



GARDEN GROVE

AGENDA

Regular Meeting

PARKS, RECREATION AND ARTS COMMISSION

**Community Meeting Center
Butterfield A Room
11300 Stanford Ave.**

**April 8, 2021
6:00 p.m.**

In an effort to protect public health and prevent the spread of the Coronavirus (COVID-19), the Parks, Recreation and Arts Commission members will be teleconferencing and the meeting recorded. Members of the public who wish to comment on matters before the Commission, in lieu of doing so in person, may submit comments by emailing recreation@ggcity.org no later than 3:00 p.m. the day of the meeting. The comments will be provided to the Commission as part of the meeting record and will be uploaded to the City's website.

Members of the public are asked to consider very carefully before attending this meeting in person and are required to wear face masks and maintain a six foot distance from others. Please do not attend this meeting if you have traveled and/or have had direct contact with someone who has travelled to places experiencing high rates of infection or tested positive for COVID-19, or if you are experiencing symptoms such as coughing, sneezing, fever, difficulty breathing or other flu-like symptoms.

Members of the public desiring to speak on any item of public interest, including any item on the agenda except Public Hearings, must do so during Oral Communications at the beginning of the meeting. Each speaker shall fill out a card stating name and address, to be presented to the Recording Secretary, and shall be limited to five (5) minutes. Members of the public wishing to address Public Hearing items shall do so at the time of the Public Hearing.

Any person requiring auxiliary aids and services due to a disability, to address the Parks, Recreation and Arts Commission should contact Community Services at 714-741-5204 or email sugeiry@ggcity.org 72 hours prior to the meeting to arrange for special accommodations. (Government Code §5494.3.2)

All revised or additional documents and writings related to any items on the agenda, which are distributed to all or a majority of the Commissioners within 72 hours of a meeting, shall be available for public inspection (1) at the Community Services Department in City Hall during normal business hours; and (2) at the City Council Chamber at the time of the meeting.

Agenda item descriptions are intended to give a brief, general description of the item to advise the public of the item's general nature. The Commission may take legislative action it deems appropriate with respect to the item and is not limited to the recommended action indicated in staff reports or the agenda.

COMMISSIONERS: COMMISSIONER BAO, COMMISSIONER JOHNSON,
COMMISSIONER PEREZ, COMMISSIONER SOLIS,
COMMISSIONER STEVENS, COMMISSIONER STICKLAND,
COMMISSIONER TRAN

ROLL CALL: COMMISSIONER BAO, COMMISSIONER JOHNSON, COMMISSIONER
PEREZ, COMMISSIONER SOLIS, COMMISSIONER STEVENS,
COMMISSIONER STRICKLAND, COMMISSIONER TRAN

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

1. ORAL COMMUNICATIONS - PUBLIC:
2. WRITTEN COMMUNICATIONS:
3. APPROVAL OF MINUTES:
 - 3.a. Minutes of the Regular Meeting held on October 8, 2020.
4. DISCUSSION ITEMS:
 - 4.a. Introductions
 - 4.b. Receive and file Brown Act and Code of Ethics
 - 4.c. Selection of Chair and Vice Chair
 - 4.d. Department Programs and Services During COVID-19 Pandemic
 - 4.e. Capital Projects
 - 4.e.1. Garden Grove Park Improvements Project
 - 4.e.2. Proposition 68 Grant Application for Woodbury Park Project
 - 4.f. Community Services Programming
 - 4.f.1 Recreation Division
 - 4.f.2 Human Services Division
 - 4.f.3 Facilities Division
 - 4.g. Public Works Department Update

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5. MATTERS FROM COMMISSIONERS:

6. MATTERS FROM STAFF:

6.a. Discuss City of Garden Grove Parks Tour

7. ADJOURNMENT:

The next Special Meeting of the Parks, Recreation and Arts Commission will be held on Thursday, July 8, 2021 at 5:00 p.m. at the Sports and Recreation Center Multipurpose Room, 13641 Deodara Drive, Garden Grove.

4. DISCUSSION ITEMS:

4.a. Upcoming Community Events

Staff shared upcoming community events including:

- Senior Center drive-in movie scheduled for Thursday, October 15, 2020 at the Community Meeting Center parking lot featuring the movie *Beetlejuice*.
- Senior Center drive through event, Trunk-or-Treat on Thursday, October 29, 2020 at 11:30 a.m. at the Community Meeting Center parking lot.
- Buena Clinton Día de los Muertos event featuring the movie *Coco*, and drive through resource fair is scheduled for Thursday, November 5, 2020.
- A modified version of the annual Jack O' Lantern Jamboree will take place on Friday, October 23, 2020 on the football field at Garden Grove Park. This year's event will consist of a movie in the park featuring *Hocus Pocus*.
- Winter in the Grove will also be a drive through event and is scheduled for Saturday, December 5, 2020 at Village Green Park.

4.b. Community Services Updates

4.b.2 Human Services Division

Staff has recently seen a plateau in the senior food programs including the weekly frozen meal distribution and the home delivered meal program. Currently, staff are beginning to focus more on socially distanced recreation programs, virtual programs, case management, and the newly launched Coffee Chat program.

The Family Resource Centers continue to focus on providing food programs to families of the community. They are also starting to see a decline in the immediate need for food, and have scaled back distribution to every other week. Community partners have notified staff that federal funding for some food programs may be ending by the end of October 2020.

Community Development Department received funding for a food program and has collaborated with the Community Services Department; it consists of partnering with local restaurants, to offer hot meals to families in need. This program has dual benefits, it supports local restaurants and provides food for local families in need of the

meals. Funding should be sufficient to carry the family resource centers with hot meals through the end of January 2021.

The family resource centers are also focusing on mental health of the community due to the impact of the COVID-19 pandemic. They are working closely with MSW Interns and Clinical Supervisors to provide virtual classes, workshops, and programs dedicated to mental health and self care. Counseling services and Case Management also continue to be offered virtually, with in-person services being offered if a client does not have access to resources, as long as staff and participant have access to a safe environment.

4.b.1 Recreation Division

Recreation Division is currently offering the Tiny Tots/Kare Bears preschool program virtually, which consists of prerecorded lessons for participants through a private Facebook page, parents also pick up activity packets once a month. Staff are closely monitoring GGUSD return-to-school possible dates and guidelines, to help prepare for transition to in-person instruction when it is safe.

This summer, the department was able to offer a limited but successful Aquatics program. Two 2-week sessions were offered at Woodbury Pool and four 2-week sessions at Gary Hall Pool all while adhering to COVID-19 safety measures.

The department also hosted three drive-in movie events this summer, one at the Hyatt Hotel parking lot, another at Orangewood Academy and one at Pacifica High School, with 75 to 90 cars in attendance at each event.

Staff are closely monitoring State and County guidelines for the reopening of indoor facilities, contact sports, and park playgrounds.

Staff reported that the Parks and Recreation Guide will transition from a printed and mailed guide to an online version allowing easier access for the community as well as becoming more cost effective. This year, postcards will be mailed to notify residents when the most recent guide is available online. The Parks and Recreation Guide is produced three times a year; in the summer, fall, and combined winter/spring seasons. It contains city news, community resources, upcoming special events, information for rental facilities, and recreation programs and classes.

4.b.3 Facilities Division

Staff continue to monitor State guidelines regarding sectors related to park facilities; the County is currently in the red tier, just below purple, the most restrictive tier. This means that rental facilities, shelters, and

some park amenities are closed. In September 2020, the State revised the park field guidelines; currently allowing only youth sports. Recently, the department also developed a no-fee permit for churches to operate outdoor services at Garden Grove Park, Village Green Park, and West Grove Park. Parks remain open for passive recreation such as walking, jogging, or exercising.

Staff reported that the City partnered with the Registrar of Voters to open up three City facilities to serve as Vote Centers. October 30 to November 3, 2020, the Courtyard Center, the Sports and Recreation Center, and West Haven Park building will be available to voters. Hours vary and can be found on ocvote.com.

4.c. Public Works Department Update

The department is working on posting signage outlining State guidelines regarding usage of playground equipment. The department has a comprehensive cleaning program that includes heavy fogging and deep cleaning of the equipment once a week.

The West Haven Park turf renovation project is underway. About eight inches of turf will be scraped off and replaced with playable surface. Currently the design phase is almost 100 percent complete and the City plans to go out to bid next week. Staff anticipate to break ground at the end of November or early December 2020.

The light pole replacement project at Magnolia Park has been completed. The next project at Magnolia Park will be a water project at the well site.

Staff updated the Commission on the bike trail project, sharing that irrigation is being installed throughout the trail and sections will be closed off in phases until completion; anticipated to begin on October 5 through December 1, 2020. Once that project is complete, about 300 trees will be planted along the path.

4.d. Reopening of Parks and Facilities

Staff informed the Commission of the reopening plan of parks and facilities in Garden Grove. On September 30, 2020, staff received guidance from the State to reopen playgrounds and fitness equipment, and are now preparing signage to post at parks containing these guidelines. Other amenities that can also reopen are tennis and racquetball courts, athletic fields, and leased rinks at various parks. As the county moves to the next tier, staff will look into the possibility of opening some of the community centers with limited capacity.

4.e. Proposition 68 Grant Application for Woodbury Park

On August 15, 2019 staff submitted a grant application for the renovation and extension of Woodbury Park. In February 2020, the City was notified that they were not selected for the grant. The City's application was one of 478 applications. All the applications combined requested a total of \$2.3 billion in grants. During this round of funding there were \$254 million available for grants. Of those 478 applications received, only 62 were awarded; the average grant request was \$4.8 million and the actual average award amount was \$4.1 million. The new grant application opened up this summer, this will be the last round of competitive grants that will be awarded in 2021 for this program. This round will have \$395.3 million available for competitive applications. The application deadline is December 14, 2020. Staff will once again apply for the grant dedicated to the Woodbury Park project. Currently staff are meeting with an architect to identify modifications in order to be more competitive for this round. A community meeting will be held in the next few weeks, staff will keep Commissioners informed once details are finalized.

Commissioner Stevens suggested that staff document when notices are sent to residents regarding the community meeting, many residents complained that little notice was given regarding previous meetings held. Staff stated that marketing efforts will include a boost on Facebook, the Police Department will once again do outreach with different neighborhood watch groups, as well as contacting past participants in the neighborhood.

4.f. Capital Projects

4.f.1. Atlantis Play Center Fence

Staff reported that the Atlantis Play Center Fence project has experienced several delays due to the pandemic, but over the last couple of weeks have been able to get the project back on track. About 90 percent of the fence posts are in place and panels are being installed to the posts. Staff anticipate completion of this project by November 7, 2020.

4.f.2. Garden Grove Park

Staff informed the Commission that modifications to the previously discussed scope of work have been made. On September 22, 2020, City Council approved the request from staff to reject all 14 bids submitted for the project due to modifications to the scope of work. The playground equipment was removed from the project because the lowest bid designs did not meet staff standards and the ones that did, were above budget. Following City Council approval, staff prepared a revised scope of work that did not include the playground equipment, surface, or shade units. The revised project proposal was released on

September 30, 2020 and bids are due back on October 21, 2020 at 11:00 a.m. Once this project is completed in 2021, staff will move forward with the purchase and installation of playground equipment that meets standards and budget.

4.f.3. Haster Basin Recreational Park

Recently, City staff met with Orange County Deputy Director and her staff at the Haster Basin Recreational Park to discuss future renovation plans. Although this park is located in Garden Grove, the County manages it. Improvements include: landscape work around the walking trail; removal of overgrown bushes; installation of LED lighting along the walking path; and the addition of a basketball court. The County hopes to make the park a safer environment and to enhance recreational features.

5. MATTERS FROM COMMISSIONERS:

Commissioner Ramirez asked if the City has received feedback on the Right-of-Way walk/bike trail. Staff commented that there have been some positive comments and the trail is being well utilized. A grand opening and more marketing will be conducted once the project is finalized, tentatively in early 2021.

Commissioner Solis thanked staff for all their work during these challenging times.

Vice Chair Salicos thanked staff for their innovations in putting socially distanced events together and resources provided for the senior community.

Chair Perez asked if all capital projects the City is working on are posted on the website. Staff replied that certain Public Works capital improvements are on the website as they are tied to the City budget. Occasionally, projects are highlighted as part of press releases on the main webpage. Staff will work with the Office of Community Relations to see about highlighting more projects in the works. Chair Perez also thanked staff for going above and beyond in doing great things for the residents of Garden Grove.

6. MATTERS FROM STAFF: None.

7. ADJOURNMENT:

At 7:15 p.m., the meeting was declared adjourned to Thursday, January 14, 2021 at 6:00 p.m. at the Community Meeting Center, 11300 Stanford Ave., Garden Grove.

SUGEIRY REYNOSO
Commission Secretary

Regular Meeting (see Exhibits D and E). An Adjourned Meeting is considered a Regular Meeting for purposes of transacting business.

Special Meetings are those meetings that are called by the Chair or majority of the Commissioners. When a Special Meeting is called, notice of the meeting must be given to all Commissioners and the local press prior to the meeting. The notice must include the date, time, and place of the meeting, with the agenda listing discussion topic (See Exhibit F for sample of the notice). This notice does not replace the agenda, but is in addition to a prepared agenda. Additionally, the notice and agenda announcing the meeting must be posted on the door of the meeting room at least 24 hours in advance of the meeting and send to newspapers (see Exhibit H for list of newspapers). The staff will ensure proper notice and posting is accomplished.

During Special Meetings, Commission discussion must be limited to those items that have been publicized in the notice.

Study Sessions are occasionally held in order to thoroughly discuss a complex issue. These are official meetings and are also subject to the Brown Act and are open to the public. Study Sessions may be scheduled at the convenience of the Commission, and require the same prior notice as pertains to Special Meetings. Study Sessions may be held as part of a Regular Meeting or an Adjourned Regular Meeting. It is recommended, though not required, that actual decisions be reserved for Regular Meetings to ensure adequate public participation.

Adjournment for Lack of Business, notice of said adjournment must be posted at the meeting place at the meeting time by the Secretary or a designated Deputy. (See Exhibit H.)

Any hearing being held, or noticed, or ordered to be held before any Commission may, by Minute Action, be continued to any subsequent Regular or Adjourned Meeting of the body, provided that if the hearing is continued to a time less than 24 hours after the time specified in the order or notice of hearing, a copy of the order or Notice of Continuance shall be posted outside the meeting room following the meeting at which the order of continuance was made. (See Exhibit I, and Exhibit J for accompanying affidavit).

THE RALPH M. BROWN ACT

The Ralph M. Brown Act (Brown Act), (see Exhibit C) is designed to ensure that meetings of organizations supported with public funds are conducted openly without restrictions on the right of the public to attend. As members of a public body, Commissioners must comply with the provisions of this law.

Members of a group subject to the provisions of the Brown Act are in violation of the law and subject to criminal penalties if they knowingly take an action at a meeting held in violation of the Brown Act. For purposes of the Brown Act, an "action" is:

1. A collective decision made by a majority of the members.
2. A collective commitment by the majority of the members to make a specific decision.
3. An actual vote by a majority of the members when they act as a body.

If meetings are scheduled, publicized, and held as outlined in the section of this manual entitled "Meetings," the Brown Act requirements for public discussion will have been met.

The following excerpt of the Brown Act is from Government Code Chapter 9. Meetings [54954.2]

(a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's Internet Web site, if the local agency has one. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(2) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

(d) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's Internet Web site, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:

(1) A legislative body as that term is defined by subdivision (a) of Section 54952.

(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a legislative body as that term is defined by subdivision (a) of Section 54952.

(Amended by Stats. 2011, Ch. 692, Sec. 8. Effective January 1, 2012.)

CONDUCTING MEETINGS

Public Meetings

All Regular, Adjourned, Special, and Study Session Commission meetings must be open to the public. Adequate notice must be given when a Special or Adjourned Meeting is called. Meetings held at regularly scheduled times do not need additional public notice.

For Commissions without specified meeting times, procedures for Special Meetings must be followed whenever a meeting is called.

Agenda Preparation

To facilitate the conduct of the meeting and provide advance notice of the business scheduled for discussion, an agenda is prepared for each meeting. The agenda provided for the Commission prior to the meeting includes staff reports and material necessary for the decision-making process. Additional copies of the agenda are available for interested members of the public.

The agenda is prepared by the Secretary of the Commission. Items included in the agenda are based upon staff need for direction, City Council referral of items for Commission review, Commission direction, and requests by concerned citizens for

Chapter 2.02 CODE OF ETHICS FOR PUBLIC OFFICERS AND EMPLOYEES

2.02.005 Code Review

All official boards, commissions, and committees of the City are to formally review the following Code of Ethics provided in this chapter with their members annually during their first meeting in the month of April. New members are to be provided a copy of the Code of Ethics for their review when they are appointed or elected to each board, commission, or committee. (2813 § 1, 2012; 1437 § 1, 1975)

2.02.010 Declaration of Policy

The proper operation of municipal government requires that public officials and employees be independent, impartial, and responsible to the people; that governmental decisions and policy be made in the proper channels of the governmental structure; and that public office not be used for personal gain. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.020 Responsibilities of Public Office

Public officials are all elective officials of the City and the members of all official boards, commissions, and committees of the City. Public officials and employees are bound to uphold the Constitution of the United States and the Constitution of the State and to carry out the laws of the nation, state, and municipality. Public officials and employees are bound to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their offices, regardless of personal considerations; recognizing that the public interest must be their primary concern, and that conduct in both their official and private affairs should be above reproach. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.030 Dedicated Service

Public officials and employees should not exceed their authority or breach the law or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from so doing by law or the officially recognized confidentiality of their work. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.040 Fair and Equal Treatment

Preferential consideration of the request or petition of any individual citizen or group of citizens shall not be given. No person shall receive special advantages beyond that which are available to any other citizen. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.050 Use of Public Property

No public official or employee shall request or permit the use of City-owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the public generally or are provided as municipal policy for the use of such public official or employee in the conduct of official business. No public official or employee shall use the time of any City employee during working hours for personal convenience or profit. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.060 Obligations to Citizens

A. CONFLICT WITH PROPER DISCHARGE OF DUTIES. No public official or employee, while serving as such, shall have any interest, financial or otherwise, direct or indirect, or engage in any

business or transaction or professional activity, or incur any obligation of any nature that is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed by law.

B. **INCOMPATIBLE EMPLOYMENT.** No public official or employee shall accept other employment that he or she has reason to believe will either impair his or her independence of judgment as to his or her official duties or require him or her or induce him or her to disclose confidential information acquired by him or her in the course of and by reason of his or her official duties.

C. **DISCLOSURE OF CONFIDENTIAL INFORMATION.** No public official or employee shall willfully and knowingly disclose for pecuniary gain to any other person confidential information acquired by him or her in the course of and by reason of his or her official duties nor shall any public official or employee use any such information for the purpose of pecuniary gain.

D. **CONFLICT OF INTEREST.** A conflict of interest exists in a matter before a public official for consideration or determination if:

1. The public official has a substantial financial or substantial personal interest in the outcome or as owner, member, partner, officer, employee, or stockholder of any corporation or other professional enterprise that will be affected by the outcome, and such interest is or may be adverse to the public interest in the proper performance of governmental duties by the public official;

2. The public official has reason to believe or expect that he or she will derive direct monetary gain or suffer a direct monetary loss, as the case may be, by reason of his or her official activity;

3. The public official, because of bias, prejudice, or because he or she has prejudged a matter set for public hearing, is incapable because of such bias, prejudice or prejudgment of granting to the matter before him or her a fair and impartial hearing.

4. Personal interest as distinguished from financial interest is defined as including, among other matters, an interest arising from blood or marriage relationships, or close business association. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.070 Disclosure of Interest and Disqualification

A. Any Councilmember who has a conflict of interest as defined herein, in any matter before the City Council, shall disclose such fact on the record of the City Council and refrain from participating in any discussion of voting thereon, provided that such exceptions shall be observed as are required by law.

B. Any member of any official board, commission, or committee who has a conflict of interest as defined herein in any matter before the board, commission, or committee of which he or she is a member, shall disclose such fact on the record of such board, commission, or committee and refrain from participating in any discussion or voting thereon, provided that such exceptions shall be observed as are required by law.

C. Any employee who has a financial or other special interest in a matter before the City Council or any board, commission, or committee and who participates in discussion with, or gives an official opinion to the City Council, or to such board, commission, or committee relating to such matter, shall disclose on the record of the City Council or such board, commission, or committee, as the case may be, the nature and extent of such interest. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.080 Compliance with State Law

Public officials and employees of the City shall comply with applicable provisions of state law relative to conflicts of interest and generally regulating the conduct of public officials and employees. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.090 Violations—Actions

The violation of any provision of this chapter shall be:

- A. As to all City employees, grounds for dismissal from City employment;
- B. As to any appointed position on any board, commission, or committee, grounds for removal from any such board, commission, or committee;
- C. As to any prosecution of any elected public official, the City Council shall make findings of fact by at least a vote of three City Councilmembers that an elected public official has, in fact, violated this chapter as a prerequisite to prosecution. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.100 State Laws—Control

This chapter and its application are intended to be supplemental to and consistent with all applicable state laws. (2813 § 1, 2012; 1301 § 1, 1972)

2.02.110 Violations—Penalty

Any person violating any of the provisions of this chapter is guilty of a misdemeanor and, upon conviction thereof, is punishable as provided in Section 1.04.010 of this Code. (2813 § 1, 2012; 1301 § 1, 1972)