

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, October 10, 2017

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

CONVENE MEETING

At 5:36 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 5:50 p.m.

CONVENE CLOSED SESSION

At 5:38 p.m., Mayor Jones announced that the City Council was going into Closed Session in the Founders Room to discuss the following matter:

Conference with Legal Counsel – Existing Litigation

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

Andrew Garcia v. City of Garden Grove, USDC Case No. 8:16-cv-00154 DOC (KESx)

Conference with Legal Counsel – Existing Litigation

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

Gultoprak v. City of Garden Grove, et al., SDSC Case No. 37-2017-00004481-CU-PA-NC

City Attorney Sandoval announced that there would be no discussion regarding Gultoprak v. City of Garden Grove, et al., SDSC Case No. 37-2017-00004481-CU-PA-NC

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers:    None

## 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 meeting in the Council Chamber with all Council Members present.

MAYOR JONES ASKED EVERYONE TO STAND AND OBSERVE A MOMENT OF SILENCE TO HONOR THE VICTIMS OF THE RECENT LAS VEGAS SHOOTING.

## INVOCATION

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

COMMUNITY SPOTLIGHT: IN RECOGNITION OF GARDEN GROVE POLICE SERGEANT JOHN REYNOLDS FOR GOING ABOVE AND BEYOND THE CALL OF DUTY

## ORAL COMMUNICATIONS

Speakers: Charles Mitchell, Bob Donelson, Pam Donelson, Leland Sisk

CONSIDERATION OF A REQUEST FROM THE KOREAN AMERICAN FESTIVAL FOUNDATION OF ORANGE COUNTY FOR SPONSORSHIP OF THE INTERNATIONAL FESTIVAL OF ORANGE COUNTY (F: 88.1)

Council Member Bui stated that he has volunteered his time and efforts to the International Festival of Orange County; however, he will not benefit financially through his involvement and will be voting on this matter.

Following staff presentation and City Council discussion, Mayor Jones asked the Representative from the Korean American Festival Foundation of Orange County to address the City Council.

Mayor Jones commented on the value of celebrating the diversity within the community through the promotion of the International Festival and requested staff to post information on the upcoming Festival.

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

The request from the Korean American Festival Foundation of Orange County be approved for an in-kind sponsorship amount of \$3,000 for the International Festival of Orange County being held on the weekend of October 20, 2017, through

October 22, 2017, at the Garden Square Shopping Center parking lot at 9772 Garden Grove Boulevard.

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

#### RECESS

At 7:05 p.m., Mayor Jones recessed the meeting.

#### RECONVENE

At 7:30 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

#### ACCEPTANCE OF PROJECT NO. 7369, MWD INTERCONNECT AND PRV FACILITIES REHABILITATION AS COMPLETE (F: 112.proj.7369)

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

Project No. 7369, MWD Interconnect and PRV Facilities Rehabilitation be accepted as complete;

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

#### ACCEPTANCE OF PROJECT NO. 7400 – WATER SERVICE LINE REPLACEMENT AND IMPROVEMENT PROJECT, PHASE I AS COMPLETE (F: 112.proj.7400)

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

Project No. 7400 – Water Service Line Replacement and Improvement Project, Phase I be accepted as complete;

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

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO SCOTT EQUIPMENT, INC.,  
FOR ONE (1) CONSTRUCTION EQUIPMENT TRAILER

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

The Finance Director be authorized to issue a purchase order in the amount of \$26,096.12 to Scott Equipment, Inc., for the purchase of one (1) construction equipment trailer.

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 SIEMENS INDUSTRY INC.,  
TO PERFORM AN INVESTMENT GRADE ENERGY AUDIT OF CITY FACILITIES

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

The Finance Director be authorized to issue a purchase order in the amount of \$66,000 to Siemens Industry, Inc., to perform a citywide investment grade energy audit.

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

APPROVAL OF COOPERATIVE AGREEMENT NO. C-7-1828 WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR THE MAGNOLIA STREET CORRIDOR TRAFFIC SIGNAL SYNCHRONIZATION PROJECT  
(F: 100.proj.C-5-3589)

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

Cooperative Agreement No. C-7-1828 with the Orange County Transportation Authority be approved for the Magnolia Street Corridor Traffic Signal Synchronization Project; and

The Mayor be authorized to execute the agreement on behalf of the City.

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

APPROVAL OF COOPERATIVE AGREEMENT NO. C-7-1829 WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR THE BROOKHURST STREET CORRIDOR TRAFFIC SIGNAL SYNCHRONIZATION PROJECT  
(F: 55-Orange County Transportation Authority C-7-1829)

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

Cooperative Agreement No. C-7-1829 with the Orange County Transportation Authority be approved for the Brookhurst Street Corridor Traffic Signal Synchronization Project; and

The Mayor be authorized to execute the agreement on behalf of the City.

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

AWARD OF CONTRACT TO VIRTUNET FOR IN-CAR VIDEO SERVER AND STORAGE EQUIPMENT FOR POLICE VEHICLES, INSTALLATION AND THREE (3) YEARS OF MAINTENANCE (F: 55-Virtunet LLC)

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

A contract be awarded to Virtunet LLC, in the amount of \$139,839, for the purchase of in-car server and storage equipment for police vehicles, including installation and three years of service, support and maintenance; and

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

AWARD OF CONTRACT TO INTERWEST CONSULTING GROUP TO PROVIDE PLAN  
CHECK CONSULTANT SERVICES AND ADDITIONAL CONTRACTUAL SERVICES  
(F: 55-Interwest Consulting Group)

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

A contract be awarded to Interwest Consulting Group, in the amount of \$250,000, for plan check consulting services with the option to extend the agreement for three years for a total performance period of four years;

The City Manager or designee be authorized to execute the agreement on behalf of the City, and to make minor modifications as appropriate; and

The City Manager or designee be authorized to sign amendments to the agreement including the extensions of the term for three years provided sufficient funds are available.

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

AWARD OF CONTRACT TO BUREAU VERITAS NORTH AMERICA, INC., TO PROVIDE  
PLAN CHECK CONSULTANT SERVICES AND ADDITIONAL CONTRACTUAL SERVICES  
(F: 55-Bureau Veritas North America, Inc.)

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

A contract be awarded to Bureau Veritas North America, Inc., in the amount of \$250,000, for plan check consulting services with the option to extend the agreement for three years for a total performance period of four years;

The City Manager or designee be authorized to execute the agreement on behalf of the City, and to make minor modifications as appropriate; and

The City Manager or designee be authorized to sign amendments to the agreement including the extensions of the term for three years provided sufficient funds are available.

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 SEPTEMBER 26, 2017  
(F: Vault)

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

The minutes from the meeting held on September 26, 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

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

Regular Warrants 629028 through 629258; 629259 through 629859; 629860 through 630033; Wires W1978 through W1980; W1981 through W1983; and Direct Deposits W629258 through W629858; 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

Payroll Warrants 181683 through 181722; Direct Deposits D318679 through D319378; Wires W2402 through W2405; 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

### APPROVAL TO WAIVE FULL READING OF ORDINANCES LISTED

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

Full reading of Ordinances listed be waived.

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

### PUBLIC HEARING – ADOPTION OF A RESOLUTION ESTABLISHING AND AMENDING THE PARKING CITATION SCHEDULE TO INCLUDE MONETARY PENALTIES FOR RV PARKING VIOLATIONS (F: 82.7)

Following staff's presentation and City Council discussion, Mayor Jones declared the Public Hearing open and asked if anyone wished to address the City Council on the matter.

Speakers: Joe Resong

There being no further response from the audience, the Public Hearing was declared closed.

Council Member Bui expressed concern that the community may not be aware that citations are going to be issued for parking Recreational Vehicles on the public streets without a permit. He asked that staff issue warnings, and after City Council discussion, consensus was to provide warnings and to issue citations starting on November 1, 2017.

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

Resolution No. 9460-17 entitled: A Resolution of the City Council of the City of Garden Grove establishing the monetary penalties for violations of Recreational Vehicle Parking Regulations, be adopted; and

That staff be directed to issue warnings until the effective date to issue citations on November 1, 2017.

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



APPOINTMENT TO COMPLETE AN UNEXPIRED TERM ON THE MAIN STREET COMMISSION AND DISCUSSION OF BOARD ORGANIZATION (F: 122.6A)

Mayor Jones announced that this item would be tabled off-calendar.

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO PIERCE MANUFACTURING FOR ONE (1) LIGHT AND AIR VEHICLE

Following staff presentation, it was moved by Council Member O'Neill, seconded by Council Member K. Nguyen that:

The Finance Director be authorized to issue a purchase order in the amount of \$399,010 to Pierce Manufacturing for the purchase of one (1) light and air vehicle.

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

ADOPTION OF A RESOLUTION AMENDING FISCAL YEAR 2017-18 BUDGET TO INCORPORATE A LIST OF PROJECTS TO BE FUNDED BY SENATE BILL 1 AND APPROPRIATE RELATED FUNDING (F: 34.1)

Following staff presentation and City Council discussion, it was moved by Council Member O'Neill, seconded by Council Member Beard that:

Resolution No. 9461-17 entitled: A Resolution of the City Council of the City of Garden Grove amending the 2017-18 budget to appropriate funding and to incorporate a list of projects funded by Senate Bill 1: The Road Repair and Accountability Act 2017, be adopted.

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

ORDINANCE NO. 2887 PRESENTED FOR SECOND READING AND ADOPTION (F: 122.6)

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

Following the reading of the title of the Ordinance, it was moved by Mayor Jones, seconded by Council Member Klopfenstein that:

Ordinance No. 2887 entitled: An Ordinance of the City Council of the City of Garden Grove revising Chapter 2.32 of Title 2 of the Garden Grove Municipal Code renaming the Main Street Commission to Downtown Commission, be adopted.

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

Council Member O'Neill announced the annual Holiday Craft Boutique on Saturday, October 21, 2017, from 8:00 a.m. to 3:00 p.m., held by the Women's Civic Club of Garden Grove, 9501 Chapman Avenue; noting that the Women's Club rents tables to vendors and uses the rental proceeds for scholarships to Garden Grove High School students.

Council Member T. Nguyen stated that the Mid-Autumn Children's Festival held at the Atlantis Play Center was a success, and she recognized Community Services staff for contributing to the success of the event.

Council Member Klopfenstein thanked the community for attending the vigil for the Las Vegas shooting victims that was held at the Village Green Park. She also thanked the Mayor for his words at the vigil and the presence of Public Safety.

Council Member Bui commented that the Las Vegas shooting incident was a shock and that he regrets he was unable to attend Sunday night's vigil; however, he expressed his hope that people commenting on social media would respect each other even though there are different points of view. He noted the upcoming International Festival of Orange County, which has been an annual Korean festival. This year's festival will include and celebrate the other Asian and Latino cultures.

Mayor Jones commented on the Amazon HQ2 request for proposal and the possibility of Amazon locating in Orange County, noting that the Memorandum with the City of Santa Ana regarding the Willowick property allows for the City to work collaboratively with Santa Ana to open up discussion on future possibilities for development projects. He noted that he and City Manager Stiles visited the Governor's Office along with Mayors and City Managers to discuss incentives the State would offer Amazon. He expressed his appreciation for staff time with their work in meeting the October 19th Amazon proposal deadline.

City Manager Stiles stated that he would be coordinating a joint meeting with the Garden Grove and Santa Ana City Councils regarding the Willowick property. He thanked the Fire Department for their support with the Anaheim Hills Canyon fire in the deployment of five apparatus vehicles. In response to issues brought up under Oral Communications: A report on short term rentals will be provided to the City Council; the City's Code does allow Recreational Vehicles to be parked in the R-1 zone on private property as long as there is nothing encroaching on adjoining property lines; and that the Garden Grove and Westminster Police Chiefs are collaborating to address the crime and have increased patrol on Garden Grove Boulevard and Beach Boulevard.

#### CLOSED SESSION REPORT

City Attorney Sandoval announced that there was nothing to report on the Closed Session matter.

#### ADJOURNMENT

At 8:04 p.m., Mayor Jones adjourned the meeting. The next City Council Meeting will be held on Tuesday, October 24, 2017, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC  
City Clerk