

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, June 23, 2020

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

CONVENE MEETING

At 7:05 p.m., Mayor Jones convened the meeting in the Community Meeting Center.

ROLL CALL      PRESENT:      (7)      Council Members Brietigam, D. Nguyen, Bui, Klopfenstein, K. Nguyen, Mayor Pro Tem O'Neill, Mayor Jones

ABSENT:      (0)      None

INVOCATION

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

UPDATE ON COMPLIANCE WITH SB 743 VEHICLE MILES TRAVELED THRESHOLDS FOR FUTURE DEVELOPMENT PROJECTS AND A TRAFFIC IMPACT ANALYSIS GUIDELINE AS PRESENTED BY THE CITY'S TRAFFIC ENGINEER, DAI VU

City Traffic Engineer, Dai Vu, introduced this item and a PowerPoint presentation was provided by Spencer Reed with consultants Fehr & Peers. The presentation overviewed of SB 743 and the intent of the legislation for managing congestion and reducing greenhouse gas with appropriate development and promotion of active transportation including walking and biking.

ORAL COMMUNICATIONS

Speakers: Ashlee Vo, Michelle Cardenas, Craig Durfey, Nicholas Dibs, Antoinette Nguyen, Jennifer McClean, Adam Degner, Tom Raber, Jessica Solis, Dominica Cao, John Holm, Andrew Nguyen, Lucy Flores, Tony Flores, Nancy Nguyen, Dakota Hill, Audi Chavira, Tatianna Chrishon, Maureen Blackmun, Allison V.

RECESS

At 8:30 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 8:47 p.m., Mayor Jones reconvened the meeting with all Council Members present.

ORAL COMMUNICATIONS (Continued)

Speakers: Julie Vo, Darius Durham II, Jessica Howell, Ariana Arestegui, Tania Ortega, Bob Tucker, Michael Garcia, Theresa, Jacquelyn Do, Erika Higbee, Grace Mortero, Tim Phan, Kyle Brodnisky, Mazaroti Schells (sic), Katie Faith, Jody Williams, Cleopatra, Angela Bradford.

Electronic Communications received from: Iliana Pinzon, Roser Hong, Vivianna Marie Goh, David Peterson, Ugachi Anaebere-Nicholson, Dianne Prado, Kate Morr, Andrew Ha, Hugh Tran, Jacquelyn Do, Terry Nguyen, Tracy La, Brian Bui, Theresa Bui, Roger Flanders, Tony Flores, Laurance Collister.

RECESS

At 9:51 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 10:01 p.m., Mayor Jones reconvened the meeting with all Council Members present.

ADOPTION OF A RESOLUTION PROCLAIMING THE TERMINATION OF THE LOCAL EMERGENCY DUE TO CIVIL UNREST DECLARED ON JUNE 2, 2020 (F: 117.2A)

It was moved by Council Member K. Nguyen, seconded by Mayor Pro Tem O'Neill that:

Resolution No. 9639-20 entitled: A Resolution of the City Council of the City of Garden Grove proclaiming the termination of the Local Emergency due to civil unrest declared on June 2, 2020, be adopted.

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

Ayes: (7) Brietigam, D. Nguyen, Bui, Klopfenstein, K. Nguyen, O'Neill, Jones  
Noes: (0) None

ADOPTION OF A RESOLUTION APPROVING THE CITY OF GARDEN GROVE INVESTMENT POLICY FOR 2020 (F: 127.3)

It was moved by Council Member K. Nguyen, seconded by Mayor Pro Tem O'Neill that:

Resolution No. 9640-20 entitled: A Resolution of the City Council of the City of Garden Grove, California adopting the City of Garden Grove Investment Policy, be adopted.

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

Ayes: (7) Brietigam, D. Nguyen, Bui, Klopfenstein, K.  
Nguyen, O'Neill, Jones  
Noes: (0) None

ADOPTION OF A RESOLUTION REQUESTING THE ORANGE COUNTY TRANSPORTATION AUTHORITY TO ISSUE A 24-MONTH PROJECT ADVERTISEMENT AND CONSTRUCTION AWARD DELAY FOR THE EUCLID-WESTMINSTER INTERSECTION IMPROVEMENT PROJECT – CONSTRUCTION PHASE (PROJECT NO. 19-GGRV-ICE-3938) (F: 28.18) (XR: 84.1)

It was moved by Council Member K. Nguyen, seconded by Mayor Pro Tem O'Neill that:

Resolution No. 9641-20 entitled: A Resolution of the City Council of the City of Garden Grove, approving a request to pursue a 24-month project advertisement and construction award delay from the Orange County Transportation Authority (OCTA) for the Euclid-Westminster Intersection Improvement Project (Project No. 19-GGRV-ICE-3938), be adopted.

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

Ayes: (7) Brietigam, D. Nguyen, Bui, Klopfenstein, K.  
Nguyen, O'Neill, Jones  
Noes: (0) None

ADOPTION OF A RESOLUTION APPROVING THE UPDATED EMPLOYEE SALARY SCHEDULE (F: 78.1)

It was moved by Council Member K. Nguyen, seconded by Mayor Pro Tem O'Neill that:

Resolution No. 9642-20 entitled: A Resolution of the City Council of the City of Garden Grove, California approving an amendment to the publicly available city-

wide salary and pay schedule as required by CalPers for Fiscal Year 2020-2021, be adopted.

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

Ayes: (7) Brietigam, D. Nguyen, Bui, Klopfenstein, K.  
          Nguyen, O'Neill, Jones  
Noes: (0) None

APPROVAL OF MEASURE M2'S FISCAL YEAR 2020-21 SEVEN-YEAR CAPITAL IMPROVEMENT PLAN, ADOPTION OF A RESOLUTION UPDATING THE CITY'S 2020 PAVEMENT MANAGEMENT PLAN, AND ADOPTION OF A RESOLUTION UPDATING THE CITY'S LOCAL SIGNAL SYNCHRONIZATION PLAN

This matter was considered later in the meeting.

AWARD A CONTRACT TO FIELDMAN, ROLAPP & ASSOCIATES, INC. FOR FINANCIAL ADVISORY SERVICES (F: 55-Fieldman, Rolapp & Associates, Inc.)

It was moved by Council Member K. Nguyen, seconded by Mayor Pro Tem O'Neill that:

A contract be awarded to Fieldman, Rolapp & Associates, Inc., to provide Financial Advisory Services for a three-year term and two additional option years; and

The City Manager be authorized to execute the contract on behalf of the City.

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

Ayes: (7) Brietigam, D. Nguyen, Bui, Klopfenstein, K.  
          Nguyen, O'Neill, Jones  
Noes: (0) None

RECEIVE AND FILE MINUTES FROM THE MEETING HELD ON JUNE 9, 2020  
(F: Vault)

It was moved by Council Member K. Nguyen, seconded by Mayor Pro Tem O'Neill that:

Minutes from the meeting held on June 9, 2020, be received and filed.

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

Ayes: (7) Brietigam, D. Nguyen, Bui, Klopfenstein, K.  
Nguyen, O'Neill, Jones  
Noes: (0) None

#### WARRANTS

It was moved by Council Member K. Nguyen, seconded by Mayor Pro Tem O'Neill that:

Regular Warrants 662875 through 663038; 663080 through 663296; Wires W2872 through W2879; Wires W2880 through W2888; be received and filed 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 184114 through 184128; Direct Deposits D366142 through D366748; and Wires W2706 through W2709; be received and filed 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) Brietigam, D. Nguyen, Bui, Klopfenstein, K.  
Nguyen, O'Neill, Jones  
Noes: (0) None

#### APPROVAL TO WAIVE FULL READING OF ORDINANCES LISTED

It was moved by Council Member K. Nguyen, seconded by Mayor Pro Tem O'Neill that:

Full reading of ordinances listed be waived.

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

Ayes: (7) Brietigam, D. Nguyen, Bui, Klopfenstein, K.  
Nguyen, O'Neill, Jones  
Noes: (0) None

#### APPROVAL OF MEASURE M2'S FISCAL YEAR 2020-21 SEVEN-YEAR CAPITAL IMPROVEMENT PLAN, ADOPTION OF A RESOLUTION UPDATING THE CITY'S 2020 PAVEMENT MANAGEMENT PLAN, AND ADOPTION OF A RESOLUTION UPDATING THE CITY'S LOCAL SIGNAL SYNCHRONIZATION PLAN (F: 23.18C)

Following City Council discussion, Council Member K. Nguyen moved to table this

matter to the next meeting for discussion, seconded by Council Member Brietigam.

Following further discussion Council Member K. Nguyen amended the motion, seconded by Council Member Brietigam that:

More detailed information be provided to the City Council;

Measure M2's Fiscal Year 2020-21 Seven-Year Capital Improvement Plan, be approved;

Resolution No. 9643-20 entitled: A Resolution of the City Council of the City of Garden Grove concerning the status and update of the Pavement Management Plan for the Measure M2 (M2) Program, be adopted; and

Resolution No. 9644-20 entitled: A Resolution of the City Council of the City of Garden Grove concerning the update of the Local Signal Synchronization Plan for the Measure M2 (M2) Program, be adopted.

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

Ayes: (7) Brietigam, D. Nguyen, Bui, Klopfenstein, K.  
Nguyen, O'Neill, Jones  
Noes: (0) None

#### RECESS

At 10:05 p.m., Mayor Jones recessed the meeting.

#### RECONVENE

At 10:07 p.m., Mayor Jones reconvened the meeting with all Council Members present.

#### PUBLIC HEARING – ADOPTION OF A RESOLUTION CONFIRMING THE GARDEN GROVE TOURISM IMPROVEMENT DISTRICT ADVISORY BOARD REPORT AND LEVYING AN ASSESSMENT FOR FISCAL YEAR 2020-2021 (F: 32.1)

Following staff's presentation and City Council questions, Mayor Jones declared the public hearing open and asked if anyone wished to address the City Council.

Speakers: Nicholas Dibs

There being no further response from the audience, the public hearing was declared closed.

The City Clerk announced that no protests were received.

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

Resolution No. 9645-20 entitled: A Resolution of the City Council of the City of Garden Grove confirming the Garden Grove Tourism Improvement District Advisory Board Report, and levying the assessment for the Garden Grove Tourism Improvement District for Fiscal Year 2020-21, be adopted.

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

Ayes: (7) Brietigam, D. Nguyen, Bui, Klopfenstein, K.  
Nguyen, O'Neill, Jones  
Noes: (0) None

PUBLIC HEARING – APPROVAL OF THE 2020-2025 FIVE-YEAR CONSOLIDATED PLAN, AND THE FISCAL YEAR 2020-2021 ACTION PLAN REGARDING THE CITY'S HOUSING NEEDS (F: 117.10D) (XR: 57.1)

Following staff's presentation, Mayor Jones declared the public hearing open and asked if anyone wished to address the City Council.

Speakers: Nicholas Dibs

There being no further response from the audience, the public hearing was declared closed.

Following City Council comments, it was moved by Mayor Pro Tem O'Neill, seconded by Council Member D. Nguyen that:

The 2020-2025 Five-year Consolidated Plan and the Fiscal Year 2020-21 Action Plan for the use of funding from the U.S. Department of Housing and Urban Development (HUD), be accepted; and

Staff be directed to transmit the Plans to HUD.

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

Ayes: (7) Brietigam, D. Nguyen, Bui, Klopfenstein, K.  
Nguyen, O'Neill, Jones  
Noes: (0) None

PUBLIC HEARING – ADOPTION OF THE 2020-24 ORANGE COUNTY ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE (2020-24 AI) (F: 23.21)

Following staff's presentation, Mayor Jones declared the public hearing open and asked if anyone wished to address the City Council.

Speakers: Nicholas Dibs

There being no further response from the audience, the public hearing was declared closed.

Following City Council comments, it was moved by Council Member Bui, seconded by Council Member Klopfenstein that:

The 2020-24 Orange County Analysis of Impediments to Fair Housing Choice be adopted; and

Staff be directed to post the document on the City's website.

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

Ayes: (6) D. Nguyen, Bui, Klopfenstein, K. Nguyen, O'Neill,  
Jones  
Noes: (1) Brietigam

ADOPTION OF A RESOLUTION APPROVING AN UPDATED PURCHASING POLICY AND PROCEDURE MANUAL (F: 127.3) (XR: 127.9)

Following staff introduction and City Council questions, it was moved by Council Member K. Nguyen, seconded by Council Member Klopfenstein that:

Resolution No. 9646-20 entitled: A Resolution of the City Council of the City of Garden Grove approving the revised Purchasing Policy and Procedure Manual, be adopted.

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

Ayes: (7) Brietigam, D. Nguyen, Bui, Klopfenstein, K.  
Nguyen, O'Neill, Jones  
Noes: (0) None

ADOPTION OF BUDGET RESOLUTIONS AMENDING FISCAL YEAR 2020-21 BUDGETS

Following an introduction by City Manager Stiles, Police Chief DaRè and Community Services Director John Montanchez provided an overview of social programs provided to the community through the Police Department and the Community Services Department. Following the community program overview, Finance Director Patricia Song and Budget Manager Ann Eifert introduced a report and provided a PowerPoint presentation on the Fiscal Year 2020-21 amended budget.

Following City Council comments, it was moved by Council Member K. Nguyen, seconded by Council Member Brietigam that:



Resolution No. 9647-20 entitled: A Resolution of the City Council of the City of Garden Grove amending the City's General and Basic funds, Cable Services, Grants, Water Services, Capital Improvements, and Special Assessment Districts' Budget for Fiscal Year 2020-21, be adopted;

Resolution No. 9648-20 entitled: A Resolution of the City Council of the City of Garden Grove appropriating fund balances as of June 30, 2020, to reserves for future year re-appropriation, be adopted;

Resolution No. 9649-20 entitled: A Resolution of the City Council of the City of Garden Grove re-appropriating certain Fiscal Year 2019-20 project balances and encumbrances for the Fiscal Year 2020-21, be adopted;

Resolution No. 9650-20 entitled: A Resolution of the City Council of the City of Garden Grove adopting an appropriations limit for Fiscal Year 2020-21 implementing Article XIII B of the State Constitution as amended by Proposition 111 pursuant to Section 7900 et seq. of the Government Code, be adopted; and

Resolution No. 9651-20 entitled: A Resolution of the City Council of the City of Garden Grove amending the Budget for Fiscal Year 2020-21, be adopted.

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

- Ayes: (7) Brietigam, D. Nguyen, Bui, Klopfenstein, K. Nguyen, O'Neill, Jones
- Noes: (0) None

AWARD A CONTRACT TO MIG, INC. TO PROVIDE GENERAL PLAN ELEMENT UPDATE CONSULTANT SERVICES (F: 55-MIG, Inc.)

Following staff introduction and City Council discussion, it was moved by Mayor Pro Tem O'Neill, seconded by Council Member K. Nguyen that:

A contract be awarded to MIG, Inc., for the preparation of the Safety Element Update, the Environmental Justice Element, and the Housing Element Update including additional tasks for amendments to the Land Use Element and Zoning Code/Map, in the amount of \$500,585, for Fiscal Year 2020-21; and

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

The City Manager or authorized designee be authorized to execute amendments to the contract, including the authorization to increase the compensation to a higher amount not to exceed ten percent of the total contract amount, provided sufficient funds are available.

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

Ayes: (7) Brietigam, D. Nguyen, Bui, Klopfenstein, K.  
Nguyen, O'Neill, Jones  
Noes: (0) None

SECOND READING OF ORDINANCE NO. 2916 (F: 60.11)

*(As approved earlier in the meeting, it was moved by Council Member K. Nguyen, seconded by Mayor Pro Tem O'Neill, and approved by a 7-0 vote, that full reading of ordinances listed be waived.)*

Following the City Clerk reading of the title, and City Council questions, it was moved by Council Member K. Nguyen, seconded by Mayor Pro Tem O'Neill that:

Ordinance No. 2916 entitled: An Ordinance of the City Council of the City of Garden Grove establishing the amount of money for paramedic services that must be raised by an ad valorem tax override and the setting of the tax rate of said override, be adopted.

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

Ayes: (7) Brietigam, D. Nguyen, Bui, Klopfenstein, K.  
Nguyen, O'Neill, Jones  
Noes: (0) None

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

SUMMARY OF THE CARES ACT FUNDING ALLOCATION AS REQUESTED BY CITY MANAGER STILES (F: 117.2A)

Assistant City Manager/Community and Economic Development Department Director Lisa Kim, provided a summary of the CARES Act funding and how the funding will be utilized by the City. The Summary included programs eligible for grant funding, funding amounts, funding allocation, description and goals. Total CARES Act Funds plus pending grant applications total \$16,620,012 for distribution among qualifying programs.

CONSIDERATION OF IMPLICIT BIAS TRAINING MODULE FOR CITY COUNCIL, CITY COMMISSIONERS, AND CIVILIAN CITY EMPLOYEES AS REQUESTED BY THE CITY COUNCIL (F: 10.8) (XR: 78.1)

Following staff introduction and City Council discussion, it was moved by Council Member K. Nguyen, seconded by Council Member Klopfenstein that:

The Implicit Bias Training Module selected by staff be approved and that Council Member K. Nguyen test the module prior to the release of training to the City Council, Commissioners, and civilian City employees.

After further discussion, Council Member K. Nguyen amended her motion to continue the item and bring it back as an action item at the next meeting to allow her to review the Module with the City Manager and report back to the City Council.

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

Ayes: (7) Brietigam, D. Nguyen, Bui, Klopfenstein, K.  
Nguyen, O'Neill, Jones  
Noes: (0) None

PUBLIC SAFETY AD HOC COMMITTEE UPDATE AS REQUESTED BY COUNCIL MEMBERS KIM NGUYEN, STEPHANIE KLOPFENSTEIN, AND DIEDRE THU-HA NGUYEN

This update was tabled to the next City Council meeting.

DISCUSSION REGARDING OPPOSITION LETTER TO CALIFORNIA ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 5 (ACA 5), AS REQUESTED BY COUNCIL MEMBER PATRICK PHAT BUI (F: 67.2)

Council Member Bui provided a letter he composed addressed to the California State Senate in opposition to ACA 5, and asked for support from the Mayor and Council Members to sign the letter.

Following City Council discussion, Council Member Brietigam stated that this is State legislation over which the City has no jurisdiction; Council Member D. Nguyen indicated that regardless of legislation, individuals are responsible for personal scholastic achievement; and Council Member K. Nguyen cautioned her colleagues from taking any position on this matter stating spreading disinformation hurts communities of color. Mayor Jones offered that Council Members who would like to sign the opposition letter, to let Council Member Bui know.

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

Council Member Bui stated he is pleased to report that the Enterprise Resource Planning (ERP) project is on time and on budget. He commended the Finance Department and staff who participated with this project. The ERP system will begin July 1<sup>st</sup> and he is looking forward to a status report on the progress.

City Manager Stiles stated that street sweeping citations have resumed; however, late fees for water bills will be delayed until early July. Garden Grove is up to a 74

percent response rate for the 2020 Census, which is far above the State wide response rate of 62 percent.

ADJOURNMENT

At 1:23 a.m., Mayor Jones adjourned the meeting. The next Regular City Council Meeting will be held on Tuesday, July 14, 2020, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC  
City Clerk