

## MINUTES

### GARDEN GROVE CITY COUNCIL

#### Regular Meeting

Tuesday, November 26, 2019

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

#### CONVENE CLOSED SESSION

At 5:47 p.m., Mayor Jones convened Closed Session in the Founders Room.

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 5:55 p.m.

#### ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers:    Craig Durfey

#### CLOSED SESSION MATTERS

##### CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code 54956.9(d)(1):

OCCORD v. City of Garden Grove, et al. OCSC Case No.: 30-2019-01102770

##### CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

City Property: Willowick Golf Course, 3017 W. 5th St., Santa Ana, California

City Negotiator: Scott C. Stiles, City Manager; Lisa Kim, Assistant City Manager/Community and Economic Development Director

Negotiating Parties: Peter Lauener, McWhinney; Peter Zak, Lanspire-Lyon-Integral Developments, LLC; Brett M. Shaves, West Coast GC Group LLC; Chip Brown, InSite Property Group LLC; Craig Cavileer, Majestic Realty Co.

Under Negotiation: To obtain direction regarding the price and terms of payment for the purchase/sale/lease/exchange/disposition of the property.

RECESS CLOSED SESSION

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

CONVENE REGULAR MEETING

At 6:54 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

ADOPTION OF A PROCLAMATION CELEBRATING THE 50<sup>TH</sup> ANNIVERSARY OF THE GARDEN GROVE REGIONAL LIBRARY ON STANFORD AVENUE, GARDEN GROVE

It was moved by Mayor Jones, seconded by Mayor Pro Tem Klopfenstein that:

A Proclamation celebrating the 50<sup>th</sup> anniversary of the Garden Grove Regional Library, be adopted.

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

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

COMMUNITY SPOTLIGHT IN RECOGNITION OF SABROSO MEXICAN GRILL AS ONE OF THE CITY'S MOST POPULAR DINING OPTIONS

COMMUNITY SPOTLIGHT IN RECOGNITION OF 2019 MISS GARDEN GROVE, MISS GARDEN GROVE'S OUTSTANDING TEEN AND COURTS OF HONOR

COMMUNITY SPOTLIGHT IN RECOGNITION OF THE 50<sup>TH</sup> ANNIVERSARY OF THE GARDEN GROVE REGIONAL LIBRARY

WRITTEN REQUEST FROM WEST GARDEN GROVE YOUTH BASEBALL FOR CO-SPONSORSHIP OF THE 2020 OPENING DAY PARADE

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

Co-sponsorship, in the approximate amount of \$2,700, of the West Garden Grove Youth Baseball Opening Day Parade on Saturday, February 22, 2020, be approved.

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

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

#### ORAL COMMUNICATIONS

Speakers: Craig Durfey, Luis Sarmiento, Lorena Maria Rodriguez Wilens, Dustin Nguyen, Nathaniel Greensides, Roberto Herrera, Diana Terreros, Marlha Sanchez, Jonathan Abacumoff, Sean Drexler, Gilbert Sanchez, Keith Costello, Abelallah Jaber, Jessica, Isuri Ramos, Sandra DeAnda, Penelope Lopez, Jessie Lopez, Michelle Zuniga, Karen Rodriguez

#### WRITTEN REQUEST FROM WEST GARDEN GROVE YOUTH BASEBALL FOR CO-SPONSORSHIP OF THE 2020 OPENING DAY PARADE

This matter was considered earlier in the meeting.

#### RECESS

At 8:07 p.m., Mayor Jones recessed the meeting.

#### RECONVENE

At 8:15 p.m., Mayor Jones reconvened the regular meeting in the Council Chamber with all Council Members present.

#### ADOPTION OF A RESOLUTION SUPPORTING BALANCED ENERGY SOLUTIONS AND MAINTAINING LOCAL CONTROL OF ENERGY SOLUTIONS

City Manager Stiles requested the Mayor and Council Members table this matter to allow staff time to provide more information.

#### ADOPTION OF A PROCLAMATION CELEBRATING THE 50<sup>TH</sup> ANNIVERSARY OF THE GARDEN GROVE REGIONAL LIBRARY ON STANFORD AVENUE, GARDEN GROVE

This matter was considered earlier in the meeting.

#### APPROVAL OF AN AMENDED LEASE AGREEMENT WITH NORTH COUNTY SENIOR SERVICES LLC FOR THE ACACIA ADULT DAY SERVICES PROPERTY AT 11391 ACACIA PARKWAY, GARDEN GROVE

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

The Amended Lease Agreement by and between the City of Garden Grove and North County Senior Services, LLC, for the property located at 11391 Acacia Parkway, Garden Grove, in the lease amount of \$1.00 per month, be approved; and

The City Manager be authorized to execute the lease and approve modifications deemed necessary.

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

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

REVIEW OF AUTOMATIC PASS-THROUGH WATER COST INCREASES ADOPTED BY ORDINANCE NO. 2890

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

The Water Commodity Adjustment calculation adopted by Ordinance No. 2890 for the automatic pass-through adjustment to the commodity delivery charges effective January 1, 2020, be acknowledged as reviewed.

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

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

RECEIVE AND FILE FISCAL YEAR 2018-19 DEVELOPMENT IMPACT FEE ANNUAL REPORT

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

The Fiscal Year 2018-19 Development Impact Fee Annual Report as required by Government Code Section 66006(b), be received and filed.

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

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

ACCEPTANCE OF PROJECT NOS. 7164, 7131, 7132, AND 7134 FOR TRAFFIC SIGNAL MODIFICATIONS AND PEDESTRIAN COUNTDOWN SIGNAL HEADS AT VARIOUS LOCATIONS AS COMPLETE

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

Project Nos. 7164, 7131, 7132, and 7134 – Traffic Signal Modifications and Pedestrian Countdown Signal Heads at various locations, be accepted as complete;

The City Manager be authorized to execute the Notice of Completion of Public 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, Bui, T. Nguyen, Klopfenstein, K.  
Nguyen, Jones  
Noes: (0) None

APPROVAL OF FINAL TRACT MAP NO. 18169 AND A SUBDIVISION IMPROVEMENT AGREEMENT WITH CONSOLIDATED INDUSTRIES, INC., FOR PROPERTY LOCATED AT 9861 11<sup>TH</sup> STREET, GARDEN GROVE

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

Final Tract Map No. TR 18169 and the Subdivision Improvement Agreement with Consolidated Industries, Inc., for the property located at 9861 11<sup>th</sup> Street, Garden Grove, be approved;

The Subdivision Improvement Bonds, be accepted; and

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

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

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

ADOPTION OF A RESOLUTION APPROVING FISCAL YEAR 2018-19 MEASURE M2 ANNUAL EXPENDITURE REPORT

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

Resolution No. 9594-19 entitled: A Resolution of the City Council of the City of Garden Grove concerning the Measure M2 Fiscal Year 2018-19 Annual Expenditure Report, be adopted; and

The Finance Director be authorized to submit the Measure M2 Annual Expenditure Report to the Orange County Transportation Authority.

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

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

ADOPTION OF A RESOLUTION APPROVING THE SUBMITTAL OF THE VALLEY VIEW STREET TRAFFIC SIGNAL SYNCHRONIZATION IMPROVEMENT PROJECT TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) FOR FUNDING UNDER THE COMPREHENSIVE TRANSPORTATION FUNDING PROGRAM (CTFP)

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

Resolution No. 9595-19 entitled: A Resolution of the City Council of the City of Garden Grove approving the submittal of Valley View/Blosa Chica Street Traffic Signal Synchronization Improvement Project to the Orange County Transportation Authority for funding under the competitive Measure M2 Regional Traffic Signal Synchronization Program, be adopted.

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

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

ADOPTION OF A RESOLUTION AUTHORIZING ESTABLISHMENT OF AN IRC SECTION 115 TRUST AND AWARD A CONTRACT TO PUBLIC AGENCY RETIREMENT SERVICES (PARS) FOR TRUST ADMINISTRATION SERVICES

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

Resolution No. 9596-19 entitled: A Resolution of the City Council of the City of Garden Grove approving the adoption of the Public Agencies post-employment benefits trust administered by Public Agency Retirement Services (PARS), be adopted;

That the City Manager be authorized to execute an Agreement for Administration Services by and between the City of Garden Grove and Public Agency Retirement Services for the administration of the City's Section 115 Trust; and

The City Manager or his designee be authorized as the City's Plan Administrator for the Section 115 Trust.

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

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

ADOPTION OF A RESOLUTION SUPPORTING BALANCED ENERGY SOLUTIONS AND  
MAINTAINING LOCAL CONTROL OF ENERGY SOLUTIONS

This matter was tabled earlier in the meeting.

APPROVAL OF A SECOND AMENDMENT TO STEELCRAFT LEASE AGREEMENT FOR  
PROPERTY LOCATED AT 12900 EUCLID STREET, GARDEN GROVE

This matter was heard later in the meeting.

APPROVAL OF AMENDMENT NO. 2 TO THE AGREEMENT WITH TIERRA WEST  
ADVISORS, INC. FOR ECONOMIC ANALYSIS SERVICES

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

Amendment No. 2 to the agreement by and between the City of Garden Grove and Tierra West Advisors, Inc., to increase the contract amount by \$50,000 for a total amount of \$99,000, be approved; and

The City Manager be authorized to execute Amendment No. 2 and make any minor modifications as appropriate.

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

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

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO WONDRIES FLEET GROUP  
FOR THE PURCHASE OF FIVE (5) NEW POLICE DEPARTMENT PATROL VEHICLES

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

The Finance Director be authorized to issue a purchase order in the amount of \$187,191.65 to Wondries Fleet Group for the purchase of five new Police patrol utility vehicles.

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

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

RECEIVE AND FILE MINUTES FROM THE MEETINGS HELD ON NOVEMBER 12, 2019,  
AND NOVEMBER 19, 2019  
(F: VAULT)

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

Minutes from the meetings held on November 12, 2019, and November 19, 2019,  
be received and filed.

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

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

WARRANTS

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

Regular Warrants 656491 through 656692; 656693 through 656825; Wires W2666  
through W2653645; W2670 through W656395; and Payroll Warrants 183776  
through 183796; Direct Deposits D356647 through D357657; and Wires W2646  
through W2649; 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, Bui, T. Nguyen, Klopfenstein, K.  
Nguyen, Jones  
Noes: (0) None

WAIVER

It was moved by Mayor Jones, 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, Bui, T. Nguyen, Klopfenstein, K.  
Nguyen, Jones  
Noes: (0) None



APPROVAL OF A SECOND AMENDMENT TO STEELCRAFT LEASE AGREEMENT FOR PROPERTY LOCATED AT 12900 EUCLID STREET, GARDEN GROVE

Following Council Member Bui's questions and clarification from staff that the lease is reviewed every five years and any new tenant would need City Council approval, it was moved by Council Member Bui, seconded by Council Member K. Nguyen that:

The Second Amendment of Lease by and between the City of Garden Grove and Steelcraft Garden Grove LP for property located at 12900 Euclid Street, Garden Grove, to extend the lease term up to 55 years, be approved; and

The City Manager be authorized to execute the Second Amendment of Lease on behalf of the City.

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

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

RECESS

At 8:15 p.m., Mayor Jones recessed the meeting.

RECONVENE

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

APPROVAL OF A PURCHASE AND SALE AGREEMENT OF THE VACATED PORTION OF BRADY WAY AND MAINTENANCE AGREEMENT FOR THE REMAINING PORTION OF THE STREET

Following City Attorney Sandoval's introduction, and Council Member Brietigam's questions directed to Mr. James Long with Rexford Industrial Realty, LP, regarding the anticipated date for expansion of the existing industrial building at 12821 Knott Street, it was moved by Council Member Brietigam, seconded by Council Member T. Nguyen that:

The purchase and sale agreement and joint escrow instruction for the sale of the vacated portion of Brady Way, in the amount of \$873,620.00, to Rexford Industrial Realty, LP, be approved;

The agreement for construction and maintenance of landscaping and street paving for the remaining portion of Brady Way, south of Stanford Avenue to the southern property line, be approved; and

The City Manager be authorized to execute the agreements and to approve modifications that are deemed necessary, and to execute all other documents necessary to close the real property transfer.

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

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

#### SECOND READING OF ORDINANCE NO. 2911

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

Following the City Clerk reading of the title, it was moved by Mayor Pro Tem Klopfenstein, seconded by Council Member T. Nguyen that:

Ordinance No. 2911 entitled: An Ordinance of the City Council of the City of Garden Grove, amending various provisions of the Garden Grove Municipal Code pertaining to animal control and services formerly performed by the Fire Department that are being transferred to other departments and to the Orange County Fire Authority, including revisions to fireworks regulations, be adopted.

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

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

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

##### ENTERPRISE RESOURCE PLANNING (ERP) SUBCOMMITTEE UPDATE FROM COUNCIL MEMBER BUI

Council Member Bui provided a single slide PowerPoint presentation and a brief overview of the City's ERP Phase I project timeline. The ERP system, which was approved by the City Council, is expected to go live in the summer of 2020, whereby the City Finance Department will begin implementing changes to the procedures and processes currently in place. If necessary, Phase I of the project is the time to make adjustments. He noted that the IT and Finance Departments are working very hard to identify risk assessments and implement change management. City employees will be working harder to incorporate the ERP system

into their daily tasks, and the expectation is that the project timeline and budget is met.

City Manager Stiles thanked Council Member Bui for being a single member sub-committee to ensure the City is moving forward with the ERP system. He noted that Finance Director, Patricia Song, and IT Director, Anand Rao, are available to discuss the ERP system about the progress being made to implementing this City Council approved project. He noted that Phase I is the Financial system that is expected to come online in the summer of 2020, and Phase II will include payroll and Human Resources functions. Council Member Bui will continue to be briefed on the ERP progress.

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

Council Member Brietigam wished everyone a happy Thanksgiving holiday. He announced his son will be sworn in to the Bar; and he congratulated former Council Member Chris Phan for being promoted to the rank of Commander in the United States Navy; and he announced the upcoming Jingle Jam family event on December 5, 2019, at Eastgate Park.

Council Member O'Neill wished everyone a happy Thanksgiving and encouraged everyone to enjoy time with family. He asked everyone to check their smoke detectors, noting there was a devastating house fire in District 2 that fortunately did not result in any deaths or serious injuries.

Council Member T. Nguyen wished everyone a happy Thanksgiving and her husband a Happy Birthday.

Council Member K. Nguyen encouraged people with pets to stop by Public Works to get window decals for your front door or window so that public safety will know if there is a family pet in case of an emergency.

Mayor Pro Tem Klopfenstein noted she had the pleasure of attending the promotion ceremony for former Council Member and newly promoted Commander Chris Phan, and on behalf of the City was gifted a United States Flag that had flown over Guantanamo Bay on 9/11. She asked that the Flag and Certificate commemorating the gift be displayed at City Hall, and she thanked Commander Phan on behalf of the City.

Council Member Bui noted that he attended the ceremony commemorating Commander Phan's recent promotion and noted Commander Phan is also a federal immigration judge in Sacramento. He wished everyone a happy Thanksgiving.

Mayor Jones announced the 2<sup>nd</sup> annual Winter in the Grove on Saturday, December 7, 2019, from 3:00 p.m. to 7:00 p.m. at the Village Green on Main Street. There will be a tree lighting, entertainment, food, and crafts for the whole family. City Manager Stiles announced Black Friday BiGG campaign on Friday, November 29, through December 20 at any Garden Grove business. Save your receipts for a chance to win cash or a one night stay at the Great Wolf Lodge by bringing your receipts to the Garden Grove Chamber of Commerce by December 20, 2019.

#### RECESS REGULAR MEETING

At 8:45 p.m., Mayor Jones recessed the meeting.

#### RECONVENE CLOSED SESSION

At 8:46 p.m., Mayor Jones reconvened Closed Session in the Founders Room with all Council Members present.

#### ADJOURN CLOSED SESSION

At 10:30 p.m., Mayor Jones recessed Closed Session in the Founders Room.

#### RECONVENE REGULAR MEETING

At 10:31 p.m., Mayor Jones reconvened the regular meeting in the Council Chamber with all Council Members present, and announced that no reportable action was taken.

#### ADJOURNMENT

At 10:32 p.m., Mayor Jones adjourned the meeting to Tuesday, December 10, 2019, at 5:30 p.m., at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC  
City Clerk