

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, February 26, 2019

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

CONVENE CLOSED SESSION

At 5:32 p.m., Mayor Jones convened the meeting in the Council Chamber.

<u>ROLL CALL</u>	PRESENT:	(5)	Mayor Jones, Council Members Brietigam, O'Neill, T. Nguyen, K. Nguyen
	ABSENT:	(2)	Mayor Pro Tem Klopfenstein absent at Roll Call, but joined the meeting at 6:36 p.m.; Council Member Bui absent at Roll Call, but joined the meeting at 5:40 p.m.

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers: None

CONVENE CLOSED SESSION

At 5:33 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):
Hobson v. Garden Grove, et al., OCSC Case No. 30-2018-00979510

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.

RECESS CLOSED SESSION

At 6:28 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

ROAD TO 2020 CENSUS AS PRESENTED BY REPRESENTATIVES OF THE U.S. CENSUS

COUNCIL MEMBER BUI LEFT THE MEETING AT 6:41 P.M. AND RETURNED TO THE MEETING AT 6:47 P.M.

CODE ENFORCEMENT 2.0 AS PRESENTED BY COMMUNITY AND ECONOMIC DEVELOPMENT (F: 80.2)

ORAL COMMUNICATIONS

Speakers: Pia Hirsch, Andy Choi, Craig Durfey, Nicholas Dibs, Allen Bram, Claudia Ward, Maureen Blackmun

RECESS

At 7:40 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 7:43 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

ADOPTION OF A RESOLUTION COMMITTING TO PARTNER WITH THE U.S. CENSUS BUREAU FOR THE 2020 CENSUS (F: 39.1)

It was moved by Council Member Brietigam, seconded by Council Member Klopfenstein that:

Resolution No. 9539-19 entitled: A Resolution of the City Council of the City of Garden Grove declaring commitment to partner with the U.S. Census Bureau for a 2020 Census, 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

ACCEPTANCE OF PROJECT COMPLETION FOR PROJECT NO. 7280 – CHAPMAN AVENUE, SAPPHIRE STREET, HEALEY AVENUE, SANTA RITA AVENUE, AND WILD GOOSE STREET, GARDEN GROVE (F: 96.proj.7280)

It was moved by Council Member Brietigam, seconded by Council Member Klopfenstein that:

Project No. 7280 – Chapman Avenue, Sapphire Street, Healey Avenue, Santa Rita Avenue, and Wild Goose Street 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) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

RECEIVE AND FILE THE HOUSING AUTHORITY ANNUAL REPORT AS HOUSING AUTHORITY AND AS HOUSING SUCCESSOR FOR FISCAL YEAR 2017-2018 (JOINT ACTION WITH THE HOUSING AUTHORITY) (F: 128.1)

City Council Action:

It was moved by Council Member Brietigam, seconded by Council Member Klopfenstein that:

The Housing Authority Annual Report as Housing Authority and as Housing Successor for Fiscal Year 2017-18, 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

Housing Authority Action:

It was moved by Commissioner Jones, seconded by Commissioner O'Neill that:

The Housing Authority Annual Report as Housing Authority and as Housing Successor for Fiscal Year 2017-18, be received and filed.

The motion carried by a 9-0 vote as follows:

Ayes: (9) Beckles, Brietigam, O'Neill, T. Nguyen,
Klopfenstein, K. Nguyen, Jones, Solorio, Bui
Noes: (0) None

APPROVAL OF AN EXCLUSIVE NEGOTIATION AGREEMENT WITH SOCAL HOTEL, LLC,
FOR THE DEVELOPMENT OF A PORTION OF PROPERTY LOCATED AT THE
NORTHWEST CORNER OF CHAPMAN AVENUE AND HARBOR BOULEVARD, GARDEN
GROVE (F: 55-SOCAL HOTEL, LLC)

It was moved by Council Member Brietigam, seconded by Council Member Klopfenstein that:

The Exclusive Negotiation Agreement with SoCal Hotel, LLC, be approved; and

The City Manager be authorized to execute the agreement, and to make minor modifications, execute pertinent documents, and amend or extend the negotiation period, 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

AWARD A CONTRACT TO MCWIL SPORTS SURFACES, INC., FOR PROJECT NO. 7658
– GYM FLOOR REPLACEMENT, AS GARDEN GROVE SPORTS AND RECREATION
CENTER AT 13641 DEODARA AVENUE, GARDEN GROVE (F: 55-MCWIL SPORTS
SURFACES, INC.) (F: 73.5.proj.7658)

It was moved by Council Member Brietigam, seconded by Council Member Klopfenstein that:

A contract be awarded to McWil Sports Surfaces, Inc., in the amount of \$188,050.00, for Project No. 7658 – Gym Floor Replacement; 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 FEBRUARY 12, 2019,
(F: VAULT)

It was moved by Council Member Brietigam, seconded by Council Member Klopfenstein that:

Minutes from the meeting held on February 12, 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 Brietigam, seconded by Council Member Klopfenstein that:

Payroll Warrants 182970 through 182994; 182996 through 183019; 183039 through 183060; Direct Deposits D341732 through D342394; D341978 through D343059; D343724 through D344393; and Wires W2542 through W2545; W2546 through W2549; and W2554 through W2557; 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

Regular Warrants 647816 through 648143; and Wires W2399; through W2409; 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

CONSIDERATION OF TWO ADDITIONAL APPOINTMENTS TO THE ADMINISTRATIVE BOARD OF APPEALS (Continued from the February 12, 2019, meeting.) (F:122.2C)

The Mayor announced that this matter is continued.

APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH THE DEPARTMENT OF JUSTICE FOR GRANT FUNDING TO FACILITATE ENFORCEMENT OF PROPOSITION 56, AND APPROPRIATION OF FUNDS AWARDED FOR OPERATIONAL TASKS IN FISCAL YEAR 2018-19 (F: 55-CALIFORNIA DEPARTMENT OF JUSTICE)

Following staff introduction and City Council comments, it was moved by Council Member K. Nguyen, seconded by Council Member Klopfenstein that:

The Memorandum of Understanding with the Department of Justice for grant funds in the amount of \$353,085 to be disbursed over three years, be approved;

Participation in the Local Tobacco Enforcement Program, be authorized;

Funds in the amount of \$72,535 for Fiscal Year 2018-19 be appropriated; and

The City Manager be authorized to execute the Memorandum of Understanding 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

AWARD A CONTRACT TO VASILJ INC., FOR CONSTRUCTION OF PROJECT NO. 7407 – LA BONITA STREET STORM DRAIN IMPROVEMENTS (F: 92.Proj.7407)

Following staff introduction and City Council comments, it was moved by Council Member K. Nguyen, seconded by Council Member Klopfenstein that:

A contract be awarded to Vasilj, Inc., in the amount of \$1,064,980, for the construction of Project No. 7407 La Bonita Street Storm Drain Improvements; 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

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
(Continued from the February 12, 2019, meeting.) (F: 58.2.2018)(F: 122.90)

Following staff introduction and City Council discussion resulting in edits to the policy to add: 2.5 “Hear public testimony and comments regarding Measure O”; Number 3. Committee Composition be revised as follows: “The Oversight Committee shall consist of seven members. At least one member should represent the business community as an owner or representative of a local business; at least one member should be an active senior resident (age 62 or older); and two members should have background in finance/accounting; and the remaining three members may be members of the community at-large”; Number 9. Committee Meeting Schedule, the second sentence be revised to read: “Consequently, the Committee will be active from January through August each year with a minimum of two meetings anticipated annually, and the Committee will have the ability to meet up to four times annually as needed”; it was moved by Council Member Brietigam, seconded by Council Member O’Neill that:

Resolution No. 9450-19 entitled: A Resolution of the City Council of the City of Garden Grove defining the composition of the Measure O – Citizens’ Oversight Committee, purpose, terms of office for committee members, the scope of the committee’s responsibilities and other related matters, 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

Council Member Brietigam expressed his pleasure attending the opening day parade for the West Garden Grove Little League.

Council Member O’Neill expressed his pleasure escorting Garden Grove’s Man and Woman of the Year, Kelly and AG Anvari, at the 44th annual Cypress Americana Awards Ceremony, a fund raiser for scholarships to attend community college. Kelly and AG Anvari own and operate Visiting Angels, and are very involved with nonprofits in Garden Grove.

Council Member K. Nguyen announced the League of California Cities upcoming general membership meeting on Friday, March 1, 2019, at the Mission Viejo Country Club. She encouraged the City Manager and Council Members to attend as Congresswoman Katie Porter will be there to talk about legislative efforts to address homelessness.

Council Member Klopfenstein thanked the Code Enforcement team for attending tonight's meeting and for the update on the Code Enforcement program. She expressed her appreciation for Code Enforcement and their responsiveness, and is excited to see the results from the enhancements to the Division. She announced that she is looking forward to being part of "Read Across America Day" at Garden Park Elementary on Friday, and the upcoming Garden Grove Pony Baseball opening day ceremony on Saturday, at the Garden Grove Pony Baseball Field on West Street. She reminded everyone to dump and drain any standing water to avoid mosquitoes.

City Manager Stiles acknowledged the Code Enforcement Division's hard work in keeping Garden Grove's neighborhoods beautiful. He announced that he recently appointed Captain Tom DaRe as Police Chief, replacing Chief Todd Elgin who is retiring as of April 20, 2019. Captain DaRe was born and raised in Garden Grove, and is a 29 year veteran of the Garden Grove Police Department. He noted that on Monday, March 4, 2019, at 5:30 p.m., the City Council will be holding a Study Session with OCFA to discuss performance standards.

City Attorney Sandoval noted that there was no reportable action taken during closed session, and that he recused himself from discussion on labor negotiations because of the potential discussion of OCFA matters.

RECONVENE CLOSED SESSION

At 8:20 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.

ADJOURN CLOSED SESSION

At 8:45 p.m., Mayor Jones adjourned Closed Session.

RECONVENE MEETING

At 8:46 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

City Attorney Sandoval announced that there was no reportable action.

ADJOURNMENT

At 8:47 p.m., Mayor Jones adjourned the meeting. The next Regular City Council Meeting will be held on Tuesday, March 12, 2019, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC
City Clerk