

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, January 22, 2019

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

CONVENE MEETING

At 6:36 p.m., Mayor Jones convened the meeting in the Council Chamber.

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

ABSENT: (0) None

Mayor Jones announced, for the benefit of the audience members, that appointments to City Commissions would be done at the next regular City Council meeting.

INVOCATION

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

COMMUNITY SPOTLIGHT IN RECOGNITION OF THE EXCHANGE STUDENT
AMBASSADORS FROM GARDEN GROVE'S SISTER CITY ANYANG, REPUBLIC OF
KOREA

COMMUNITY SURVEY FOR THE PARKS, RECREATION AND FACILITIES MASTER
PLAN AS PRESENTED BY THE COMMUNITY SERVICES DEPARTMENT

ORAL COMMUNICATIONS

Speakers: Leland Sisk, Tom Raber, Tom Le

RECESS

At 7:24 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 7:27 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

WRITTEN REQUEST FROM THE SISTER CITY ASSOCIATION OF GARDEN GROVE FOR CO-SPONSORSHIP OF THE 6TH ANNUAL STRAWBERRY STOMP 5K

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

Co-sponsorship in the amount of \$11,642 of services provided to support the 6th annual Strawberry Stomp 5K to be held on Saturday, May 25, 2019, be approved.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

AUTHORIZATION FOR CITY STAFF TO PARTICIPATE IN THE CENTRALSQUARE 2019 NATIONAL CONFERENCE

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

Staff be authorized to participate in the CentralSquare 2019 national conference in San Antonio, Texas on March 17-20, 2019, to include travel, lodging, food, and other ancillary expenses.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO CRAYON SOFTWARE EXPERTS, LLC TO PROVIDE MICROSOFT WINDOWS SERVER LICENSES AND SOFTWARE ASSURANCE

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

The City Manager or his designee be authorized to issue a purchase order to Crayon Software Experts, LLC in the firm fixed amount of \$90,932.70 for 98 Microsoft Windows Server Datacenter Edition and 100 Microsoft Windows Server Licenses, including three years Software Assurance.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

RECEIVE AND FILE MINUTES FROM THE MEETING HELD ON JANUARY 8, 2019
(F: VAULT)

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

Minutes from the meeting held on January 8, 2019, be received and filed.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

WARRANTS

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

Regular Warrants 646753 through 647120; and Wires W2368 through W2382; 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) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

WAIVER

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

Full reading of ordinances listed be waived.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

PUBLIC HEARING - INTRODUCTION AND FIRST READING OF AN ORDINANCE APPROVING AN AMENDMENT TO PLANNED UNIT DEVELOPMENT PUD-103-82(REV. 2018) TO RECONSTRUCT AN EXISTING ON-PREMISE FREEWAY-ORIENTED STATIC AND DIGITAL SIGN

(As approved earlier in the meeting, it was moved by Council Member Brietigam, seconded by Council Member T. Nguyen, 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 on the matter.

Speakers: Rod Wilson and Ariana Diverio representing the applicant.

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

Following City Council comments it was moved by Council Member Brietigam, seconded by Council Member O'Neill that:

Ordinance No. 2900 entitled: An Ordinance of the City Council of the City of Garden Grove approving Planned Unit Development No. PUD-103-82 (Rev. 2018), amending Planned Unit Development No. PUD-103-82 to allow for reconstruction of an existing on-premise freeway-oriented digital sign for the Toyota Place Automobile Dealership on property located at 9444 Trask Avenue, Assessor's Parcel No. 098-090-63, be passed to second reading.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

APPOINTMENTS TO CITY COMMISSIONS AND TO THE ADMINISTRATIVE BOARD OF APPEALS

Mayor Jones announced that this matter will be considered at the next Regular City Council Meeting on February 12, 2019, and that the deadline for submitting applications has been extended to Wednesday, February 6, 2019 at 5:30 p.m.

INTRODUCTION AND FIRST READING OF AN ORDINANCE AMENDING AND RESTATING CHAPTER 8.48 OF THE GARDEN GROVE MUNICIPAL CODE PERTAINING TO VENDING ON THE PUBLIC RIGHT-OF-WAY AND REGULATING SIDEWALK VENDORS

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

Following City Attorney Sandoval's presentation and City Council discussion, and Council Member Brietigam cautioning that the City practice the spirit of the law as opposed to the letter of the law when it comes to neighborhood kids selling Girl Scout cookies or having lemonade stands, it was moved by Council Member O'Neill, seconded by Council Member T. Nguyen that:

Ordinance No. 2901 entitled: An Ordinance of the City Council of the City of Garden Grove amending and restating Chapter 8.48 of Title 8 of the Garden Grove Municipal Code pertaining to vending on the public right-of-way and regulating sidewalk vendors, be passed to second reading.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K. Nguyen, Jones
Noes: (0) None

INTRODUCTION AND FIRST READING OF AN ORDINANCE ADDING CHAPTER 18.60 TO THE MUNICIPAL CODE IMPLEMENTING A CONSTRUCTION AND DEMOLITION WASTE RECYCLING PROGRAM

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

Following City Attorney Sandoval's presentation and City Council discussion, it was moved by Council Member Klopfenstein, seconded by Council Member K. Nguyen that:

Ordinance No. 2902 entitled: An Ordinance of the City Council of the City of Garden Grove adding Chapter 18.60 to Title 18 of the Garden Grove Municipal Code implementing a construction and demolition waste recycling program, be passed to second reading.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

INTRODUCTION AND FIRST READING OF AN ORDINANCE INCREASING ADMINISTRATIVE FINES FOR BUILDING AND SAFETY CODE VIOLATIONS AND PROHIBITING COMMERCIAL ADVERTISEMENTS FOR UNLAWFUL ACTIVITIES AND USES

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

Following City Attorney Sandoval's presentation and City Council discussion, it was moved by Council Member Brietigam, seconded by Council Member K. Nguyen that:

Ordinance No. 2903 entitled: An Ordinance of the City Council of the City of Garden Grove amending Section 1.22.010 of Chapter 1.22 of Title 1, and adding Chapter 8.02 of Title 8, of the Garden Grove Municipal Code, to enhance the City's Code Enforcement Program by increasing administrative fines for violations of building and safety codes and prohibiting commercial advertisements for unlawful activities and uses, be passed to second reading.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

AWARD OF CONTRACT TO CLEANSTREET FOR STREET SWEEPING AND CATCH BASIN CLEANING SERVICES

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

A contract be awarded to CleanStreet, in the amount of \$6,422,291.12, for an approximately seven year term through December 31, 2025;

The City Manager be authorized to execute the agreement and make minor modifications as needed thereto;

The City Manager be authorized to update the terms of the agreement should the Department of Industrial Relations require the payment of prevailing wages for street sweeping services;

The City Manager or his designee be authorized to provide additional funding for the agreement should the Department of Industrial Relations require the payment of prevailing wages for street sweeping services; and

The City Manager be authorized to exercise each optional term of the agreement through December 31, 2025.

The motion carried by a 7-0 vote as follows:

Ayes: (7) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

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

Council Member Brietigam encouraged residents to take the online survey for the Parks Master Plan. He asked that Mr. Raber's concern regarding limited time parking on Tiffany Avenue and Bailey Street be addressed, and if the limited parking is still in place, to be enforced. He noted that while running for City Council, many residents expressed concern that City Hall is closed every other Friday. He stated that as a public service, City Hall should remain open every Friday, and asked that this be brought back for discussion at the next meeting.

Council Member O'Neill expressed his excitement for the upcoming State of the City address on Wednesday, January 30, 2019, which will also be available on the City's website after the event. He is looking forward to his visit to Washington D.C., where he will be traveling with a delegation of Orange County elected officials and community leaders and meeting many of our members of congress. He thanked the City Council for sending him, and he intends on bringing back a lot of information.

Council Member T. Nguyen noted that the deadline for the Parks Master Plan Survey is February 8th, and she encouraged everyone to participate.

Council Member K. Nguyen encouraged residents to apply on a City Commission, noting that appointing commissioners has been delayed in order to get a wider pool of applicants. She would also like to have a diversity of applicants apply to ensure fair representation.

Council Member Klopfenstein reported on Vector Control data for 2018 in Garden Grove that included 719 calls for service with most of the calls for mosquitoes. This is an ongoing problem in Garden Grove, and she encouraged that everyone take precautions. She noted that Vector Control treated 1,106 swimming pools in Garden Grove, which are pools that are not being properly maintained. She stated that she and her daughter volunteered at the OC Food Bank on Martin Luther King Jr. Day. She encouraged everyone who is looking for an opportunity to volunteer to contact the OC Food Bank. She concluded by wishing her Grandmother, a lifelong Garden Grove resident, a Happy 95th Birthday.

Council Member K. Nguyen noted that the OC Food Bank is providing food for those affected by the Federal Government shutdown.

Council Member Bui commended Mr. Raber for his persistence and for bringing a petition signed by the 14 residents from Tiffany Avenue and Bailey Street requesting that the limited time parking be enforced. He asked that the City Manager's Office follow up as he would like to see the issue resolved.

City Manager Stiles stated that the Tiffany Avenue and Bailey Street parking issue will be reviewed. He noted that there will be a Study Session coming up on January 29, 2019, on the Willowick Golf Course site.

Mayor Jones noted that the Study Session will be a joint meeting with the Santa Ana City Council regarding the economic analysis and accumulated results from the neighborhood meetings that were held to get resident's input to envision the future of the Willowick site.

CONVENE CLOSED SESSION

At 8:59 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 – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)
Kennedy Commission, et al. v. Garden Grove, et al., OCSC/LACSC Case No. 30-2017-00933416

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 9:40 p.m., Mayor Jones adjourned the Closed Session.

CONVENE REGULAR MEETING

At 9:41 p.m., Mayor Jones convened the meeting in the Council Chamber with all Council Members present.

City Attorney Sandoval announced that the City Council unanimously authorized his office to initiate litigation in two matters. The actions, defendants and other particulars will be disclosed upon inquiry once formally commenced.

ADJOURNMENT

At 9:45 p.m., Mayor Jones adjourned the meeting. The next Regular City Council Meeting will be held on Tuesday, February 12, 2019, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC
City Clerk