

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, May 8, 2018

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

CONVENE MEETING

At 6:31 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

Mayor Jones remarked on the Garden Grove College Graduates' Reception that was held prior to the City Council meeting, where he had an opportunity to personally congratulate 52 college graduates from the community.

INVOCATION

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

REPORT FROM THE ORANGE COUNTY HUMAN RELATIONS COMMISSION

COMMUNITY SPOTLIGHT IN RECOGNITION OF NICOLE CASSESSO, 2017 WOMAN OF THE YEAR IN THEATER

CONSIDERATION OF A RESOLUTION AUTHORIZING CITY STAFF TO PARTICIPATE IN THE ASSOCIATION OF CALIFORNIA CITIES-ORANGE COUNTY'S PLANNING EFFORTS REGARDING COUNTY-WIDE PERMANENT SUPPORTIVE HOUSING AS REQUESTED BY THE CITY MANAGER

Mayor Jones stated that the increase of homelessness has sparked regional discussions on addressing the issues faced by the cities in Orange County, and the purpose of the Resolution is to offer staff an opportunity to participate with regional solutions. He introduced Heather Stratman, Chief Executive Officer, Association of

California Cities-Orange County (ACC-OC). Ms. Stratman thanked the City Council for bringing this Resolution forward, and stated that ACC-OC is very involved in homelessness discussions with the County of Orange, the United Way, all of the cities in Orange County, and regional stakeholders. She stated that ACC-OC is sponsoring the 2700 units of permanent supportive housing discussions, and that participation from all Orange County cities is necessary to implement this plan with the intent to provide a full system service to the homeless for future implementation. She stated that the calculation for Garden Grove's portion of 2700 units would be three percent, noting that the goal is for all cities to share in the distribution of care for the homeless. She expressed her appreciation and is looking forward to working with City staff on the 2700 unit supportive permanent housing plan.

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

Resolution No. 9504-18 entitled: A Resolution of the City Council of the City of Garden Grove authorizing city staff to participate in the Association of California Cities Orange County's planning efforts regarding county-wide permanent supportive housing, 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 PROCLAMATION DECLARING MAY AS ASIAN PACIFIC ISLANDER HERITAGE MONTH

Mayor Jones introduced Tammy Tran and James Peterson, and he read the proclamation declaring May as Asian Pacific Islander Heritage Month.

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

A proclamation declaring May as Asian Pacific Islander Heritage Month, 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

Following the vote, Mayor Jones presented Ms. Tran with the proclamation. Ms. Tran thanked the City Council and stated that she was happy to accept the proclamation on behalf of Southern California Edison and the Asian Pacific Islander community.



RECONVENE

At 7:46 p.m., Mayor Jones reconvened the meeting with all Council Members present.

APPROVAL OF AN AMENDMENT TO THE FACILITIES USAGE AGREEMENT WITH ONE MORE PRODUCTS FOR THE GEM THEATRE

Council Member Klopfenstein praised the operators of the Gem Theatre and asked staff to provide a report.

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

The amendment to the Facilities Usage Agreement for the Gem Theatre between the City of Garden Grove and One More Productions, be approved;

The City Manager be authorized to sign the amendment and make minor modifications as appropriate on behalf of the City; and

The City Manager be authorized to enter into future amendments to this 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

AUTHORIZE AN INCREASE OF THE PURCHASE ORDER WITH AAA OIL, INC. DBA CALIFORNIA FUELS AND LUBRICANTS FOR FUELING CITY VEHICLES

Council Member Bui commended staff for obtaining a purchase order with AAA Oil, Inc. dba California Fuels and Lubricants as it is a Garden Grove business.

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

The Finance Director be authorized to increase the amount of the purchase order, in the amount of \$100,000, with AAA Oil, Inc., dba California Fuels and Lubricants for the purchase of City vehicle fuel.

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



Resolution No. 9493-18 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 2018-19 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. 9494-18 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 2018-19, be adopted;

Resolution No. 9495-18 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 2018-19 and setting a time and place for a Public Hearing on the levy of the proposed assessments, be adopted;

Resolution No. 9496-18 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 2018-19 and setting a time and place for a Public Hearing on the levy of the proposed assessments, be adopted; and

Resolution No. 9497-18 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 2018-19 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

ADOPTION OF A RESOLUTION FOR FUNDING FROM THE URBAN AND COMMUNITY FORESTRY GRANT PROGRAM AS PROVIDED THROUGH THE CALIFORNIA CLIMATE INVESTMENTS (THE GREENHOUSE GAS REDUCTION FUND)

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

Submittal of a grant application to the Department of Forestry and Fire Protection be approved; and

Resolution No. 9498-18 entitled: A Resolution of the City Council of the City of Garden Grove, California, for funding from the Urban and Community Forestry Grant Program as provided through California Investments (The Greenhouse Gas Reduction Fund), 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

AUTHORIZE AN INCREASE OF THE PURCHASE ORDER WITH AAA OIL, INC. DBA CALIFORNIA FUELS AND LUBRICANTS FOR FUELING CITY VEHICLES

This matter was considered earlier in the meeting.

AWARD OF CONTRACT TO CONTINENTAL CONCRETE CUTTING, INC., TO PROVIDE ASPHALT AND CONCRETE SAW CUTTING SERVICES

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

A contract be awarded to Continental Concrete Cutting, Inc., in the amount not to exceed \$200,000, for saw cutting services; and

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

WARRANTS

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

Regular Warrants 637693 through 637953; 637954 through 638463; 638464 through 638547; Wires W2142 through W2160; and W637124; and W638208 through W638462 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 182209 through 182240; Direct Deposits D329202 through D329909; and Wires W2466 through W2469; 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

RECEIVE AND FILE MINUTES FROM THE MEETING HELD ON APRIL 24, 2018  
(F: Vault)

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

The minutes from the meeting held on April 24, 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

APPROVAL TO WAIVE FULL READING OF ORDINANCES LISTED

It was moved by Mayor Jones, seconded by Council Member Klopfenstein 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 2018-19 DOWNTOWN ASSESSMENT DISTRICT BUDGET; ADOPTION OF A RESOLUTION INITIATING PROCEEDINGS FOR THE LEVYING OF ASSESSMENTS FOR FISCAL YEAR 2018-19; ADOPTION OF A RESOLUTION APPROVING THE ENGINEER'S REPORT; AND ADOPTION OF A RESOLUTION OF INTENTION FIXING A TIME AND DATE TO CONDUCT A PUBLIC HEARING

Following staff presentation, it was moved by Mayor Jones, seconded by Council Member Klopfenstein that:

The proposed budget for the Downtown Assessment District for Fiscal Year 2018-19 be approved;

Resolution No. 9499-18 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 2018-19 Fiscal Year for the City of Garden Grove Downtown Assessment District, 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. 9500-18 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 Downtown Assessment District, for Fiscal Year 2018-19, be adopted; and

Resolution No. 9501-18 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 Downtown Assessment District 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

ADOPTION OF A RESOLUTION AMENDING THE CALPERS CONTRACT WITH CLASSIC PUBLIC SAFETY EMPLOYEES FOR COST SHARING, AND THE INTRODUCTION AND FIRST READING OF AN ORDINANCE FOR THE SAME PURPOSE

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

Following staff presentation, it was moved by Council Member Bui, seconded by Mayor Jones that:

Resolution No. 9502-18 entitled: A Resolution of the City Council of the City of Garden Grove declaring its intention to approve an amendment to the contract between the City Council of the City of Garden Grove and the Board of Administration California Public Employees' Retirement System, be adopted; and

Ordinance No. 2892 entitled: An Ordinance of the City Council of the City of Garden Grove authorizing an amendment to the contract between the City Council of the City of Garden Grove and the Board of Administration of the California Public Employees' Retirement System, be passed to second reading; and

Staff be directed to conduct an election affirming the bargaining groups' approval.

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 COST REIMBURSEMENT AGREEMENT WITH THE CITY OF SANTA ANA FOR THE REHABILITATION OF WESTMINSTER AVENUE FROM HARBOR BOULEVARD TO FAIRVIEW STREET

Following staff presentation and City Council discussion:

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

The Cooperative Cost Reimbursement Agreement, in the amount of \$434,869.70, with the City of Santa Ana for the rehabilitation of Westminster Avenue, from Harbor Boulevard to Fairview Street, be approved; and

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

SECOND READING AND ADOPTION OF ORDINANCE NO. 2891

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

It was moved by Council Member O'Neill, seconded by Council Member Klopfenstein that:

Ordinance No. 2891 entitled: An Ordinance of the City Council of the City of Garden Grove approving Planned Unit Development No. PUD-008-2018 by changing the zoning designation from GGMU1 (Garden Grove Mixed Use 1) and O-S (Open Space) to Planned Unit Development No. PUD-008-2018, 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

DISCUSSION ON A RESOLUTION DESIGNATING THE PORTION OF GARDEN GROVE WEST OF WESTERN AVENUE AS THE WEST GROVE DISTRICT AS REQUESTED BY MAYOR PRO TEM BEARD (Continued from the April 24, 2018, meeting.)

Council Member Beard commented that the intent of introducing a resolution to name the western portion of Garden Grove the West Grove District is to recognize, market, and brand the area. He suggested changing the name "West Grove District" to the "West Grove Business District" and made further edits to the draft resolution.

After City Council discussion and consensus to the edits, it was moved by Council Member O'Neill, seconded by Council Member Bui that:

Resolution No. 9503-18 entitled: A Resolution of the City Council of the City of Garden Grove designating the portion of Garden Grove between Valley View and Beach Boulevard as the West Grove Business District.

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 A RESOLUTION AUTHORIZING CITY STAFF TO PARTICIPATE IN THE ASSOCIATION OF CALIFORNIA CITIES-ORANGE COUNTY'S PLANNING EFFORTS REGARDING COUNTY-WIDE PERMANENT SUPPORTIVE HOUSING AS REQUESTED BY THE CITY MANAGER

This matter was considered earlier in the meeting.

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

Council Member O'Neill noted that the Magnolia Park Family Resource Center located in District 2 at 11402 Magnolia Street just recently celebrated its 18<sup>th</sup> anniversary. He encouraged residents to take advantage of the services offered, and thanked the Magnolia Park Resources staff for their service.

Council Member K. Nguyen noted that she attended the Southern California Association of Governments conference and found many of the sessions educational. She commented that one of the more interesting sessions addressed housing and the financial challenges faced by the millennial generation to buy a house in Southern California, and that the focus needs to be on YIMBY ("yes in my backyard") and not NIMBY ("not in my backyard"). She was however, disappointed about racist comments made by some of the attendees at the conference, and stepped away briefly from tonight's meeting during Oral Communications to avoid listening to racist rhetoric in relation to SB 54. She commented on the many hours the City Council and City staff devote to the City, how hard they work together even if there are disagreements, and she appreciates being addressed professionally and respectfully. She noted that the City Council adopted Resolution No. 9409-17 promoting community harmony and safety that memorialized that the Garden Grove Police Department does not ask for immigration status of our residents, and quoted "When you're accustomed to privilege, equality feels like oppression."

Council Member Klopfenstein praised Nicole Cassesso for her talent and her work at the Gem Theater and that "Always Patsy Cline: County Musical Tale of Friendship," starring Ms. Cassesso, is playing at the Gem Theater through May. She stated that she will be attending a meeting at Vector Control, and that there will be a discussion on a plan for informing and educating the public on mosquito awareness in the upcoming summer months.

Council Member Bui stated that he traveled to Sacramento in support of Senate Bill 895, which was introduced by Senator Janet Nguyen to add Section 51207 to the Education Code, relating to statewide curriculum on the Vietnamese American refugee experience. He noted that among the speakers, Dr. Long Pham and Tony Cardenas spoke in favor of the bill, which both Houses passed. While he was in Sacramento, he spoke with Assembly Member Tom Daly regarding the challenges faced by the Police Department due to the early release of prisoners. He was told

that Sacramento legislators are working on bills for more funding for local police early next year.

City Manager Stiles announced the Police Memorial on Thursday, May 17, 2018, from 5:00 p.m. to 6:00 p.m. in front of the Public Safety Building, and the Strawberry Festival will be held on May 25<sup>th</sup> through the 28<sup>th</sup>. He noted that City staff was recognized at the Southern California Association of Governments Conference for their work on Re:Imagine Downtown and mobility and transportation.

Mayor Jones announced that the May 22, 2018, City Council meeting will be cancelled. In response to Mr. Charles Mitchell's request during Oral Communications, he stated that following Closed Session, he will adjourn the meeting in honor of World War II Veterans' Victory in Europe Day on May 8, 1945.

#### CONVENE CLOSED SESSION

At 8:32 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 – Existing Litigation

Pursuant to Government Code Section 54957.(d)(1): City of Santa Ana Cross Complaint vs. City of Garden Grove et al; Orange County Catholic Worker et al, USDC Case No. SA CV 18-0155-DOC (JDE)

#### ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers: None

#### ADJOURN CLOSED SESSION

At 9:03 p.m., Mayor Jones adjourned Closed Session.

#### RECONVENE REGULAR MEETING

At 9:04 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

#### CLOSED SESSION REPORT

City Attorney Sandoval announced that there was no reportable action.

ADJOURNMENT

At 9:05 p.m., Mayor Jones adjourned the meeting in honor of Veterans of World War II. The next City Council Meeting will be held on Tuesday, June 12, 2018, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC  
City Clerk