

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, August 28, 2018

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

CONVENE SPECIAL STUDY SESSION

At 4:39 p.m., Mayor Jones convened the meeting.

ROLL CALL      PRESENT:      (5)      Mayor Jones, Council Members Beard, Bui, Klopfenstein, K. Nguyen

                         ABSENT:      (2)      Council Member O'Neill, Council Member T. Nguyen absent at Roll Call. Council Member T. Nguyen joined the meeting at 5:22 p.m.

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

ORAL COMMUNICATIONS FOR STUDY SESSION

Speakers: John Holm, Eric Thorson

DISCUSSION ON THE ORANGE COUNTY FIRE AUTHORITY PROPOSAL TO PROVIDE FIRE SERVICES FOR THE CITY OF GARDEN GROVE

Any proposed actions for this matter will be brought back to a Regular City Council Meeting for action.

ADJOURN STUDY SESSION

At 6:39 p.m., Mayor Jones adjourned the meeting.

CONVENE REGULAR MEETING

At 6:46 p.m., Mayor Jones convened the meeting in the Council Chamber with Council Members Beard, Bui, T. Nguyen, Klopfenstein and K. Nguyen present.

INVOCATION

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

COMMUNITY SPOTLIGHT IN RECOGNITION OF GARDEN GROVE POLICE EXPLORERS POST 1020 FOR VOLUNTEERING THOUSANDS OF HOURS AND BRINGING HOME EIGHT TROPHIES

ORAL COMMUNICATIONS

Speakers: Mona Marche, Leland Sisk, Charles Mitchell, Tony Flores, Verla Lambert

CONSIDERATION OF A WRITTEN REQUEST FROM THE WESTERN UNIVERSITY OF HEALTH SCIENCES TO WAIVE FACILITY USE FEES FOR A FREE MEDICARE PART D EDUCATION AND AWARENESS EVENT TO BE HELD AT THE H. LOUIS LAKE SENIOR CENTER ON SATURDAY, NOVEMBER 17, 2018

This matter was heard later in the meeting.

RECESS

At 7:22 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 7:28 p.m., Mayor Jones reconvened the meeting with Council Members Beard, T. Nguyen, Bui, Klopfenstein, K. Nguyen present.

CONSIDERATION OF A WRITTEN REQUEST FROM THE WESTERN UNIVERSITY OF HEALTH SCIENCES TO WAIVE FACILITY USE FEES FOR A FREE MEDICARE PART D EDUCATION AND AWARENESS EVENT TO BE HELD AT THE H. LOUIS LAKE SENIOR CENTER ON SATURDAY, NOVEMBER 17, 2018

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

The facility use fees be waived, in the amount of \$337, for the use of the H. Louis Lake Senior Center to conduct a free Medicare Part D Education and Awareness event on Saturday, November 17, 2018, hosted by the Western University of Health Sciences.

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

AUTHORIZATION OF LETTER TO GOVERNOR SUPPORTING ASSEMBLY BILL 448 TO  
CREATE THE ORANGE COUNTY HOUSING TRUST

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

The Mayor be authorized to sign the letter to the Governor supporting Assembly Bill 448 (Daly) to establish the Orange County Housing Trust.

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

ADOPTION OF A SUB-RECIPIENT GRANT RESOLUTION AND AUTHORIZATION TO  
SUBMIT THE PROJECT ASSURANCES FOR A LOCAL HAZARD MITIGATION AND PRE-  
DISASTER MITIGATION PROGRAM

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

Grant Resolution No. 9524-18 entitled: Designation of Subrecipient's Agent Resolution, Hazard Mitigation Grant Program and Pre-Disaster Mitigation Program, designating the Public Works Director, Water Services Manager and Environmental/Streets Manager as the City's Agent(s) with the Federal Emergency Management Agency and the California Governor's Office of Emergency Service, as required per the Hazard Mitigation Grant Program, be adopted;

The Mayor be authorized to execute the Grant Resolution;

That the Public Works Director be authorized to certify the Project Assurances; and

The submittal of Project Assurances for Federal Assistance-Hazard Mitigation Grant be authorized.

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

APPROVAL OF THE BOND EXONERATION FOR THE IMPROVEMENT BONDS FOR TRACT MAP NO. 17871 FOR THE PROPERTY LOCATED AT 227 FEET SOUTHEAST FROM THE CENTER LINE INTERSECTION OF STANFORD AVENUE AND BROOKHURST WAY, GARDEN GROVE

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

The exoneration of the improvement bonds for Tract Map No. 17871 located 227 feet southeast from the center line intersection of Stanford Avenue and Brookhurst Way, Garden Grove, be approved.

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

APPROVAL OF FINAL TRACT MAP NO. 17927 AND A SUBDIVISION IMPROVEMENT AGREEMENT WITH SHEA HOMES FOR PROPERTY LOCATED AT 12901 LEWIS STREET, GARDEN GROVE

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

The final Tract Map No. 17927 and the Subdivision Improvement Agreement with Shea Homes, for the property located at 12901 Lewis Street, Garden Grove, be approved;

That the Subdivision Improvement Bonds, be accepted; and

The City Manager be authorized to execute the Agreement on behalf of the City and make minor modifications as appropriate.

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

APPROVAL OF AN AMENDMENT TO THE AGREEMENT WITH UNION BANK N.A. FOR BANKING SERVICES

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

The amendment to the existing contract with Union Bank, N.A. to extend City banking services for the period of July 1, 2018 to June 30, 2020, be approved; and

The City Manager and/or the Finance Director be authorized to execute the amendment on behalf of the City and make minor modifications as appropriate.

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

APPROVAL TO CARRYOVER FISCAL YEAR 2017-18 FEDERAL ASSET FORFEITURE FUNDS TO FISCAL YEAR 2018-19 FOR THE PURCHASE OF POLICE DEPARTMENT EQUIPMENT

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

The carryover amount of \$22,000 in existing federal asset forfeiture funds (Fund 112) appropriated in Fiscal Year 2017-18 to Fiscal Year 2018-19 for the purchase of Police Department equipment, be approved.

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

APPROPRIATION OF ADDITIONAL FUNDS FOR ONE ANIMAL CONTROL OFFICER POSITION

This matter was heard later in the meeting.

AWARD OF CONTRACT TO MARK THOMAS & COMPANY, INC., TO PROVIDE ENGINEERING DESIGN SERVICES FOR THE GARDEN GROVE BICYCLE CORRIDOR IMPROVEMENT PROGRAM (BCIP) PROJECT

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

The contract to Mark Thomas & Company, Inc., to provide engineering design services, in the amount, not to exceed \$95,220, be awarded;

The City Manager or his designee be authorized to execute the Professional Services Agreement on behalf of the City and to make minor modifications as appropriate; and

The City Manager or his designee be authorized to sign amendments to the said Agreement, including the authorization to enter into the extensions if approved by the State, and provided sufficient funds are available for each extension.

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

APPROVAL OF AMENDMENTS TO THE CONSULTANT AGREEMENTS WITH ASSOCIATED SOILS AND GROUP DELTA FOR PROFESSIONAL SERVICES

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

Amendment No. 2 with Associated Soils, increasing the initial agreement amount from \$300,000 to \$400,000, a \$100,000 increase, be approved;

Amendment No. 2 with Group Delta, increasing the initial agreement amount from \$300,000 to \$400,000, a \$100,000 increase, be approved; and

The City Manager be authorized to execute both Amendments and to make minor modifications on behalf of the City.

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

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO ALTEC INDUSTRIES FOR ONE (1) NEW AERIAL TRUCK

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

The Finance Director be authorized to issue a purchase order in the amount of \$124,721.18 to Altec Industries for the purchase of one (1) new aerial truck.

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

AUTHORIZE THE ISSUANCE OF PURCHASE ORDERS TO FLEET SERVICES,  
TRUCPARCO AND FLEET PRIDE FOR TRUCK PARTS

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

The Finance Director be authorized to issue three (3) purchase orders for truck parts in a fixed amount collectively not to exceed \$150,000 per year for five (5) years and to be divided between Fleet Services, TrucParCo, and Fleet Pride.

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

AUTHORIZE ISSUANCE OF PURCHASE ORDERS TO HILLCO FASTENER  
WAREHOUSE, INC., LAWSON PRODUCTS AND MCFADDEN-DALE INDUSTRIAL  
HARDWARE FOR FASTENERS AND HARDWARE PARTS

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

The Finance Director be authorized to issue three (3) purchase orders for fasteners and hardware parts in a fixed amount collectively not to exceed \$150,000 per year for five (5) years and to be divided between Hillco Fastener Warehouse, Inc., Lawson Products, and McFadden-Dale Industrial Hardware.

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

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

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

The minutes from the meeting held on July 24, 2018, be received and filed.

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

#### WARRANTS

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

Payroll Warrants 182487 through 182550, 182551 through 182596, 182597 through 182645; Direct Deposits D333475 through D334198, D334133 through D334923, D334922 through D335648; Wires W2490 through W2493, W2494 through W2497, W2498 through W2501; 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 641070 through 641265, 641526 through 641785, 641786 through 642146, and 642147 through 642533; and Wires W2217 through W2226, W641525 through W641784, W2227 through W2233, and W2241 through W2253; 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 6-0-1 vote as follows:

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

#### APPROPRIATION OF ADDITIONAL FUNDS FOR ONE ANIMAL CONTROL OFFICER POSITION

After City Council comments, it was moved by Council Member Beard, seconded by Council Member Klopfenstein that:

Additional funds in the amount of \$97,000 for Fiscal Year 2018-19 to fund one Full-Time Animal Control Officer position, be appropriated.

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

COMMISSION/COMMITTEE MATTERS - ACCEPTANCE OF THE RESIGNATION OF DALE SOEFFNER FROM THE TRAFFIC COMMISSION

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

Traffic Commissioner Dale Soeffner's resignation be accepted.

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

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO WONDRIES FLEET GROUP FOR THE PURCHASE OF NINE (9) NEW POLICE VEHICLES

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

The Finance Director be authorized to issue a purchase order in the amount of \$294,378.48 to Wondries Fleet Group for the purchase of nine (9) new police patrol vehicles.

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

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

WILLOWICK GOLF COURSE STATUS REPORT AS REQUESTED BY CITY MANAGER STILES

Community and Economic Development Director, Lisa Kim, provided the status report to update the City Council on the progress of the Willowick Golf Course redevelopment efforts and milestones.

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

Council Member T. Nguyen reminded the community to use caution and practice driver safety specifically around school zones as Garden Grove Unified School District's first day back to school starts tomorrow.

Council Member K. Nguyen thanked staff for efforts and detail to Council Member Agenda binders. She wished her mother a happy birthday and also sent good luck wishes to everyone going back to school.

Council Member Klopfenstein provided a Vector Control update to inform the public about mosquito pools that tested positive for West Nile Virus at the Haster Basin location on West Street. She encouraged the community to take precautionary measures like dumping and draining standing water to help eradicate the mosquito issue. She also thanked Mayor Pro Tem Beard for highlighting the approval of funds for an additional Animal Control Officer in order to efficiently provide a service that is highly beneficial to the residents of Garden Grove and their pets. She congratulated Verla Lambert on a successful Chili Cook-off; an event that exemplified the essence of "neighbors helping neighbors." Additionally, she commented on Dale Soeffner's efforts and accomplishments as a Traffic Commissioner and thanked him for all his hard work. Lastly, she thanked and honored Sergeant Major Bradley Warner, a Garden Grove resident who served in the U.S. Army for 30 years and recently celebrated his retirement at a block party organized by his neighbors.

Council Member Bui expressed his condolences for the late Senator John McCain and his family. He shared that Senator McCain is beloved by the Vietnamese-American community and recently asked for a moment of prayer during a Buddhist ceremony. Additionally, he shared that a group of community members would be traveling to Arizona to pay tribute to the late Senator. He also wanted to bring attention to an issue where a group of homeless are accessing the Caltrans flood control channel located near a property on Trask Avenue, near Euclid at the West 22 Freeway entrance. He requested that staff look into the issue and possibly contact Caltrans to help secure the area. Lastly, in response to public comments during Oral Communications, he explained that his travels to Sacramento are related to his advocacy efforts to make our legislative representatives aware and express concerns about Garden Grove's current issues related to public safety, homelessness, and the ongoing impacts that the dissolution of the Redevelopment Agency has created for the City.

Mayor Jones acknowledged the passing of Senator John McCain whom he recognized as a true patriot, war hero and lifelong public servant. He also announced that he would be adjourning the meeting in memory of Leo Zlaket, who not only ran Zlaket's Market from 1988 through 2014, the city's oldest family-owned business, but was also involved with the Garden Grove Chamber of

Commerce, the Boys & Girls Clubs of Garden Grove, and other organizations. Leo Zlaket passed away on July 31<sup>st</sup> after battling multiple myeloma, a bone marrow cancer. He is survived by his wife Virginia, son David, daughter-in-law Tina, grandchildren Gabi and Roman, and sister Yvonne. Mayor Jones also announced that he was adjourning the meeting in memory of Phillip Anthony who was a respected member of the Orange County Water Board representing a portion of Garden Grove. As an accomplished and dedicated public servant, Phil Anthony led efforts that doubled the sustainable yield of the Orange County Groundwater Basin and pioneered projects that are now industry standards for addressing drought and water shortages. His dedication as a public servant leaves a legacy for making Orange County a better place to live and thrive.

#### CONVENE CLOSED SESSION

At 7:57 p.m., Mayor Jones announced that the City Council was going into Closed Session in the Founders Room to discuss the following matters:

#### Conference with Labor Negotiators

Pursuant to Government Code Section 54957.6

Agency designated representatives: Scott Stiles, City Manager

Employee organization: International Association of Firefighters, Local 2005

#### Conference with Legal Counsel - Anticipated Litigation

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

#### ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers: None

#### ADJOURN CLOSED SESSION

At 8:58 p.m., Mayor Jones adjourned Closed Session.

#### RECONVENE REGULAR MEETING

At 8:59 p.m., Mayor Jones reconvened the meeting in the Council Chamber with Council Members Beard, T. Nguyen, Bui, Klopfenstein, K. Nguyen present.

#### CLOSED SESSION REPORT

City Attorney Sandoval announced that there was no reportable action on labor negotiations.

On the Initiation of Litigation items, City Attorney Sandoval announced that the City Council unanimously authorized the City Attorney's Office to commence receivership proceedings involving the properties located at 11081 Sherman Avenue and 13691 Purdy Street.

ADJOURNMENT

At 9:01 p.m., Mayor Jones adjourned the meeting in memory of Leo Zlaket and Phillip Anthony. The next Regular City Council Meeting will be held on Tuesday, September 11, 2018, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Lizabeth Vasquez  
Deputy City Clerk