

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, August 27, 2019

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

CONVENE CLOSED SESSION

At 5:35 p.m., Mayor Jones convened Closed Session in the Founders Room.

ROLL CALL PRESENT: (5) Council Members Brietigam, T. Nguyen, K. Nguyen, Mayor Pro Tem Klopfenstein, Mayor Jones

ABSENT: (2) Council Member O'Neill was absent at Roll Call, but joined the meeting at 5:40 p.m. Council Member Bui was absent at Roll Call, but joined the meeting at 5:41 p.m.

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers: None

CLOSED SESSION MATTERS

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation per Government Code Section 54956.9(d)(2): One potential case. City Attorney Sandoval announced that the City Council will consider the claim received from Hadsell Stormer Renick & Dai LLP pertaining to the Surplus Land Act application to the disposition of Willowick.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

RECESS CLOSED SESSION

At 6:35 p.m., Mayor Jones recessed Closed Session.

CONVENE REGULAR MEETING

At 6:40 p.m., Mayor Jones convened the Regular Meeting in the Council Chamber with all Council Members present.

INVOCATION

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

RECESS

At 6:42 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 6:51 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

APPROPRIATION OF FUNDING AND AWARD OF SUB-RECIPIENT CONTRACTS TO INTERVAL HOUSE CRISIS SHELTERS AND MERCY HOUSE LIVING CENTERS FOR THE OPERATION OF A HOMELESS EMERGENCY ASSISTANCE RENTAL TRANSITION PROGRAM

Staff announced that this is a joint action with the Garden Grove Housing Authority, and following staff introduction and Council Member/Commissioner Bui clarification that this matter is not related to Section 8 housing benefits, the following actions were taken:

City Council Action

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

HOME funds be appropriated in the amount of \$500,000 to fund the Homeless Emergency Assistance Rental Transition (HEART) program;

Sub-recipient contracts be awarded to Interval House Crisis Shelters and Mercy House Living Centers; and

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

Housing Authority Action

It was moved by Commissioner O'Neill, seconded by Commissioner K. Nguyen that:

Low-Mod Income Housing Trust Funds in the amount of \$100,000, be appropriated into the Fiscal Year 2019-20 budget to fund the Homeless Emergency Assistance Rental Transition (HEART) program.

The motion carried by an 8-0-1 vote as follows:

Ayes: (8) Beckles, Brietigam, O'Neill, T. Nguyen, Bui,
Klopfenstein, K. Nguyen, Jones
Noes: (0) None
Absent: (1) Solorio

RECESS

At 6:48 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 6:52 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

UPDATE ON THE OC STREETCAR AS PRESENTED BY THE ORANGE COUNTY
TRANSPORTATION AUTHORITY

Trish Oliveri and Nial Barrett with the Orange County Transportation Authority provided a PowerPoint presentation on the progress of the OC Streetcar project.

ORAL COMMUNICATIONS

Speakers: Byron Lopez, Cynthia Guerra, Sean Drexler, Sandra De Anda, Roberta McLeish, Tom Raber, Nicholas Dibs, Robert Harrison, Dianna Athas, Jill Freshowr, Dustin Nguyen, Bonnie Crawford.

RECESS

At 7:49 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 7:53 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

ADOPTION OF A PROCLAMATION CELEBRATING THANH MY RESTAURANT'S 40TH ANNIVERSARY (F: 83.1)

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

A Proclamation celebrating Thanh My Restaurant's 40th anniversary, 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

ADOPTION OF A PROCLAMATION DECLARING TET TRUNG THU 2019 – MID-AUTUMN CHILDREN'S FESTIVAL IN GARDEN GROVE (F: 83.1)

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

A Proclamation declaring Tet Trung Thu 2019 – Mid-Autumn Children's Festival in Garden Grove, 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 OF A PROFESSIONAL SERVICES AGREEMENT WITH WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS, INC., FOR A TRASH AMENDMENTS PLAN – PHASE 2

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

A professional services agreement be awarded to Wood Environment & Infrastructure Solutions, LLC, in a fixed amount of \$53,600 until services are rendered; and

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

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 ASSETWORKS FOR FLEET FUEL MANAGEMENT HARDWARE AND SOFTWARE

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

The Finance Director be authorized to issue a purchase order in the amount of \$90,556.26 to AssetWorks for the purchase of new fleet fuel management hardware and software.

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 NATIONAL AUTO FLEET GROUP FOR SIX (6) NEW SEDANS

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

The Finance Director be authorized to issue a purchase order in the amount of \$135,159.18 to National Auto Fleet Group for the purchase of six new sedans.

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 NATIONAL AUTO FLEET GROUP FOR FOUR (4) NEW SMALL PICKUP TRUCKS AND ONE (1) HALF TON PICKUP TRUCK

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

The Finance Director be authorized to issue a purchase order in the amount of \$140,599.87 to National Auto Fleet Group for the purchase of four new small pickup trucks and one new half ton pickup.

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 T. Nguyen, seconded by Council Member K. Nguyen that:

Payroll Warrants 183503 through 183536; Direct Deposits D352636 through D353352; and Wires W2618 through W2621; 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 T. Nguyen, seconded by Council Member K. 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 – APPROVAL OF SUBSTANTIAL AMENDMENT NO. 1 TO THE 2019-20 ANNUAL ACTION PLAN FOR THE USE OF HOUSING AND URBAN DEVELOPMENT FUNDING

Following staff presentation, Mayor Jones declared the public hearing open and asked if anyone wished to address the City Council on the matter.

Speakers: None.

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

It was moved by Council Member O'Neill, and seconded by Council Member K.

Nguyen that:

Substantial Amendment No. 1 to include and fund the Homeless Emergency Assistance and Rental Transition (HEART) Program in the amount of \$600,000; and to include the La Bonita Storm Drain Improvements that was completed in August 2019; and

Staff be directed to submit Substantial Amendment No. 1 to the U.S. Department of Housing and Urban Development.

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 APPROVING THE ISSUANCE OF BONDS BY THE GOLDEN STATE FINANCE AUTHORITY (GSFA) FOR THE BENEFIT OF SUNGROVE GARDEN GROVE AR, L.P. TO ASSIST WITH THE FINANCING OF AN EXISTING 82-UNIT SENIOR AFFORDABLE HOUSING PROJECT, SUNGROVE SENIOR APARTMENTS, LOCATED AT 12811 GARDEN GROVE BOULEVARD, GARDEN GROVE

Following staff presentation, Mayor Jones declared the public hearing open and asked if anyone wished to address the City Council on the matter.

Speakers: None.

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

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

Resolution No. 9585-19 entitled: A Resolution of the City Council of the City of Garden Grove approving for purposes of Section 147(f) of the Internal Revenue Code of 1986 the issuance of senior housing revenue bonds in an aggregate principal amount not to exceed \$12,000,000 by the Golden State Finance Authority to finance the acquisition, rehabilitation and equipping of the Sungrove Senior Housing Rental Project located within the City of Garden Grove; and making certain other findings, be adopted; and

Authorize any donated funds be appropriated into the Fiscal Year 2019-20 budget.

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

APPROPRIATION OF FUNDING AND AWARD OF SUB-RECIPIENT CONTRACTS TO INTERVAL HOUSE CRISIS SHELTERS AND MERCY HOUSE LIVING CENTERS FOR THE OPERATION OF A HOMELESS EMERGENCY ASSISTANCE RENTAL TRANSITION PROGRAM

This matter was considered earlier in the meeting.

ADOPTION OF A RESOLUTION OF INTENTION TO VACATE THE SOUTHERN PORTION OF BRADY WAY, GARDEN GROVE, AND SETTING THE TIME AND PLACE FOR A PUBLIC HEARING

Following staff introduction, it was moved by Council Member Brietigam, seconded by Council Member O'Neill that:

Resolution No. 9586-19 entitled: A Resolution of the City Council of the City of Garden Grove, California, declaring its intention to vacate and abandon the southern portion of Brady Way south of Stanford Avenue, and setting a public hearing thereon, 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

SECOND READING AND ADOPTION, BY TITLE ONLY, OF ORDINANCE NO. 2907

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

Following the reading of the title of Ordinance No. 2907 into the record, it was moved by Mayor Jones, seconded by Council Member K. Nguyen that:

Ordinance No. 2907 entitled: An Ordinance of the City Council of the City of Garden Grove approving Planned Unit Development No. PUD-104-81/86/90 (Rev. 2019) amending the General Use and Development Standards for Planned Unit Development No. PUD-104-81/86 Rev. 90 to reduce the required minimum parking area landscape setback for Area III B, 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

SECOND READING AND ADOPTION, BY TITLE ONLY, OF ORDINANCE NO. 2908

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

Following the reading of the title of Ordinance No. 2908 into the record, it was moved by Mayor Jones, seconded by Council Member O'Neill that:

Ordinance No. 2908 entitled: An Ordinance of the City Council of the City of Garden Grove amending Chapter 8.60 of Title 8 of the Garden Grove Municipal Code relating to alarm systems, 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

UPDATE ON OPTIONS TO MANAGE COYOTES CITYWIDE, INCLUDING CONSIDERATION OF A PROPOSED COYOTE MANAGEMENT PLAN

City Manager Stiles thanked Public Works Director Bill Murray, Police Chief DaRé, and Assistant City Manager Stipe for their work on the proposed Coyote Management Plan, and Director Murray introduced the matter.

Council Member Klopfenstein thanked staff for their work in providing the Coyote Management Plan. She noted this topic's prominence on social media, and that the Garden Grove Neighborhood Association met and discussed possible best practices. She stated that she and Council Member Bui brought up taking a proactive approach at the last City Council meeting, and stressed the importance of outreach and education that is key to mitigating coyote activity. She thanked Neighborhood Improvement and Conservation Commissioner Bonnie Crawford for bringing attention to how the City of Anaheim has approached this issue. She stated that she advocated for a plan and thanked staff for their diligent work, that the plan does hit on key points such as threat levels, do's, don'ts, and tips, and urged residents to read through the report. She expressed understanding how social media provides a shared connection; however, she urged residents to take ownership within their own homes and neighborhoods and to use the coyote hotline to report sightings. She asked that a fact sheet be posted on the City's website and

social media platforms, and that the City partner with surrounding cities. She noted the need for Code Enforcement to address unkempt properties, and that she would like to work with Public Works to change some trash receptacles to animal resistant receptacles. She concluded that she intends on continuing to work on this issue.

Council Member Bui commented that people have expressed their fear of coyotes in their neighborhoods on social media, and this is a good step forward. He stated he would like the City Council to be updated on this issue, and noted there is a law against shooting coyotes that needs to be communicated to the residents.

It was moved by Council Member Klopfenstein, seconded by Council Member T. Nguyen, following a statement supporting the Coyote Management Plan and expressing satisfaction on taking a proactive approach that the City of Garden Grove Coyote Management Plan, be adopted.

Per the request of Council Member Brietigam, and agreement by Council Member T. Nguyen, Council Member Klopfenstein amended her motion to require a biannual update on coyote activity.

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

DRAFT POLICY OUTLINING THE SPENDING AND REPORTING GUIDELINES OF POTENTIAL DISTRICT BUDGET ALLOCATION FUNDS WITHIN THE CITY COUNCIL CONTINGENCY ACCOUNT AS REQUESTED BY THE CITY COUNCIL

Staff introduced this item and provided a report.

Council Member O'Neill expressed support for district budget allocation funds, and commented that it could incentivize council members to provide neighborhood outreach within their districts.

Council Member Brietigam agreed with Council Member O'Neill, and expressed frustration over the length of time it takes to get anything accomplished. He indicated that a district budget could facilitate district events or public art. He noted that a \$5,000 budget is a nominal amount, and that everyone has contributed to developing constraints on how to use the funds. He concluded that this would allow them to do things in the community in an expedited manner.

Council Member Bui stated that he did hear from a few people in support and some with concerns, such as dividing the city council and misuse of funds. He noted that Main Street is in District 4 and borders District 5, and suggested collaboration from time to time with districts bordering one another, or pooling all of the resources for

a larger event. He also noted that any funds being used would be transparent, overseen by the City Manager, and answerable to the constituents. Council Member Klopfenstein commented that in theory, district budgets are a good idea; however, she expressed concern that district budgets could create divisiveness among the City Council. She expressed that the City Council works very well together for the betterment of the city, and she would not want to see issues arising and destroying good working relationships. She also thought it would put the council members in a difficult position if they were to be asked to decide on how to use the funding among competing interests. She noted that there are things that can be done in the community under the current structure and suggested asking staff assistance to expedite projects or requests.

Council Member K. Nguyen stated that she stands behind her comments from the last City Council discussion, and she was disappointed not having seen a mechanism that would allow for a fair and transparent grant application process for the funds. She commented that staff has been amenable to assisting her.

Council Member T. Nguyen expressed that in the past three years the City Council has been working very well together and there has not been issues in terms of allocating funds, and stated that dividing contingency funds for each district is unnecessary. She commended staff for the work in providing the district budget report. She also expressed appreciation for the quick response and support from the City Manager and staff when she needs assistance.

Mayor Jones stated that he keeps an open mind when council members bring up ideas and that having district budgets is not a bad idea. He expressed that the City Council members work well together, and he encouraged sharing ideas to identify funds for projects. He expressed concern for the potential for politicizing district budgets and unnecessary spending that would take oversight. He encouraged city council members to respectfully work together to identify district projects without the formality of creating a district budget policy with the potential for unintended consequences.

Council Member Bui brought up resident complaints and the need to address graffiti within District 4, noting that the City does not abate graffiti on private property. Having a district budget could be used to assist property owners with graffiti abatement, such as buying paint or forming a coalition of volunteers.

Mayor Jones commented that graffiti is a citywide issue, and that the City has a robust graffiti abatement and volunteer program. He noted also that there is a public art fund that is funded by building permit fees. He encouraged the City Council to help one another with good ideas, such as a graffiti abatement program for private property or public art.

Council Member Brietigam noted that if there were a district budget, a higher quality paint could be purchased to assist with mitigating chronic graffiti. This

would not be a grant program for the public, but would be for the council member use within their district. He stated that this discussion proves the necessity of district budgets. He noted when he was first elected, he requested electrical boxes be painted and was told that there was no money available. He expressed frustration with the difficulty in getting projects approved for his district.

Council Member K. Nguyen noted that if there were a district budget, there would still be oversight by the City Manager's Office, and that laws and processes would have to be followed.

Council Member O'Neill stated that this policy for district budgets was well intended, and that each council member is very familiar with the needs within their districts.

Mayor Jones encouraged council members to communicate what they would like to get done in their districts and to support one another and passionately work towards using funds for projects that are in the best interest of the city and for individual districts.

Council Member T. Nguyen suggested listing district projects with consideration given every two months for each district.

Council Member K. Nguyen suggested using the annual city council retreat to discuss these types of topics dedicating time to allow for a plan and tangible outcomes.

Consensus from the Mayor and Council Members was not to take action on this matter.

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

Council Member Brietigam commented on attending a bowling tournament put on by the Chamber of Commerce. He also commented on attending an Eagle Scout ceremony for Santini Samolo.

Council Member O'Neill commented on the recent and seamless transition of the Garden Grove Fire Department to the Orange County Fire Authority. He noted that as the representative from Garden Grove to OCFA, if anyone has concerns or comments to contact him.

Council Member T. Nguyen announced that first day of school is tomorrow and she cautioned parents to drive safely. She invited everyone to attend the Mid-Autumn Children's Festival next Saturday at Atlantis Park.

Council Member K. Nguyen thanked Garden Grove Police for meeting with her and residents in District 6 to hear the concerns regarding parking and crime in their

neighborhood. She asked that staff look into street lighting on Jetty, Bluespruce, Spinnaker, Hilton, Dunklee, and Aspenwood. She commended Public Works for their hard work. She attended back to school night where students were provided with free school supplies at Bethany Church, noting the great partnership between community and church.

Council Member Klopfenstein paid tribute to Prisciliano Sanchez, a family friend and longtime Garden Grove resident, for completing steps to become a United States citizen. She noted that a lot of cities are going live with positive mosquito samples and one individual in Orange County did contract West Nile Virus. She reminded everyone to take extra precautions, and to dump and drain standing water on their property. She stated that she posted a checklist on her social media page taken from Vector Control, and that inspectors from Vector Control can be contacted either by phone or through ocvector.org. She requested that Vector Control checklist be posted to the City's webpage. She noted that the Department of Food and Agriculture will be treating the citrus greening disease in the Gilbert Street neighborhood around September 13, 2019. Residents will be notified 48 hours before treatment begins, and she encouraged residents to speak with the Department for insights into what property owners can do to prevent the spread of the disease. She noted a recently well attended meeting at the main branch library on this topic, and encouraged concerned residents to contact her or the Department of Food and Agriculture.

City Manager Stiles noted that the Fire Department transition has gone very smoothly and that OCFA Division Chief Roberts is integrated with Central Management and is attending Central Management meetings.

RECESS

At 9:00 p.m., Mayor Jones recessed the meeting to reconvene Closed Session in the Founders Room with all Council Members present.

RECONVENE

At 9:32 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

City Attorney Sandoval announced that no reportable action was taken during Closed Session.

ADJOURNMENT

At 9:33 p.m., Mayor Jones adjourned the meeting. The next Regular City Council Meeting will be held on Tuesday, September 10, 2019, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC
City Clerk