

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, October 23, 2018

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

CONVENE MEETING

At 6:33 p.m., Mayor Jones convened the meeting in the Council Chamber.

ROLL CALL PRESENT: (7) Mayor Jones, Mayor Pro Tem Beard, Council
Members O'Neill, T. Nguyen, Bui,
Klopfenstein, K. Nguyen

ABSENT: (0) None

INVOCATION

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

RECESS

At 6:34 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 6:37 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

ORAL COMMUNICATIONS

Speakers: Tom Raber, Craig Durfey, Tony Flores, Aaron Downs, Linda (Resident),
Verla Lambert

RECESS

At 6:53 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 6:58 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

APPROVAL OF A FIVE-YEAR AGREEMENT WITH THE STRAWBERRY FESTIVAL ASSOCIATION TO CONDUCT THE ANNUAL STRAWBERRY FESTIVAL AND PARADE (F: 55 – GARDEN GROVE STRAWBERRY FESTIVAL ASSOCIATION, INC.)

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

The Five Year Agreement with the Strawberry Festival Association to conduct the Strawberry Festival at Village Green Park and Parade on city streets over the Memorial Day weekend of May 24-27, 2019, and over the Memorial Day weekends over the next four years to 2023, be approved; and

The City Manager be authorized to execute the Agreement, including any minor modifications as appropriate hereto, 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 A 10-YEAR AGREEMENT WITH ONE MORE PRODUCTIONS TO MANAGE THE OPERATION OF THE GEM THEATER (F: 55 – ONE MORE PRODUCTIONS)

This item was pulled by Council Member Klopfenstein to be considered later in the meeting.

ACCEPTANCE OF A STREET DEED FOR AN EASEMENT ON A PORTION OF PROPERTY LOCATED AT 11831 TRASK AVENUE, GARDEN GROVE, FOR PUBLIC STREET AND HIGHWAY PURPOSES (F: 84.1)

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

The easement for public street and highway purposes for a portion of the property located at 11831 Trask Avenue, Garden Grove, be accepted; and

The City Clerk be authorized to accept the Street Deed 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 A COOPERATIVE AGREEMENT WITH THE ORANGE COUNTY
TRANSPORTATION AUTHORITY FOR THE KATELLA AVENUE CORRIDOR TRAFFIC
SIGNAL SYNCHRONIZATION PROJECT (F: 100.PROJ.C-8-1798)

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

The Cooperative Agreement with the Orange County Transportation Authority for the Katella Avenue Corridor Traffic Signal Synchronization Project with funding in an estimated amount of \$10,980 from the allocated Fiscal Year 2018/19 Engineering Capital Improvement Plan, be approved; and

The Mayor be authorized to execute the Cooperative 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 THE ISSUANCE OF A PURCHASE ORDER TO NATIONAL AUTO FLEET
GROUP FOR ONE (1) NEW POLICE SEDAN

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

The City Manager or his designee be authorized to issue a purchase order in the amount of \$23,095.27 to National Auto Fleet Group for the purchase of one new Police Department sedan.

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 NATIONAL AUTO FLEET GROUP FOR ONE (1) NEW PUBLIC WORKS TRUCK

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

The City Manager or his designee be authorized to issue a purchase order in the amount of \$29,254.26 to National Auto Fleet Group for the purchase of one (1) new Public Works 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

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO NATIONAL AUTO FLEET GROUP FOR FIVE (5) NEW SMALL PICKUP TRUCKS

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

The City Manager or his designee be authorized to issue a purchase order in the amount of \$132,317.65 to National Auto Fleet Group for the purchase of five (5) new small pickup trucks.

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 WITH HOME DEPOT CREDIT SERVICES FOR HARDWARE SUPPLIES

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

The City Manager or his designee be authorized to issue a three-year blanket purchase order with Home Depot Credit Services, in the amount of \$100,000, for the purchase of building materials and supplies.

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 EMG CORPORATION TO PROVIDE
CONSULTING SERVICES FOR AN AMERICANS WITH DISABILITIES ACT SELF
EVALUATION AND TRANSITION PLAN FOR CITY FACILITIES
(F: 55 - CLAMPETT INDUSTRIES, LLC DBA EMG)

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

An Agreement with EMG Corporation, in the amount of \$138,383.40, to perform an Americans with Disabilities Act facilities evaluation, transition plan, and facilities condition assessment, be approved; and

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

RECEIVE AND FILE MINUTES FROM THE MEETING HELD ON OCTOBER 9, 2018
(F: VAULT)

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

Minutes from the meeting held on October 9, 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 Council Member K. Nguyen, seconded by Council Member Klopfenstein that:

Payroll Warrants 182781 through 182844; Direct Deposits D337750 through D338412; Wires W2514 through W2517; be approved as presented in the warrant

register submitted, and have been audited for accuracy and funds are available for payment thereof by the City Manager or his designee; and

Regular Warrants 644029 through 644442; and Wires W2285 through W2302; be approved as presented in the warrant register submitted, and have been audited for accuracy and funds are available for payment thereof by the City Manager or his designee.

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 10-YEAR AGREEMENT WITH ONE MORE PRODUCTIONS TO MANAGE THE OPERATION OF THE GEM THEATER (F: 55 – ONE MORE PRODUCTIONS)

Council Member Klopfenstein expressed her appreciation and amazement for the talented productions offered by One More Productions at the GEM.

Mayor Jones acknowledged Damien Lorton with One More Productions in the audience, and invited Mr. Lorton to address the City Council.

Mr. Lorton expressed his appreciation for the opportunity to bring live theater to the community and noted that audience members come from all over Southern California to visit the GEM in Garden Grove.

It was moved by Council Member Klopfenstein, seconded by Council Member Bui that:

The agreement with One More Productions for the exclusive use of the GEM Theater, and for providing capital improvements in an estimated amount of \$400,000, be approved; and

The City Manager be authorized to execute the agreement, including any 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

PUBLIC HEARING – ADOPTION OF A RESOLUTION APPROVING GENERAL PLAN AMENDMENT NO. GPA-003-2018 TO ADOPT A BICYCLE AND PEDESTRIAN MASTER PLAN (GARDEN GROVE ACTIVE STREETS MASTER PLAN) INTO THE CITY’S GENERAL PLAN CIRCULATION ELEMENT (F: 20.GPA-003-2018)

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

Speakers: Craig Durfey, Byron Von Korper, Brenda Miller, Erin Webb

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

Following City Council comments supporting the Amendment, as well as comments from Council Member O’Neill thanking Craig Durfey for advocating on behalf of residents for a Bicycle Plan, and former Garden Grove Senior Planner Erin Webb for all of her work in bringing the Bicycle Master Plan together, it was moved by Mayor Jones, seconded by Council Member K. Nguyen that:

Resolution No. 9528-18 entitled: A Resolution of the City Council of the City of Garden Grove approving General Plan Amendment No. GPA-003-2018, 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

ADOPTION OF A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR THE CONSTRUCTION PHASE OF THE EUCLID/WESTMINSTER INTERSECTION IMPROVEMENT PROJECT (F: 23.18)

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

Resolution No. 9529-18 entitled: A Resolution of the City Council of the City of Garden Grove approving the submittal of the Euclid/Westminster Intersection Improvement Project, construction phase to the Orange County Transportation Authority for funding under the Comprehensive Transportation Program, 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 COOPERATIVE AGREEMENT WITH THE ORANGE COUNTY
TRANSPORTATION AUTHORITY FOR THE GARDEN GROVE BOULEVARD CORRIDOR
TRAFFIC SIGNAL SYNCHRONIZATION PROJECT (F: 100.PROJ.C-8-1797)

Following staff presentation, it was moved by Council Member O'Neill, seconded by Council Member T. Nguyen that:

The Cooperative Agreement with the Orange County Transportation Authority for the Garden Grove Boulevard Corridor Traffic Signal Synchronization Project with funding in an estimated amount of \$454,952 from the allocated Fiscal Year 2018/19 Engineering Capital Improvement Plan, be approved; and

The Mayor be authorized to execute the Cooperative 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

AWARD A CONTRACT TO JIG CONSULTANTS TO PROVIDE CONSTRUCTION
MANAGEMENT AND INSPECTION SERVICES FOR THE WESTHAVEN RESERVOIRS
REHABILITATION PROJECT, AND THE MAGNOLIA RESERVOIR AND BOOSTER PUMP
STATION REHABILITATION PROJECT (F: 55 – JIG CONSULTANTS)

Following staff presentation, Council Member Klopfenstein commented that she is glad to see the project moving forward. It was moved by Council Member Klopfenstein, seconded by Council Member K. Nguyen that:

A contract be awarded to JIG Consultants for construction management and inspection services for the Westhaven Reservoirs Rehabilitation Project, and the Magnolia Reservoir and Booster Pump Station Rehabilitation Project in the amount of \$508,087; and

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

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 PURCHASE ORDERS TO ALL AMERICAN ASPHALT, VULCAN MATERIALS, AND R.J. NOBLE FOR ASPHALT PRODUCTS ON AN AS-NEEDED BASIS

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

The City Manager or his designee be authorized to issue a five (5) year blanket purchase order with All American Asphalt, Vulcan Materials, and R.J. Noble for asphalt products in the firm and fixed amount of \$600,000 per year; and

The City Manager be authorized to review and approve annual renewals, provided that sufficient funds are budgeted.

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

TO TRANSMIT THE 2018 ECONOMIC DEVELOPMENT STRATEGIC PLAN (ESDP) AT THE REQUEST OF THE CITY COUNCIL (F: 57.1)

Community and Economic Development Director, Lisa Kim, introduced Dave Barquist with Kimley-Horn Consulting who presented a PowerPoint that illustrated the accomplishments, goals, and strategic actions taken by the Community and Economic Development Department under the leadership of Lisa Kim and her Economic Development staff with the purpose of moving forward with the City's economic goals.

Following the presentation, Council Member Beard asked whether more staffing is needed to accomplish the milestones within the strategic plan.

City Manager Stiles noted that more staffing is always helpful, noting that Community and Economic Development is currently working on 15 projects.

Ms. Kim noted that the Economic Development Division is a strong team of three and that she is very proud of what has been accomplished.

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

Council Member Beard wished his wife Sheryl a happy birthday.

Council Member O'Neill encouraged everyone to attend the Woman's Civic Club holiday boutique and fundraiser. He again acknowledged Craig Durfey for his dedication to the community in advocating for a bicycle plan. In response to comments made under Oral Communications, he noted that with the five percent budget reductions and the City's shortfall, the City has still been able to accomplish a lot with less under the current City Council that includes: maintaining services, increase of public safety staffing, moving forward with the Brookhurst Triangle project, maintained the KIA car dealership in the City, moving forward on the "Rusty Skeleton" on Garden Grove Boulevard, completion of the Wesley Village apartment building that includes affordable housing for low income and seniors with an onsite preschool for low income families, new hotel projects, the Steelcraft project, a new Fire Station, and new bus benches featuring local business advertisement space. He encouraged voters to educate themselves on Measure O. He also noted that District 2 has seen economic growth with the Regal Cinemas remodel and numerous chain restaurants locating in the shopping center as well as Gold's Gym and a new Smart and Final on Katella Avenue. He encouraged everyone to be positive and to get the right information.

Council Member T. Nguyen wished Council Member Beard a happy birthday.

Council Member K. Nguyen wished Council Member Beard and his wife Sheryl a happy birthday. She affirmed Council Member O'Neill's comments on the progress that has been made under this City Council. She noted that with the City's budget reduction, staff is being asked to do more with less with high expectations for the Economic Development team. She expressed concern if Measure O does not pass, and encouraged residents to study the pros and cons of Measure O. She noted road improvement projects that are City projects being done using gas tax money that help to improve overall quality of life. She recognized the Public Works crews and the work they do for the residents. She noted the minimal amount of tax dollars that make it to the City as the taxes are divided by the State and County. She again encouraged residents to read the voter guide and ballot and to exercise due diligence and to vote for the candidates and the measures that will help them, their families, their community and their city.

Council Member Klopfenstein expressed enthusiasm for the ground breaking for the new Fire Station, Community Center, and the playground equipment at West Haven Park. In response to Aaron Downs who spoke during Oral Communications regarding the Garden Grove marching band field access for practice, she asked that staff follow up with the Garden Grove Unified School District.

Council Member Bui wished Council Member Beard a happy birthday.

Mayor Jones wished Council Member Beard a happy birthday, and expressed appreciation to Craig Durfey for his research and dedication spent on bicycle paths.

City Manager Stiles noted that the Four Star Theater expansion was recently approved by the Planning Commission; the BN Group is taking their hotel project to the Planning Commission in a couple of weeks; the Nova Restaurant will be a beautiful addition to the Hyatt; progress on Willowick is happening; Garden Brook Senior Housing is moving forward to replace the "Rusty Skeleton"; a new KIA Dealership is coming; and outdoor dining regulations for Main Street. He noted changes to Code Enforcement and the building permit process for a faster turnaround, as well as all of the phenomenal work being done by Lisa Kim and the Economic Development team. He recognized Public Works Engineering staff for their work getting the road improvements complete on Chapman Avenue from Euclid to Brookhurst. He noted that the ribbon cutting for the new Fire Station is an historic event for Garden Grove, as there has not been a Fire Station built in the City for 47 years. In support of the Fire Station, Congressman Lowenthal, Congressman Correa and Supervisor Do attended the ribbon cutting. He recognized Fire Chief Schultz and Public Works Director Bill Murray and all of the staff and architects, and noted that the project was done on schedule and on budget. He noted the value to the community with not only the Fire Station but the playground as well with a Fire Engine theme for the kids and a new Community Center that will be available to the community. He noted the hard work staff is doing for the community and hopes to keep up the momentum.

CONVENE CLOSED SESSION

CITY ATTORNEY SANDOVAL ANNOUNCED THAT CITY COUNCIL WILL BE MEETING IN CLOSED SESSION WITH OUTSIDE COUNSEL TO CONSIDER THE CLAIM BY THE COUNTY FOR UNCOLLECTED ANIMAL CARE FEES, AND RECUSED HIMSELF AS HIS FIRM REPRESENTS THE COUNTY OF ORANGE ON SOME LITIGATION MATTERS.

COUNCIL MEMBER BEARD RECUSED HIMSELF FROM THIS DISCUSSION, AS HIS EMPLOYMENT WITH THE COUNTY IS WITHIN THE DEPARTMENT THAT HAS DIRECT CONTACT WITH ANIMAL CARE SERVICES.

At 7:15 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 Legal Counsel - Anticipated Litigation

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

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers: None

ADJOURN CLOSED SESSION

At 7:20 p.m., Mayor Jones adjourned the Closed Session.

CONVENE REGULAR MEETING

At 7:21 p.m., Mayor Jones convened the meeting in the Council Chamber with all Council Members present.

Mayor Jones announced that during closed session, the City Council unanimously authorized the City Manager to execute the Settlement Agreement on behalf of the City to settle the dispute between the County of Orange and the City of Garden Grove regarding the amount of unpaid animal care fees owed to the County for services previously rendered in Garden Grove.

ADJOURNMENT

At 7:22 p.m., Mayor Jones adjourned the meeting. The next Regular City Council Meeting will be held on Tuesday, November 13, 2018, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC
City Clerk