

MINUTES

GARDEN GROVE HOUSING AUTHORITY

Special Meeting

Tuesday, August 25, 2015

Courtyard Center
12732 Main Street, Garden Grove, CA 92840

CONVENE MEETING

At 8:11 p.m., Chair Nguyen convened the meeting in the Courtyard Center.

ROLL CALL PRESENT: (7) Chair Nguyen, Commissioners Beard,
Beckles, Bui, Jones, O'Connor, Phan

ABSENT: (0) None

ORAL COMMUNICATIONS FOR HOUSING AUTHORITY

Speakers: None

HOUSING AUTHORITY STATUS REPORT FOR JULY 2015 (F: H-117.2)

It was moved by Commissioner Phan, seconded by Commissioner Bui that:

The Housing Authority Status Report for July 2015, be received and filed.

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

Ayes: (7) Beard, Beckles, Bui, Jones, Nguyen, O'Connor, Phan
Noes: (0) None

MINUTES (F: Vault)

It was moved by Commissioner Phan, seconded by Commissioner Bui that:

The minutes from the meeting held on June 23, 2015, be received and filed.

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

Ayes: (7) Beard, Beckles, Bui, Jones, Nguyen, O'Connor, Phan
Noes: (0) None

MATTERS FROM CHAIR, COMMISSIONERS, AND DIRECTOR

None.

ADJOURNMENT

At 8:15 p.m., Chair Nguyen adjourned the meeting. The next Regular Meeting is scheduled for Tuesday, September 22, 2015, at 6:30 p.m. in the Courtyard Center, 12732 Main Street, Garden Grove, California.

Teresa Pomeroy, CMC
Deputy Secretary

ADJOURNMENT

At 9:52 p.m., President Phan adjourned the meeting. The next Meeting is scheduled for Tuesday, September 22, 2015, at 6:30 p.m. at the Courtyard Center, 12732 Main Street, Garden Grove, California.

Teresa Pomeroy, CMC
Deputy Secretary

MINUTES

THE CITY OF GARDEN GROVE AS SUCCESSOR AGENCY
TO THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT

Special Meeting

Tuesday, August 25, 2015

Courtyard Center
12732 Main Street, Garden Grove, CA 92840

CONVENE MEETING

At 8:25 p.m., Chair Jones convened the meeting in the Courtyard Center.

ROLL CALL PRESENT: (5) Chair Jones, Members Beard, Bui, Nguyen,
Phan

ABSENT: (0) None

ORAL COMMUNICATIONS

Speakers: Mike Abeyta, Conor Biechele, Michael Dishler, Tony Flores, Peter Katz,
Ruhina Khan, Lisa Kim, Rich Knowland, David Lautherboren, Martin
Lopez, Robin Marcario, Charles Mitchell, Josh McIntosh, Dina Nguyen,
Doan Nguyen, Richard Olson, Tanya Pham, Gina Rybe, Luis Vega

MINUTES (F: Vault)

It was moved by Member Phan, seconded by Chair Jones that:

The minutes from the meeting held on June 23, 2015, be received and filed.

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

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

WARRANTS (F: 60.5)

It was moved by Member Phan, seconded by Chair Jones that:

The Regular Warrants 1252 and 1253, and Demands 001254 through 1259 be approved 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 5-0 vote as follows:

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

ADJOURNMENT

At 9:50 p.m., Chair Jones adjourned the meeting. The next Regular Meeting will be held Tuesday, September 8, 2015, at 5:30 p.m. in the Courtyard Center, 12732 Main Street, Garden Grove, California.

Teresa Pomeroy, CMC
Deputy Secretary

MINUTES

GARDEN GROVE CITY COUNCIL

Special Meeting

Tuesday, August 25, 2015

Courtyard Center
12732 Main Street, Garden Grove, CA 92840

CONVENE CITY COUNCIL MEETING

At 5:40 p.m., Mayor Nguyen convened the meeting in the Courtyard Center.

ROLL CALL PRESENT: (5) Mayor Nguyen, Council Members Beard, Bui,
Jones, Phan

ABSENT: (0) None.

ORAL COMMUNICATIONS REGARDING CLOSED SESSION MATTER ONLY

Speakers: None.

CLOSED SESSION

At 5:41 p.m., Mayor Nguyen announced that the City Council was going into Closed Session in the Activity Room at the Courtyard Center to discuss 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: Orange County Employee's Association (OCEA), and
OCEA Employee's League, International Association of Fire Fighters
Garden Grove Local 2005, Garden Grove Police Association.

CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9 (d)(4):
(Two potential cases)

RECESS

At 8:10 p.m., Mayor Nguyen declared a recess.

RECONVENE

At 8:25 p.m., Mayor Nguyen reconvened the City Council meeting all Council Members present.

ORAL COMMUNICATIONS – PUBLIC COMMENTS

Speakers: Mike Abeyta, Conor Biechele, Michael Dishler, Tony Flores, Peter Katz, Ruhina Khan, Lisa Kim, Rich Knowland, David Lautherboren, Martin Lopez, Robin Marcario, Charles Mitchell, Josh McIntosh, Dina Nguyen, Doan Nguyen, Richard Olson, Tanya Pham, Gina Rybe, Luis Vega

Council Member response to Public Comments: In response to Mr. Knowland's and Ms. Kim's update on the Galleria project on Garden Grove Boulevard, Council Member Bui stated that he would like to see progress soon.

Council Member Phan asked whether August 31, 2015, is a hard date for Joe's Italian Ice to vacate the Harbor Boulevard site and if there is a possibility to extend time for Mr. Abeyta. He suggested that Mr. Abeyta work with the developer as he would hate to lose Joe's Italian Ice in Garden Grove. In response to Mr. Flores' allegations, based on a police audio recording, against Mayor Nguyen for misconduct, he asked if the City Council would need to take any action.

Acting City Attorney Sandoval stated that it would be difficult to extend the date past August 31, 2015, without the City violating its legal obligations. He stated that he has reviewed the audio recording and has determined, based on the code, that there has been no criminal misconduct, and no action is required by the City Council.

City Manager Stiles commented that every effort would be made to approach the developers to discuss Joe's Italian Ice.

Council Member Bui commented on the changes within the City's top management positions that have recently been filled along with the resignation of the Community Development Director, and that the City Council needs to focus on the concerns of the residents. He thanked the people who regularly attend the City Council meetings as they provide the opportunity for the City Council to be aware of how to better serve the community.

Mayor Nguyen clarified his belief that no human being is illegal. His own

family left Vietnam illegally by paying bribes in order to leave; however, this does not make his family illegal only that they left Vietnam illegally. In response to the audio recording of his conversation with a Garden Grove police officer, he initially called the police because of an individual on Garden Grove Boulevard yelling racial slurs at people. He indicated that his purpose for calling this same police officer a second time was his desire to develop relationships and that it is important to him as a Mayor to be knowledgeable about the work of City employees. He explained that his comments to the Officer expressed his frustration with the City Council; however, he apologized for his poor choice of words. He stated that he wants to work together with fellow Council Members and to focus on the issues that matter to the City.

RECESS

At 9:47 p.m., Mayor Nguyen declared a recess.

RECONVENE

At 9:53 p.m., Mayor Nguyen reconvened the City Council meeting all Council Members present.

EASEMENT FOR PUBLIC STREET AND HIGHWAY PURPOSES FOR THE PROPERTY LOCATED AT 10882 STANFORD AVENUE, GARDEN GROVE (F: 84.1)

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

The easement for public street and highway purposes for a portion of the property located at 10882 Stanford Avenue, Garden Grove, be approved and accepted; and

The City Clerk be authorized to accept the Street Deed on behalf of the City.

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

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

PURCHASE ORDER TO FAIRVIEW FORD SALES, INC., FOR ONE UTILITY BODY SERVICE TRUCK (F: 60.4)

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

The Finance Director be authorized to issue a purchase order, in the amount of \$41,690.27 to Fairview Ford Sales, Inc. for the purchase and replacement of one utility body service truck.

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

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

PURCHASE ORDER TO FLEMING ENVIRONMENTAL, INC., TO REPLACE THREE FUEL DISPENSERS (F: 55-Fleming Environmental, Inc.) (XR: 60.4)

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

The Finance Director be authorized to issue a purchase order in the amount of \$41,364 to Fleming Environmental, Inc., for the purchase and replacement of three fuel dispensers.

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

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

PURCHASE ORDER TO ALTEC INDUSTRIES, INC., FOR ONE HEAVY-DUTY CHIPPER DUMP TRUCK (F: 60.4)

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

The Finance Director be authorized to issue a purchase order in the amount of \$85,028.40 to Altec Industries, Inc., for the purchase and replacement of one heavy-duty chipper dump truck.

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

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

CONTRACT WITH MERCHANTS BUILDING MAINTENANCE, LLC FOR CUSTODIAL SERVICES (F: 55-Merchants Building Maintenance, LLC)

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

A contract be awarded to the highest scoring proposer, Merchants Building Maintenance, LLC, in the firm fixed price amount of \$137,078.72 with the option to renew the contract for an additional two years, and for an additional \$27,415.74 to cover on-call jail cleaning services, as well as any unforeseen cleaning issues, for a total of \$164,494.46 for the first three years; and

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

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

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

OPEN PURCHASE ORDERS WITH ECONOLITE CONTROL PRODUCTS AND JTB SUPPLY COMPANY INC., FOR TRAFFIC CONTROL PRODUCTS (F: 60.4)

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

The Finance Director be authorized to issue an Open Purchase Order to Econolite Control Products, in the amount not to exceed \$55,000, to purchase Econolite controllers; and

The Finance Director be authorized to issue an Open Purchase Order to JTB Supply Company, Inc., in the amount not to exceed \$100,000, to purchase traffic control products.

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

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

AMENDMENT NO. 1 TO THE AGREEMENT WITH ENGINEERING RESOURCES OF SOUTHERN CALIFORNIA, INC., TO PROVIDE ON-CALL CIVIL ENGINEERING PLAN CHECKING AND CONSTRUCTION INSPECTION SERVICES (F: 55-Engineering Resources of Southern California, Inc.)

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

Amendment No. 1 to the existing Agreement with Engineering Resources of Southern California, Inc., increasing the initial Agreement amount from \$500,000 to \$600,000, a \$100,000 increase, be approved; and

The City Manager be authorized to execute Amendment No. 1 to the professional services agreement on behalf of the City and to make minor modifications as appropriate.

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

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

AGREEMENT WITH THE BOYS & GIRLS CLUB OF GARDEN GROVE FOR JUVENILE DIVERSION SERVICES (F: 55-Boys & Girls Club of Garden Grove)

This matter was considered later in the meeting.

MINUTES (F: Vault)

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

The minutes from the meeting held on June 23, 2015, be received and filed.

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

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

WARRANTS (F: 60.5)

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

Payroll Warrants 178561 through 178649; Direct Deposits D279143 through DD280417; and Wires W2154 through W2157, 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 589485 through 589694, and 589695 through 590158; and Wires W1445 through W1456, and W1457 through W1460; 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 5-0 vote as follows:

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

RESOLUTION OF COMMENDATION FOR SUSAN EMERY RECOGNIZING HER 21 YEARS OF DEDICATED SERVICE TO THE CITY OF GARDEN GROVE (F: 52.3)
(XR: 57.1)

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

A Resolution commending Susan Emery, Assistant City Manager and Community Development Director, for 21 years of services to the City of Garden Grove, be approved.

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

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

FULL READING OF ORDINANCES LISTED

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

Full reading of ordinances listed be waived.

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

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

AGREEMENT WITH THE BOYS & GIRLS CLUB OF GARDEN GROVE FOR JUVENILE DIVERSION SERVICES (F: 55-Boys & Girls Club of Garden Grove)

Council Member Phan announced that as a Board Member of the Boys & Girls Club of Garden Grove he would be recusing himself from voting on this matter.

COUNCIL MEMBER PHAN LEFT THE DIAS

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

The Agreement with the Boys & Girls Club of Garden Grove for the period of July 1, 2015, through June 30, 2018, for a total of \$150,000, be approved; and

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

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

SECOND READING – MUNICIPAL CODE AMENDMENT TO TITLE 18 OF THE GARDEN GROVE MUNICIPAL CODE REGARDING RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS (F: 50.2)

(As approved earlier in the meeting: It was moved by Council Member Jones, seconded by Council Member Phan and carried by a 5-0 vote that full reading of ordinances listed be waived.)

Following the Deputy City Clerk reading the Title of the Ordinance, it was moved by Mayor Nguyen, seconded by Council Member Jones that:

Ordinance No. 2860 - An Ordinance of the City Council of the City of Garden Grove adding Chapter 18.56 to Title 18 of the Garden Grove Municipal Code to provide an expedited, streamlined permitting process for Small Residential Rooftop Solar Energy Systems, be adopted.

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

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

PROCEDURE FOR PLACING ITEMS FROM CITY COUNCIL MEMBERS ON THE CITY COUNCIL AGENDA, AS REQUESTED BY COUNCIL MEMBER BUI AND COUNCIL MEMBER JONES (F: 127.4)

After staff's presentation and City Council discussion, the consensus of the Mayor and Council Members is to continue with the City's adopted procedure.

Council Member Bui requested that a Study Session be conducted to address this procedure as well as meeting protocol.

UPDATE REGARDING PUBLIC RECORDS REQUEST RESPONSES BY ACTING CITY ATTORNEY OMAR SANDOVAL (F: 44.1) (XR: 45.2)

Acting City Attorney Sandoval reviewed the process for responding to requests for records, and noted that access to and requests for public records are available on the City's website.

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

City Manager Stiles noted that he met with the Mayor along with members of the faith-based community and County officials to discuss homelessness. He expressed the need for Garden Grove to be part of the solution in addressing homelessness, and the experts in the field have established there is a need to build a coalition as this issue affects all cities in the County.

Council Member Beard welcomed Scott Stiles as the new City Manager. He noted that school will be back in session soon and encouraged drivers to be careful when driving by schools. He expressed his best wishes to and appreciation for Susan Emery.

Council Member Phan thanked Susan Emery for her service to the City and announced her send-off on Thursday, August 27, 2015, at 5:30 p.m., at the Courtyard Center.

Council Member Jones stated that Susan Emery's vision, leadership, and enthusiasm will be greatly missed.

Mayor Nguyen wished Susan Emery great success in her new position with the City of Irvine and expressed his gratitude for her service to Garden Grove. He thanked the public for attending City Council meetings as their participation represents democracy. He wished Joe's Italian Ice family much success and expressed his appreciation for and encouraged Garden Grove family businesses that are cultivating and providing opportunities for young people and treating employees well, which is a core tenant of what America is about that Garden Grove exemplifies.

ADJOURNMENT TO CLOSED SESSION

At 10:30 p.m., Mayor Nguyen adjourned the meeting to the Activity Room at the Courtyard Center to continue Closed Session.

ADJOURNMENT OF CLOSED SESSION: 12:45 a.m.

CONVENE CITY COUNCIL MEETING

At 12:49 a.m., Mayor Nguyen convened the meeting in the Courtyard Center with all Council Members present.

CLOSED SESSION REPORT

Acting City Attorney Sandoval announced that there was no reportable action.

ADJOURNMENT

At 12:50 a.m., Mayor Nguyen adjourned the meeting.

The next City Council Meeting will be held Tuesday, September 8, 2015, at 5:30 p.m. in the Courtyard Center, 12732 Main Street, Garden Grove, California.

Teresa Pomeroy, CMC
Deputy City Clerk