

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, March 28, 2017

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

CONVENE CLOSED SESSION

At 5:39 p.m., Mayor Jones convened the meeting in the Council Chamber.

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

ABSENT:      (0)      None

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers:    None

CONVENE CLOSED SESSION

At 5:40 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 Labor Negotiators

Pursuant to Government Code Section 54957.6(a)

City Designated Representative: Laura Stover, Human Resources Director

Employee Organization: International Association of Fire Fighters Garden Grove  
Local 2005

ADJOURN CLOSED SESSION

At 6:30 p.m., Mayor Jones adjourned the Closed Session.

## CONVENE REGULAR MEETING

At 6:41 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

## CLOSED SESSION REPORT

City Attorney Sandoval announced that there was no reportable action.

COMMUNITY SPOTLIGHT: RECOGNITION OF GARDEN GROVE UNIFIED SCHOOL DISTRICT SUPERINTENDENT DR. GABRIELA MAFI, ASSISTANT SUPERINTENDENT SARA WESCOTT, AND BOARD OF EDUCATION MEMBERS FOR THEIR LEADERSHIP AND IMPLEMENTATION OF A DUAL LANGUAGE IMMERSION PROGRAM (F: 52.3)

COMMUNITY SPOTLIGHT: IN RECOGNITION OF LOCAL STUDENTS SELECTED TO VISIT ANYANG, SOUTH KOREA, AS STUDENT AMBASSADORS REPRESENTING GARDEN GROVE FOR THE 28TH ANNUAL SISTER CITY EXCHANGE PROGRAM (F: 52.3)

PRESENTATION ON GARDEN GROVE'S 2017 OPEN STREETS RE:IMAGINE EVENT SCHEDULED APRIL 1, 2017 (F: 52.3)

## ORAL COMMUNICATIONS

Speakers: Laura Hearn, Sarah Phan, Charles Mitchell, Richard Olson

## RECESS

At 7:15 p.m., Mayor Jones declared a recess.

## RECONVENE

At 7:28 p.m., Mayor Jones reconvened the meeting with all Council Members present.

CONSIDERATION OF A WRITTEN REQUEST FROM THE GARDEN GROVE HIGH SCHOOL CHOIR TO CO-SPONSOR THE ANNUAL POP'S CONCERT TO BE HELD AT THE FESTIVAL AMPHITHEATER (F: 88.1)

This item was pulled from consideration at the request of Kari Galeener, Choir Director and Department Chair.

AWARD OF CONTRACT TO OCC BUILDERS, INC., TO REMODEL AN EXISTING BUILDING TO USE AS A TEMPORARY ANIMAL HOLDING FACILITY AND OFFICE SPACE FOR ANIMAL CARE SERVICES (F: 55-OCC Builders, Inc.)

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

A contract be awarded to OCC Builders, Inc., in the amount of \$145,000, to remodel an existing building to use as a temporary animal holding facility and office space for the Animal Care Services section of the Public Works Department; and

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

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 FISCAL YEAR 2016/2017 BUDGET APPROPRIATION OF PRIVATE DEVELOPMENT IN-LIEU FEES FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS ON THE SOUTHWEST CORNER OF EUCLID STREET AND GARDEN GROVE BOULEVARD (F: 34.1)(XR: 24.1)

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

The appropriation of the in-lieu fee of \$26,864 for public right-of-way improvements located on the southwest corner of Euclid Street and Garden Grove Boulevard, be approved; and

The Finance Director be authorized to appropriate \$26,864 in Fund 111 to the current budget.

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 PROJECTS AS COMPLETE FOR FEDERAL PROJECT NO. STPL-5328(076)/CITY PROJECT NO. 7277: KNOTT STREET REHABILITATION, AND CITY PROJECT NO. 7228: VALLEY VIEW STREET REHABILITATION (F: 96.proj.7277) (F: 96.proj.7228)

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

Federal Project No. STPL-5328(076)/City Project No. 7277 – Knott Street Rehabilitation from Garden Grove Boulevard to Lampson Avenue and City Project No. 7228 – Valley View Street Rehabilitation from 22 west bound off-ramp to Tiffany Avenue 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

RECEIVE AND FILE MINUTES FROM THE MEETINGS HELD ON FEBRUARY 28, 2107, MARCH 10, 2017, AND MARCH 14, 2017 (F: Vault)

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

The minutes from the Regular Meetings held on February 28, 2017, and March 14, 2017, and the Special Meeting held on March 10, 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

APPROVAL OF WARRANTS (F: 60.5)

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

Regular Warrants 620166 through 620593; and Wires W1818 through W1824; 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 180925 through 180969; Direct Deposits D308727 through DD309428; and Wires W2338 through W2341; 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 Klopfenstein, 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) Beard, O'Neill, T. Nguyen, Bui, Klopfenstein, K.  
Nguyen, Jones  
Noes: (0) None

#### PUBLIC HEARING – INTRODUCE AND CONDUCT THE FIRST READING OF AN ORDINANCE APPROVING DEVELOPMENT AGREEMENT NO. DA-005-2017 FOR A 16-UNIT MIXED-USE DEVELOPMENT AT 11222 GARDEN GROVE BOULEVARD (F: 106.DA-005-2017)

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

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

Speakers: George Alvarez, representing the applicant.

With no further response from the audience, Mayor Jones closed the Public Hearing.

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

Ordinance No. 2878-17, entitled An Ordinance of the City Council of the City of Garden Grove adopting Development Agreement No. DA-005-2017 between the City of Garden Grove and Scott A. Lissoy, Trustee of the Lissoy Trust, be passed to second reading.

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

CONSIDERATION OF APPOINTMENTS TO THE ADMINISTRATIVE BOARD OF APPEALS (CONTINUED FROM THE MARCH 14, 2017, MEETING) (F: 122.2C)

Mayor Jones stated that he had put forward a list of names to be appointed to the Administrative Board of Appeals for City Council review.

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

Arturo Arestegui, Adam Degner, Brian Newbold, Ha Nguyen, and Tina Trinh be appointed to the Administrative Board of Appeals.

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 AN AGREEMENT WITH I.I. FUELS, INC., TO PURCHASE FUEL FOR CITY VEHICLES AND EQUIPMENT (F: i.i.Fuels, Inc.)

Following staff's presentation and City Council discussion:

It was moved by Council Member T. Nguyen, seconded by Council Member O'Neill that:

An agreement with i.i. Fuels, Inc., in the amount of \$2,592,000 for three (3) years, with an option to extend for an additional two (2) years, at a cost of \$864,000 per option year, for a total of \$4,320,000 over five (5) years for the purchase of fuel, be approved; and

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

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 RABC-ECC A JOINT VENTURE TO DESIGN AND BUILD  
FIRE STATION NO. 6/COMMUNITY BUILDING PROJECT NO. 7009  
(F: 61.proj.7009)

Following staff's presentation and City Council discussion:

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

A contract be awarded to RABC-ECC, A Joint Venture, in the amount of \$5,535,919, for Project No. 7009 – Design and Build Fire Station No. 6 and Community Building, be approved;

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

That \$5,535,919 of the bond proceeds held by fiscal agent be appropriated; and

The Finance Director be authorized to request construction fund disbursements as necessary from the fiscal agent construction fund and account for all related contract transactions in fund 105 (Public Safety Fund).

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 FISCAL YEAR 2016/2017 APPROPRIATIONS FOR FIRE STATION NO. 6  
INCIDENTAL PROJECT COSTS (F: 34.1)(XR: 61.proj.7009)

Following staff's presentation and City Council discussion:

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

\$464,081 of the bond proceeds held by fiscal agent be appropriated; and

The Finance Director be authorized to request for construction fund disbursements as necessary from the fiscal agent construction fund and account for all related project transactions in fund 105 (Public Safety Fund).

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

INTRODUCE AND CONDUCT THE FIRST READING OF AN ORDINANCE ADOPTING  
DRONE OPERATION REGULATIONS (F: 50.2)(XR: 82.1)

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

Following staff's presentation and City Council discussion:

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

Ordinance No. 2879, entitled An Ordinance of the City Council of the City of Garden Grove adding Chapter 8.90 to the Garden Grove Municipal Code relating to drones and unmanned aircraft system, be passed to second reading.

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

DISCUSSION REGARDING APPOINTMENT OF A CITY COUNCIL REPRESENTATIVE TO  
PARTICIPATE IN SEVERAL OCTA TRANSPORTATION PLANNING WORKSHOPS, AS  
REQUESTED BY CITY MANAGER STILES (F: 46.1)(XR: 23.18)

City Manager Stiles stated that the Orange County Transportation Authority (OCTA) will be holding workshops on transportation planning and is also in the process of updating their Long Range Transportation Plan. OCTA is requesting a City Council member representative as well as a staff member to attend the workshops for the purpose of providing feedback. The first meeting will be held on Wednesday, May 17, 2017, at the OCTA Headquarters in Orange with two subsequent meetings in the fall of 2017 and Spring 2018.



Mayor Jones noted that the Harbor Corridor is OCTA's busiest bus transit from Santa Ana to Fullerton; however, the Harbor Corridor is only one aspect of meeting transportation needs for residents.

Council Member K. Nguyen noted that as the City's representative on the Southern California Association of Governments (SCAG) Committee and SCAG's upcoming General Assembly, she would be interested in attending the workshops.

Council Member Klopfenstein expressed an interest as the Harbor Corridor is primarily in District 5.

Council Member Bui expressed his interest because of his experience with transportation issues.

Mayor Jones noted the connection between OCTA and SCAG's primary purpose of regional planning, and stated it would be beneficial for Council Member K. Nguyen to attend the workshops.

City Manager Stiles stated he would provide more information to the City Council on including Council Members Klopfenstein and Bui as well as a staff representative.

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

Council Member Beard stated he is looking forward to seeing everyone at the Open Streets event on Saturday.

Council Member O'Neill noted the Open Streets event is from 3:00 p.m. to 10:00 p.m. He expressed his well wishes to his Mom for a speedy recovery from a recent fall.

Council Member T. Nguyen stated she hopes to see everyone at the Open Streets event on Saturday.

Council Member K. Nguyen commented on the Open Streets event, and she recognized High School student ambassadors representing Santiago High School with the Sister City Association.

Council Member Klopfenstein expressed excitement for the upcoming Open Streets event, and with the new Fire Station and improvements to the community building in Westhaven Park. She reminded everyone that Vector Control has designated Garden Grove high risk for mosquito born viruses and to keep property clear of standing water.

Council Member Bui thanked Mr. Richard Olson for coming to the City Council meeting to express his views to exclude all flags except the United States flag,

pointing out that as a naturalized citizen, he agrees that the United States flag takes precedence; however, flying the former Republic of Vietnam flag is in honor of the heritage of the numerous citizens who reside in Garden Grove.

Mayor Jones announced World Autism Awareness Day and Light It Up Blue event on April 7, 2017, in front of the clock tower on the Village Green at 6:00 p.m.; tickets and information are available at [ocautism.org](http://ocautism.org). He commented on the inception of the successful Open Streets event in 2014 by following advice to bring the community together with an open streets event for attracting projects and businesses that would complement the diversity and to make Garden Grove a destination. He attributed much of the work and planning for this third Open Streets event, as well as bringing in new projects, to several City departments, and expressed his excitement for the future of Garden Grove.

City Manager Stiles commented on the Sanitary District's refunding bond recently approved and credited the City's Finance Department for their work, noting that the Sanitary District's bond rating with Standard and Poor's is AA plus with a stable outlook.

#### ADJOURNMENT

At 8:34 p.m., Mayor Jones adjourned the meeting. The next City Council Meeting will be held on Tuesday, April 11, 2017, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC  
City Clerk