

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, February 12, 2019

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

CONVENE CLOSED SESSION

At 5:40 p.m., Mayor Jones convened the meeting in the Council Chamber.

ROLL CALL PRESENT: (7) Mayor Jones, Mayor Pro Tem Klopfenstein,
Council Members Brietigam, O'Neill, T.
Nguyen, Bui, K. Nguyen

ABSENT: (0) None

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers: None

CONVENE CLOSED SESSION

At 5:42 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 – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): One potential case.

City Attorney Sandoval reported that the Council will consider a case based on facts/circumstances not yet known to a potential plaintiff.

CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6(F)

City designated representative: Laura Stover, Human Resources Director
Employee organizations: Garden Grove Police Association; Firefighters Local 2005; Fire Management Association; Orange County Employees Association.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: Assessor Parcel Numbers 23318101 and 23317121

City Negotiator: Scott C. Stiles, City Manager

Negotiating Parties: Landmark, LLC; Investel Harbor Resorts, LLC; Garden Grove Sanitary District.

Under Negotiation: To obtain direction regarding the price and terms of payment for the acquisition/disposition of the property.

RECESS CLOSED SESSION

At 6:25 p.m., Mayor Jones recessed Closed Session.

CONVENE REGULAR MEETING

At 6:36 p.m., Mayor Jones convened the 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 OFFICERS RENE BARRAZA AND JEREMY MORSE FOR PERFORMING LIVE SAVING EFFORTS

COMMUNITY SPOTLIGHT IN RECOGNITION OF OFFICERS RENE BARRAZA AND THOMAS REED FOR THEIR LIFE-SAVING EFFORTS, OFFICERS KIRK HURLEY AND AARON SHIPLEY FOR ASSISTING, AND OFFICERS CODY JOHNSON AND EDWARD KIM FOR GOING ABOVE AND BEYOND THE CALL OF DUTY

ORAL COMMUNICATIONS

Speakers: Craig Durfey, Ray Heimstra, Leland Sisk, Eric Nong, Tom Raber, Gloria Bram

WRITTEN REQUEST FROM THE KOREAN CHAMBER OF COMMERCE OF ORANGE COUNTY TO CHANGE "KOREAN BUSINESS DISTRICT" TO "KOREATOWN" AND REVISE THE TWO EXISTING MONUMENT SIGNS LOCATED ON GARDEN GROVE BOULEVARD (F: 88.1)

Following staff introduction, Mr. Raymond Choi and his associates from the Korean

Chamber of Commerce requested support for the name change. Following City Council discussion and suggestions from Council Member Bui, it was moved by Council Member K. Nguyen, seconded by Mayor Jones that:

The area formerly named the Korean Business District be changed to Koreatown, and the existing monument signs located on Garden Grove Boulevard at Fern Street and at Brookhurst Street be revised to reflect the name change.

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

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

RECESS

At 7:31 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 7:34 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

ADOPTION OF A RESOLUTION TO APPROVE UPDATES TO THE CITY COUNCIL POLICY MANUAL (F: 127.3)

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

Resolution No. 9538-19 entitled: A Resolution of the City Council of the City of Garden Grove updating the City Council Policy Manual in its entirety for conformity with organizational updates, minute actions, and current state and local laws, be adopted.

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

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

APPROVAL OF FINAL PARCEL MAP NO. PM-2017-187 FOR PROPERTY LOCATED AT 7901-7905 GARDEN GROVE BOULEVARD, GARDEN GROVE (F: 118.PM-2017-187)

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

Final Parcel Map No. PM-2017-187 be approved.

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

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

AWARD A CONTRACT TO HARRIS & ASSOCIATES, INC., TO PROVIDE ASSESSMENT ENGINEERING SERVICES FOR THE CITY'S STREET LIGHTING DISTRICT, STREET LIGHTING DISTRICT 99-1, AND PARK MAINTENANCE DISTRICT FOR FISCAL YEARS 2019-20, 2020-21, 2021-22 AND 2022-23 (F: 55-Harris & Associates, Inc.)

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

A contract be awarded to Harris & Associates, Inc., to provide assessment engineering services for the City's Street Lighting District, Street Lighting District 99-1 and Park Maintenance Assessment District for Fiscal Years 2019-20, 2020-21, 2021-22 and 2022-23, in an amount not to exceed the annual proposed fee, with the option to extend the contract for two (2) two year terms; and

The City Manager be authorized to execute the professional services 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) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

APPROVAL OF A COOPERATIVE COST REIMBURSEMENT AGREEMENT WITH THE CITY OF SANTA ANA FOR THE REHABILITATION OF EUCLID STREET FROM HAZARD AVENUE TO WESTMINSTER AVENUE (F: 55-City of Santa Ana)

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

The Cooperative Agreement with the City of Santa Ana for the rehabilitation of Euclid Street from Hazard Avenue to Westminster Avenue, be approved; and

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

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

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

RECEIVE AND FILE MINUTES FROM THE MEETING HELD ON JANUARY 22, 2019,
AND JANUARY 29, 2019 (F: VAULT)

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

Minutes from the meetings held on January 22, 2019, and January 29, 2019, be received and filed.

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

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

WARRANTS

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

Regular Warrants 647121 through 647414; 647415 through 647628, and 647629 through 647815; W647414 through W647628; Wires W2383 through W2390; W2391 through W2398; be approved as presented in the warrant register submitted, and have been audited for accuracy and funds are available for payment thereof by the City Manager or his designee; and

Payroll Warrants 183020 through 183038; Direct Deposits D343058 through DD343724; and Wires W2550 through W2553; be approved as presented in the warrant register submitted, and have been audited for accuracy and funds are available for payment thereof by the City Manager or his designee.

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

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

WAIVER

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

Full reading of ordinances listed be waived.

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

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

APPOINTMENTS TO CITY COMMISSIONS AND TO THE ADMINISTRATIVE BOARD OF APPEALS (Continued from the January 22, 2019, meeting.) (F: 122.1) (F:122.2C)(F: 122.4A)(F: 122.6A)(F: 122.10A) (F: 122.11A)(F: 122.70A)

Following the City Clerk announcing the Mayor's appointments, it was moved by Council Member Klopfenstein, seconded by Council Member T. Nguyen that the following appointments be made:

Administrative Board of Appeals: Arturo Arestegui, Brandon Chavira, and Pauline Merry. Mayor Jones noted that two more appointments need to be made for the Administrative Board of Appeals and would be done at a future meeting.

Traffic Commission: David Johnson, Josh Lindsay, Kadi Kiisk-Mohr, Kevin Rodgers, Randy Arbgast, Ricardo Cepeda, and Robert Dalton.

Planning Commission: Andrew Kanzler, Christy Le, Dale Soeffner, Jeremy Lehman, John Ramirez, Daisy Perez, and Man Jordan Nguyen.

Parks, Recreation, and Arts Commission: Andrea Perez, Kevin Rhee, Marisa Salicos, Nicole Ramirez, Reina Solis, John No, and Ted Stevens.

Neighborhood Improvement and Conservation Commission: Bonnie Crawford, Brian Newbold, Maureen Blackmun, Peterson Pham, Roger Flanders, Jonathan Swaim, and Vickie Hanssen.

Downtown Commission: Audrey Pecor, James Schierberl, Jennifer Stewart, John Wietor, Rebecca Weimer, Ric Lerma, and Angel Zaragoza.

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

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

ADOPTION OF A RESOLUTION ESTABLISHING THE COMPOSITION OF THE MEASURE O – CITIZENS' OVERSIGHT COMMITTEE, SETTING PURPOSE, SCOPE OF RESPONSIBILITY, COMPOSITION, STRUCTURE AND OTHER RELATED MATTERS (F: 58.2.2018)(F: 122.90)

Following staff introduction and City Council discussion, it was moved by Council Member Brietigam, seconded by Council Member O'Neill that this item be continued to the next regular meeting on February 26, 2019.

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

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

APPROVAL OF AN AGREEMENT WITH GRAFFITI PROTECTIVE COATINGS, INC., FOR GRAFFITI ABATEMENT SERVICES (F: 55-Graffiti Protective Coatings, Inc.)

Following staff presentation, it was moved by Council Member Brietigam, seconded by Council Member Klopfenstein that:

The agreement with Graffiti Protective Coatings, Inc., through October 31, 2020, in the amount of \$271,573.27, be approved; and

The City Manager be authorized to execute the agreement and make minor modifications as appropriate thereto.

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

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

MAYOR JONES LEFT THE MEETING AT 8:26 P.M. AND RETURNED TO THE MEETING AT 8:28 P.M.

APPROVAL OF SOUTHERN CALIFORNIA EDISON'S OPTION E LED PROGRAM REBATE FUNDS IN FISCAL YEAR 2018-19 FOR INFRASTRUCTURE PROJECTS (F: 121.2A)

Following staff presentation and City Council discussion, it was moved by Council Member Brietigam, seconded by Mayor Jones that:

\$755,708 be appropriated in Fiscal Year 2018-19 to be deposited in Fund 111 for the LED conversion of City-owned street lights (Package 7284) and for the construction of La Bonita Storm Drain (Package 7407), with any remaining funds to be used to offset street and drainage capital projects identified in the City's Five Year Capital Improvement Program

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

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

APPROVAL OF AN AGREEMENT WITH AXON ENTERPRISES, INC., AND TO APPROPRIATE FUNDING FOR IN-CAR VIDEO, BODY WORN CAMERAS AND CLOUD STORAGE FOR THE POLICE DEPARTMENT (F: 55-Axon Enterprise, Inc.)

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

The agreement with Axon Enterprises, Inc., in the amount of \$1,403,646.38 for the purchase of in-car video (IVS), body worn cameras (BWC), cloud storage and related hardware components, be approved;

That \$453,630.38 be appropriated from the Fleet Management fund, and the cost of not more than ten percent of the first year contract amount, or \$45,363 for unforeseen contingencies during the project management and implementation stages of the project with the approval of the City Manager or his designee; and

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

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

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

SECOND READING AND ADOPTION OF ORDINANCE NO. 2900
(F: 116.PUD-103-82 (REV. 2018))

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

Following reading of the title, it was moved by Council Member K. Nguyen, seconded by Council Member Klopfenstein that:

Ordinance No. 2900 entitled: An Ordinance of the City Council of the City of Garden Grove approving Planned Unit Development No. PUD-103-82 (Rev. 2018), amending Planned Unit Development No. PUD-103-82 to allow for reconstruction of an existing on-premise freeway-oriented digital sign for the Toyota Place Automobile Dealership on property located at 9444 Trask Avenue, Assessor's Parcel No. 098-090-63, be adopted.

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

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

SECOND READING AND ADOPTION OF ORDINANCE NO. 2901 (F: 50.2)

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

Following reading of the title, it was moved by Council Member Brietigam, seconded by Council Member O'Neill that:

Ordinance No. 2901 entitled: An Ordinance of the City Council of the City of Garden Grove amending and restating Chapter 8.48 of Title 8 of the Garden Grove Municipal Code pertaining to vending on the public right-of-way and regulating sidewalk vendors, be adopted.

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

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

SECOND READING AND ADOPTION OF ORDINANCE NO. 2902 (F: 50.2)

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

Following reading of the title, it was moved by Council Member O'Neill, seconded by Council Member Brietigam that:

Ordinance No. 2902 entitled: An Ordinance of the City Council of the City of Garden Grove adding Chapter 18.60 to Title 18 of the Garden Grove Municipal Code implementing a construction and demolition waste recycling program, be adopted.

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

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

SECOND READING AND ADOPTION OF ORDINANCE NO. 2903 (F: 50.2)

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

Following reading of the title, it was moved by Council Member Klopfenstein, seconded by Council Member T. Nguyen that:

Ordinance No. 2903 entitled: An Ordinance of the City Council of the City of Garden Grove amending Section 1.22.010 of Chapter 1.22 of Title 1, and adding Chapter 8.02 of Title 8, of the Garden Grove Municipal Code, to enhance the City's Code Enforcement Program by increasing Administrative Fines for violations of Building and Safety Codes and prohibiting commercial advertisements for unlawful activities and uses, be adopted.

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

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

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

CONSIDERATION OF APPOINTMENTS FOR AN AD HOC COMMITTEE FOR THE WILLOWICK GOLF COURSE SITE AS REQUESTED BY THE CITY COUNCIL (F: VIP) (F: 73.13)

Mayor Jones announced that at the joint Study Session with the City of Santa Ana, it was suggested that each city appoint three of its council members to an Ad Hoc Committee to report to each respective city on the activities on the Willowick Golf Course redevelopment proposals.

It was moved by Mayor Jones, seconded by Council Member Brietigam that Mayor Jones, Council Member Bui, and Council Member K. Nguyen would be selected to serve as Garden Grove's Ad Hoc Committee for the Willowick Golf Course site.

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

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

DISCUSSION REGARDING CITY HALL 9/80 WORK SCHEDULE AS REQUESTED BY COUNCIL MEMBER BRIETIGAM

Following City Manager's Stiles overview of the benefits of maintaining the City's 9/80 schedule, Council Member Brietigam responded that as City Hall is a public service for the community, it should be open every Friday. He also noted that he is recommending that the employees maintain their 9/80 schedules, and to have a skeleton crew working on alternating Fridays.

Following further City Council discussion, consensus was to table further discussion after July to give more time to analyze the feasibility.

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

Council Member Brietigam commented that he had a great time at the recent Tet Festival parade.

Council Member O'Neill commented on his three day trip to Washington D.C. with a delegation that included 50 elected officials, community leaders and mayors. They discussed issues that included pensions, infrastructure, water, homelessness, housing, and sober living homes. The delegation met with Orange County congressional leaders and asked some very hard questions, and it is consensus among the leadership that bipartisan politics need to be set aside and that compromise is necessary. Congressional leaders did talk about issues that can be addressed, such as infrastructure, transportation and the opioid epidemic, during the next two years. He noted that legislation regarding sober living is being addressed, which should help Garden Grove.

Council Member T. Nguyen stated that she attended the ground breaking for the Garden Brook Senior Apartments in her District 3, which is a very nice project that will replace the "Rusty Skeleton" on Garden Grove Boulevard. She commended Community and Economic Development Director Lisa Kim and her staff on their work in moving this project forward.

Council Member Bui commented on the "Rusty Skeleton" and the efforts to try to make this project work; however, with patience and the decision to hold off on forcing the demolition has made the Senior Apartment project possible that will provide for nice homes for low income people. Across from this project will soon be the next phase of the Brookhurst Triangle.

City Attorney Sandoval announced that there was no reportable action on the Closed Session item regarding the anticipated litigation; that City Council will be reconvening Closed Session to continue with the remaining items listed.

City Manager Stiles noted that Chief Schultz's Celebration Memorial will be taking place on Wednesday, February 13, 2019, at 2:00 p.m. at the EVFree Church in Fullerton.

Mayor Jones noted that the State of the City was a successful event that was hosted by the Chamber of Commerce and held at the Great Wolf Lodge. He commented on the hard work and progress being done in Garden Grove. He stated that tonight's meeting will be adjourned in memory of Garden Grove Fire Chief Tom Schultz, a dedicated public servant, who passed away on Sunday, January 27, 2019.

RECONVENE CLOSED SESSION

At 9:07 p.m., Mayor Jones announced that the City Council was going into Closed Session in the Founders Room to continue discussion of the following matters:

CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6(F)

City designated representative: Laura Stover, Human Resources Director
Employee organizations: Garden Grove Police Association; Firefighters Local 2005; Fire Management Association; Orange County Employees Association.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: Assessor Parcel Numbers 23318101 and 23317121

City Negotiator: Scott C. Stiles, City Manager

Negotiating Parties: Landmark, LLC; Investel Harbor Resorts, LLC; Garden Grove Sanitary District.

Under Negotiation: To obtain direction regarding the price and terms of payment for the acquisition/disposition of the property.

ADJOURN CLOSED SESSION

At 10:30 p.m., Mayor Jones adjourned Closed Session.

CONVENE MEETING

At 10:31 p.m., Mayor Jones convened the meeting in the Council Chamber with all Council Members present.

Mayor Jones announced that there was no reportable action.

ADJOURNMENT

At 10:32 p.m., Mayor Jones adjourned the meeting in memory of Fire Chief Tom Schultz. The next Regular City Council Meeting will be held on Tuesday, February 26, 2019, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC
City Clerk