

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, February 25, 2020

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

CONVENE CLOSED SESSION

At 5:37 p.m., Mayor Pro Tem O'Neill convened Closed Session in the Founders Room.

ROLL CALL      PRESENT:      (6)      Council Members Brietigam, D. Nguyen, Bui, Klopfenstein, K. Nguyen, Mayor Pro Tem O'Neill

ABSENT:      (1)      Mayor Jones absent at Roll Call, but joined the meeting at 5:50 p.m.

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers:    None

CLOSED SESSION MATTERS

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code 54956.9(d)(1):  
Montalvo vs. City of Garden Grove, et al. OCSC Case No.: 30-2018-01024199

ADJOURN CLOSED SESSION

At 6:20 p.m., Mayor Jones adjourned Closed Session.

CONVENE REGULAR MEETING

At 6:35 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

COMMUNITY SPOTLIGHT IN RECOGNITION OF ARISTOCRAT PET SUPPLIES AS A LONG-STANDING BUSINESS IN THE COMMUNITY WITH MORE THAN 35 YEARS OF SERVICE

RECOGNITION OF THE POLICE DEPARTMENT COMMUNITY IMPACT TEAM AS PRESENTED BY CHIEF DARÉ

ORAL COMMUNICATIONS

Speakers: Craig Durfey, Tom Raber, Cynthia Guerra, Sean Drexler, Michelle Zuniga, Karen Rodriguez, Sem Diaz, Jackie Cordova, Maureen Blackmun, Lala Truong.

CONSIDERATION OF A WRITTEN REQUEST FROM CUB SCOUT PACK 271 FOR CO-SPONSORSHIP OF THE ANNUAL CUB SCOUT PUSHCART DERBY ON SATURDAY, APRIL 25, 2020 (F: 88.1)

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

The annual Cub Scout Pushcart Derby on Saturday, April 25, 2020, be co-sponsored in the amount of \$5,000 in staff support and city street closures.

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

Ayes: (7) Brietigam, O'Neill, Bui, D. Nguyen, Klopfenstein,  
K. Nguyen, Jones  
Noes: (0) None

RECESS

At 7:10 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 7:15 p.m., Mayor Jones reconvened the regular meeting in the Council Chamber with all Council Members present.

ADOPTION OF THE PROPOSED LEGISLATIVE PLATFORM FOR THE 2020 LEGISLATIVE SESSION (F: 67.5)

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

The City of Garden Grove Legislative Platform for the 2020 Legislative Session, be adopted.

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

Ayes: (7) Brietigam, O'Neill, Bui, D. Nguyen, Klopfenstein,  
K. Nguyen, Jones  
Noes: (0) None

APPROVAL OF FINAL PARCEL MAP NO. PM-2018-180 FOR PROPERTY LOCATED AT 10862, 10872 AND 10882 GARDEN GROVE BOULEVARD, GARDEN GROVE (F: 118.PM-2018-180)

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

Final Parcel Map No. PM-2018-180, be approved.

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

Ayes: (7) Brietigam, O'Neill, Bui, D. Nguyen, Klopfenstein,  
K. Nguyen, Jones  
Noes: (0) None

ADOPTION OF A RESOLUTION DECLARING WILLOWICK SURPLUS LAND UNDER THE SURPLUS LAND ACT (F: 73.13)

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

Resolution No. 9610-20 entitled: A Resolution of the City Council of the City of Garden Grove declaring 3017 W. 5<sup>th</sup> Street in the City of Santa Ana (Willowick) surplus land pursuant to the Surplus Land Act (Government Code Sections 54220 et seq.), be adopted.

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

Ayes: (7) Brietigam, O'Neill, Bui, D. Nguyen, Klopfenstein,  
K. Nguyen, Jones  
Noes: (0) None

APPROVAL OF A FACILITY USE AGREEMENT WITH ORION SPORTS FOR THE OPERATION OF THE OUTDOOR HOCKEY RINK AT THE CHAPMAN SPORTS COMPLEX  
(F: 55-ORION SPORTS)

This matter was continued to the March 24, 2020, City Council meeting at the request of Orion Sports.

APPROVAL OF A FACILITY USE AGREEMENT WITH ESPARZA SOCCER ACADEMIC, INC., TO OPERATE THE SOCCER FACILITY AT GARDEN GROVE PARK  
(F: 55-ESPARZA SOCCER ACADEMIC INC.)

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

A three year Facility Use Agreement with Esparza Soccer Academic, Inc., be approved for the operation and management of the soccer facility at Garden Grove Park;

That Esparza Soccer Academic, Inc., be responsible for monthly lease payments in the amount of \$5,000; and

The City Manager, or his designee, be authorized to execute the Facility Use Agreement on behalf of the City, including making minor modifications as appropriate and necessary.

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

Ayes: (7) Brietigam, O'Neill, Bui, D. Nguyen, Klopfenstein,  
K. Nguyen, Jones  
Noes: (0) None

AWARD OF CONTRACTS TO ACTION SOUTHLAND TOWING AND B&D TOWING TO PROVIDE ON-CALL TOWING SERVICE (F: ACTION SOUTHLAND TOWING)  
(F: B&D TOWING)

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

Contracts to Action Southland Towing and B&D Towing be awarded for a term of five years commencing on March 1, 2020, to provide on-call rotational towing services for the Police Department; and

The City Manager be authorized to sign the agreements on behalf of the City.

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

Ayes: (7) Brietigam, O'Neill, Bui, D. Nguyen, Klopfenstein,  
K. Nguyen, Jones  
Noes: (0) None

APPROVAL OF AMENDMENT NO. 2 TO THE AGREEMENT WITH BUREAU VERITAS  
TECHNICAL ASSESSMENT LLC, TO PROVIDE FACILITY CONDITION ASSESSMENT  
(LEVEL 3 ACCESSIBILITY – AMERICANS WITH DISABILITIES ACT)  
(F: 55-BUREAU VERITAS TECHNICAL ASSESSMENT LLC)

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

Amendment No. 2 to the agreement with Bureau Veritas Technical Assessment LLC,  
for the increased amount of \$47,520, to perform the City's Facilities Condition  
Assessment Level 3 Accessibility – Americans with Disabilities Act, be approved;  
and

The City Manager be authorized to sign Amendment No. 2, on behalf of the City,  
and to make minor modifications as appropriate thereto.

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

Ayes: (7) Brietigam, O'Neill, Bui, D. Nguyen, Klopfenstein,  
K. Nguyen, Jones  
Noes: (0) None

APPROPRIATION OF FUNDS AND APPROVAL OF AN AMENDMENT TO THE  
AGREEMENT WITH AXON ENTERPRISES, INC., FOR THE PURCHASE OF ADDITIONAL  
EQUIPMENT FOR THE POLICE DEPARTMENT (F: AXON ENTERPRISES, INC.)

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

Amendment No. 3 to the agreement with Axon Enterprise, Inc., be approved, in the  
amount of \$82,664.78, to purchase additional equipment for the Police  
Department;

That funds be appropriated in years two through five of Amendment No. 3; and

The City Manager be authorized to sign Amendment No. 3, on behalf of the City,  
and to make minor modifications as appropriate thereto.

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

Ayes: (7) Brietigam, O'Neill, Bui, D. Nguyen, Klopfenstein,  
K. Nguyen, Jones  
Noes: (0) None

AWARD OF CONTRACT TO FEHR & PEERS, INC., TO PREPARE THE VEHICLE MILES TRAVELED CALIFORNIA ENVIRONMENTAL QUALITY ACT THRESHOLDS IN ACCORDANCE WITH SENATE BILL 743 (F: FEHR & PEERS, INC.)

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

A contract be awarded to Fehr & Peers, Inc., in the amount of \$80,400, to prepare a Vehicle Miles Traveled (VMT) California Environmental Quality Act (CEQA) Thresholds in accordance with Senate Bill 743 (SB 743); and

The City Manager be authorized to execute the contract on behalf of the City and approve minor modifications as necessary.

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

Ayes: (7) Brietigam, O'Neill, Bui, D. Nguyen, Klopfenstein,  
K. Nguyen, Jones  
Noes: (0) None

AWARD A CONTRACT TO DEWBERRY ARCHITECTS, INC., TO PROVIDE CITY HALL SECURITY ENHANCEMENT DESIGN SERVICES (F: DEWBERRY ARCHITECTS, INC.)

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

A contract be awarded to Dewberry Architects, Inc., in the amount of \$219,925, to prepare a comprehensive City Hall security enhancement design; and

The City Manager, or his designee, be authorized to execute the contract on behalf of the City, and approve minor modifications as necessary.

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

Ayes: (7) Brietigam, O'Neill, Bui, D. Nguyen, Klopfenstein,  
K. Nguyen, Jones  
Noes: (0) None

RECEIVE AND FILE MINUTES FROM THE MEETING HELD ON FEBRUARY 11, 2020  
(F: VAULT)

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

Minutes from the meeting held on February 11, 2020, be received and filed.

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

Ayes: (7) Brietigram, O'Neill, Bui, D. Nguyen, Klopfenstein,  
K. Nguyen, Jones  
Noes: (0) None

WARRANTS

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

Payroll Warrants 183895 through 183920; 183921 through 183950; Deposits D360103 through D360710; D360709 through D361319; Wires W2666 through W2669; W2670 through W2673; and Regular Warrants 659055 through 659201; 659202 through 659378; Wires W2744 through W2754; W2755 through W2760; 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) Brietigram, O'Neill, Bui, D. Nguyen, Klopfenstein,  
K. Nguyen, Jones  
Noes: (0) None

PUBLIC HEARING – ADOPTION OF A RESOLUTION REVISING THE MONETARY PENALTIES FOR VIOLATIONS OF VEHICLE CODE AND MUNICIPAL CODE PARKING REGULATIONS (F: 24.3) (F: 87.2)

Following staff introduction, Mayor Jones declared the public hearing open.

Speakers: Craig Durfey

There being no further response, Mayor Jones closed the Public Hearing.

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

Resolution No. 9611-20 entitled: A Resolution of the City Council of the City of Garden Grove, California, revising the monetary penalties for violations of the California Vehicle Code and Garden Grove Municipal Code Parking Regulations for which the City establishes fine amounts, be adopted.

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

Ayes: (7) Brietigam, O'Neill, Bui, D. Nguyen, Klopfenstein,  
K. Nguyen, Jones  
Noes: (0) None

AWARD CONTRACTS TO WILLDAN AND WALLACE & ASSOCIATES, INC., TO PROVIDE ON-CALL CONSTRUCTION INSPECTION SERVICES (F: 55-WILLDAN) (F: 55-WALLACE & ASSOCIATES, INC.)

Following staff introduction and Council Member Bui's request for staff to determine the feasibility for hiring inspectors, it was moved by Council Member Bui, seconded by Council Member O'Neill:

Contracts be awarded to Willdan and to Wallace & Associates, Inc., in the amount of \$500,000 each, for three-year terms and two optional year extensions, to provide professional construction inspection services; and

The City Manager be authorized to execute the contracts, including amendments to exercise two optional year extensions, provided sufficient funds are available, on behalf of the City.

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

Ayes: (7) Brietigam, O'Neill, Bui, D. Nguyen, Klopfenstein,  
K. Nguyen, Jones  
Noes: (0) None

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

CONSIDERATION TO ADOPT A PROCLAMATION RECOGNIZING THE TODD ANGLIN'S HOME FOR CHILDREN AND THEIR 15<sup>TH</sup> ANNUAL GALA CELEBRATION AS REQUESTED BY COUNCIL MEMBER KIM NGUYEN (F: 83.1)

Following Council Member K. Nguyen's introduction, it was moved by Council Member O'Neill, seconded by Council Member D. Nguyen that:

A Proclamation recognizing the Todd Anglin's Home for Children and their 15<sup>th</sup> Annual Gala celebration entitled the "Seeds of Hope" event, be adopted.

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



Ayes: (7) Brietigam, O'Neill, Bui, D. Nguyen, Klopfenstein,  
K. Nguyen, Jones  
Noes: (0) None

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

Council Member Brietigam commented on attending the West Garden Grove Little League Parade, and recognized Michael and Freddy Gonzalez who each achieved the rank of Eagle Scout.

Council Member D. Nguyen commented on the Scout Flag Ceremony at Garden Grove Park with 1100 scouts in attendance.

Council Member Klopfenstein noted that as a Vector Control Board Member, she receives reports on activities and risks of mosquitoes specific to Garden Grove that she would like posted on the City's website. She commented on participating with the Garden Grove Unified School District's First Impressions art competition, and the amazing talent exhibited by Garden Grove students. She encouraged everyone to attend Art in the Park coming up in March.

Council Member Bui expressed condolences to Mayor Jones for the recent loss of his father-in-law, and offered support to the Mayor and his family.

Mayor Jones announced that no reportable action was taken during Closed Session.

City Manager Stiles stated that there will be a Regional Housing Needs Assessment update presented to the City Council at the next City Council Meeting. He announced the upcoming Art in the Park on Saturday, March 7, 2020, from 11:00 a.m. to 2:00 p.m., at the Village Green Park. Art in the Park is in collaboration with the Garden Grove Unified School District, and will be an interactive outdoor art festival featuring the school district's 42<sup>nd</sup> annual First Impressions student art exhibit.

ADJOURNMENT

At 7:32 p.m., Mayor Jones adjourned the meeting to Tuesday, March 10, 2020, at 5:30 p.m., at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC  
City Clerk