

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, June 13, 2017

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

CONVENE MEETING

At 6:35 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 RICHARD HSIEH AND JUDY RIPPE AS THE SENIOR VOLUNTEER MAN AND WOMAN OF THE YEAR; AND 2017 STRAWBERRY BALL KING AND QUEEN (F: 52.3)

COMMUNITY SPOTLIGHT: RECOGNITION OF THE GARDEN GROVE STRAWBERRY FESTIVAL ASSOCIATION FOR ORGANIZING THE 2017 GARDEN GROVE STRAWBERRY FESTIVAL (F: 52.3)

ORAL COMMUNICATIONS

Speakers: Christopher Lorenzana, Mike Daniel, Reuben Franco, Kenda Taylor, Brenda Quintana, Laura Hearn, Josh McIntosh, Vick Tran, Jon Reiser, Maureen Blackmun, Charles Mitchell

RECESS

At 7:14 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 7:33 p.m., Mayor Jones reconvened the meeting with all Council Members present.

ADOPTION OF A RESOLUTION HONORING RICHARD HSIEH AND JUDY RIPPE FOR BEING SELECTED AS THE SENIOR VOLUNTEER MAN AND WOMAN OF THE YEAR, AND 2017 STRAWBERRY BALL KING AND QUEEN (F: 87.7)

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

A Resolution of the City Council of the City of Garden Grove hereby commends the achievements of Richard Hsieh and Judy Rippe as the Senior Volunteer Man and Woman of the Year, and the 2017 Strawberry Ball King and Queen, 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 AN AGREEMENT WITH THE CITY OF ANAHEIM FOR THE ADMINISTRATION OF THE FISCAL YEAR 2016 URBAN AREA SECURITY INITIATIVE (U.A.S.I.) HOMELAND SECURITY GRANT PROGRAM (F: City of Anaheim)

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

The grant funding of \$11,244 under the Agreement with the City of Anaheim to administer the Fiscal Year 2016 Urban Area Security Initiative (U.A.S.I.) Homeland Security Grant funds, be approved; and

The City Manager and Chief of Police 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

APPROVAL OF AMENDMENT NO. 1 TO THE CONSULTANT SERVICES AGREEMENT WITH OVERLAND, PACIFIC & CUTLER, INC., TO PROVIDE RIGHT-OF-WAY CONSULTING AND RELATED REAL PROPERTY PROFESSIONAL SERVICES
(F: 55-Overland, Pacific & Cutler, Inc.)

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

Amendment No. 1 to the Consultant Services Agreement with Overland, Pacific & Cutler, Inc., in the amount of \$8,000, to provide right-of-way consulting and related professional services, be approved; and

The City Manager be authorized to sign the Amendment 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

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO CARMENITA TRUCK CENTER FOR ONE (1) UTILITY TRUCK (F: 60.4)

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

The Finance Director be authorized to issue and purchase order in the amount of \$43,700.30 for the purchase of one (1) utility truck.

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

ACCEPTANCE OF THE GEM THEATER ROOF REPAIR PROJECT AS COMPLETE
(F: 55-Western States Roofing, Inc.)

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

The Gem Theater Roof Repair Project be accepted as complete;

The City Manager be authorized to execute the Notice of Completion of Public 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

ADOPTION OF RESOLUTIONS INITIATING PROCEEDINGS FOR THE LEVYING OF FISCAL YEAR 2017-2018 ASSESSMENT FOR THE CITY OF GARDEN GROVE STREET LIGHTING DISTRICT, STREET LIGHTING DISTRICT NO. 99-1, AND PARK MAINTENANCE DISTRICT (F: 69.2)

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

Resolution No. 9422-17 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 2017-18 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 adopted.

Resolution No. 9423-17 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 2017-18 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 adopted.

Resolution No. 9424-17 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 2017-18 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 adopted.

Resolution No. 9425-17 entitled: A Resolution of the City Council of the City of Garden Grove approving the City Engineer's Report 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 2017-18, be adopted.

Resolution No. 9426-17 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 2017-18 and setting a time and place for a Public Hearing on the levy of the proposed assessments, be adopted.

Resolution No. 9427-17 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 No. 99-1 for Fiscal Year 2017-18 and setting a time and place for a Public Hearing on the levy of the proposed assessments, be adopted.

Resolution No. 9428-17 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 2017-18 and setting a time and place for a Public Hearing on the levy of the proposed assessments, 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 MEETINGS HELD ON MAY 23, 2017, AND JUNE 6, 2017 (F: Vault)

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

The minutes from the meetings held on May 23, 2017, and June 6, 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 K. Nguyen, seconded by Council Member O'Neill that:

Payroll Warrants 181138 through 181226; 181227 through 181268; Direct Deposits D311849 through D312924; D312923 through D313639; Wires W2362 through W2366; and Wires W2370 through W2374; 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 623382 through 623525; 623526 through 624132; 624133 through 624493; Wires W1844 through W1876; Wires 1878 through W1882; and Direct Deposits W623525 through W624131; 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 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

APPROVAL OF FISCAL YEAR 2017-18 BUDGET AND ADOPTION OF RESOLUTIONS INITIATING PROCEEDINGS FOR THE LEVYING OF ASSESSMENTS FOR FISCAL YEAR 2017-18; APPROVING THE ENGINEER'S REPORT; AND SETTING THE TIME AND DATE TO CONDUCT A PUBLIC HEARING FOR THE MAIN STREET ASSESSMENT DISTRICT NO. 1 (F: 31.4)

Following staff presentation, it was moved by Council Member O'Neill, seconded by Council Member Klopfenstein that:

The budget for the Main Street Assessment District No. 1 for Fiscal Year 2017-18, be approved; that

Resolution No. 9429-17 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 Highway Code) initiating proceedings to

levy annual assessments for the 2017-18 Fiscal Year for the City of Garden Grove Main Street Assessment District No. 1, and ordering the City Engineer to prepare and file a report in accordance with Article 4 of Chapter 1 of the Act, be adopted;

Resolution No. 9430-17 entitled: A Resolution of the City Council of the City of Garden Grove approving the City Engineer's Report regarding the levy of an annual assessment within the city of Garden Grove Main Street Assessment District No. 1, for Fiscal Year 2017-18, be adopted; and

Resolution No. 9431-17 entitled: A Resolution of the City Council of the City of Garden Grove declaring its intention to order the maintenance of certain improvements in the Main Street Assessment District No. 1 in the city of Garden Grove; describing the District to be benefited, and declaring its intention to levy an assessment to pay the cost and expenses thereof; and setting the time and place for the Public Hearing on the question of the levy of the proposed assessment, 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 A MONUMENT POLICY FOR ESTABLISHING CRITERIA AND GUIDELINES FOR THE PLACEMENT OF MONUMENTS ON CITY PROPERTY
(F: 127.1)(XR: 73.5)(XR: 46.5)

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

The Monument Policy, establishing a criteria and guidelines regarding the placement of monuments upon City property as recommended and presented by staff, 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

APPROVAL OF ADDENDUM NO. 2 TO THE AGREEMENT WITH LFA TO CONDUCT A TWO-DAY MUSIC FESTIVAL AT VILLAGE GREEN PARK ON AUGUST 5 AND AUGUST 6, 2017 (F: 55-LFA Group, LLC)

Following staff presentation and City Council discussion, it was moved by Council Member O'Neill, seconded by Council Member Jones that:

APPROVAL OF A LEASE AGREEMENT WITH STEELCRAFT LONG BEACH, LP FOR REAL PROPERTY LOCATED AT 12900 EUCLID STREET, GARDEN GROVE (F: A-55.1A)

Following staff presentation and introduction to Steelcraft Long Beach, LP developers, Kimberly Gros and Martin Howard, and City Council discussion, it was moved by Council Member K. Nguyen, seconded by Council Member Klopfenstein that:

The Lease Agreement with Steelcraft Long Beach LP, in the monthly amount of \$8,120, paid to the city for real property located at 12900 Euclid Street, Garden Grove, be approved; and

The City Manager be authorized to sign the Agreement and make modifications as needed 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

ADOPTION OF A RESOLUTION APPROVING THE GARDEN GROVE TOURISM IMPROVEMENT DISTRICT ADVISORY BOARD'S 2017-18 ANNUAL REPORT, DECLARATION OF INTENTION TO LEVY ASSESSMENTS FOR FISCAL YEAR 2017-18, AND SETTING THE TIME AND DATE TO CONDUCT A PUBLIC HEARING ON THE PROPOSED ASSESSMENT (F: 32.1)

Following staff presentation and City Council discussion, it was moved by Council Member Klopfenstein, seconded by Council Member K. Nguyen that:

Resolution No. 9433-17, entitled: A Resolution of the City Council of the City of Garden Grove approving the annual report of the Garden Grove Tourism Improvement District Advisory Board, declaring its intention to levy assessments for Fiscal Year 2017-2018 for the Garden Grove Tourism Improvement District, fixing the time and place of Public Hearing thereon and giving notice thereof, 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

RECESS

At 9:34 p.m., Mayor Jones recessed the meeting.

The Finance Director be authorized to request for construction fund disbursements as necessary from the fiscal agent construction fund and account for all related contract transactions in fund 105 (Public Safety Fund).

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 R.J. NOBLE COMPANY FOR PROJECT NO. 7229, WESTMINSTER AVENUE, BUARO STREET, TWINTREE AVENUE, DOROTHY AVENUE, COLEMAN PLACE, AND STANRICH PLACE, ROADWAY REHABILITATION
(F: 96.proj.7229)

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

Reading of the report be waived;

A contract be awarded to R.J. Noble Company, Inc., in the amount of \$1,864,336.25, for Project No. 7229 Westminster Avenue, Buaro Street, Twintree Avenue, Dorothy Avenue, Coleman Place, and Stanrich Place Rehabilitation; and

The City Manager be authorized to execute the agreement, and make minor modifications as appropriate thereto, 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

CONSIDERATION OF AN ORDINANCE FOR THE PARAMEDIC TAX OVERRIDE RATE FOR FISCAL YEAR 2017-18 (F: 60.11)

(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.)

Following the reading of the title of the Ordinance, it was moved by Council Member O'Neill, seconded by Council Member T. Nguyen 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 passed to second reading.

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. 2880
(F: 20.GPA-001-2017)(XR: 116.PUD-006-2017)(XR: 106.DA-006-2017)

(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.)

Following the reading of the title of Ordinance No. 2880 into the record, it was moved by Council Member O'Neill, seconded by Mayor Jones that:

Ordinance No. 2880 entitled: An Ordinance of the City Council of the City of Garden Grove approving Planned Unit Development No. PUD-006-2017 to amend the City's official zoning map to change the zoning for the portion of the project site that is located within the city of Garden Grove and to "pre-zone" the properties to be annexed to residential Planned Unit Development zoning (PUD-006-2017) with R-1 (Single-Family Residential) base zoning, 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. 2881
(F: 20.GPA-001-2017)(XR: 116.PUD-006-2017)(XR: 106.DA-006-2017)

(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.)

Following the reading of the title of Ordinance No. 2881 into the record, it was moved by Council Member O'Neill, seconded by Mayor Jones that:

Ordinance No. 2881 entitled: An Ordinance of the City Council of the City of Garden Grove approving a Development Agreement between the City of Garden Grove and Christ Catholic Cathedral Facilities Corporation for property located on

the northwest corner of Lewis Street and Garden Grove Boulevard, at 12901 Lewis Street, Assessor's Parcel Nos. 231-041-26, 231-041-27, 231-041-28, and 231-255-01, 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. 2882
(F: 115.A-017-2017)

(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.)

Following the reading of the title of Ordinance No. 2882 into the record, it was moved by Council Member O'Neill, seconded by Mayor Jones that:

Ordinance No. 2882 entitled: An Ordinance of the City Council of the City of Garden Grove approving Amendment No. A-017-2017 amending portions of Title 9 (zoning code) and repealing Chapter 5.85 of the Garden Grove Municipal Code adopting accessory dwelling unit regulations and maintaining the ban on cannabis activities consistent with recent changes to State law, 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. 2883
(F: 115.A-018-2017)

(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.)

Following the reading of the title of Ordinance No. 2883 into the record, it was moved by Council Member O'Neill, seconded by Mayor Jones that:

Ordinance No. 2883 entitled: An Ordinance of the City Council of the City of Garden Grove approving Amendment No. A-018-2017, a zoning text amendment to portions of Chapters 9.04, 9.16, and 9.18 of Title 9 of the Garden Grove Municipal

Commissioner O'Neill agreed that permitting needs to be easy to do and available through the City's app. He also commented that the intent is not to be punitive and the program is to be on the honor system and self-policing. He asked what action the City Council needed to take on this item.

City Attorney Sandoval noted that the recommendations will be incorporated into an Ordinance to be brought back to the City Council for action.

Council Member Beard noted that the purpose of the Ordinance is to address RV parking on city streets and not on private property.

DISCUSSION TO CONSIDER CHANGING THE ILLUMINATED BOLSA AVENUE STREET NAME SIGNS AS REQUESTED BY COUNCIL MEMBER T. NGUYEN AND MAYOR JONES (F: 100.2)

Council Member T. Nguyen stated that the City of Westminster approached her regarding Bolsa Avenue street name signs in Westminster that were changed to include the name of an historically famous Vietnamese General, and requested that the Bolsa Avenue street name signs in Garden Grove at the signalized intersections of Bolsa Avenue at Ward Street and Bolsa Avenue at Bushard Street be changed as well. She noted that the City of Westminster has offered to install the signs in Garden Grove free of charge; and that Garden Grove's contribution would be \$1476.00 for two new signs. She commented that this change would be culturally important and serve to promote Little Saigon; and asked that this be included on the next agenda as an action item.

Council Member Bui expressed his support, noting that of the two Bolsa Avenue street signs, one is located in Council Member T. Nguyen's District 3 and the other is in his District 4.

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

Changing the Bolsa Avenue street name signs be listed on the next agenda as an action item.

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 (CONTINUED)

Council Member Beard wished Council Member Klopfenstein a Happy Birthday, noted that June 14, 2017, is Flag Day.

In response to people who spoke under oral communications, Council Member O'Neill reminded people to pay attention to recall notices on vehicles, and to read to their children. He noted he attended the Ribbon Cutting Ceremony at the Smart and Final on Katella Avenue at Euclid Street and encouraged people to visit the store and shop.

Council Member K. Nguyen wished Council Member Klopfenstein a Happy Birthday.

City Manager Stiles noted that the Boys & Girls Club is holding their KaBoom playground build day on Saturday, June 17, 2017, from 8:30 a.m. to 3:00 p.m. at 9860 Larson Avenue; and on Friday night there will be car show on Main Street with surf music. He concluded by commending city staff from multiple departments on their work on new projects in the City.

ADJOURNMENT

At 10:14 p.m., Mayor Jones adjourned the meeting. The next City Council Meeting will be held on Tuesday, June 27, 2017, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC
City Clerk