streets with "For Sale" signs could be added to the study.

Council Member O'Neill noted that state law allows people to post "For Sale" signs on their vehicles parked on public streets.

City Attorney Sandoval noted case law allows "For Sale" signs on cars parked on public streets and the only legal limitation would be for someone acting as a "dealer" for more than one vehicle parked on the public streets.

Mayor Jones agreed that selling vehicles on public streets should also be included in the study.

Council Member K. Nguyen noted that there is an issue on Greentree Street with parked cars on the street that are for sale.

City Manager Stiles stated that staff will report on Recreational Vehicles, Big Rig Trucks, Trailers, and cars for sale that will include a survey of other cities and a legal analysis.

DISCUSSION ON CALPERS CHANGES OF UNFUNDED ACTUARIAL LIABILITY AND DISCOUNT RATES AS REQUESTED BY CITY MANAGER STILES

A report was provided by Assistant City Manager/Financial Director Okereke on the CALPERS changes and the anticipated impact to the City.

UPDATE ON THE SCHEDULE FOR THE BUDGET FISCAL YEAR'S 2017-2018 AND 2018-2019 UPCOMING MEETINGS AS REQUESTED BY CITY MANAGER STILES

City Manager Stiles noted that kick-off meetings with all departments have begun for the upcoming budget that will be provided for City Council consideration in June 2017; the Central Management team will have a retreat that will include a review of plans that the City Council asked for in 2016, and that there will be a Special Meeting of the City Council scheduled on March 10, 2017, for discussion of the 2018/2019 budget that will include a revenue forecast and setting priorities.

Council Member Bui announced the upcoming Lunar New Year and TET Festival at the Orange County Fairgrounds, and the upcoming parade and TET Festival at Garden Grove Park on February 4th and 5th, 2017.

Council Member Klopfenstein reported attending her first Vector Control meeting as a Board Member on January 19, 2017.

Mayor Jones announced that the Closed Session will be convened in the Founders Room, and opened Oral Communications for Closed Session.

Speakers: None.

CONVENE CLOSED SESSION

At 10:45 p.m., Mayor Jones convened the meeting in the Founders Room with all Council Members present to discuss the following matters:

Conference with Labor Negotiators

Pursuant to Government Code Section 54957.6

City Designated Representative: Laura Stover, Human Resources Director

Employee Organizations: IAFF Garden Grove Local 2005; Garden Grove Police Management Association.

ADJOURN CLOSED SESSION

At 11:25 p.m., Mayor Jones adjourned the Closed Session.

CLOSED SESSION REPORT

City Attorney Sandoval announced that there was no reportable action.

ADJOURNMENT

At 11:26 p.m., Mayor Jones adjourned the meeting. The next City Council Meeting will be held on Tuesday, February 14, 2017, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC
City Clerk