

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, September 13, 2022

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

CONVENE MEETING

AT 6:35 p.m., Mayor Jones convened the meeting in the Council Chamber.

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

ABSENT: (0) None

INVOCATION

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

RECESS

At 6:36 p.m. Mayor Jones recessed the meeting.

RECONVENE

At 6:47 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

ORAL COMMUNICATIONS

Speakers: Maureen Blackmun, Ruby Garcia, Ana Parker, Tracy McCalister, Alejandro Labados, Jonathan Bruins, Brian Malley, Jimmy Webb.

RECESS

At 7:00 p.m. Mayor Jones recessed the meeting.

RECONVENE

At 7:06 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

ADOPTION OF A PROCLAMATION CELEBRATING HISPANIC HERITAGE MONTH
(F: 83.1)

It was moved by Council Member K. Nguyen, seconded by Council Member Klopfenstein that:

A Proclamation celebrating September 15 through October 15, 2022, as Hispanic Heritage Month, be adopted.

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

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

CONSIDERATION AND APPROVAL TO SUBMIT A RESPONSE TO THE GRAND JURY REPORT, HOW IS ORANGE COUNTY ADDRESSING HOMELESSNESS? (F: 23.1)

It was moved by Council Member K. Nguyen, seconded by Council Member Klopfenstein that:

The response regarding the 2021-22 Orange County Grand Jury Report Re: How is Orange County Addressing Homelessness be submitted to The Honorable Erick L. Larsh Presiding Judge of the Superior Court of California; and

The Mayor be authorized to sign the response letter on behalf of the City.

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

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

ADOPTION OF A RESOLUTION AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE COUNTY OF ORANGE CONTINUUM OF CARE FOR THE SPECIAL NOTICE OF FUNDING OPPORTUNITY TO ADDRESS UNSHELTERED HOMELESSNESS (F: 117.15)

It was moved by Council Member K. Nguyen, seconded by Council Member Klopfenstein that:

Resolution No. 9770-22 entitled: A Resolution of the City Council of the City of Garden Grove California, to approve the application and accept U.S. Department of Housing and Urban Development (HUD) Grant Funds in the amount of \$600,000 and authorize agreements to implement the Roadmap to Success program, be adopted.

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

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

AUTHORIZE ISSUANCE OF A PURCHASE ORDER TO NATIONAL AUTO FLEET GROUP FOR TWO (2) NEW PUBLIC WORKS PICK UP TRUCKS

It was moved by Council Member K. Nguyen, seconded by Council Member Klopfenstein that:

The Finance Director be authorized to issue a purchase order in the amount of \$62,310.28 to National Auto Fleet Group for the purchase of two (2) new Public Works Department pick-up trucks.

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

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

AUTHORIZE ISSUANCE OF PURCHASE ORDERS TO: COASTLINE EQUIPMENT, RDO EQUIPMENT, AND BELKORP AG FOR THE PURCHASE OF FLAIL MOWER ATTACHMENT PARTS

It was moved by Council Member K. Nguyen, seconded by Council Member Klopfenstein that:

The Finance Director be authorized to issue three (3) purchase orders for flail mower attachment parts in a fixed amount collectively not to exceed \$150,000 per year for five (5) years and to be divided between Coastline Equipment, Belkorp Ag, and RDO Equipment.

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

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

RECEIVE AND FILE MINUTES FROM THE MEETING HELD ON JULY 12, 2022
(F: Vault)

It was moved by Council Member K. Nguyen, seconded by Council Member Klopfenstein that:

The Minutes from the meeting held on July 12, 2022, be received and filed.

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

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

WARRANTS

It was moved by Council Member K. Nguyen, seconded by Council Member Klopfenstein that:

Payroll deposits 00011486 through 00012116 and checks 00185143 through 00185156 inclusive have been verified by the Finance Division as properly issued and bear all proper signatures, be received and filed.

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

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

APPROVAL TO WAIVE FULL READING OF ORDINANCES LISTED

It was moved by Council Member K. Nguyen, seconded by Council Member Klopfenstein that:

Full reading of ordinances listed be waived.

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

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

PUBLIC HEARING – ADOPTION OF A RESOLUTION APPROVING A DISPOSITION AGREEMENT FOR REAL PROPERTY LOCATED AT 12291 THACKERY DRIVE, GARDEN GROVE, CALIFORNIA. (JOINT ACTION ITEM WITH THE HOUSING AUTHORITY)
(F: 84.1) (F: H-84.1)

At 7:05 p.m., Council Member O’Neill recused himself stating that although there is no conflict of interest, he is a member of an Orange County International Electrician Local Union, and he left the council chamber.

Following staff’s introduction, Mayor Jones declared the public hearing open.

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

CITY COUNCIL ACTION

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

Resolution No. 9771-22 entitled: A Resolution of the City Council of the City of Garden Grove approving that certain agreement with escrow instructions for disposition of real property (“Disposition Agreement”) between the City and Housing Authority; authorizing the City Manager to carry out the Disposition Agreement; and making certain other findings in connection therewith, be adopted; and

The City Manager/Executive Director be authorized to execute the Disposition Agreement, Grant Deed, pertinent documents needed to effectuate the Disposition Agreement and make minor modifications as needed, on behalf of the Housing Authority and City.

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

Ayes: (6) Brietigam, Bui, K. Nguyen, Klopfenstein, D.
Nguyen, Jones

Noes: (0) None

Absent: (1) O’Neill

HOUSING AUTHORITY ACTION

At 6:42 p.m., Commissioner O’Neill recused himself stating that although there is no conflict of interest, he is a member of an Orange County International Electrician Local Union and he left the council chamber.

Following staff introduction, Chair Brietigam declared the public hearing open.

There being no response from the audience, Chair Brietigam declared the public hearing closed.

It was moved by Commissioner K. Nguyen, seconded by Commissioner Klopfenstein that:

Resolution No. 184-22 entitled: A Resolution of the Garden Grove Housing Authority approving that certain agreement with escrow instructions for disposition of real property ("Disposition Agreement") between the City and Housing Authority; authorizing the City Manager to carry out the Disposition Agreement; and making certain other findings in connection therewith, be adopted.

The motion carried by a 6-0-3 vote as follows:

Ayes: (6) Bui, K. Nguyen, Klopfenstein, D. Nguyen, Jones,
Brietigam
Noes: (0) None
Absent: (3) Beckles, O'Neill, T. Nguyen

PUBLIC HEARING - APPROVAL OF THE SALE AND TRANSFER OF REAL PROPERTY LOCATED 12311 THACKERY DRIVE, GARDEN GROVE. (JOINT ACTION ITEM WITH THE SUCCESSOR AGENCY.) (F: 84.1) (F: S-84.1)

At 7:05 p.m., Council Member O'Neill recused himself stating that although there is no conflict of interest, he is a member of an Orange County International Electrician Local Union, and he left the Council Chamber.

Following staff introduction, Mayor Jones declared the public hearing open.

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

CITY COUNCIL ACTION

It was moved by Council Member K. Nguyen, seconded by Council Member Klopfenstein that:

The sale and transfer of certain real property located at 12311 Thackery Drive, Garden Grove, in the amount of \$460,000, be approved.

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

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

SUCCESSOR AGENCY ACTION

At 7:01 p.m., Member O'Neill recused himself stating that although there is no conflict of interest, he is a member of an Orange County International Electrician Local Union, and he left the council chamber.

Following staff introduction, Chair Jones declared the public hearing open.

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

It was moved by Member K. Nguyen, seconded by Member Klopfenstein that:

Resolution No. 72-22 entitled: A Resolution of the Successor Agency to the Garden Grove Agency for Community Development approving the sale and disposition of certain real property in accordance with the Long Range Property Management Plan and Dissolution Law, be adopted; and

The Director and Secretary be authorized to execute and attest the Resolution, Grant Deed, and related implementing documents necessary to effectuate the sale of the Property, including making minor modifications on behalf of the Successor Agency.

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

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

PUBLIC HEARING - ADOPTION OF A RESOLUTION APPROVING STREET VACATION NO. SV-00-2022 FOR A PORTION OF THACKERY DRIVE AND ALLEY NORTH OF TWINTREE AVENUE, WEST OF HARBOR BOULEVARD, GARDEN GROVE (F: 110.SV-00-2022)

At 7:05 p.m., Council Member O'Neill recused himself stating that although there is no conflict of interest, he is a member of an Orange County International Electrician Local Union, and he left the Council Chamber.

Following staff's presentation, Mayor Jones declared the public hearing open.

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

It was moved by Council Member K. Nguyen, seconded by Council Member Klopfenstein that:

Resolution No. 9772-22 entitled: A Resolution of the City Council of the City of Garden Grove, California, approving Street Vacation No. SV-00-2022 and ordering vacation and abandonment of a portion of Thackery Drive and alley north of Twintree Avenue, be adopted.

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

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

PUBLIC HEARING - ADOPTION OF A RESOLUTION APPROVING THE DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF GARDEN GROVE AND NEWAGE GARDEN GROVE II, LLC. (F: 55-NEWAGE GARDEN GROVE II, LLC)

At 7:05 p.m., Council Member O'Neill recused himself stating that although there is no conflict of interest, he is a member of an Orange County International Electrician Local Union, and he left the Council Chamber.

City Attorney Sandoval stated that the Disposition and Development Agreement will not include the Electricians Local 441.

Following staff introduction and PowerPoint presentation, Mayor Jones declared the public hearing open.

Speakers: Ernesto Medrano, Doug Mangiano, Tony Velasquez, Tuan Bui, Richard Ayala, Luis Alamilla, Lester Adams, Ronny Lam, Brian Malley, David Medina, Israel Mosqueda.

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

Following City Council consensus in support of the Disposition and Development Agreement and enthusiasm for the proposed Nickelodeon Hotel project, it was moved by Council Member Klopfenstein, seconded by Council Member K. Nguyen that:

Resolution No. 9773-22 entitled: A Resolution of the City Council of the City of Garden Grove, California, approving a Disposition and Development Agreement by and between the City of Garden Grove and Newage Garden Grove II LLC, A California Limited Liability Company; authorizing the City Manager to execute such Disposition and Development Agreement; authorizing the City Manager to implement such Disposition and Development Agreement; and making certain other findings in connection therewith, be adopted; and

The City Manager be authorized to execute the Disposition and Development Agreement, including any pertinent related documents, and make minor modifications as needed.

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

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

RECESS

At 7:41 p.m. Mayor Jones recessed the meeting.

RECONVENE

At 7:46 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

Council Member O'Neill returned to the meeting at 7:46 p.m.

AUTHORIZE ISSUANCE OF A PURCHASE ORDER TO NATIONAL AUTO FLEET GROUP FOR EIGHT (8) NEW POLICE DEPARTMENT VEHICLES

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

The Finance Director be authorized to issue a purchase order in the amount of \$358,597.69 to National Auto Fleet Group for the purchase of eight (8) new Police Department vehicles.

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

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

AUTHORIZE ISSUANCE OF PURCHASE ORDERS TO NATIONAL AUTO FLEET GROUP FOR THE PURCHASE OF SEVEN (7) NEW POLICE PATROL VEHICLES AND TWO (2) NEW POLICE K-9 UNITS

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

The Finance Director be authorized to issue a purchase order in the amount of \$450,299.85 to National Auto Fleet Group for the purchase of seven (7) new Police patrol vehicles and two (2) new Police K-9 units.

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

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

AWARD CONTRACTS TO CANNON CORPORATION AND TO NV5 TO PROVIDE ON-CALL PROFESSIONAL LAND SURVEYING AND RELATED SERVICES (F: 55-CANNON CORPORATION) (F: 55-NV5)

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

Contracts for on-call land surveying and related services on an as-needed basis be awarded to Cannon Corporation and NV5;

The City Manager be authorized to execute the contracts in the amount of \$400,000.00 per contract, on behalf of the City; and

The City Manager be authorized to execute the optional extensions in the amount of \$300,000, with a performance period of two years.

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

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

AWARD A CONTRACT TO R.J. NOBLE COMPANY, FOR CHAPMAN AVENUE RESURFACING AND 5-YEAR LANDSCAPE AND IRRIGATION MAINTENANCE (F: 55-R.J. NOBLE COMPANY)

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

A contract be awarded to R.J. Noble Company in the amount of \$4,185,570 for Chapman Avenue Resurfacing from Springdale Street to Western Avenue (CP1341000) and 5-Year Landscape and Irrigation Maintenance (CP1341278); and

The City Manager be authorized to execute the contract with R.J. Noble Company, and make minor modifications as appropriate thereto, on behalf of the City.

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

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

ADOPTION OF A RESOLUTION APPROVING A PURCHASE AGREEMENT AND ESCROW INSTRUCTIONS WITH WEST ST INVESTMENT LLC FOR PROPERTY LOCATED AT 13871 WEST STREET, AND AWARD A CONTRACT TO BORDERS ARCHITECT FOR ARCHITECTURAL SERVICES (F: 84.1) (F: 117.15B) (F: 55-BORDERS ARCHITECT)

Following staff introduction and City Council comments in support of a Navigation Center proposed for this site, it was moved by Council Member K. Nguyen, seconded by Council Member Bui that:

Resolution No. 9774-22 entitled: A Resolution of the City Council of the City of Garden Grove approving a Purchase Agreement and Escrow Instructions with West ST Investment LLC for property located at 13871 West Street, be adopted;

Acquisition of 13871 West Street by the City in the amount of \$5,600,000, and an amount of \$50,000 for escrow, title and broker related costs, be approved;

The City Manager be authorized to execute a Professional Services Agreement with Borders Architect in the amount of \$304,000, and make minor modifications thereto as needed; and

Staff be directed to accelerate advancement of the Central Cities Navigation Center, as appropriate.

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

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

SECOND READING OF ORDINANCE NO. 2938

At 8:05 p.m., Council Member O'Neill recused himself stating that although there is no conflict of interest, he is a member of an Orange County International Electrician Local Union, and he left the council chamber.

(As approved earlier in the meeting, it was moved by Council Member K. Nguyen, seconded by Council Member Klopfenstein, and carried 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 K. Nguyen, seconded by Council Member Bui that:

Ordinance No. 2938 entitled: An Ordinance of the City Council of the City of Garden Grove approving an amendment to Planned Unit Development No. PUD-141-01 to create a sub-area Planned Unit Development zoning, PUD-141-01(A), establishing development standards and performance standards for the Site B2 Hotel Project for properties located at the northwest corner of Harbor Boulevard and Twintree Avenue, east of Tamerlane Drive, at 12241, 12261, 12271, 12291, 12311 and 12323/12321 Harbor Boulevard, 12246, 12252, 12262, 12282, 12292, 12312, 12322, 12251, 12261, 12281, 12291, 12311, and 12321 Thackery Drive, (Assessor Parcel Numbers: 231-471-06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24), be adopted.

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

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

Council Member O'Neill returned to the meeting at 8:07 p.m.

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

Council Member Brietigam wished his son a late Happy Birthday. He announced the upcoming Kiwanis Car Show on September 18, 2022, between 9:00 a.m. to 2:00 p.m. at 9840 Larson Avenue, Garden Grove.

Council Member O'Neill wished Council Member Brietigam an early Happy Birthday. He apologized for missing the last meeting as he was celebrating his 36th wedding anniversary.

Council Member K. Nguyen attended the League of California Cities that was held September 7th through the 9th and served on the General Resolutions Committee. She also finished her term as the OC Division President and was simultaneously elected to serve as a Division Director for the State Board. She is excited to take on this role and she had an opportunity to connect with council members from up and down the state and learn about what other cities are doing.

Council Member Klopfenstein stated that Vector Control has reported that Garden Grove has no positive tests for West Nile Virus, which she attributed to the City's robust outreach and education for tipping and tossing standing water, thanking Ana Pulido in Community Relations and her team.

City Manager Stiles thanked the City Council for moving forward with the Site B2 project; he thanked Lisa Kim and her staff as well as Legal Counsel on their work bringing a much needed Navigation Center in collaboration with the cities of Fountain

Valley and Westminster, and Frank Kim with the County of Orange. The Navigation Center will be a great resource for people who are homeless or at risk to be homeless.

Mayor Jones adjourned the meeting in memory of a former Garden Grove employee and Garden Grove resident, Mr. Greg Brown. Greg passed away too soon at the young age of 59 battling cancer. He was hired by the City in 2000 as a Project Planner, his energy and passion provided him with multiple opportunities while working for the Community Development Department and he was promoted several times over the 13 years he worked for the City. He was very instrumental with the Sheraton Hotel and was proud of his role on this project. He loved music and was a member of the local OC Band, Late Start where he played drums. Greg was fun, energetic, and devoted to his wife Jennifer, his son Ryan and daughter Hillary.

ADJOURNMENT

At 8:15 p.m., Mayor Jones adjourned the meeting in memory of Greg Brown. The next Regular City Council Meeting will be held on Tuesday, September 27, 2022, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy
City Clerk