

City Council response to Oral Communications:

Mayor Nguyen inquired about removing the current City representative, Robin Marcario, from the Orange County Vector Control Board. She did not vote against the Vector Control Director being given the responsibility to aerial spray as deemed necessary, as the City Council has urged her to.

Acting City Attorney Sandoval responded that there is no process in place for removal, and that Trustees do not serve at the pleasure of the City Council. The time to make a different appointment would be at the end of the term.

RECESS

At 8:11 p.m., Mayor Nguyen declared a recess.

RECONVENE MEETING

At 8:13 p.m., Mayor Nguyen reconvened the meeting with Council Members Beard, Jones, and Phan present.

APPROVAL OF A LEASE AGREEMENT FOR PROPERTY LOCATED AT 11554 SALINAS AVENUE, GARDEN GROVE (F: A-55.1A)

It was moved by Council Member Beard, seconded by Council Member Phan that:

The extension of the lease of the property located at 11554 Salinas Avenue, be approved; and

The City Manager is authorized to execute the lease agreement.

The motion carried by a 4-0-1 vote as follows:

Ayes:	(4)	Beard, Jones, Nguyen, Phan
Noes:	(0)	None
Absent:	(1)	Bui

ADOPTION OF A RESOLUTION AUTHORIZING THE RECEIPT OF GRANT FUNDING FROM THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR THE 2016 TIER 1 ENVIRONMENTAL CLEANUP GRANT PROGRAM (F: 24.13)

It was moved by Council Member Beard, seconded by Council Member Phan that:

Resolution No. 9347-16 entitled A Resolution authorizing receipt of funds for the Environmental Cleanup, Tier 1 Grant Program under Orange County Local Transportation Authority Ordinance No. 3 for the 2016 Tier 1 Magnolia Street and Euclid Street Irrigation Retrofit Projects, be adopted.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Jones, Nguyen, Phan
Noes: (0) None
Absent: (1) Bui

ACCEPTANCE OF PROJECT NO. 7271-BROOKHURST STREET REHABILITATION FROM TRASK AVENUE TO GARDEN GROVE BOULEVARD, AND FROM HAZARD AVENUE TO WESTMINSTER AVENUE, AND HAWK PEDESTRIAN SIGNAL INSTALLATION AS COMPLETE (F: 96.proj.7271)

It was moved by Council Member Beard, seconded by Council Member Phan that:

Project No. 7271 – Brookhurst Street Rehabilitation from Trask Avenue to Garden Grove Boulevard, and from Hazard Avenue to Westminster Avenue, and HAWK Pedestrian Signal Installation 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 4-0-1 vote as follows:

Ayes: (4) Beard, Jones, Nguyen, Phan
Noes: (0) None
Absent: (1) Bui

ADOPTION OF A RESOLUTION APPROVING AN AMENDMENT TO THE ASBESTOS AND LEAD ABATEMENT SERVICE CONTRACT WITH EDGAR GONZALEZ FOR 12302 HARBOR BOULEVARD, 12511 TWINTREE LANE, 12531 TWINTREE LANE, 12551 TWINTREE LANE, AND 12571 TWINTREE LANE, GARDEN GROVE (F: 55-Edgar Gonzalez)

It was moved by Council Member Beard, seconded by Council Member Phan that:

Resolution No. 9348-16 entitled A Resolution approving an Amendment to an Asbestos and Lead Abatement Contract in accordance with Section 2.50.070 of the Garden Grove Municipal Code for removal of lead and asbestos containing material from substandard structures at the Site C Project Site and making certain other findings in connection therewith, be adopted; and

The City Manager be authorized to make minor modifications to the contract if necessary to do so.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Jones, Nguyen, Phan
Noes: (0) None
Absent: (1) Bui

MINUTES (F: Vault)

It was moved by Council Member Beard, seconded by Council Member Phan that:

The minutes from the March 22, 2016, meeting be received and filed.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Jones, Nguyen, Phan
Noes: (0) None
Absent: (1) Bui

WARRANTS (F: 60.5)

It was moved by Council Member Beard, seconded by Council Member Phan that:

Payroll Warrants 179583 through 179631; Direct Deposits D292053 through D292743; and Wires W2226 through W2229; be approved as presented in the payroll register submitted, and have been audited for accuracy and funds are available for payment thereof by the Finance Director.

Regular Warrants 603594 through 603997; and Wires W1559 through W1562; 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 4-0-1 vote as follows:

Ayes: (4) Beard, Jones, Nguyen, Phan
Noes: (0) None
Absent: (1) Bui

APPROVAL TO WAIVE FULL READING OF ORDINANCES LISTED

It was moved by Council Member Beard, seconded by Council Member Phan that:

Full reading of ordinances listed be waived.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Jones, Nguyen, Phan
Noes: (0) None
Absent: (1) Bui

RECESS

At 8:14 p.m., Mayor Nguyen declared a recess.

RECONVENE MEETING

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

PUBLIC HEARING – CONSIDERATION OF PROPOSED VOTING DISTRICT MAPS FOR THE FORMATION OF SIX COUNCIL DISTRICTS, PUBLIC HEARING TO RECEIVE PUBLIC INPUT ON DISTRICT BOUNDARIES AND INTRODUCTION OF AN ORDINANCE IMPLEMENTING BY-DISTRICT ELECTIONS (F: 58.13)

(As approved earlier in the meeting, it was moved by Council Member Beard, seconded by Council Member Phan, and approved by a 4-0-1 vote, that full reading of ordinances listed be waived.)

In response to Council Member Bui's inquiry, staff responded that the City provided translators who were not Court Certified. He had a concern that what was being translated to the City Council was not representative of what the residents were saying.

Acting City Attorney Sandoval indicated that court certification was not a requirement for public meeting translations.

Mayor Nguyen encouraged the translators to remember the City Council's concerns when performing their translating duties.

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

Speakers: P. Ricardo Aguilar, Lenne Albert, Bert Ashland, Maureen Blackmun, George Brietigam, Benny Diaz, Khoa Do, Demian Garcia-Mowroy, Andrew Halberstadt, Dulce Halterman, Adrienne Holm, John Holm, Mary Kuhlmann, Billy Le, Patrick Lew, Robin Marcario, Josh McIntosh, Abraham Medina, Art Montel, Lan Quoc Nguyen, Esq, Hung Nguyen, Kim Nguyen, Nancy Nguyen, UC Nguyen, Diedre Thu-Ha Nguyen, John O'Neill, Lucy Silva, Sharon Sunda, Laura Hien Tran, Lien Tran, Ana Urzua, Edgardo Valdez, Vinh Le Vu, John Wildsmith

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

RECESS

At 10:48 p.m., Mayor Nguyen declared a recess.

RECONVENE MEETING

At 10:57 p.m., Mayor Nguyen reconvened the meeting with all Council Members present.

The City Council discussed the different maps being proposed, and the work that the community and staff has put into this process. It was the consensus of the City Council that, if possible, the map chosen would be a unanimous decision by the City Council.

It was moved by Mayor Nguyen, seconded by Council Member Phan that:

Submission Map No. 1 be approved as the District Map for the City.

Council Member Phan commented that the consensus under the Public Hearing appeared to be for Maps 1 and 4.

Council Member Jones had reservations with Map 1's boundaries for District 3 and 4 reaching from Hazard Avenue to Chapman Avenue, and splitting the Central Garden Grove Neighborhood Association into both of these districts.

Council Member Beard stated that Map 4 would be a compromise, and moved a substitute motion, seconded by Council Member Jones that:

Submission Map No. 4 be approved as the District Map for the City.

After further discussion, the substitute motion failed by a 2-3 vote as follows:

Ayes:	(2)	Beard, Jones
Noes:	(3)	Bui, Nguyen, Phan

The previous motion moved by Mayor Nguyen, seconded by Council Member Phan that:

Submission Map No. 1 be approved as the District Map for the city.

The motion carried by a 5-0 vote as follows:

Ayes: (5) Beard, Bui, Jones, Nguyen, Phan
Noes: (0) None

It was moved by Mayor Nguyen, seconded by Council Member Phan that:

Districts 2, 3, 5, and 6 be up for election in November 2016.

The motion carried by a 5-0 vote as follows:

Ayes: (5) Beard, Bui, Jones, Nguyen, Phan
Noes: (0) None

It was the consensus of the City Council to draw the District to serve for 2 years by random drawing, excluding District 6, which is the District with has the largest Latino population by voting age, and which should be a 4-year District commencing in November 2016. After a random drawing from Districts 2, 3 and 5, District 3 was chosen to serve a term of office of 2 years. Districts 1, 4 and 3 would then be up for election in November 2018 for full 4-year terms.

It was moved by Council Member Beard, seconded by Council Member Phan that:

Ordinance No. 2866 entitled An Ordinance of the City Council of the City of Garden Grove adding Sections 2.04.030 and 2.04.040 to Chapter 2.04 of Title 2 of the Garden Grove Municipal Code implementing By-District Elections of Council Members and establishing boundary lines therefor, after being introduced for first reading, be passed to second reading, subject to Submission Map No. 1, Districts 2,3, 5 and 6 up for election in November 2016 with District 3 for a 2-year term, and Districts 1,4 and 3 up for election in November 2018 for full 4-year terms.

The motion carried by a 5-0 vote as follows:

Ayes: (5) Beard, Bui, Jones, Nguyen, Phan
Noes: (0) None

APPOINTMENT OF LAC TAN NUYGEN TO THE PLANNING COMMISSION (F: 122.10A)

It was moved by Mayor Nguyen, seconded by Council Member Phan that:

Lac Tan Nuygen be appointed to fill the Planning Commission vacancy.

The motion carried by a 5-0 vote as follows:

Ayes: (5) Beard, Bui, Jones, Nguyen, Phan
Noes: (0) None

CONFIRMATION OF THE VACANCY OF COMMISSIONER MICHAEL PAUWELS FROM THE MAIN STREET COMMISSION (F: 122.6A)

It was moved by Mayor Nguyen, seconded by Council Member Phan that:

The vacancy of Commissioner Michael Pauwels from the Main Street Commission be confirmed; and

The City Clerk be authorized to advertise the vacancy on the Commission pursuant to the Municipal Code and State Law.

The motion carried by a 5-0 vote as follows:

Ayes: (5) Beard, Bui, Jones, Nguyen, Phan
Noes: (0) None

CONSIDERATION AND APPROVAL OF AGREEMENT WITH THE ORANGE COUNTY HUMANE SOCIETY FOR ANIMAL SHELTER SERVICES
(F: 55-Orange County Humane Society)

Council Member Beard announced that he would be recusing himself from this discussion as his employment with the County is within the department that has direct contact with animal care services.

COUNCIL MEMBER BEARD LEFT THE MEETING

Council Member Phan announced that although he is a County employee with the District Attorney's Office he has no direct contact with animal care services.

Following staff's presentation and City Council discussion, it was moved by Council Member Phan, seconded by Council Member Jones that:

The agreement between the Orange County Humane Society and the City for the provision of animal shelter services be approved;

Staff be directed to terminate the existing agreement with the County upon execution of the agreement with the Orange County Humane Society; and

Staff be directed to advise the County in writing that the City will not enter into a participation agreement for a new animal shelter.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Bui, Jones, Nguyen, Phan
Noes: (0) None
Absent (1) Beard

COUNCIL MEMBER BEARD RETURNED TO THE MEETING

DISCUSSION OF FEBRUARY 24, 2016, DISTRICT ATTORNEY REPORT REGARDING ALLEGATIONS OF BROWN ACT VIOLATIONS, AND ADOPTION OF A RESOLUTION DESIGNATING CITY CLERK AS CLOSED SESSION RECORDER (F: 46.5)

Council Member Phan announced that he is a County employee with the District Attorney's Office, as well as a colleague of the writers of the report, and would be recusing himself from considering this matter.

COUNCIL MEMBER PHAN LEFT THE MEETING

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

Resolution No. 9349-16 entitled A Resolution designating the City Clerk and Deputies as the Official Recorder of Closed Sessions pursuant to Government Code Section 54957.2, be adopted;

Recording of Closed Sessions for a period of two years be approved;

It be affirmed that any new employment position in the City will be created in Open Session of the City Council; and

The work and performance of the Public Safety Administrative Officer be audited to assure the public that the position is not a "no show" position.

The motion carried by a 4-0-1 vote as follows:

Ayes:	(4)	Beard, Bui, Jones, Nguyen
Noes:	(0)	None
Absent:	(1)	Phan

COUNCIL MEMBER PHAN RETURNED TO THE MEETING

DISCUSSION OF A RESOLUTION URGING THE PRESIDENT AND THE STATE DEPARTMENT TO CALL FOR THE RELEASE OF NGUYEN VAN DAI, AS REQUESTED BY MAYOR NGUYEN (F: 46.5)

After discussion, it was moved by Mayor Nguyen, seconded by Council Member Bui that:

This matter be listed on the May 10, 2016, City Council agenda for consideration.

The motion carried by a 5-0 vote as follows:

Ayes: (5) Beard, Bui, Jones, Nguyen, Phan
Noes: (0) None

DISCUSSION REGARDING THE MUNICIPAL CODE REQUIREMENTS FOR FRONT
YARD LANDSCAPING AND PAVING, AS REQUESTED BY COUNCIL MEMBER BUI
(F: 50.3)

After City Council discussion, it was moved by Mayor Nguyen, seconded by Council Member Jones that:

Staff suspend enforcement of residential properties with landscaping of crushed rock or cement pavers that exceed the maximum allowed per Code, and to cease the enforcement of the minimum amount of vegetation required by Code until the conclusion of the current water emergency; and

Staff bring back options to amend or modify the minimum landscape percentage in the front yard area.

The motion carried by a 5-0 vote as follows:

Ayes: (5) Beard, Bui, Jones, Nguyen, Phan
Noes: (0) None

ADJOURNMENT

At 12:29 a.m., Mayor Nguyen adjourned the meeting in memory of Prince. The next City Council Meeting will be held on Tuesday, May 10, 2016, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Kathleen Bailor, CMC
City Clerk