

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, September 10, 2019

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

CONVENE CLOSED SESSION

At 6:09 p.m., Mayor Jones convened Closed Session in the Founders Room.

ROLL CALL PRESENT: (6) Council Members Brietigam, O'Neill, T. Nguyen, K. Nguyen, Mayor Pro Tem Klopfenstein, Mayor Jones

ABSENT: (1) Council Member Bui was absent at Roll Call, but joined the meeting at 6:20 p.m.

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers: None

CLOSED SESSION MATTERS

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1): James Colegrove vs. City of Garden Grove, Workers Compensation Appeal
Board Case Nos. ADJ10623821; ADJ11773233

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1): Timothy Wallingford vs. City of Garden Grove, Workers Compensation Appeal
Board Case No. ADJ11422642

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1): Jerry Young vs. City of Garden Grove, Workers Compensation Appeal
Board Case Nos. ADJ8439657; ADJ8439658

ADJOURN CLOSED SESSION

At 6:25 p.m., Mayor Jones adjourned Closed Session.

CONVENE REGULAR MEETING

At 6:27 p.m., Mayor Jones convened the Regular Meeting in the Council Chamber with all Council Members present.

Mayor Jones announced no reportable action regarding Closed Session matters.

INVOCATION

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

ORAL COMMUNICATIONS

Speakers: Jonathon Swaim, John Hughes, Michelle Do, Leland Sisk, Nicholas Dibs, Tom Raber, Catherine Aveva, Jessica Reyes.

RECESS

At 7:02 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 7:04 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

APPROVAL OF AN AMENDMENT TO THE GARDEN GROVE POLICE ASSOCIATION'S MEMORANDUM OF UNDERSTANDING

It was moved by Council Member Klopfenstein, seconded by Council Member O'Neill that:

Resolution No. 9587-19 entitled: A Resolution of the City Council of the City of Garden Grove amending the Memorandum of Understanding on salaries, wages, and fringe benefits for the Term 2018-2022 by and between the Garden Grove Police Association and the City of 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 THE SALE OF VEHICLES AND MISCELLANEOUS FIRE SUPPLIES TO THE ORANGE COUNTY FIRE AUTHORITY

It was moved by Council Member Klopfenstein, seconded by Council Member O’Neill that:

The sale of vehicles and miscellaneous parts and supplies in the amount of \$71,000 to the Orange County Fire Authority, be approved; and

The City Manager be authorized to execute any documents necessary to effectuate the sale.

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

ACCEPTANCE OF PROJECT NO. 7407 – LA BONITA STREET STORM DRAIN IMPROVEMENTS AS COMPLETE

This matter was considered later in the meeting.

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO NATIONAL AUTO FLEET GROUP FOR ONE (1) NEW POLICE DEPARTMENT SEDAN

It was moved by Council Member Klopfenstein, seconded by Council Member O’Neill that:

The Finance Director be authorized to issue a purchase order in the amount of \$27,552.95 to National Auto Fleet Group for the purchase of one (1) new police department sedan.

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 ONE (1) NEW PUBLIC WORKS DEPARTMENT TRUCK

It was moved by Council Member Klopfenstein, seconded by Council Member O’Neill that:

The Finance Director be authorized to issue a purchase order in the amount of \$30,012.88 to National Auto Fleet Group for the purchase of one (1) new public works department truck.

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 ONE (1) NEW POLICE DEPARTMENT ADMINISTRATIVE UTILITY VEHICLE

It was moved by Council Member Klopfenstein, seconded by Council Member O'Neill that:

The Finance Director be authorized to issue a purchase order in the amount of \$40,692.73 to National Auto Fleet Group for the purchase of one (1) new police department administrative utility vehicle.

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 AMENDMENT NO. 2 TO AN AGREEMENT WITH KLEINFELDER FOR PROFESSIONAL ENGINEERING SERVICES FOR THE REPAIR AND REHABILITATION OF FOUR (4) FULLY BURIED RESERVOIRS

It was moved by Council Member Klopfenstein, seconded by Council Member O'Neill that:

Amendment No. 2 to the existing agreement with Kleinfelder for professional engineering services in the amount of \$146,130; and

The City Manager be authorized to execute Amendment No. 2 to 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

WARRANTS

It was moved by Council Member Klopfenstein, seconded by Council Member O’Neill that:

Regular Warrants 653595 through 653722; 653723 through 653949; 653950 through 654054; 654055 through 654191; 654192 through 654392; Wires W2582 through W2603; W2604 through W2607; and W654191 through W654392; 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 183537 through 183649; Direct Deposits D353351 through D353986; and Wires W2622 through W2625; 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

ACCEPTANCE OF PROJECT NO. 7407 – LA BONITA STREET STORM DRAIN IMPROVEMENTS AS COMPLETE

Following comments from City Council commending Public Works for this project, it was moved by Council Member K. Nguyen, seconded by Council Member Klopfenstein that:

Project No. 7407 – La Bonita Street Storm Drain Improvements be accepted as complete; and

The City Manager be authorized to execute the Notice of Completion of Public Works Improvement and Work; and

The Finance Director be authorized to release the retention payment when appropriate to do so.

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 – ACCEPTANCE OF FISCAL YEAR 2018-19 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)

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 comments, it was moved by Council Member Klopfenstein, and seconded by Council Member Bui that:

Fiscal Year 2018-19 Consolidated Annual Performance and Evaluation Report (CAPER) be accepted; and

Staff be directed to submit the Fiscal Year 2018-19 CAPER 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

APPOINTMENT TO FILL A VACANCY ON THE ADMINISTRATIVE BOARD OF APPEALS

This matter was continued to September 24, 2019.

APPOINTMENT TO FILL A VACANCY ON THE PLANNING COMMISSION

This matter was continued to September 24, 2019.

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

UPDATE ON THE REGIONAL HOUSING NEEDS ASSESSMENT (RHNA) PROCESS AS REQUESTED BY CITY MANAGER STILES

City Manager Stiles introduced the matter noting that this topic is being discussed in numerous cities throughout California with the release of the Regional Housing Needs Assessment (RHNA) allocation methodology by the Department of Housing and Community Development (HCD).

Staff provided a report for information that included three options for RHNA allocations submitted by HCD. The Southern California Association of Governments (SCAG) will be selecting the methodology for the RHNA distribution in November,

and a letter was submitted to the Director of SCAG providing comment as to the preferable option for Garden Grove.

Council Member Bui commented on the issues raised by the residents concerning parking. He noted that City Management needs to bring this forward to the public so that the residents will understand and voice complaints. He commented that by imposing this number of required housing, SCAG needs to provide solutions in terms of traffic congestion and parking for the residents. He also noted the strain on police and fire resources. We need to bring our concerns to our elected officials in Sacramento.

City Manager Stiles noted that even a large scale project for Garden Grove, such as the former Galleria site being developed with 400 affordable senior housing units, as well as the numerous permitted accessory dwelling units, does not nearly meet any of the three allocation options. The City has responded to SCAG to voice objections for all of the allocation options; however, it was noted that Option 3 of the allocation methodology of just under 4,000 units would be preferable. He stated that local representatives will be requested to lobby on behalf of the City, and staff will be letting the City Council know the next steps moving forward.

Council Member Bui asked if the City can ask residents to help by writing to their state representatives.

City Manager Stiles stated that it may help and that we will know more within the next couple of months and that the City will use social media to reach out to residents.

Council Member Brietigam commented that this is an unreasonable expectation, and asked about the consequences for not meeting the RHNA allocation.

Staff responded that the requirement is to show that there is a capacity to develop housing to meet the allocation within the Housing Element of the City's General Plan over an eight year period.

City Attorney Sandoval noted the consequences for not having a certified Housing Element and General Plan would expose the City to litigation and could result in the City being prevented from issuing building permits for all development.

Council Member K. Nguyen noted the importance in getting accurate census to ensure adequate funding. She noted the housing crisis in California, and suggested linking the census activities, the upcoming Housing and Community Needs Workshops, and the RHNA allocation methodology options together to educate the public.

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

Council Member Brietigam commented in response to oral communications regarding feral cats, noting that the Orange County Humane Society will spay and neuter feral cats.

Council Member O'Neill commented in response to oral communications regarding the homeless issues at Gutosky Park, noting that this has been an ongoing problem, and special steps had to be taken to accommodate a girl scout troop to use the park for an event. He noted he has toured District 2 with the City Manager, Public Works Director, and the Building Official in order to identify problems, and that they are working diligently on resolving issues. He expressed that there might be a need for additional funding for park patrol and maintenance.

Council Member T. Nguyen noted that she and Council Members K. Nguyen and Bui participated in a fire operations exercise at the Orange County Fire Authority Headquarters, thanking OCFA for the opportunity.

Council Member K. Nguyen commented that she did bring up the need for more park patrol staffing at a past meeting, and she asked that staff provide analysis on expanding park patrol. She thanked the Orange County Fire Authority for the opportunity to participate in the fire operations exercise.

Council Member Klopfenstein commented in response to oral communications regarding feral cats, and noted that she will look into it and get back with the District 5 resident. She announced that mosquitoes tested positive for West Nile Virus on Brookhurst Street and Stanford Avenue area, and urged everyone to take extra precautions to protect family members and neighborhoods. She noted that she printed a mosquito source list for home inspection from the OC Vector website, and encouraged residents to read the list and mitigate on their own or contact OC Vector Control for an inspection. She asked staff to upload the checklist to the City's West Nile Virus webpage, and asked residents to look out for their vulnerable elderly neighbors. She asked that people not only post coyote sightings on social media, but to call the coyote hotline at 714-741-5286, and to leave as much information as possible such as date, time, area including cross streets, and the number of coyotes seen. She stated that today is Suicide Prevention day and all week is Suicide Prevention Week. She expressed for anyone listening who may be contemplating suicide that they matter and are not alone, and she encouraged reaching out to a crisis prevention center.

Council Member Bui noted that he was contacted regarding numerous feral cats, and when he forwarded the complaint to the Public Works Director, he was informed that the City does not have a code addressing the feeding of feral animals. He requested the City Attorney provide guidance and develop a code to prohibit the feeding of feral animals.

City Attorney Sandoval stated that an ordinance can be developed to prohibit feeding undomesticated animals; however, many people have bird feeders, which could be excluded.

City Manager Stiles noted that the City animal control can monitor this location to deter feeding feral cats.

Council Member Bui noted that the feeding of feral cats is causing a nuisance for the property owners that includes cat feces and urine, and asked for a potential remedy.

City Attorney Sandoval stated that the private property owners could file an action for a restraining order against the individual feeding the feral cats creating a nuisance.

City Manager Stiles announced that OCFA will be holding a brief ceremony at each of the Fire Stations to honor the victims and first responders of 9-11 on Wednesday, September 11, 2019, at 9:03 a.m., which is when the second plane crashed into the World Trade Center.

Mayor Jones announced the upcoming Housing and Community Needs Workshop that will help to determine the use of federal funds for development and infrastructure. The first workshop will be held on Wednesday, September 18, 2019, at 6:30 p.m. at Bolsa Grande High School cafeteria; and the second workshop will be on Thursday, October 17, 2019, at 6:30 p.m. in the Garden Grove Community Meeting Center. For more information, please visit the City's website at www.ggcity.org.

ADJOURNMENT

At 7:42 p.m., Mayor Jones adjourned the meeting. The next Regular City Council Meeting will be held on Tuesday, September 24, 2019, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC
City Clerk