

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, June 25, 2019

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

CONVENE CLOSED SESSION

At 6:17 p.m., Mayor Jones convened Closed Session in the Council Chamber.

ROLL CALL PRESENT: (6) Council Members Brietigam, T. Nguyen, Bui, K. Nguyen, Mayor Pro Tem Klopfenstein, Mayor Jones

ABSENT: (1) Council Member O'Neill absent at Roll Call, but joined the meeting at 6:25 p.m

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers: None

RECESS CLOSED SESSION

At 6:18 p.m., Mayor Jones recessed Closed Session.

RECONVENE CLOSED SESSION

At 6:19 p.m., Mayor Jones reconvened Closed Session in the Founders Room to discuss the following Closed Session items with Council Members Brietigam, T. Nguyen, Bui, K. Nguyen, and Klopfenstein present.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

ADJOURN CLOSED SESSION

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

CONVENE REGULAR MEETING

At 6:35 p.m., Mayor Jones convened the meeting in the Council Chamber with all Council Members present.

INVOCATION

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

RECESS MEETING

At 6:36 p.m., Mayor Jones recessed the meeting.

RECONVENE MEETING

At 7:00 p.m., Mayor Jones reconvened the meeting with all Council Members present.

COMMUNITY SPOTLIGHT IN RECOGNITION OF THE GARDEN GROVE STRAWBERRY FESTIVAL ASSOCIATION FOR ORGANIZING THE 2019 GARDEN GROVE STRAWBERRY FESTIVAL

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

City Manager Stiles introduced Mark Ladney, Animal Care Supervisor, who provided tips for keeping pets safe and calm during the July 4th holiday.

ORAL COMMUNICATIONS

Speakers: Leland Sisk, Tom Raber, Nicholas Dibs, Kim Tran, Anh Do, Joyce Basch, Maureen Blackmun.

Correspondence submitted by: Leland Sisk, Nicholas Dibs.

COUNCIL MEMBER T. NGUYEN RECUSED HERSELF FROM THE MEETING DUE TO ANY PERCEIVED CONFLICT OF INTEREST REGARDING HER POSITION AS A VOLUNTEER BOARD MEMBER OF THE SOUTH VIETNAMESE MARINES VETERAN CHARITIES ASSOCIATION, AND LEFT THE COUNCIL CHAMBER AT 7:41 P.M.

CONSIDERATION OF A WRITTEN REQUEST TO WAIVE FEES FOR THE USE OF ATLANTIS PLAY CENTER FOR THE MID-AUTUMN CHILDREN'S FESTIVAL HOSTED BY THE SOUTH VIETNAMESE MARINES VETERAN CHARITIES ASSOCIATION ON SATURDAY, SEPTEMBER 7, 2019

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

Fees, in the amount of \$498.75, be waived for the South Vietnamese Marines Charities Association for the use of the Atlantis Play Center for the Mid-Autumn Children's Festival on Saturday, September 7, 2019.

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

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

COUNCIL MEMBER T. NGUYEN RETURNED TO THE MEETING AT 7:53 P.M.

RECESS

At 7:54 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 8:09 p.m., Mayor Jones reconvened the meeting with all Council Members present.

ADOPTION OF MEASURE M2 FISCAL YEAR 2019-20 SEVEN-YEAR CAPITAL IMPROVEMENT PLAN, AND ADOPTION OF A RESOLUTION CONCERNING THE STATUS AND UPDATE OF THE CIRCULATION ELEMENT AND MITIGATION FEE PROGRAM

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

Fiscal Year 2019-20 Measure M2 Seven – Year Capital Improvement Plan, be adopted; and

Resolution No. 9568-19 entitled: A Resolution of the City Council of the City of Garden Grove concerning the status and update of the Circulation Element, and Mitigation Fee Program for the Measure M (M2) program, be adopted.

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

APPROVAL TO EXONERATE THE IMPROVEMENT BONDS FOR TRACT MAP NO. 18117, LOCATED AT 12111 BUARO STREET, GARDEN GROVE

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

Improvement bonds for Tract Map No. 18117, located at 12111 Buaro Street, Garden Grove, be exonerated.

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

APPROVAL OF AN AMENDMENT TO THE AGREEMENT WITH CSG CONSULTANTS, INC., TO PROVIDE PROFESSIONAL PLANNING CONTRACTUAL SERVICES

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

An amendment to the agreement with CSG Consultants, Inc., to add \$50,000 to the existing agreement, 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

APPROVAL OF AN AGREEMENT WITH SIEMENS INDUSTRY, INC., TO PERFORM AN INVESTMENT GRADE ENERGY AUDIT ON WATER PRODUCTION FACILITIES (Continued from June 11, 2019.)

This matter was considered later in the meeting.

ADOPTION OF A RESOLUTION IMPLEMENTING TERMS AND CONDITIONS OF EMPLOYMENT FOR MIDDLE MANAGEMENT, TO BE THE SAME AS OCEA AND THE EMPLOYEES LEAGUE

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

Resolution No. 9569-19 entitled: A Resolution of the City Council of the City of Garden Grove establishing salaries, fringe benefits and exempting middle

management classifications from Municipal Code Section 2.44.390 and overtime, be adopted.

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 JUNE 11, 2019
(F: Vault)

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

The minutes from the meeting held on June 11, 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 (F: 60.5)

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

Regular Warrants 651542 through 651937; Wires W2522 through W2534; be received and filed 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 183321 through 183371; Direct Deposits D349804 through D350502; and Wires W2602 through W2605; be received and filed 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) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

APPROVAL TO WAIVE FULL READING OF ORDINANCES LISTED

It was moved by Council Member K. Nguyen, 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) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

APPROVAL OF AN AGREEMENT WITH SIEMENS INDUSTRY, INC., TO PERFORM AN INVESTMENT GRADE ENERGY AUDIT ON WATER PRODUCTION FACILITIES (Continued from June 11, 2019.)

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

An agreement with Siemens Industry, Inc., in the amount of \$70,000, to perform an investment grade energy audit on various water production facilities, be approved; and

The City Manager be authorized to execute the agreement on behalf of the City including any minor modifications as needed.

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 – ADOPTION OF RESOLUTIONS AND APPROVAL THE PROPOSED BIENNIAL BUDGET FOR FISCAL YEARS 2019-20 AND 2020-21 (F: 34.1)

Following City Manager Stiles' introduction, Finance Director Song's 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: Nicholas Dibs

With no further response from the audience, Mayor Jones closed the public hearing.

After further City Council discussion, it was moved by Mayor Jones, seconded by Council Member Bui that:

Resolution No. 9570-19 entitled: A Resolution of the City Council of the City of Garden Grove adopting basic services, cable services, grant services, water services, capital improvements, special assessments relating to Street Lighting, Main Street and Parking District, Tourism Improvement District, and Park Maintenance District Budgets for Fiscal Year 2019-20 and Fiscal Year 2020-21, be adopted;

Resolution No. 9571-19 entitled: A Resolution of the City Council of the City of Garden Grove adopting an appropriations limit for Fiscal Year 2019-20 implementing Article XIII B of the State Constitution pursuant to Section 7900 et seq. of the Government Code, be adopted;

Resolution No. 9572-19 entitled: A Resolution of the City Council of the City of Garden Grove appropriating fund balances as of June 30, 2019, to reserves for future year reappropriation, be adopted;

Resolution No. 9573-19 entitled: A Resolution of the City Council of the City of Garden Grove reappropriating certain Fiscal Year 2018-19 project balances and encumbrances for the Fiscal Year 2019-20, be adopted;

Resolution No. 9574-19 entitled: A Resolution of the City Council of the City of Garden Grove adopting the Garden Grove Housing Authority Budget for Fiscal Year 2019-20 and Fiscal Year 2020-21, be adopted;

The Water Supply Program Budget for Fiscal Year 2019-20 and Fiscal Year 2020-21, be adopted;

The Overnight Conference and Training List for Fiscal Year 2019-20 and Fiscal Year 2020-21, be approved; and

A Classification Specification for the creation of the Emergency Operations Coordinator classification, 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

PUBLIC HEARING – ADOPTION OF A RESOLUTION ESTABLISHING AND AMENDING USER FEES FOR VARIOUS CITY SERVICES (F: 60.2A)

Following Finance Director Song's 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.

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

APPOINTMENT TO FILL THE VACANCY ON THE TRAFFIC COMMISSION

This matter was continued to the July 9, 2019, regular meeting.

AWARD OF CONTRACT TO VASILJ INC., FOR PROJECT NO. 7414 CANNERY-
IMPERIAL INTERIM STORM DRAIN IMPROVEMENTS

Following staff introduction and comments from Council Member T. Nguyen and Council Member Bui expressing support for the project as it will mitigate flooding issues, it was moved by Council Member T. Nguyen, seconded by Council Member Klopfenstein that:

A contract be awarded to Vasilj Inc., in the amount of \$3,578,650, for Project No. 7414 Cannery-Imperial Interim Storm Drain Improvements from Gilbert Street and Imperial Avenue to Garden Grove Boulevard and Cannery Street; and

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

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

ADOPTION OF A RESOLUTION IMPLEMENTING TERMS AND CONDITIONS OF
EMPLOYMENT FOR CENTRAL MANAGEMENT AND CITY MANAGER, TO BE THE SAME
AS OCEA, EMPLOYEE'S LEAGUE, AND MIDDLE MANAGEMENT

Following staff introduction and City Council comments, it was moved by Council Member K. Nguyen, seconded by Council Member T. Nguyen that:

Resolution No. 9577-19 entitled: A Resolution of the City Council of the City of Garden Grove establishing salaries, fringe benefits and exempting central management classifications from Municipal Code Section 2.44.390 and Overtime, and adjusting the City Manager base salary, be adopted.

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

Following the reading of the title of Ordinance No. 2892 into the record, it was moved by Mayor Jones, seconded by Council Member Klopfenstein that:

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 adopted.

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
(continued.)

Council Member Brietigam stated he attended the Neighborhood Meeting in District 1 for the project on Valley View Street and that it was very well received. He asked for improved customer service and follow-up from City Hall staff. He stated that he would like to see a Youth Commission and suggested combining it with the Parks, Recreation and Arts Commission. He stated that he would like the City Council to consider a small amount of money for council district budgets for the purpose of events and public outreach.

Council Member Brietigam moved, seconded by Council Member Bui that:

Council district budgets be listed on the next agenda.

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

Council Member Brietigam announced the recent passing of a long time Garden Grove scout leader, Darlene Wiertzema, and asked the Mayor to adjourn tonight's meeting in her memory.

Council Member O'Neill praised the City's Community Services Department in providing programs for the public and encouraged residents to visit the City's website to view the online summer guide.

Council Member K. Nguyen noted that there were 150 people who attended the summer kick-off outdoor movie series to see Ralph Breaks the Internet; and she announced the summer concert series kick-off event with Cat Reed and the Back

Alley on Wednesday at 6:30 p.m. at the Elks Lodge. She commended City staff on the new floor installed at the Gym. She recognized Shawn Park with the City Manager's Office on his work collaborating with the Census Bureau on behalf of the City on the upcoming 2020 Census. She noted that she attended the study session conducted by the Parks, Recreation and Arts Commission at Woodbury Park for community input for design ideas and expressed her excitement that staff has applied for a grant that would be used for park improvements. She noted that the residents who attended the study session brought up code enforcement issues; and she asked for full-time park patrol staffing as currently there are two part time park patrol and 21 city parks. She noted that on a recent tour of parks, she saw issues related to homelessness and drug and alcohol use at the parks. She asked that the restrooms be kept clean for residents who pay to use the park. She expressed her pleasure in the newly installed left turn light at the Haster/Lampson intersection.

Council Member Klopfenstein announced Vector Control's latest marketing campaign "Tip and Turn" to remind everyone to eliminate standing water on their property as well as checking screens and applying bug repellent. Vector Control will no longer spray; however, when called they will reach out and educate on how to minimize mosquitoes and other vectors. She commented on a recent coyote siting she experienced after the last City Council meeting with two on her property and two in the street. She noted the need to be proactive and expressed concern for coyotes forming a pack and the potential danger to people, children and pets.

Council Member Bui noted he has seen numerous fearful postings on Facebook about coyotes, and he expressed that while he understood the complexity on mitigating coyote activity in neighborhoods, it is important that the City take action. He asked that staff work on a plan to provide a detailed study and presentation on options to mitigate coyote activity.

Council Member Klopfenstein strongly urged residents to attend meetings offered, whether it be neighborhood groups or the City, on important topics and not to rely on messages posted on Facebook.

City Manager Stiles thanked the City Council for their support and comments on the biennial budget. He noted the delegation from Garden Grove's Sister City Anyang, Korea will be in Garden Grove over the next several days. There will be a ground breaking for the BN Group Hotel on Harbor Boulevard south of the 22 freeway across the street from the new Kia Dealership on Thursday. He stated that staff will research and provide a study on the coyote issue, noting that it is complex. The City does have a coyote hotline, which helps to determine hotspots for activity. He is excited about the prospect of getting grant funds to improve Woodbury Park, and the Community Services Director will work on identifying possible funding for increased park patrol. He thanked Council Member Brietigam for his comments regarding the need for improved communication with the public.

City Attorney Sandoval reported that during Closed Session, the City Council

unanimously authorized the City Attorney's Office to commence civil abatement proceedings for property located at 11402 Frederick Drive, Garden Grove.

Mayor Jones noted that tonight's meeting would be adjourned in the memory of Darlene Wiertzema, a 30 plus year Garden Grove scout leader; and also Garden Grove native, graduate of Rancho Santiago High School, and accomplished football player and coach, Kyle Parrish.

ADJOURNMENT

At 10:22 p.m., Mayor Jones adjourned the meeting in memory of Darlene Wiertzema, and of Kyle Parrish. The next City Council Meeting will be held on Tuesday, July 9, 2019, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC
City Clerk