

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, March 13, 2018

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

CONVENE CLOSED SESSION

At 5:43 p.m., Mayor Jones convened the meeting in the Council Chamber.

ROLL CALL PRESENT: (4) Mayor Jones, Council Members Bui, Klopfenstein, K. Nguyen

 ABSENT: (3) Council Member O’Neill was absent at Roll Call but joined the meeting at 6:01 p.m. Council Member T. Nguyen was absent at Roll Call but joined the meeting at 6:10 p.m. **Council Member Beard was absent for closed session.**

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers: None

City Attorney Sandoval announced that Special Counsel Alan Burns would be meeting with the City Council regarding uncollected animal care debt, and he recused himself citing his firm, Woodruff, Spradlin & Smart represent the County of Orange in other litigation matters.

CONVENE CLOSED SESSION

At 5:44 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

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): One potential case.

ADJOURN CLOSED SESSION

At 6:30 p.m., Mayor Jones adjourned the Closed Session.

CONVENE REGULAR MEETING

At 6:35 p.m., Mayor Jones convened the meeting in the Council Chamber with all Council Members present, and announced that there was nothing to report on the Closed Session matter.

INVOCATION

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

COMMUNITY SPOTLIGHT IN RECOGNITION OF THE LOCAL STUDENTS SELECTED AS AMBASSADORS TO REPRESENT GARDEN GROVE IN THE 29TH ANNUAL SISTER CITY EXCHANGE PROGRAM TO ANYANG, SOUTH KOREA

ORAL COMMUNICATIONS

Speakers: Tony Flores, Lee Ostendorf, Thomas Raber, John Holm, Zack Barrett, Maureen Blackmun.

CONSIDERATION OF PROPOSED CHANGES AND REQUEST TO WAIVE ANNUAL FEES ASSOCIATED WITH THE GARDEN GROVE FARMERS MARKET ON MAIN STREET (F: 88.1)

Following staff presentation and noting two letters received from members of the Downtown Business Association supporting the Farmers Market that were provided to the City Council, Mayor Jones called Ms. Lee Ostendorf forward. Ms. Ostendorf stated that she had met with the Downtown Business Association and noted the support from the Association. She plans to increase the number of vendors over the next three months, to hold a Father's Day Event in conjunction with the car show, and include a band.

Following City Council discussion with consensus that Ms. Ostendorf provide a more detailed proposal for the Farmers Market, it was moved by Council Member Klopfenstein, seconded by Council Member K. Nguyen that:

The fees be waived for the next ninety (90) days; and that Ms. Ostendorf come back to the City Council with a status update and developed proposal for the Farmers Market.

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 7:09 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 7:12 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

ADOPTION OF A RESOLUTION ESTABLISHING A LOW-INCOME SENIOR DISCOUNT PROGRAM FOR WATER CUSTOMERS (F: 112.1)

This item was considered later in the meeting.

ADOPTION OF A RESOLUTION TO ADD A NEW CLASSIFICATION SPECIFICATION OF CODE ENFORCEMENT SUPERVISOR AND APPROVAL OF SALARY SCHEDULE (F: 78.1)(XR: 80.2)

This item was considered later in the meeting.

APPROVAL OF AMENDMENT NO. 4 TO COOPERATIVE AGREEMENT NO. C-1-2491 BETWEEN THE CITY OF GARDEN GROVE, THE KOREAN AMERICAN SENIOR ASSOCIATION OF ORANGE COUNTY, AND THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR THE SENIOR MOBILITY PROGRAM (F: 55-OCTA-Korean American Senior Association)

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

Amendment No. 4 to Cooperative Agreement No. C-1-2491 between the City of Garden Grove, the Korean American Senior Association of Orange County and the Orange County Transportation Authority, be approved; and

The Mayor be authorized to execute 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 TO ACCEPT FISCAL YEAR 2016-17 PUBLIC SAFETY REALIGNMENT AND POSTRELEASE COMMUNITY SUPERVISION FUNDS FOR LAW ENFORCEMENT

SERVICES (F: 82.1)(XR: 82.15)

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

Fiscal Year 2016-17 Public Safety Realignment and Postrelease Community Supervision funds, be accepted; and

That \$65,529 be appropriated to the appropriate grant 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

AUTHORIZE ISSUANCE OF A PURCHASE ORDER TO NATIONAL AUTO FLEET GROUP FOR TWO (2) NEW PUBLIC WORKS PICKUP TRUCKS AND ONE (1) NEW PUBLIC WORKS UTILITY BODY TRUCK

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

The Finance Director be authorized to issue a purchase order in the amount of \$89,219.55 to National Auto Fleet Group for the purchase of two (2) new Public Works Department pickup trucks, and one (1) new Public Works Department 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

AWARD A CONTRACT TO RICHARD FISHER ASSOCIATES FOR THE PREPARATION OF A PARKS, RECREATION AND FACILITIES MASTER PLAN
(F: 55-Richard Fisher Associates)

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

A contract be awarded to Richard Fisher Associates, in the amount not to exceed \$159,641, for the preparation of the Parks, Recreation and Facilities Master Plan including recommendations for ADA improvements to existing parks and facilities, and the preparation of three (3) conceptual designs with one preferred conceptual of Civic Center Park; and

The City Manager be authorized to sign the contract 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

APPROVAL OF A COOPERATIVE AGREEMENT WITH THE CITY OF WESTMINSTER FOR A REHABILITATION PROJECT ON WESTMINSTER AVENUE FROM NEWLAND STREET TO MAGNOLIA STREET (F: 55-City of Westminster)(XR: 96.1)

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

A Cooperative Agreement, in the amount of \$173,231, with the City of Westminster for the rehabilitation of Westminster Avenue from Newland Street to Magnolia Street, be approved; and

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

RECEIVE AND FILE MINUTES FROM THE MEETING HELD ON FEBRUARY 27, 2018 (F: Vault)

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

The minutes from the meeting held on February 27, 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 Mayor Jones, seconded by Council Member Beard that:

Regular Warrants 635319 through 635523; 635795 through 636065; 636066 through 636286; Direct Deposits W635794 through W636064; Wires W2108 through W2111; and W2112 through W2119, 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 182067 through 182104; Direct Deposits D325938 through D327085; Wires W2446 through W2449; 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 Mayor Jones, seconded by Council Member Beard 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

ADOPTION OF A RESOLUTION ESTABLISHING A LOW-INCOME SENIOR DISCOUNT PROGRAM FOR WATER CUSTOMERS (F: 112.1)

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

Resolution No. 9481-18 entitled: A Resolution of the City Council of the City of Garden Grove establishing a Low Income Senior Discount Program for water customers, 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 TO ADD A NEW CLASSIFICATION SPECIFICATION OF CODE ENFORCEMENT SUPERVISOR AND APPROVAL OF SALARY SCHEDULE
(F: 78.1)(XR: 80.2)

Following the City Manager comments noting that this position is requested to strengthen Code Enforcement and no new funding is required, and City Council comments, it was moved by Council Member Beard, seconded by Mayor Jones that:

Resolution No. 9482-18 entitled: A Resolution of the City Council of the City of Garden Grove, California, adding new employee classification and salary range for code enforcement supervisor, be adopted; and

The Salary Schedule to be effective March 14, 2018, 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

PUBLIC HEARING – INTRODUCTION AND FIRST READING OF AN ORDINANCE ENACTING ADJUSTMENTS IN WATER RATES AND CHARGES AND AUTHORIZING FUTURE AUTOMATIC ADJUSTMENTS IN WATER RATES TO ACCOUNT FOR ADOPTED INCREASES OR DECREASES IN WHOLESALE CHARGES THE CITY PAYS TO OTHER AGENCIES FOR WATER (F: 112.1)

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

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

Speakers in opposition: Tony Flores, Joseph Simolo, Tudor Stefanescu.

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

The City Clerk announced that 57 protests were received; therefore, as the number of water customers are 34,692 parcels with water accounts there is not a majority protest.

Following further City Council discussion, with Council Member O'Neill and Council Member Bui expressing that they would not support the water rate adjustments due to economic hardships experienced by people in the community, it was moved by Council Member Beard, seconded by Council Member K. Nguyen that:

Ordinance No. 2890 entitled: An Ordinance of the City Council of the City of Garden Grove amending Sections 14.12.010 and 14.12.030 of Chapter 14.12 of Title 14 ("Water") of the Municipal Code relating to water rates and charges, be passed to second reading.

The motion carried by a 5-2 vote as follows:

Ayes: (5) Beard, T. Nguyen, Klopfenstein, K. Nguyen, Jones
Noes: (2) O'Neill, Bui

APPROVAL TO ACCEPT FISCAL YEAR 2017-18 SUPPLEMENTAL LAW ENFORCEMENT SERVICES ACCOUNT (SLESA) FUNDS (F: 82.1)(XR: 82.15)

Following staff presentation, it was moved by Council Member T. Nguyen, seconded by Council Member Beard that:

Fiscal Year 2017-18 Supplemental Law Enforcement Service Account (SLESA) funds, in the amount of \$269,705, be accepted, as well as any additional Fiscal Year 2017-18 growth funds disbursed to the City after July 1, 2018; and

That these funds be appropriated as received to the Police Department budget for front-line law enforcement services.

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 Bui requested that there be a future agenda item listed to discuss adopting a Resolution in support of Senator Janet Nguyen's bill to create statewide school curriculum on the Vietnamese-American Refugee experience.

COUNCIL MEMBER BUI LEFT THE MEETING AT 9:00 P.M.

DISCUSSION OF AGREEMENT WITH FOCUS MEDIA GROUP REGARDING BUS BENCHES AS REQUESTED BY THE CITY MANAGER

(F: 55-Focus Media Group)(XR: 36.1A)

Staff provided a report and stated that Michael Culver with Focus Media Group was available for questions. The agreement with Focus Media Group is for 175 benches to be installed in two phases; the first phase is complete, and the cost to change colors of the benches already installed is \$15,000, which would be taken from the City's share of advertising revenue; staff will contact Clear Channel regarding the

blue bus shelters and inquire if they would be interested in ending the contract with the City. After further City Council discussion and questions for Mr. Culver, City Manager Stiles clarified that direction to staff is to contact Clear Channel to find out if there is any interest in ending the agreement with the possibility of having Focus Media Group incorporate the blue bus shelters; hold off on Phase 2 and come back to the City Council in two weeks with a report. Mr. Culver agreed to hold off on Phase 2.

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

Council Member Beard commended Public Works Director Bill Murray for the cleanup near the freeway on the west end, and asked that he respond to Mr. Raber's issue with his fence as it relates to the property at 12782 Bailey. Mr. Murray noted that he did look at the fence and that there had been some wire wrapped around a tarp on the side fence that left rust marks that can be removed.

Council Member Beard also requested and made a motion to discuss updating the Municipal Code on commercial code enforcement at the next City Council meeting, which was seconded by Council Member Klopfenstein. (F: 80.2)

Mayor Jones agreed that this is a good time to bring this up noting the challenge with commercial properties addressing code issues.

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

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

Further, Council Member Beard asked that the City recognize Constitution Day on September 17th and asked that the Parks, Recreation and Arts Commission be directed to come up with low cost ideas for civic engagement involving local high schools such as an essay contest.

Lastly, Council Member Beard noted that WalletHub, a financial news website, rated Garden Grove as the 27th happiest place in the nation based on cities with populations over 100,000; and the 10th happiest place in California.

Council Member O'Neill thanked the residents for using the City's website and noted the City's quick response time. In response to comments made under Oral Communications, he expressed the need and want to hire more Police Officers and apologized for limited resources, which causes delayed response time; and he appealed to the public to assist the City by being aware of the problems that arise in their neighborhoods. He further asked that a discussion item regarding financial

responsibility of sewer lateral repair be listed on a future Sanitary District meeting agenda.

Council Member T. Nguyen thanked the Public Works Department for their fast response with pothole repairs in District 3; she also thanked Dai Vu, Traffic Engineer, for responding quickly and answering her questions. She wished her baby a Happy 5th Birthday.

Council Member K. Nguyen thanked Council Member Beard for nominating her for the 65th Assembly District Women of Distinction award recognizing women from all over North Orange County. She also announced that the Buena Clinton Youth and Family Center True Neighborhood Teens (TNT) program is collecting donations of loaves of bread, peanut butter, and jars of jelly through Friday, March 23, 2018, for the PB&J project. The project goal is to serve 150 kids aged 0-18 during Spring Break at the Buena Clinton Youth and Family Center at 12661 Sunswept Avenue in District 6. She concluded with an expression of admiration for her father and wished him an early Happy Birthday.

Council Member Klopfenstein stated that she will be attending a Vector Control Board meeting next week and encouraged residents to dump and drain standing water as we approach the warmer months. She noted that the Asian Citrus Disease, Huanglongbing, has been detected in Anaheim, Garden Grove, and Santa Ana, and that there will be a public meeting on March 15, 2018, from 5:30 p.m. to 7:00 p.m. at 505 E. Central Avenue, Santa Ana. Representatives from the California Department of Food and Agriculture will be at the meeting to answer questions. She encouraged residents to be aware if they see issues with their citrus trees and if so to contact 1-800-491-1899.

City Manager Stiles announced that the Community Services Department will be recognized by the California Parks and Recreation Society on Friday, March 16, 2018, at 5:30 p.m. at the Hyatt Regency in Long Beach. He noted that on Friday, March 23, 2018, from 8:00 a.m. through 3:00 p.m. the annual City Council retreat will be held at the Sheraton Hotel in Garden Grove, and an agenda will be posted and provided to the City Council.

Mayor Jones recognized the passing of Dennis Melugin, a resident of Garden Grove and a Kiwanis member since 1969. Mr. Melugin was a devoted civic leader and his more recent project "The Eliminate Project" raised thousands of dollars in support of eliminating neonatal tetanus throughout developing countries. He is survived by his wife, children, grand-children, and great grand-children.

ADJOURNMENT

At 9:41 p.m., Mayor Jones adjourned the meeting in memory of Mr. Dennis Melugin. The next Regular City Council Meeting will be held on Tuesday, March 27, 2018, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC
City Clerk