

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, February 28, 2017

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

CONVENE CLOSED SESSION

At 6:15 p.m., Mayor Jones convened the meeting in the Council Chamber.

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

ABSENT:      (1)      Council Member Bui absent at Roll Call but  
joined the meeting at 6:18 p.m.

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers:   None

CONVENE CLOSED SESSION

At 6:16 p.m., Mayor Jones announced that the City Council was going into Closed Session in the Founders Room to discuss the following matters:

Conference with Legal Counsel – Existing Litigation  
Pursuant to Government Code Section 54956.9(d)(1)  
Mackovski v. Garden Grove, USDC Case No. 8:11-cv-01538 CJC-AN

ADJOURN CLOSED SESSION

At 6:43 p.m., Mayor Jones adjourned the Closed Session.

CONVENE REGULAR MEETING

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



A three (3) year License Agreement between the City and SoCal Street Hockey, for the operation of the outdoor hockey rink at Chapman Sports Complex, be approved; and

The City Manager or his designee be authorized to sign the 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) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.  
Nguyen, Jones  
Noes: (0) None

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO CPAC, INC. FOR THE PURCHASE OF 180 HEWLETT PACKARD COMPUTERS INCLUDING THREE YEARS WARRANTY (F: 60.4)

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

The Finance Director be authorized to issue a purchase order to CPAC, Inc. for the purchase of 180 new and unused Hewlett Packard Business Computers, including three year warranties, in the amount of \$121,021.43.

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

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

CONSIDERATION AND APPROVAL OF A PROGRESS REPORT RELATED TO THE 2015-16 GRAND JURY REPORT, LIGHT RAIL: IS ORANGE COUNTY ON THE RIGHT TRACK? (F: 23.1)

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

The progress report be approved and authorized to submit the progress report to the Orange County Grand Jury.

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

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

RECEIVE AND FILE MINUTES FROM THE MEETING HELD ON JANUARY 24, 2017  
(F: Vault)

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

The minutes from the Regular Meeting held on January 24, 2017, be received and filed.

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

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

WARRANTS (F: 60.5)

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

Payroll Warrants 180815 through 180883; Direct Deposits D307337 through DD308034; and Wires W2326 through W2329; be approved 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

Regular Warrants 618775 through 619219; 619220 through 619827 and Wires W1793 through W1802 and W619219 through W619826; be approved 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) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.  
Nguyen, Jones  
Noes: (0) None

CONSIDERATION OF APPOINTMENTS TO THE ADMINISTRATIVE BOARD OF APPEALS (CONTINUED FROM THE FEBRUARY 14, 2017, MEETING) (F: 122.2C)

Mayor Jones announced that this item would be heard at the March 14, 2017, City Council meeting.

AWARD OF CONTRACT TO ENGINEERING RESOURCES OF SOUTHERN CALIFORNIA, INC., TO PROVIDE ON-CALL CIVIL ENGINEERING PLAN CHECKING AND CONSTRUCTION INSPECTION SERVICES  
(F: 55-Engineering Resources of Southern California, Inc.)

Following staff's presentation and City Council discussion:

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

A contract be awarded to Engineering Resources of Southern California, Inc., to provide on-call civil engineering plan checking and construction inspection services, in the amount, not to exceed, \$600,000 for three years, with the option for two (2) additional two (2) year extensions;

The City Manager be authorized to execute the professional services agreement on behalf of the City and to make minor modifications as appropriate; and

The City Manager be authorized to enter into the extensions for two (2) additional two (2) year terms should a funding balance remain.

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

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

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

##### DISCUSSION ON THE MAGNOLIA STREET MEDIAN TREES FROM TRASK AVENUE TO GARDEN GROVE BOULEVARD, AS REQUESTED BY CITY MANAGER STILES (F: 24.4)(XR: 96.1)

Staff provided a PowerPoint presentation and report.

Council Member T. Nguyen commented on looking forward to the improvements to the median and asked if it will help mitigate flooding.

Staff stated yes, that the median improvements will help.

##### INFORMATIONAL REPORT ON RECREATIONAL, OVERSIZED, AND "FOR SALE" VEHICLE PARKING ON CITY STREETS, AS REQUESTED BY CITY COUNCIL (F: 46.5)

Staff provided a staff report and the City Attorney informed the City Council on the legal issues regarding "For Sale" vehicle parking.

Council Member Beard thanked the staff for providing the report noting that in his research he has found that most cities do have restrictions on RV parking, which indicates a concern all cities share related to visibility, safety, aesthetics, and property values. He stated that there is enough information provided to consider restricting RV's in residential areas on city streets, and that the issue of "For Sale" vehicles is separate from the RV and oversized vehicle parking.

City Attorney Sandoval stated that "For Sale" vehicles have a legal right to be parked on the street as long as they are registered with the Department of Motor Vehicles. It would be difficult to enforce a law against "For Sale" vehicles, as it would impede on the individual's rights to free speech; however, any parking regulations would apply whether or not a car is for sale.

Council Member K. Nguyen pointed out traffic visibility issues because of the ten to 15 cars regularly parked on Haster Avenue near Lampson Avenue that are "For Sale."

City Attorney Sandoval suggested that the 72 hour parking restriction could be reduced to 24 hours. He noted that the cities of Fullerton and Orange regulated parking through posted signs that eliminated the need for permit parking, and suggested the City red curb a portion of the street to address traffic visibility.

Council Member K. Nguyen stated that she has received complaints that individuals from the nearby apartment complex are essentially acting as car dealers using the public street next to the Haster Basin to park cars for sale.

Mayor Jones expressed concern that red curbing the street would reduce available parking from residents.

Council Member O'Neill suggested a limited online visitor permit application for RV parking.

Council Member T. Nguyen suggested posting signs for either 24 or 48 hour parking only. She stated that she supports prohibiting RV parking on residential streets, and asked about the impact to the City and whether parking enforcement would be handled by Code Enforcement or the Police Department.

City Manager Stiles noted that the impacts with any parking program would need to be considered and commented that having an RV permit program for people visiting relatives needs to be considered.

Police Chief Elgin noted that Street Sweeping citations are handled by Public Works, and 72 hour parking violations are handled by the Police Department. He indicated that the Police Department does not have the staffing to address a permit program; however, they would be able to handle enforcement of a parking program on a call by call basis.

Council Member Beard asked Chief Elgin whether it would be advisable to enforce a 24 or 48 hour limit.

Police Chief Elgin noted that people will often move their cars forward several feet to cover the chalk line so that when the Officer returns, the car appears to have



Teresa Pomeroy, CMC  
City Clerk