

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, September 22, 2020

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

CONVENE CLOSED SESSION

At 6:03 p.m., Mayor Jones convened Closed Session telephonically.

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

ABSENT: (0) None

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers: None.

CONVENE CLOSED SESSION

At 6:04 p.m., Mayor Jones announced the City Council was going into Closed Session telephonically to discuss the following matters:

Conference with Legal Counsel – Anticipated Litigation

Significant exposure to litigation per Government Code Section 54956.9(d)(2):
One potential case relating to the claim filed by Chanh Ngoc Phan on 5-19-2020.

ADJOURN CLOSED SESSION

At 6:10 p.m., Mayor Jones adjourned the Closed Session

CONVENE REGULAR MEETING

At 6:35 p.m., Mayor Jones convened the meeting telephonically with all Council Members present.

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

Speakers: Craig Durfey, Allison Vo, Nicholas Dibs.

RECESS MEETING

At 6:48 p.m., Mayor Jones recessed the meeting.

At 6:55 p.m., Mayor Jones reconvened the meeting with all Council Members present.

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

A Proclamation declaring October 4, 2020 through October 10, 2020, as Fire Prevention Week, 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

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

All bids received on August 31, 2020, for the Garden Grove Park Improvement City Project No. 2163101280, be rejected;

Staff be authorized to readvertise an invitation for bids for the revised Garden Grove Park Improvement Project.

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 AMENDING THE CITY'S CONFLICT OF INTEREST
CODE PERTAINING TO DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES
(F: 30.7)

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

Resolution No. 9655-20 entitled: A Resolution of the City Council of the City of Garden Grove amending the conflict of interest code of the City of Garden Grove pertaining to designated positions and disclosure categories and rescinding Resolution No. 9530-18, 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 SUBMITTAL OF AN APPLICATION TO
THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR THE CONSTRUCTION
PHASE OF THE EUCLID/WESTMINSTER INTERSECTION IMPROVEMENT PROJECT
(F: 24.13) (XR: 36.11)

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

Resolution No. 9656-20 entitled: A Resolution of the City Council of the City of Garden Grove approving the submittal of the Euclid/Westminster Intersection Improvement Project, Construction Phase to the Orange County Transportation Authority Funding, 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 A TRANSFER AGREEMENT WITH THE CITY OF SANTA ANA TO
RECEIVE SUBAWARD GRANT FUNDS FOR FISCAL YEAR 2019 URBAN AREAS
SECURITY INITIATIVE (UASI) GRANT PROGRAM (F: 55-City of Santa Ana)
(XR: 82.15) (XR: 92.4)

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

The Fiscal Year 2019 UASI Transfer Agreement with the City of Santa Ana for reimbursement to the City of Garden Grove for the transfer or purchase of

equipment and services, or for the cost of personnel who assist with the instruction and delivery of approved UASI courses in the Anaheim/Santa Ana Urban Area, be approved; and

The City Manager or the Chief of Police be authorized to sign the agreement on behalf of the City as the authorized representative for the Fiscal Year 2019 UASI grant.

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 AN AGREEMENT WITH THE COUNTY OF ORANGE FOR THE 2019 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANTS (JAG) PROGRAM, AND APPROVAL TO ALLOCATE THE GRANT FUNDING FOR JAIL SERVICES
(F: 55-County of Orange) (XR: 82.15)

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

The Agreement with the County of Orange for the 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) program, in the amount of \$40,180 less ten percent administrative fee for a total of \$36,162, be approved;

Grant funds be authorized to partially fund the City's jail services contract; and

The City Manager be authorized to sign the agreement 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

MINUTES (F: Vault)

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

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

Payroll Warrants 184229 through 184241; Direct Deposits D369786 through D370392; Wires W2730 through W2733; 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

Demands covered by Wires 00000042 to 00000055, EFT numbers 00001927 to 00001937, and check numbers 00665053 through 00665216 inclusive as listed have been verified by the Finance Division as properly issued and bear all proper signatures; and

Demands covered by EFT numbers 00001938 to 00001943, and check numbers 00665217 through 00665365 inclusive as listed have been verified by the Finance Division as properly issued and bear all proper signatures; and

Demands covered by Wires 00000056 to 00000067, EFT numbers 00001944 to 00002899, and check numbers 00665366 through 00665746 inclusive as listed have been verified by the Finance Division as properly issued and bear all proper signatures; and

Demands covered by Wires 00000068 to 00000071, EFT numbers 00002900 to 00002910, and check numbers 00665747 through 00665853 inclusive as listed have been verified by the Finance Division as properly issued and bear all proper signatures; and

Demands covered by Wires 00000072 to 00000075, EFT numbers 00002911 to 00002918, and check numbers 00665854 through 00665992 inclusive as listed have been verified by the Finance Division as properly issued and bear all proper signatures.

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

WAIVER

It was moved by Council Member Brietigam, seconded by Council Member Bui 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

AWARD A CONTRACT TO G4S SECURE SOLUTIONS (USA) INC., FOR CIVILIAN JAIL CONTRACT SERVICES (F: 55-G4S Secure Solutions (USA) Inc.)

Following staff introduction and City Council comments it was moved by Council Member Klopfenstein, seconded by Council Member Brietigam that:

A contract be awarded to G4S Secure Solutions (USA) Inc., in the amount of \$1,815,556.69, for jail custody services, for the period November 1, 2020 through June 30, 2023, with an option to extend for an additional two (2) years; and

The City Manager be authorized to sign the contract on behalf of the City, and to make minor modifications as appropriate thereto.

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 WEST YOST ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES TO PROVIDE PROGRAM MANAGEMENT FOR THE SCADA IMPLEMENTATION PROJECTS (F: 55-West Yost Associates)

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

A contract be awarded to West Yost Associates, in the amount of \$3,182,944, for professional engineering services to provide program management for the SCADA Implementation Projects; and

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

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. 2917 (F: 122.2)

(As approved earlier in the meeting, it was moved by Council Member Brietigam, seconded by Council Member Bui and approved by a 7-0 vote, that full reading of ordinances listed be waived.)

Following the reading of the title, it was moved by Council Member Brietigam, seconded by Council Member D. Nguyen that:

Ordinance No. 2917 entitled: An Ordinance of the City Council of the City of Garden Grove amending Section 14.12.070 of the Garden Grove Municipal Code to designate the Administrative Board of Appeals as a hearing body for billing disputes, 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

Mayor Jones stated that the City is updating the Housing, Safety, and Land Use elements and adopting a new Environmental Justice Element to the Garden Grove General Plan; he announced that Friday, September 25, 2020, is the last day to participate in the City's online survey for input on an eight year community housing strategy. He noted the survey is in multiple languages and more information is accessible on the City's website. He stated he participated in a press conference with the Mayors of Anaheim and Buena Park to urge the Governor to provide guidelines for a safe and sensible reopening of Disneyland, noting there are approximately 8,000 jobs directly attributable to and surrounding Disneyland. He stated that Disneyland has a plan and feels confident that they will be able to reopen safely with the improvements made to the park ready to implement when the Governor provides guidance for reopening.

Council Member Klopfenstein noted that much of the Harbor Corridor is in District 5 with many hotels directly affected by Disneyland's closure. She asked for support from her council colleagues to sign a letter urging the Governor to provide reasonable and safe guidance for reopening Disneyland.

Mayor Jones asked that a letter addressed to the Governor should be put forward soon.

Council Member Bui moved to add an urgency item for the purpose of sending a letter to the Governor for consideration to provide timely guidance for reopening Disneyland, seconded by Council Member Klopfenstein.

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

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

A Letter be sent to Governor Newsom from the Garden Grove City Council requesting that reasonable and safe guidelines be provided for reopening Disneyland.

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

Mayor Pro Tem O'Neill expressed his gratitude for the 19,000 firefighters who are currently battling 27 major wildfires in California. The state has lost over a million acres to fire over these past weeks and many people have lost their homes. He expressed his dismay over events of 2020 and hopes for a better 2021.

Council Member Brietigam commented that public artwork depicting the six branches of the armed forces will soon be done. He commended the service clubs in Garden Grove as keystones in the community and encouraged the public to become involved. He challenged the City's Directors and Managers to self-audit for the purpose of finding new ways to improve and streamline processes, and to analyze if we are properly assessing grant opportunities.

Council Member Bui noted that the Fortune 500 companies continually audit operations for the purpose of gathering information needed to streamline operations and identify areas needing improvement in order to stay competitive. He suggested that moving forward an informal review of the City Manager be conducted to determine goals and objectives. He asked for support to discuss a partial reopening of City parks, noting that he has received numerous resident requests to reopen parks. He noted that portable restroom facilities have been placed at Garden Grove Park; however, he expressed distaste for unsanitary conditions of portable restrooms and asked that restroom facilities be opened.

City Manager Stiles stated that he will direct discussions with both the Community Services Director and Public Works Director, noting that there are some renovations being done at some of the City's Parks facilities, that extra precautions to protect the health of our Parks Maintenance workers have been taken, and that the City is following State guidelines.

Council Member Bui responded that he understood; however, if restaurants are allowing a 25 percent capacity that includes use of the restroom facilities, and Parks are being used within the State guidelines for social distancing and passive use, clean restrooms should be available.

City Manager Stiles assented to Council Member Bui's position, stating that he would compile a report for the City Council based on the State's guidelines.

Council Member K. Nguyen commended Maria Stipe and Shawn Park with the City Manager's Office for their work on the 2020 Census. She noted that Garden

Grove's response rate is just over 78 percent, and the deadline to be included in the Census is Wednesday, September 30, 2020, and she is hopeful for an 80 percent response rate in Garden Grove. She expressed gratitude for staff assistance and support from Congressman Lou Correa on the first Veteran's Day event in the City held last year, and that as we are in the midst of a pandemic, she would like to revisit her idea to hang banners throughout the City to honor our service members and veterans.

Council Member Klopfenstein noted the sad passing of a Garden Grove resident from the West Nile virus caused by mosquitoes. She strongly encouraged residents to take precautions.

Council Member D. Nguyen stressed the importance of the Census and encouraged residents to participate in the 2020 Census count, and that they encourage neighbors who have not yet responded to do so.

City Manager Stiles reiterated comments regarding the 2020 Census and the pending deadline on Wednesday, September 30, 2020. To date, Garden Grove is third in the nation and second in the state at a 78.2 percent response rate. He commended staff on their dedication to Census outreach, and that getting accurate census determines federal and state funding opportunities for our community. He encouraged residents to complete their Census at my2020census.gov. He stated that he will work with staff on a banner program for service members and veterans and will report back to the City Council.

Mayor Jones offered kudos to Council Member K. Nguyen for pushing forward on the 2020 Census.

City Attorney Sandoval announced that no reportable action was taken during Closed Session.

ADJOURNMENT

At 7:49 p.m., Mayor Jones adjourned the meeting. The next Regular City Council Meeting scheduled on Tuesday, October 13, 2020, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC
City Clerk