

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, September 24, 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 Council Chamber.

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 7:16 p.m. Council Member Bui was absent at Roll Call, but joined the meeting at 6:12 p.m.

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers: None.

CLOSED SESSION MATTERS

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

ADJOURNED CLOSED SESSION

At 6:46 p.m., Mayor Jones adjourned Closed Session.

INVOCATION

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

RECESS

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

RECONVENE

At 6:55 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members Brietigam, T. Nguyen, Bui, K. Nguyen, and Klopfenstein present.

ADOPTION OF A PROCLAMATION HONORING AND CELEBRATING THE 40TH ANNIVERSARY OF SOUTHLAND INTEGRATED SERVICES, INC., IN GARDEN GROVE

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

A Proclamation honoring and celebrating the 40th anniversary of Southland Integrated Services, Inc., in Garden Grove, be adopted.

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

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

ADOPTION OF A PROCLAMATION CELEBRATING THE 40TH ANNIVERSARY OF ACACIA ADULT DAY SERVICES

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

A Proclamation celebrating the 40th anniversary of Acacia Adult Day Services in Garden Grove, be adopted.

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

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

ADOPTION OF A PROCLAMATION RECOGNIZING NATIONAL RED RIBBON WEEK FROM OCTOBER 23-31, 2019 IN GARDEN GROVE

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

A Proclamation recognizing National Red Ribbon Week from October 23-31, 2019 in Garden Grove, be adopted.

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

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

COMMUNITY SPOTLIGHT IN RECOGNITION OF SOUTHLAND INTEGRATED SERVICES, INC., CELEBRATING THEIR 40TH YEAR PROVIDING SOCIAL, PUBLIC HEALTH, AND CULTURAL SERVICES WITHIN GARDEN GROVE AND THROUGHOUT ORANGE COUNTY

COMMUNITY SPOTLIGHT IN RECOGNITION OF THE ACACIA ADULT DAY SERVICES 40TH ANNIVERSARY

ORAL COMMUNICATIONS

Speakers: Anna Wong, Tom Raber, Cynthia Plager, Han Tran, Lala Troung, Carol Barnes, Carlos Guadarrama, Nicholas Dibs, Robin Trujillo, Bill McMurrey, Catherine Quinlog, Susan Gordon.

APPROVAL OF AN AMENDMENT TO THE AGREEMENT WITH REPUBLIC WASTE SERVICES OF SOUTHERN CALIFORNIA LLC, DBA GARDEN GROVE DISPOSAL, FOR RECYCLING CART RATE IMPLEMENTATION. (JOINT ACTION ITEM WITH THE GARDEN GROVE SANITARY DISTRICT)

Mayor Jones announced that this matter was joint action item with the Garden Grove Sanitary District, following actions were taken:

City Council Action

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

Amendment No. 4 to the 2010 Agreement with Republic Waste Services of Southern California LLC, dba Garden Grove Disposal for a recycling cart program implementation, be adopted; and

The City Manager be authorized to execute the agreement amendment 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

Sanitary District Action

It was moved by Member Brietigam, seconded by Member Bui that:

Amendment No. 4 to the 2010 Agreement with Republic Waste Services of Southern California LLC, dba Garden Grove Disposal for a recycling cart program implementation, be adopted; and

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

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

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

RECESS

At 7:53 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 7:57 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

ADOPTION OF A PROCLAMATION HONORING AND CELEBRATING THE 40TH ANNIVERSARY OF SOUTHLAND INTEGRATED SERVICES, INC., IN GARDEN GROVE

This matter was considered earlier in the meeting.

ADOPTION OF A PROCLAMATION CELEBRATING THE 40TH ANNIVERSARY OF ACACIA ADULT DAY SERVICES

This matter was considered earlier in the meeting.

ADOPTION OF A PROCLAMATION RECOGNIZING NATIONAL RED RIBBON WEEK FROM OCTOBER 23-31, 2019 IN GARDEN GROVE

This matter was considered earlier in the meeting.

APPROVAL OF AN AMENDMENT TO THE AGREEMENT WITH REPUBLIC WASTE SERVICES OF SOUTHERN CALIFORNIA LLC, DBA GARDEN GROVE DISPOSAL, FOR RECYCLING CART RATE IMPLEMENTATION. (JOINT ACTION ITEM WITH THE GARDEN GROVE SANITARY DISTRICT)

This matter was considered earlier in the meeting.

The Finance Director be authorized to issue a purchase order in the amount of \$28,936.25 to National Auto Fleet Group for the purchase of one (1) new Police Department SUV.

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 RDO VERMEER FOR TWO (2) NEW BRUSH CHIPPERS

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

The Finance Director be authorized to issue a purchase order in the amount of \$78,678.46 to RDO Vermeer for the purchase of two (2) new brush chippers.

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 MEETINGS HELD ON AUGUST 13, 2019 AUGUST 27, 2019, AND SEPTEMBER 10, 2019

(F: VAULT)

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

Minutes from the meetings held on August 13, 2019, August 27, 2019, and September 10, 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 Klopfenstein, seconded by Council Member Brietigam that:

Regular Warrants 654393 through 654587; Wires W2608 through W2616; and Payroll Warrants 183650 through 183678; Direct Deposits D353985 through D354603; and Wires W2626 through W2629, be received and filed as presented in the warrant register submitted that 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 OF AN AGREEMENT WITH STRAY CAT ALLIANCE TO PROVIDE SERVICES RELATED TO FERAL AND STRAY CATS CITYWIDE

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

The agreement with Stray Cat Alliance in the amount of \$70,000 through June 30, 2020, be approved; and

The City Manager be authorized to execute the agreement and make any 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

PUBLIC HEARING – ADOPTION OF A RESOLUTION TO APPROVE STREET VACATION NO. SV-001-2019, VACATING AND ABANDONING THE SOUTHERN PORTION OF BRADY WAY SOUTH OF STANFORD AVENUE, AND RESERVING THEREON PUBLIC SERVICE EASEMENTS FOR EXISTING PUBLIC UTILITY FACILITIES

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.

After Council Member comments and staff clarifications, it was moved by Council Member Brietigam, seconded by Council Member T. Nguyen that:

Resolution No. 9590-19 entitled: A Resolution of the City Council of the City of Garden Grove, California, approving Street Vacation No. SV-001-2019 and ordering vacation and abandonment of the southern portion of Brady Way south of Stanford Avenue and reserving thereon a public service easement for existing public utility facilities, be adopted; and

The City Clerk be authorized to record the Resolution with the County Recorder.

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 TO APPROVE A
RECOMMENDATION FROM THE TRAFFIC COMMISSION TO MODIFY EXISTING
STREET DIVERTERS ON FLOWER STREET AND BOWEN STREET, AT TRASK AVENUE,
GARDEN GROVE

Following staff presentation, Council Member Bui recused himself from this matter due to potential conflict of interest related to personal property proximity to Flower Street, but stated that he would like to vote on the Bowen Street modification portion. Council Member Bui left the Council Chamber at 8:07 p.m.

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.

After further discussion with City Attorney Sandoval on process to accommodate Council Member Bui's request to vote on the modification portion affecting Bowen Street, it was moved by Mayor Jones, seconded by Council Member Brietigam that:

The public hearing be reopened and continued to the October 8, 2019 City Council meeting to provide staff necessary time to draft separate Resolutions accordingly.

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

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

Council Member Bui returned to the Council Chamber at 8:10 p.m.

APPOINTMENT TO FILL A VACANCY ON THE ADMINISTRATIVE BOARD OF APPEALS. (CONTINUED FROM SEPTEMBER 10, 2019)

Following comments by Mayor Jones, it was moved by Mayor Jones, seconded by Council Member Brietigam that:

This matter be continued to the October 8, 2019 City Council Meeting.

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 PLANNING COMMISSION. (CONTINUED FROM SEPTEMBER 10, 2019)

Following comments by Mayor Jones, it was moved by Mayor Jones, seconded by Council Member Brietigam that:

This matter be continued to the October 8, 2019 City Council Meeting.

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 LICENSE AGREEMENT WITH REXFORD INDUSTRIAL REALTY, INC., TO LEASE THE SOUTHERN PORTION OF BRADY WAY, GARDEN GROVE

Following staff introduction, it was moved by Council Member Brietigam, seconded by Council Member K. Nguyen that:

The License Agreement with Rexford Industrial Realty, Inc., for the southern portion of Brady Way, be approved; and

The City Manager be authorized to execute the License Agreement 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

APPROVAL TO PARTICIPATE IN THE 2019-2020 OFFICE OF TRAFFIC SAFETY
SELECTIVE TRAFFIC ENFORCEMENT PROGRAM

Following staff introduction, it was moved by Council Member Klopfenstein, seconded by Council Member Brietigam that:

Participation in the Selective Traffic Enforcement Program (STEP) be authorized;

The Office of Traffic Safety grant funds in the amount of \$275,000.00, be accepted;

The Police Chief, Finance Director and Finance Manager be authorized to execute the grant agreement on behalf of the City; and

The grant monies be allocated to fund the Selective Traffic Enforcement Operations.

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 A CONTRACT TO TURBO DATA SYSTEMS, INC., FOR PARKING CITATION
PROCESSING SERVICES

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

A contract be awarded to Turbo Data Systems, Inc., to provide parking citation processing services, in the amount of \$270,000, for an initial term of two years from October 1, 2019, through September 20, 2021, with the option to extend the term for up to two additional two-year terms through September 30, 2025; and

The City Manager be authorized to execute the agreement and make any minor modifications as appropriate.

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

RECESS

At 8:16 p.m. Mayor Jones declared a recess.

RECONVENE

At 8:23 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

AWARD OF CONTRACTS TO CANNON CORPORATION, AND BRUCE HALL LAND SURVEYOR, INC., FOR LAND SURVEYING AND RELATED SERVICES ON AN AS-NEEDED BASIS

Following staff introduction, it was moved by Council Member Brietigam, seconded by Council Member Bui that:

Contracts for on-call land surveying services be awarded to: 1) Cannon Corporation and 2) Bruce Hall Land Surveyor, Inc., in the amount of \$250,000 per contract for a term of three years; and

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

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

DISCUSSION REGARDING A PROPOSED RESOLUTION EXPRESSING OPPOSITION TO THE DEPARTMENT OF HOMELAND SECURITY'S "PUBLIC CHARGE" RULE CHANGE AS APPLIED TO LEGAL PERMANENT RESIDENT APPLICATIONS, AS REQUESTED BY COUNCIL MEMBER K. NGUYEN

Council Member K. Nguyen provided a brief history on the establishment of "Public Charge," as well as descriptions of various public assistance programs. Council Member K. Nguyen additionally provided information related to current cost of living statistics for Orange County. She stated that Garden Grove residents will be affected by the rule change and appealed to the City Council for support of the Resolution.

Council Member Brietigam expressed concern with the Resolution stating that the City Council has no jurisdiction over immigration policy, and thus voting on said Resolution would not impact immigration policy. Council Member Brietigam further expressed concern that this issue creates divisiveness in the community, and for those reasons was not in support of the Resolution.

Council Member T. Nguyen expressed support for Garden Grove's diverse community, many of which are immigrants and stated that the resolution represents that support.

Council Member K. Nguyen stated that the rule change could affect up to 75,000 to 100,000 Garden Grove residents.

Council Member Bui expressed concurrence with Council Member Brietigam's opinion that any City Council action on this Resolution would not bear weight on immigration policy. He further suggested and deferred the matter to local elected officials of Congress to take action.

Council Member O'Neill expressed concern with wording in the Resolution, and pointed out that the rule change could be challenged legally at the federal level. Therefore, at this time, he would not support moving this Resolution forward.

Council Member Klopfenstein stated she would not be supporting the Resolution at this time, and further clarified that said position does not make Council Members anti-immigrant. She rather highlighted the importance of immigrants to America, however, she expressed concern on the divisiveness of the matter and wants to focus on city responsibilities.

Mayor Jones announced that no motion or action to be taken on this matter for lack of City Council support.

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

Council Member Brietigam shared that there was good turnout at the Community Coffee & Donuts event held on September 14, 2019 and co-sponsored by Assemblyman Tyler Diep and himself. He also shared that he and Garden Grove School Board Trustee, Teri Rocco, will be hosting a "Run, Hide, Fight" class free of charge for Garden Grove residents. More details about the event will be available next week.

Council Member O'Neill announced the Woman's Civic Club of Garden Grove's Annual Holiday Craft Boutique, will take place on Saturday, October 26, 2019 from 9:00 a.m. to 3:00 p.m. at the Woman's Civic Club of Garden Grove, located at Chapman Avenue and Gilbert Street.

Council Member T. Nguyen wished her son, Leon, a happy birthday.

Council Member Bui wished Council Member T. Nguyen and City Manager Scott Stiles a good trip to South Korea and provides an opportunity for them to help initiate the process to create a delegation to South Korea in the spring.

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

City Manager Stiles shared that he and Council Member T. Nguyen would be at the next City Council meeting before heading to South Korea the following day. They will spend one day in Anyang where they will meet with officials to discuss important issues expressed by the City Council, how to build a partnership, and some future conversations that the City Council will have with the sister city next year. City Manager Stiles also highlighted the SteelCraft project opening and thanked Assistant City Manager and Community and Economic Development Director Lisa Kim, Project Planner Monica Covarrubias, Public Works Director Bill Murray and Public Works staff, and the Planning Services Division for their hard work.

Assistant City Manager and Community and Economic Development Director, Lisa Kim, acknowledged Building Official, David Dent's hard work on the project as well.

Mayor Jones shared that he had a busy travel week. He attended the American Planning Association Conference in Santa Barbara with Assistant City Manager Lisa Kim, and Planning Division Manager, Lee Marino. He announced that SteelCraft will be opening to the public on Thursday, September 26, 2019 at 5:00 p.m. Mayor Jones expressed his excitement about the opening and acknowledged and thanked all city staff for their hard work to see this project through; SteelCraft will be a game changer for the downtown area. Additionally, he shared that he also traveled to New York as Board Member of the Orange County Transportation Authority (OCTA). The two days in New York were filled with meetings and presentations to credit agencies like Standard and Poor's, Moody's, and FitchRatings, about the state of the Orange County economy. Two projects presented and discussed were the OC Streetcar project and the I-405 Freeway Widening project. In relation to the latter project, he shared that he and City Manager Stiles will be at the I-405 Bushard Bridge this upcoming Saturday night to observe its demolition.

ADJOURNMENT

At 8:58 p.m., Mayor Jones adjourned the meeting. The next Regular City Council Meeting will be held on Tuesday, October 8, 2019, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Lizabeth Vasquez
Deputy City Clerk