

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, October 22, 2019

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

CONVENE CLOSED SESSION

At 6:04 p.m., Mayor Jones convened Closed Session in the Founders Room.

ROLL CALL PRESENT: (5) Council Members Brietigam, O'Neill, K. Nguyen, Mayor Pro Tem Klopfenstein, Mayor Jones

 ABSENT: (2) Council Member T. Nguyen
 Council Member Bui was absent at Roll Call, but joined the meeting at 6:08 p.m.

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers: None.

CLOSED SESSION MATTERS

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code 54956.9(d)(1): Gill v. City of Garden Grove, et al.
OCSC Case No.: 30-2019-01058507

ADJOURNED CLOSED SESSION

At 6:10 p.m., Mayor Jones adjourned Closed Session.

CONVENE REGULAR MEETING

At 6:35 p.m., Mayor Jones convened the regular meeting in the Council Chamber with Council Members Brietigam, O'Neill, Bui, K. Nguyen and Klopfenstein present.

INVOCATION

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

ADOPTION OF A PROCLAMATION DECLARING OCTOBER 2019 AS ENERGY AWARENESS MONTH AND OCTOBER 30, 2019, AS WEATHERIZATION DAY IN GARDEN GROVE

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

A Proclamation declaring October 2019 as Energy Awareness Month, and October 30, 2019, as Weatherization Day in Garden Grove, be adopted.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, O'Neill, Bui, Klopfenstein, K. Nguyen, Jones
Noes: (0) None
Absent: (1) T. Nguyen

Following the vote, representatives from Community Action Partnership were provided a framed proclamation, and spoke on the Weatherization Program benefiting numerous low income and senior citizens in Garden Grove.

ORAL COMMUNICATIONS

Speakers: Tom Raber, Craig Durfey, Mark Steadman, Robin Marcario, Jonathon Swaim, Charles Mitchell, Nicholas Dibs, Maureen Blackmun

RECESS

At 7:14 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 7:21 p.m., Mayor Jones convened the regular meeting in the Council Chamber with Council Members Brietigam, O'Neill, Bui, K. Nguyen and Klopfenstein present.

ADOPTION OF A PROCLAMATION DECLARING OCTOBER 2019 AS ENERGY AWARENESS MONTH AND OCTOBER 30, 2019, AS WEATHERIZATION DAY IN GARDEN GROVE

This matter was considered earlier in the meeting.

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO JOHN DEERE AND CO. FOR THE PURCHASE OF ONE (1) NEW RIDING MOWER FOR THE PUBLIC WORKS DEPARTMENT

Council Member Brietigam requested this matter be brought back to the next meeting for consideration to include more detailed cost information.

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO LOGICALIS, INC. TO PROVIDE TWO (2) F5 LOAD BALANCERS INCLUDING TECHNICAL SUPPORT

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

The Finance Director be authorized to issue a purchase order in the amount of \$67,946.93 for two (2) F5 load balancers, including one year support.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, O’Neill, Bui, Klopfenstein, K. Nguyen, Jones
Noes: (0) None
Absent (1) T. Nguyen

RECEIVE AND FILE MINUTES FROM THE MEETING HELD ON OCTOBER 8, 2019 (F: VAULT)

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

Minutes from the meeting held on October 8, 2019, be received and filed.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, O’Neill, Bui, Klopfenstein, K. Nguyen, Jones
Noes: (0) None
Absent (1) T. Nguyen

WARRANTS

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

Regular Warrants 655392 through 655555; 655556 through 655809; 655810 through 655965; Wires W2634 through W2645; W2646 through W2652; W2653 through W2657; and Payroll Warrants 183708 through 183731; Direct Deposits D355210 through D355819; and Wires W2634 through W2637, be received and filed as presented in the warrant register submitted that have been audited for accuracy and funds are available for payment thereof by the Finance Director.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, O'Neill, Bui, Klopfenstein, K. Nguyen,
Jones
Noes: (0) None
Absent (1) T. Nguyen

WAIVER

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

Full reading of ordinances listed be waived.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, O'Neill, Bui, Klopfenstein, K. Nguyen,
Jones
Noes: (0) None
Absent (1) T. Nguyen

APPOINTMENT TO FILL A VACANCY ON THE ADMINISTRATIVE BOARD OF APPEALS
(CONTINUED FROM SEPTEMBER 10, 2019, SEPTEMBER 24, 2019, AND OCTOBER 8,
2019) (F: 122.2)

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

James Webb be selected to fill the vacancy on the Administrative Board of Appeals.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, O'Neill, Bui, Klopfenstein, K. Nguyen,
Jones
Noes: (0) None
Absent (1) T. Nguyen

Council Member Bui expressed concern regarding deadlines imposed on people submitting applications to serve on commissions. In response, the City Clerk stated the purpose of the deadline is for timely listing of appointments on the City Council agenda.

CONSIDERATION AND APPROVAL OF THE PARKS, RECREATION AND FACILITIES MASTER PLAN

Following staff presentation, a PowerPoint presentation provided by Richard Fisher of Richard Fisher Associates, and City Council discussion, it was moved by Council Member Bui, seconded by Council Member K. Nguyen that:

The Final Draft of the Parks, Recreation and Facilities Master Plan be approved.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, O'Neill, Bui, Klopfenstein, K. Nguyen,
Jones
Noes: (0) None
Absent (1) T. Nguyen

Mayor Pro Tem Klopfenstein requested the Parks, Recreation and Facilities Master Plan be available the next business day on the City's website.

FIRST READING AND INTRODUCTION OF AN ORDINANCE ADOPTING THE 2019 CALIFORNIA BUILDING STANDARDS CODE WITH MODIFICATIONS

(As approved earlier in the meeting, it was moved by Council Member O'Neill, seconded by Council Member Bui, and approved by a 6-0-1 vote, that full reading of ordinances listed be waived.)

Following City Attorney Sandoval's presentation and the City Clerk reading of the title, it was moved by Council Member Brietigam, seconded by Council Member K. Nguyen that:

Ordinance No. 2910 entitled: An Ordinance of the City Council of the City of Garden Grove amending Title 18 of the Garden Grove Municipal Code and adopting by reference the following primary codes with certain amendments, deletions, and addition as thereto: California Building Code, 2019 Edition; California Residential Code, 2019 Edition; California Electrical Code, 2019 Edition; California Mechanical Code, 2019 Edition; California Plumbing Code, 2019 Edition; California Energy Code, 2019 Edition; California Historical Building Code, 2019 Edition; California Fire Code, 2019 Edition; California Existing Building Code, 2019 Edition; California Green Building Standards Code, 2019 Edition; California Referenced Standards Code, 2019 Edition; and certain secondary codes including the International Property Maintenance Code, 2018 Edition, as published by the International Code Council, and the International Swimming Pool and Spa Code, 2018 Edition, as published by the International Code Council, be passed to second reading and calling for a public hearing at the City Council meeting scheduled on November 12, 2019.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, O'Neill, Bui, Klopfenstein, K. Nguyen,
Jones
Noes: (0) None
Absent (1) T. Nguyen

SECOND READING OF ORDINANCE NO. 2909

(As approved earlier in the meeting, it was moved by Council Member O'Neill, seconded by Council Member Bui, and approved by a 6-0-1 vote, that full reading of ordinances listed be waived.)

Following the City Clerk reading of the title, it was moved by Council Member Brietigam, seconded by Mayor Jones that:

Ordinance No. 2909 entitled: An Ordinance of the City Council of the City of Garden Grove approving Amendment No. A-025-2019, a zoning text amendment to Section 9.04.060 of the Garden Grove Municipal Code to add definitions for terms used in existing portions of Title 9 pertaining to the flood hazard overlay zone to meet the minimum requirements of the National Flood Insurance Program, be adopted.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, O'Neill, Bui, Klopfenstein, K. Nguyen,
Jones
Noes: (0) None
Absent (1) T. Nguyen

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

UPDATE ON CODE ENFORCEMENT ACTIVITY PERTAINING TO SHORT-TERM RENTALS IN THE CITY AS REQUESTED BY MAYOR PRO TEM KLOPFENSTEIN

Following Mayor Jones introducing the matter, Mayor Pro Tem Klopfenstein stated that she asked for an update after receiving numerous complaints including residents coming to City Council meetings to express their frustration regarding Short-Term Rentals (STRs). She noted that while there are STRs throughout the City, there is a concentration in District 5 because of the proximity to the tourism corridor and the Anaheim Convention Center.

Assistant City Manager, Lisa Kim, stated that David Dent, Building Official, would be providing a PowerPoint update that documents the previous 18 months of code enforcement efforts to address STRs.

Mr. Dent highlighted the effects and impacts to neighborhoods, the enforcement history and the implementation of using Host Compliance Software to identify where STRs are located, the investigation process, and challenges faced with limited staffing with additional duties.

Following City Council discussion, it was noted by staff that while Host Compliance Software is effective, there are limitations with the program and that there still is a demand on code enforcement staffing.

Mayor Pro Tem Klopfenstein expressed the need to keep up with the enforcement efforts due to the numerous negative impacts to the neighborhoods, and commented on the need for staff to be aware of events in Anaheim that results in increased STR business.

Following further discussion, Mayor Pro Tem Klopfenstein stated that she would like a comprehensive update on Code Enforcement efforts and staffing provided to the City Council early in 2020.

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

Council Member Brietigam announced that Planet Fitness just recently held their grand opening at their new location on Beach and Garden Grove Boulevards, as well as In N Out Burgers opening at this center. He encouraged residents who enjoy creating holiday crafts to contact the City for upcoming holiday boutiques. He also asked that people practice safety on Halloween, and encouraged parents to illuminate their children's costumes and to check their candy. He expressed the need for City Council Members to be informed when political activities are scheduled to take place in city parks, commenting he received complaints regarding an event that took place that he did not know about, and cautioned that political events can become a public safety issue.

Council Member O'Neill announced that the Woman's Civic Club annual holiday boutique will be held on Saturday, October 26, 2019, between 9:00 a.m. through 3:00 p.m.

Council Member K. Nguyen stated that she was at the event brought up by Council Member Brietigam, which featured soap, t-shirt, and food vendors and attended by many Garden Grove residents, and that no issues arose. She announced the following events: On October 23, 2019, Tip a Cop at the Red Robin to raise funds for Special Olympics Athletes; on October 24, 2019, at 3:00 p.m. is the Kia Grand Opening on Harbor Boulevard; on October 24, 2019, at 4:30 p.m. to 7:30 p.m. is Dia De Muertos at the Buena Clinton Youth and Family Center; on October 29, 2019, at 9:00 a.m. to 12:00 p.m. the Latina Nerds will host an "El Valor de un Logo" workshop for the purpose of teaching small business owners to design a professional logo for increasing sales. The workshop is free, will be conducted in

Spanish, and will be held in the Community Meeting Center; and on Monday, November 11, 2019, at 8:00 a.m. to 9:00 a.m. will be a Veterans Day Flag raising ceremony hosted by the City and Representative Lou Correa at OCFA Station 81 on Acacia Parkway across the street from City Hall. More information to follow on this event.

Mayor Pro Tem Klopfenstein cautioned that we are still in mosquito season, and encouraged residents to consider Natrapel wipes that is effective and recommended by Vector Control. She recommended Natrapel spray for door and window screens, to share information with your neighbors, to dump and drain any standing water, and to take precautions. She commented on the number of times she drives up and down Lampson Avenue and sees items such as mattresses or furniture left in the public right of way. She urged people not to dump their used items, but to call Republic Services at 714-238-2444 to schedule a large item pick up.

Council Member Bui announced that on Saturday, October 26, 2019, at the Vietnam War Memorial at Freedom Park in Westminster, there will be services for the 81 former Vietnamese Airborne service men, and four U.S. Naval Air Force service men who perished in 1965, in an air crash, in the middle of the jungle in Vietnam. Over the decades, the four U.S. Service Men have been identified, and the remains of the 81 Vietnamese have been locked up on a military base in Hawaii; however, the Department of Defense has agreed to pass the remains of the Vietnamese soldiers to the Vietnamese Community in Westminster. Former United States Senator Jim Webb will preside over the memorial beginning at 9:00 a.m., and then at 6:00 p.m. there will be a candlelight vigil. He encouraged everyone to come by and pay tribute to the fallen.

Assistant City Manager, Maria Stipe, commented on the annual League of California Cities conference that she attended with Council Member K. Nguyen, noting relevant and educational topics including housing needs, homelessness, and the 2020 Census. She announced that Council Member K. Nguyen was sworn in for her second term as the League of California Cities Orange County Division Large City Representative, and with her appointment to the Board of Directors, Garden Grove will continue to have a significant voice in league policy. She concluded by announcing upcoming freeway closures on the westbound SR-22 between Main Street and La Veta Avenue on ramp from October 28th through November 1st at 10:30 p.m. to 5:00 a.m.; and full closure of eastbound SR 22 Collector Distributor Road near the City Drive on-ramp from October 28th through November 1st at 11:30 p.m. to 4:30 a.m.

City Attorney Sandoval stated that there was no reportable action on the closed session matter.

ADJOURNMENT

At 9:10 p.m., Mayor Jones adjourned the meeting in memory of Edward Royce Sr. The next Regular City Council Meeting will be held on Tuesday, November 12, 2019, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC
City Clerk