

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, October 13, 2015

Courtyard Center
12732 Main Street, Garden Grove, CA 92840

CONVENE CITY COUNCIL MEETING

At 5:36 p.m., Mayor Nguyen convened the meeting in the Courtyard Center.

ROLL CALL PRESENT: (3) Mayor Nguyen, Council Members Beard,
Phan

ABSENT: (2) Council Member Bui absent at roll call but
joined the meeting at 5:38 p.m.
Council Member Jones absent at roll call but
joined the meeting at 5:47 p.m.

ORAL COMMUNICATIONS FOR CLOSED SESSION MATTERS ONLY

Speakers: None

CONVENE CLOSED SESSION

At 5:37 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), OCEA Employee's League, International Association of Fire Fighters Garden Grove Local 2005, and Garden Grove Police Association.

CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9 (d)(4)
(One potential case)

CONFERENCE WITH LEGAL COUNSEL— EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)
Montoya vs. Garden Grove (OCSD Case No. 30-2015-00799522-CU-MC-CJC)

ADJOURNMENT OF CLOSED SESSION

At 6:35 p.m., Mayor Nguyen adjourned the Closed Session.

RECONVENE CITY COUNCIL MEETING

At 6:40 p.m., Mayor Nguyen reconvened the meeting in the Courtyard Center with all Council Members present.

CLOSED SESSION REPORT

Acting City Attorney Omar Sandoval announced that pertaining to anticipated litigation pursuant to Government Code Section 54956.9 (d)(4), the City Council unanimously authorized the City Attorney's office to bring an action for appointment of a receiver to mitigate substandard conditions at 12921 Lorna Street; and for other closed session items, there was no reportable action.

INVOCATION AND PLEDGE OF ALLEGIANCE

PRESENTATIONS

Community Spotlight: Recognition of the Garden Grove Unified 2015 Teachers of the Year Debbie Redenbaugh, Ellen Fields McLeod, and Luz Adriana Alba. (F: 52.3)

Community Spotlight: Recognition of the Garden Grove Unified School District's 50th anniversary. (F: 52.3)

PROCLAMATION DECLARING THE WEEK OF OCTOBER 25, 2015, THROUGH OCTOBER 31, 2015, AS "CHILDHOOD LEAD POISONING PREVENTION WEEK"
(F: 83.1)

It was moved by Mayor Nguyen, seconded by Council Member Phan that:

The Week of October 25, 2015, through October 31, 2015, be proclaimed as "Childhood Lead Poisoning Prevention Week" in the City of Garden Grove.

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

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

Cecile Truong, Public Health Nurse and Coordinator of the Childhood Lead Poisoning Prevention Program, and Mozhgan Mofidi, Environmental Health Specialist, addressed the City Council regarding the program and thanked the City Council for their support on behalf of the Orange County Health Care Agency.

ORAL COMMUNICATIONS

Speakers: Charles Mitchell, Josh McIntosh, Adrienne Holm, Stephanie Klopfenstein, Maureen Blackmun, John Holm, Tony Flores, Carlo Calderon, Linda Zamora

Council Member response to Public comments: Council Member Phan expressed that he is not in favor of Districts and that Districts may limit the view for the City as a whole. (F: 58.13)

Council Member Bui is against not having a directly elected Mayor, and proposed that the voters decide on whether to have Districts with a rotating Mayor, or an at large Mayor.

Mayor Nguyen requested Acting City Attorney Sandoval to explain the decision for District elections and the purpose of a demographer. Acting City Attorney Sandoval stated that per the Settlement Agreement demographer services must be used in establishing districts. State law provides standards that include nearly equal population within District lines. There will be community meetings and a Public Hearing prior to approving districts. Further, as to the Settlement Agreement, in the complaint the plaintiff challenged the at large Mayoral election, and the State law that prohibits at large election systems that impair minorities from influencing elections applies to a hybrid election system of Districts seats and a Mayor at large.

Council Member Beard noted that most of the cities in Orange County have a rotating Mayor that allows each Council Member an opportunity to serve as Mayor. The decision is to stand by the legal advice and to protect the City from further potential litigation.

RECESS

At 7:39 p.m., Mayor Nguyen declared a recess.

RECONVENE CITY COUNCIL MEETING

At 8:11 p.m., Mayor Nguyen reconvened the meeting with all Council Members present.

PROCLAMATION DECLARING THE WEEK OF OCTOBER 25, 2015, THROUGH OCTOBER 31, 2015, AS "CHILDHOOD LEAD POISONING PREVENTION WEEK"
(F: 83.1)

This matter was considered earlier in the meeting.

AGREEMENT WITH THE COUNTY OF ORANGE FOR THE 2015 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM (F: 82.15)

This item was considered separately from the consent calendar.

LOCAL ASSISTANCE LAW ENFORCEMENT FUNDS FROM THE CALIFORNIA BOARD OF STATE AND COMMUNITY CORRECTIONS (F: 82.15)

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

Local Assistance Law Enforcement Funds from the California Board of State and Community Corrections (BSCC) in the amount of \$117,791 be accepted; and

The allocation of these funds be authorized for Police Department front-line law enforcement services.

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

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

RESOLUTION CONFIRMING THE TEMPORARY RELOCATION FOR REGULAR CITY COUNCIL MEETINGS (F: 127.3)(XR: 53.1)

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

Resolution No. 9322-15 entitled A Resolution confirming the temporary relocation for Regular City Council meetings, be adopted.

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

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

AGREEMENT WITH COMPASS DEMOGRAPHICS TO DEVELOP A BY-DISTRICT ELECTION SYSTEM, AND TO APPROPRIATE GENERAL FUNDS TO COVER THE COST (F: 55-Compass Demographics)

This item was considered later in the meeting.

PURCHASE ORDER TO SCOTT EQUIPMENT FOR AN EQUIPMENT TRAILER (F: 60.4)

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

The Finance Director be authorized to issue a purchase order, in the amount of \$25,566.64, to Scott Equipment for the purchase of one equipment trailer.

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

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

RESOLUTION TO APPROVE A TEMPORARY CLOSURE TO CALTRANS STATE ROUTE 22 OFFRAMP AT HASTER STREET FOR THE DISNEY AVENGERS HALF MARATHON ON SUNDAY, NOVEMBER 15, 2015, BETWEEN 5:30 A.M. AND 10:00 A.M. (F: 87.1)

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

Resolution No. 9323-15 entitled A Resolution requesting temporary closures to Caltrans SR-22 Off-ramp to Haster Street for the Disneyland Avengers Half Marathon, be adopted.

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

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

2015 AGREEMENT WITH COMMUNITY ACTION PARTNERSHIP OF ORANGE COUNTY TO PROVIDE GRANT FUNDING FOR ACTIVITY EQUIPMENT AND WALKING PATHS IN CITY PARKS AND ASSIST WITH AN OPEN STREETS EVENT (F: 87.1A)

This matter was considered later in the meeting.

MINUTES (F: Vault)

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

The minutes from the meeting held on September 8, 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 Beard, seconded by Council Member Jones that:

Regular Warrants 592242 through 592873, 591573 through 592241, and 592874 through 593126; and Wires W592241 through W592873, W1475 and W1476, and W1477 through W1482; and 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.

Payroll Warrants 178790 through 178855, 178856 through 178913; Direct Deposits D281812 through DD282512, D282511 through DD283197; and Wires W2166 through W2169, and W2170 through W2173 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.

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

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

AGREEMENT WITH THE COUNTY OF ORANGE FOR THE 2015 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM (F: 82.15)

Council Member Beard announced that although he is an employee for the County of Orange he does not have a conflict of interest on this matter.

Council Member Phan announced that although he is an employee for the County of Orange, he does not have a conflict of interest on this matter.

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

The Agreement with the County of Orange for the 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) program; and allocation of those grant funds to the City's jail services, be approved; and

The Mayor be authorized to execute the Agreement with the County of Orange to partially fund the Police Department's Jail Services Contract with The GEO Group, Inc.

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

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

AGREEMENT WITH COMPASS DEMOGRAPHICS TO DEVELOP A BY-DISTRICT ELECTION SYSTEM, AND TO APPROPRIATE GENERAL FUNDS TO COVER THE COST (F: 55-Compass Demographics)

Council Member Bui requested that this matter be considered separately from the rest of the consent calendar.

It was moved by Mayor Nguyen, seconded by Council Member Phan that:

A General Fund appropriation of \$26,200 to complete demographic work to develop a by-district election system for the election of City Council Members as required in the settlement agreement be approved; and

The City Manager be directed to enter into an agreement with Compass Demographics for the related demographic services.

The motion carried by a 4-0-1 vote as follows:

Ayes: (4) Beard, Jones, Nguyen, Phan
Noes: (0) None
Abstain: (1) Bui

2015 AGREEMENT WITH COMMUNITY ACTION PARTNERSHIP OF ORANGE COUNTY (CAPOC) TO PROVIDE GRANT FUNDING FOR ACTIVITY EQUIPMENT AND WALKING PATHS IN CITY PARKS AND ASSIST WITH AN OPEN STREETS EVENT (F: 87.1A)

Council Member Jones requested this matter be considered separately from the consent calendar.

Council Member Jones thanked City staff for obtaining grant funding for the open streets event as well as other programs related to active transportation and bicycling. He also thanked Santa Ana Council Member Michelle Martinez for her advocacy in identifying available grant funding partnerships for active transportation programs.

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

The City Manager be authorized to sign and execute a letter requesting the City's desire to exercise year two, of a three year Agreement with CAPOC, which will

provide funding for installing permanent physical activity equipment in city parks, extending walking paths in city parks, and assist in organizing and hosting an Open Streets event.

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

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

TRAFFIC COMMISSION APPOINTMENT (F: 122.11A)

It was moved by Mayor Nguyen, seconded by Council Member Phan that:

John Rodriguez be appointed to the Traffic Commission.

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

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

CONTRACT TO AMERICAN ASPHALT SOUTH FOR ON-CALL RUBBERIZED ASPHALT PAVEMENT SLURRY SEAL ON VARIOUS CITY STREETS

(F: 55-American Asphalt South)

After staff's presentation, it was moved by Council Member Beard, seconded by Council Member Jones that:

A contract be awarded to the lowest responsive bidder, American Asphalt South, in the amount of \$776,400, for on-call rubberized asphalt pavement (RAP) slurry sealing; including Option "A"; and

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

CONSTRUCTION REMODEL OF THE COUNCIL CHAMBER AT THE COMMUNITY MEETING CENTER, INCLUDING AMERICANS WITH DISABILITIES ACT IMPROVEMENTS

(F: 55-LPA, Inc.) (XR: 48.4)

After staff's presentation, it was moved by Council Member Beard, seconded by Council Member Bui that:

The Amendment to the Agreement with LPA, Inc., for the preparation of audio visual engineered drawings for bid and the construction administration of the remodel of the Council Chamber, be approved; and

That \$375,500 be allocated from the Park-In-Lieu Fee fund for the completion of the Americans with Disabilities Act (ADA) improvements and remodel of the Council Chamber.

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

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

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

CITY POLICY PERTAINING TO THE RELEASE OF DOCUMENTS EXEMPT FROM DISCLOSURE UNDER THE PUBLIC RECORDS ACT, AS REQUESTED BY COUNCIL MEMBER BUI (F: 127.1)

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

A proposed City Council policy regarding the release of documents exempt from disclosure under the Public Records Act be placed on the October 27, 2015, agenda.

The motion carried by a 4-1 vote as follows:

Ayes: (4) Bui, Jones, Nguyen, Phan
Noes: (1) Beard

RULES OF CITY COUNCIL PROCEDURES, AS REQUESTED BY COUNCIL MEMBER BUI (F: 127.4)

After City Council discussion, Mayor Nguyen appointed Council Member Bui and Council Member Beard to a subcommittee to review the procedures for City Council meetings, and to present their recommendations at a future City Council meeting.

UPDATE FROM THE CITY MANAGER REGARDING REVIEW OF LEGAL OPTIONS FOR CITY ATTORNEY SERVICES (F: 44.1)

After City Council discussion, it was moved by Council Member Bui, seconded by Mayor Nguyen that that a Request for Proposal for retaining legal services be listed on a future City Council agenda.

A substitute motion was moved by Council Member Jones, seconded by Council Member Beard that:

Acting City Attorney Omar Sandoval be appointed as City Attorney.

The motion failed by a 2-3 vote as follows:

Ayes: (2) Beard, Jones
Noes: (3) Bui, Nguyen, Phan

The motion previously moved by Council Member Bui, seconded by Mayor Nguyen that a Request for Proposal for retaining legal services be listed on a future City Council agenda.

The motion failed by a 2-3 vote as follows:

Ayes: (2) Bui, Nguyen
Noes: (3) Beard, Jones, Phan

Mayor Nguyen stated that this matter is to be brought back for discussion at a future meeting.

Council Member Beard congratulated the teachers of the year. He commented that he enjoyed the Open Streets event, and hopes to have it back next year.

Council Member Phan thanked the staff for their work on the Open Streets event, and that it was a great event.

Mayor Nguyen announced "Let's Put our Cities on the Map" workshop, presented by Google and the City. The workshop takes place on Tuesday, October 20, 2015, at 6:00 p.m., in the Garden Grove Courtyard Center, located in Village Green Park, at 12732 Main Street.

City Manager Scott Stiles noted that he and Council Member Bui attended their first meeting with the Homeless Task Force, and that he and Mayor Nguyen have met with the faith based community regarding homelessness. The Police Department is also in the process of assembling resources to address the homeless, and there will be more information forthcoming. He expressed appreciation for City staff's hard work on the Open Streets event.

ADJOURNMENT

At 9:20 p.m., Mayor Nguyen adjourned the meeting. The next Regular City Council Meeting will be held on Tuesday, October 27, 2015, at 5:30 p.m. at the Courtyard Center, 12732 Main Street, Garden Grove, California.

Teresa Pomeroy, CMC
Deputy City Clerk

MINUTES

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

Regular Meeting

Tuesday, October 13, 2015

Courtyard Center
12732 Main Street, Garden Grove, CA 92840

CONVENE MEETING

At 6:55 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: Charles Mitchell, Josh McIntosh, Adrienne Holm, Stephanie Klopfenstein,
Maureen Blackmun, John Holm, Tony Flores, Carlo Calderon, Linda
Zamora

RECESS

At 7:39 p.m. Chair Jones declared a recess.

RECONVENE SUCCESSOR AGENCY

At 8:05 p.m., Chair Jones reconvened the meeting with all Members present.

MINUTES (F: Vault)

It was moved by Member Phan, seconded by Member Nguyen that:

The minutes from the meeting held on September 8, 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 Member Nguyen that:

The Regular Warrants 001281 through 001288 and Wire W1476; and Demands 1289 through 1296, 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

RESOLUTION AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS AND RELATED CONSULTANT AGREEMENTS FOR THE ENFORCEABLE OBLIGATION WITH GARDEN GROVE MXD, INC. (F: A-55.346)(XR: A-46.1.SA)(XR: A-46.1.OB)

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

Resolution No. 36-15 entitled A Resolution authorizing the issuance and sale of tax allocation bonds to fund an enforceable obligation and approving the form of a first supplemental indenture of trust, bonds purchase contract, continuing disclosure agreement and replaced documents and authorizing certain other actions in connection therewith, be adopted.

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

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

ADJOURNMENT

At 8:10 p.m., Chair Jones adjourned the meeting. The next meeting will be held Tuesday, October 27, 2015, at 5:30 p.m. in the Courtyard Center, 12732 Main Street, Garden Grove, California.

Teresa Pomeroy, CMC
Deputy Secretary