

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, November 24, 2020

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

CONVENE CLOSED SESSION

At 6:04 p.m., Mayor Jones convened Closed Session telephonically.

ROLL CALL PRESENT: (6) Council Members Brietigam, D. Nguyen,
Klopfenstein, K. Nguyen, Mayor Pro Tem
O'Neill, Mayor Jones

ABSENT: (1) Bui

Mayor Jones announced that Council Member Bui's absence is an excused absence.

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers: None.

CONVENE CLOSED SESSION

At 6:05 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

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

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 Tommy Sibley on November 9, 2020.

ADJOURN CLOSED SESSION

At 6:15 p.m., Mayor Jones adjourned the Closed Session

CONVENE REGULAR MEETING

At 6:38 p.m., Mayor Jones convened the meeting telephonically with Council Members Brietigam, O'Neill, D. Nguyen, Klopfenstein, and K. Nguyen present.

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

PRESENTATION – UPDATE ON THE GARDEN GROVE POLICE DEPARTMENT ACHIEVING ACCREDITATION AWARDED BY THE COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES AS PRESENTED BY POLICE CHIEF DARÉ

ORAL COMMUNICATIONS

Speaker: Craig Durfey

Written Communication: Craig Durfey

RECESS MEETING

At 6:45 p.m., Mayor Jones recessed the meeting.

RECONVENE MEETING

At 6:59 p.m., Mayor Jones reconvened the meeting telephonically with Council Members Brietigam, O'Neill, D. Nguyen, Klopfenstein, and K. Nguyen present.

ADOPTION OF A RESOLUTION FOR THE FISCAL YEAR 2019-20 MEASURE M (M2) ANNUAL EXPENDITURE REPORT (F: 23.18C)

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

Resolution No. 9662-20 entitled: A Resolution of the City Council of the City of Garden Grove concerning the Measure M2 Fiscal Year 2019-20 Annual Expenditure Report, be adopted; and

The Finance Director be authorized to submit the Measure M2 Annual Expenditure Report to the Orange County Transportation Authority.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,
O'Neill, Jones
Noes: (0) None
Absent: (1) Bui

RECEIVE AND FILE THE FISCAL YEAR 2019-20 DEVELOPMENT IMPACT FEE ANNUAL REPORT (F: 60.2D)

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

The Fiscal Year 2019-20 Development Impact Fee Annual Report as required by Government Code Section 66006(b), be received and filed.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,
O'Neill, Jones
Noes: (0) None
Absent: (1) Bui

APPROVAL TO EXONERATE TRACT MAP NO. 18078 IMPROVEMENT BONDS FOR PROPERTY LOCATED AT 11222 GARDEN GROVE BOULEVARD, GARDEN GROVE (F: 103.TT18078)

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

Exoneration of the improvement bonds for Tract Map No. 18078 for property located on the south side of Garden Grove Boulevard, east of Euclid Street at 11222 Garden Grove Boulevard, Garden Grove, be approved.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,
O'Neill, Jones
Noes: (0) None
Absent: (1) Bui

APPROVAL OF A QUITCLAIM OF EASEMENT RELINQUISHING VEHICULAR ACCESS TO INVESTEL GARDEN RESORTS, LLC, FOR THE NORTHWEST CORNER OF THE SITE C PROPERTY ON HARBOR BOULEVARD, GARDEN GROVE (F: 55-Investel Garden Resorts, LLC) (XR: 84.3)

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

The Quitclaim of Easement Relinquishing Vehicular Access to Investel Garden Resorts, LLC, for the northwest corner of the Site C property on Harbor Boulevard, Garden Grove, be approved; and

The City Manager be authorized to execute and record the Quitclaim Deed.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,
O'Neill, Jones
Noes: (0) None
Absent: (1) Bui

ADOPTION OF A RESOLUTION APPROVING A SUMMARY VACATION OF PUBLIC UTILITY EASEMENTS ON SITE C PROPERTY AT TWINTREE LANE EAST OF HARBOR BOULEVARD AND CHOISSER ROAD, GARDEN GROVE (F: 55-Investel Garden Resorts, LLC) (XR: 84.3)

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

Resolution No. 9663-20 entitled: A Resolution of the City Council of the City of Garden Grove, California, approving and ordering the summary vacation of public utility easements on Lots 213 through 217 of Tract No. 2012 on Twintree Lane east of Harbor Boulevard and Lots 5 through 8 of Tract No. 2782 on Choisser Road, be adopted.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,
O'Neill, Jones
Noes: (0) None
Absent: (1) Bui

APPROVAL OF AN AGREEMENT FOR SHARING CONSULTANT COSTS FOR THE 2020 URBAN WATER MANAGEMENT PLAN WITH PARTICIPATING AGENCIES AND THE MUNICIPAL WATER DISTRICT OF ORANGE COUNTY (F:112.5)

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

The Professional Services Cost Sharing Agreement, in the amount not to exceed \$31,650, by and between the Municipal Water District of Orange County and Participating Agencies to contract with Arcadis U.S. Inc., for the preparation of the 2020 Urban Water Management Plan, be approved; and

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

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,
O'Neill, Jones
Noes: (0) None
Absent: (1) Bui

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER FOR ONE NEW UTILITY BODY TRUCK TO THE NATIONAL AUTO FLEET GROUP

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

The Finance Director be authorized to issue a purchase order in the amount of \$53,365.85 to National Auto Fleet Group for the purchase of one (1) new Public Works Department utility body truck.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,
O'Neill, Jones
Noes: (0) None
Absent: (1) Bui

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER FOR ONE NEW UTILITY BODY TRUCK TO THE NATIONAL AUTO FLEET GROUP

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

The Finance Director be authorized to issue a purchase order in the amount of \$88,554.09 to National Auto Fleet Group for the purchase of one (1) new Public Works Department utility body truck.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,
O'Neill, Jones
Noes: (0) None
Absent: (1) Bui

AWARD A CONTRACT FOR GRAFFITI ABATEMENT SERVICES TO GRAFFITI PROTECTIVE COATINGS, INC. (F: 55-Graffiti Protective Coatings, Inc.)

This matter was considered later in the meeting.

MINUTES (F: Vault)

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

The minutes from the meeting held on November 10, 2020, be received and filed.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,
O'Neill, Jones
Noes: (0) None
Absent: (1) Bui

WARRANTS

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

Demands covered by EFT numbers 00003906 to 00003921 and check numbers 006666658 through 00666765 inclusive as listed on this register have been verified by the Finance Division as properly issued and bear all proper signatures be received and filed;

Demands covered by Wires 00000124 to 00000133; EFT numbers 00003922 to 00003928, and check numbers 00666766 through 00666868 inclusive as listed on this register have been verified by the Finance Division as properly issued and bear all proper signatures be received and filed;

Demands covered by Wires 00000134 to 00000140, EFT numbers 00003929 to 00003939 and check numbers 00666869 through 00666973 inclusive as listed on this register have been verified by the Finance Division as properly issued and bear all proper signatures be received and filed;

Demands covered by EFT numbers 00003940 to 00004888 and check numbers 00666974 through 00667171, with checks numbers 667042, 667123, and 667157 voided, inclusive as listed on this register have been verified by the Finance Division as properly issued and bear all proper signatures be received and filed;

Demands covered by Wires 00000141 to 00000146, EFT numbers 00004889 to 00004900 and check numbers 00667172 through 00667336 inclusive as listed on this register have been verified by the Finance Division as properly issued and bear all proper signatures be received and filed; and

Payroll Warrants 184299 through 184316; Direct Deposits D372780 through D373377; and Wires W2750 through W2753; 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 6-0-1 vote as follows:

Ayes: (6) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,
O'Neill, Jones
Noes: (0) None
Absent: (1) Bui

AWARD A CONTRACT FOR GRAFFITI ABATEMENT SERVICES TO GRAFFITI
PROTECTIVE COATINGS, INC. (F: 55-Graffiti Protective Coatings, Inc.)

Following City Council discussion, it was moved by Council Member Brietigam,
seconded by Council Member Klopfenstein that:

A one year contract with four optional renewal years be awarded to Graffiti
Protective Coatings, Inc., to provide graffiti abatement services in the amount of
\$240,240 per year; and

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

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,
O'Neill, Jones
Noes: (0) None
Absent: (1) Bui

AWARD A CONTRACT FOR CITY PROJECT NO. 2163101280 GARDEN GROVE PARK
IMPROVEMENTS REVISED TO LAND FORMS LANDSCAPE CONSTRUCTION, INC.
(F: 55-Land Forms Landscape Construction Inc.) (XR: 73.5)

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

A contract for City Project No. 2163101280 Garden Grove Park Improvements
Revised, in the amount of \$750,321, be awarded to Land Forms Landscape
Construction, Inc.; and

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

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,
O'Neill, Jones
Noes: (0) None
Absent: (1) Bui

AWARD A CONTRACT FOR IFB NO. S-1274 ON-CALL RECLAIMED ASPHALT PAVEMENT SLURRY SEAL FOR VARIOUS CITY STREETS TO AMERICAN ASPHALT SOUTH (F: 55-American Asphalt South)

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

A Contract, in the amount of \$535,800 that includes Option A in the amount of \$214,200, for IFB No. S-1274 On-Call Reclaimed Asphalt Pavement (RAP) Slurry Sealing on various city streets, be awarded to American Asphalt South; and

Four optional years for a total five year term be approved; and

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

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,
O'Neill, Jones
Noes: (0) None
Absent: (1) Bui

AWARD A CONTRACT FOR PROJECT NO. 7402 – MAGNOLIA RESERVOIR AND BOOSTER PUMP STATION REHABILITATION TO PACIFIC HYDROTECH CORPORATION (F: 55-Pacific Hydrotech Corporation)

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

A Contract for the construction of Project No. 7402 – Magnolia Reservoir and Booster Pump Station Rehabilitation, in the amount of \$3,204,880, be awarded to Pacific Hydrotech Corporation; 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 6-0-1 vote as follows:

Ayes: (6) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,
O'Neill, Jones
Noes: (0) None
Absent: (1) Bui

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

RESOLUTION OF COMMENDATION FOR ORANGE COUNTY HOSPITALS AND HEALTH CARE SYSTEMS FOR THEIR CONTRIBUTIONS DURING THE COVID-19 PANDEMIC, AS REQUESTED BY THE CITY COUNCIL

(F: 52.2)

Following the introduction, it was moved by Council Member K. Nguyen, seconded by Council Member Klopfenstein that:

A Resolution of Commendation for Orange County Hospitals and Health Care Systems be adopted.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,
O'Neill, Jones
Noes: (0) None
Absent: (1) Bui

Council Member K. Nguyen stated that she has received emails from residents inquiring about mental health services. She suggested the City provide online platforms such as zoom meetings with licensed professionals, virtual meditation, yoga, or coffee chats that would allow a space for residents to convene together in support of one another. She would like to work with staff to come up with virtual programming aimed at mental health awareness and to share what that would be with the City Council. She stated that the Garden Grove Police Department will issue administrative citations for egregious violations during the mandatory shut down. She commented that as we are in the second wave of the pandemic, now is the time for everyone to work together for a faster recovery. She participated in a roundtable hosted by the League of California Cities discussing the Regional Housing Needs Assessment (RHNA) and thanked staff for supporting her efforts to appeal the State mandate for 19,000 new units in the city.

Council Member Klopfenstein congratulated the Garden Grove Police Department on their recent CALEA Accreditation. She noted that Vector Control has wrapped up their 2020 mosquito education campaign, and reminded everyone that there are year round biting mosquitos. She noted that Vector Control uses multiple methods to educate the public on preventing infestation, and she was pleased to note that Garden Grove has done an outstanding job in outreach and public announcements via billboard messaging and digital and social media platforms to educate and inform the residents.

Council Member D. Nguyen wished everyone a happy Thanksgiving, noting that this is the time to be thankful for what we have and asked everyone to adhere to health guidelines to stay safe. She expressed concern for the increased hospitalizations of people with COVID, and urged people to stay safe and stay healthy.

Mayor Pro Tem O'Neill congratulated the Mayor and Council Members Klopfenstein and K. Nguyen on their re-election to the City Council. He noted that 87 percent of Orange County registered voters came out to vote. He wished everyone a happy Thanksgiving and to stay safe.

Council Member Brietigam commented on receiving complaints about kids driving golf carts on residential streets in District 1, and asked that parents be aware of the laws operating golf carts. He noted that the Garden Grove Police Department Facebook page addresses traffic safety that he posted to his City Council Facebook page. He congratulated the Police Department for achieving CALEA Accreditation.

Mayor Jones congratulated the Police Department on their CALEA Accreditation and stated that the department has been a shining example during the recent challenges with civil unrest and the pandemic.

City Manager Stiles announced the Orange County Health Care Agency has a grant program for small businesses, noting that more information is available on the OC Health Care Agency website. He congratulated Council Member K. Nguyen on her appointment to the State Film Commission, noting the State Film Commission is a state wide resource for film production, and as noted on the Commission's website California offers favorable weather, a variety of locations, and the best film infrastructure in the world. He noted that there has been filming in Little Saigon and the Christ Cathedral property; and that Council Member K. Nguyen's appointment is an opportunity to promote the city. With Black Friday approaching, he reminded the community to participate in the City's BIGG Campaign, to buy locally, and to submit receipts from local businesses starting November 27 through December 17 to the Garden Grove Chamber of Commerce.

Mayor Jones congratulated Council Member K. Nguyen on her appointment to the State Film Commission; and he announced that no reportable action was taken during closed session. He noted the recent passing of former Garden Grove Fire Chief Warren Hartley, and esteemed resident and community volunteer Bill Catlin.

ADJOURNMENT

At 7:41 p.m., Mayor Jones adjourned the meeting in memory of former Fire Chief Warren Hartley, and Garden Grove Resident and Community Volunteer, Mr. Bill Catlin. The next Regular City Council Meeting is scheduled on Tuesday, December 8, 2020, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC
City Clerk