

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, October 11, 2022

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

CONVENE CLOSED SESSION

At 6:00 p.m., Mayor Jones convened closed session.

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

 ABSENT: (0) None

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers: None.

Conference with Legal Counsel – Existing Litigation

Pursuant to Government Code Section 54956.9(d)(1): Marlene Perez, et al vs. City of Garden Grove, et al, OCSC Case No. 30-2022-01281816-CU-WM-CXC

ADJOURN CLOSED SESSION

At 6:20 p.m., Mayor Jones adjourned closed session.

CONVENE REGULAR MEETING

At 6:30 p.m., Mayor Jones convened the meeting in the Council Chamber with all Council Members present.

INVOCATION

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

RECESS

At 6:35 p.m. Mayor Jones recessed the meeting.

RECONVENE

At 6:43 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

COMMUNITY SPOTLIGHT CELEBRATING TRUC HO, FOUNDER AND CEO OF SAIGON BROADCASTING TELEVISION NETWORK, IN RECOGNITION FOR HIS LIFETIME ACHIEVEMENT OF 40 YEARS AS A WELL KNOWN SONGWRITER AND COMPOSER

UPDATE ON THE MEASURE M2 STREETS AND ROADS MILESTONE AND ON THE RAILS TO TRAILS IN GARDEN GROVE AS PRESENTED BY THE ORANGE COUNTY TRANSPORTATION AUTHORITY (F: 23.18C)

ORAL COMMUNICATIONS

Speakers: Tom Raber, Ruby Garcia, Kyle Mason

RECESS

At 7:14 p.m. Mayor Jones recessed the meeting.

RECONVENE

At 7:15 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

ADOPTION OF A PROCLAMATION CELEBRATING NATIONAL RED RIBBON WEEK FROM OCTOBER 23RD THROUGH 31ST IN GARDEN GROVE (F: 83.1-2022)

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

October 23rd through October 31st be proclaimed as Red Ribbon Week, and encourages participation in drug prevention education activities throughout the year, making a visible statement that we are strongly committed to a drug free lifestyle.

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

Following the vote, Teresa Caizzio representing the Elks Lodge, along with their mascot, approached the podium and shared the origin story of Red Ribbon Week and thanked the City Council for their support.

ADOPTION OF A PROCLAMATION RECOGNIZING PREGNANCY AND INFANT LOSS AWARENESS MONTH (F: 83.1-2022)

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

October be recognized as Pregnancy and Infant Loss Awareness Remembrance Month, and encourages individuals and communities to meet the needs of bereaved mothers, fathers, and family members.

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 PROCLAMATION IN RECOGNITION OF OCTOBER 23, 2022 THROUGH OCTOBER 29, 2022, AS CHILDHOOD LEAD POISONING PREVENTION WEEK (F: 83.1-2022)

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

October 23 through October 29, 2022, be declared as "Childhood Lead Poisoning Prevention Week" and encourages all parents and caregivers of children under the age of six years to ask their child's medical provider about the risk for lead poisoning, and encourages housing renovators and contractors to follow lead safe work practices.

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 OF AN AMENDMENT TO THE AGREEMENT WITH THE STRAWBERRY FESTIVAL ASSOCIATION FOR THE ANNUAL STRAWBERRY FESTIVAL (F: 55.343) (XR: 42.3)

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

The Amendment to the Agreement with the Strawberry Festival Association, be approved, to extend the term for two additional years to conduct the annual Strawberry Festival on Memorial Day weekend in 2024 and 2025; and

The City Manager be authorized to execute the Agreement, including any minor modifications as appropriate hereto, 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

APPROVAL OF AN ASSIGNMENT AND ASSUMPTION AGREEMENT BETWEEN THE CITY OF GARDEN GROVE, GARDEN GROVE HOUSING AUTHORITY, TAMERLANE ASSOCIATES, LLC, AND NEW TAMERLANE LLC, AND AN AMENDMENT TO THE TAMERLANE AFFORDABLE HOUSING LOAN AGREEMENTS AND REGULATORY AGREEMENTS BETWEEN THE CITY OF GARDEN GROVE, GARDEN GROVE HOUSING AUTHORITY AND THE NEW TAMERLANE, LLC (JOINT ACTION ITEM WITH THE HOUSING AUTHORITY) (F: 117.16Q)

CITY COUNCIL ACTION

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

The Assignment and Assumption Agreement be approved;

The Amendment to the Tamerlane Affordable Housing Loan Agreements and Regulatory Agreements be approved; and

The City Manager be authorized to execute the agreements, and any pertinent related documents, and to make minor modifications as needed 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

HOUSING AUTHORITY ACTION

It was moved by Commissioner O'Neill, seconded by Commissioner K. Nguyen that:

The Assignment and Assumption Agreement be approved;

The Amendment to the Tamerlane Affordable Housing Loan Agreements and Regulatory Agreements be approved; and

The Director be authorized to execute the agreements, and any pertinent related documents, and to make minor modifications as needed on behalf of the Housing Authority.

The motion carried by a 8-0-1 vote as follows:

Ayes: (8) O'Neill, Bui, K. Nguyen, Klopfenstein, Jones, T.
Nguyen, D. Nguyen, Brietigam
Noes: (0) None
Absent: (1) Beckles

RECEIVE AND FILE MINUTES FROM THE MEETINGS HELD ON AUGUST 9, 2022, AUGUST 23, 2022, AND SEPTEMBER 13, 2022 (F: VAULT)

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

The minutes from the meetings held on August 9, 2022, August 23, 2022, and September 13, 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 Bui, seconded by Council Member Klopfenstein that:

Demands covered by EFT numbers 00025747 through 00026746, and check numbers 00680363 through 00680583 inclusive as listed on this register and have been verified by the Finance Division as properly issued and bear all proper signatures;

Demands covered by EFT numbers 00026747 through 00026772, and check numbers 00680584 through 00680667 inclusive as listed on this register and have been verified by the Finance Division as properly issued and bear all proper signatures;

Demands covered by Wire numbers 00001186 through 00001188, EFT numbers 00026773 through 00026797, and check numbers 00680668 through 00680873 inclusive as listed on this register and have been verified by the Finance Division as properly issued and bear all proper signatures;

Demands covered by Wire numbers 00001189 through 00001193, EFT numbers 00026798 through 00026823, and check numbers 00680874 through 00680981 inclusive as listed on this register and have been verified by the Finance Division as properly issued and bear all proper signatures;

Demands covered by Wire number 00001194, EFT numbers 00026824 through 00026844, and check numbers 00680982 through 00681067 inclusive as listed on this register and have been verified by the Finance Division as properly issued and bear all proper signatures;

Demands covered by Wire numbers 00001195 through 00001238, EFT numbers 00026845 through 00026866, and check numbers 00681068 through 00681160 inclusive as listed on this register and have been verified by the Finance Division as properly issued and bear all proper signatures;

Demands covered by EFT numbers 00026867 through 00027876, and check numbers 00681161 through 00681377 inclusive as listed on this register and have been verified by the Finance Division as properly issued and bear all proper signatures;

Demands covered by EFT numbers 00027877 through 00027902, and check numbers 00681378 through 00681479 inclusive as listed on this register and have been verified by the Finance Division as properly issued and bear all proper signatures; and

Payroll deposits 00012117 through 00012737 and check numbers 00185157 through 00185172 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 Bui, 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

APPROVAL OF A COMPREHENSIVE MEMORANDUM OF UNDERSTANDING WITH THE CITIES OF FOUNTAIN VALLEY AND WESTMINSTER FOR DEVELOPMENT OF THE FUTURE CENTRAL CITIES NAVIGATION CENTER AT 13871 WEST STREET; AND APPROVE AN INTERIM LEASE AGREEMENT WITH WEST ST INVESTMENTS LLC (F: 117.15B)

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

The comprehensive Memorandum of Understanding with the Cities of Fountain Valley and Westminster be approved;

An Interim Lease Agreement with West St Investments, LLC, for the site, be approved; and

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

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 CITY PROJECT NO. CP1316000, GARDEN GROVE BOULEVARD REHABILITATION (F: 96-PROJ.CP1316000)

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

A contract be awarded to R.J. Noble Company in the amount of \$2,049,175 for Garden Grove Boulevard Rehabilitation from Harbor Boulevard to Fairview Street; and

The City Manager be authorized to execute an agreement 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

SECOND READING OF ORDINANCE NO. 2939 (F: 115.A-035-2022)

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

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

Ordinance No. 2939 entitled: An Ordinance of the City Council of the City of Garden Grove approving Amendment No. A-035-2022 to amend Title 9 (Land Use) of the Garden Grove Municipal Code to make focused zoning amendments to implement various policies and programs set forth in the General Plan Housing Element and Land Use Element and to ensure compliance with applicable state housing laws, 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

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

FINANCIAL UPDATE ON THE PRELIMINARY FISCAL YEAR 2021-22 FINANCIAL POSITION AND RESULTS OF OPERATIONS AS REQUESTED BY CITY MANAGER STILES (F: 34.1)

Finance Director, Patricia Song, provided a PowerPoint presentation that reviewed the general fund revenue streams of property, hotel, and sales tax noting the June estimate was exceeded by \$10.0 million. Earmarked costs to ensure financial stability and moving forward with council priorities include:

- Navigation Center - \$7.0M;
- Public Facilities/Police Building & Civic Center - \$8.0M;
- General Fund Stability Reserves - \$3.2M;
- Buildings and Facilities Rehabilitation fund - \$3.0M; and
- Worker's Compensation Fund - \$1.6M.

Vulnerabilities include inflationary markets and potential recession, public pension obligation bonds, aging infrastructure and homelessness. The next biennial budget adoption is Fiscal Year 2023-2025.

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

In response to a speaker during public comments, Council Member Klopfenstein emphatically expressed the need for appropriate language and a professional demeanor and urged members of the public to use tact and decorum when addressing the City Council.

Mayor Pro Tem D. Nguyen wished Happy Birthday to her son Ethan who is now officially a teenager.

Council Member O'Neill echoed Council Member Klopfenstein's request for the public to address the City Council using appropriate language. He shared that his last living Uncle, Lawrence (Larry) O'Neill, recently passed away in his sleep at 96 years old. He expressed his admiration for his Uncle, who held a private pilot's license and who was a World War II Veteran. He served in the Army Air Force as a Staff Sergeant and was awarded the American Campaign Medal, the Asiatic Pacific Campaign Medal, the Philippines Liberation Ribbon, and the World War II Victory Medal. Uncle Larry enjoyed working extremely hard at everything he did and he was proud that he never missed a day of school or work. He leaves behind his wife Joan after 72 years of marriage, their sons, Sean and Darren, their son's wives, Cindi and Laura, grandchildren Colin, Casey, Kelly, Abigail, Andrew, great-grandson Lucas Kennedy, and the many nieces, nephews, and extended family living across the United States and Canada.

City Attorney Sandoval stated that there was no reportable action taken in closed session.

City Manager Stiles stated that there will be two banners in every Council District for one month in recognition of Veterans Day, and that they will be removed a few days following Veterans Day. He noted that a Veterans Day celebration will be held at the Elks Lodge in Garden Grove at 11551 Trask Avenue on Saturday, November 6, 2022, from 10:00 a.m. to 4:00 p.m. He attended the City of Westminster's community engagement meeting on the Navigation Center on October 10, 2022, and there were a lot of questions from the residents. The City of Fountain Valley will also have a community engagement meeting regarding the Navigation Center. The interest list for the Garden Brook Senior Village has reopened for those interested. To learn more, visit <https://www.conam.com/property/garden-brook-senior-village>

ADJOURNMENT

At 8:08 p.m., Mayor Jones adjourned the meeting. The next Regular City Council Meeting will be held on Tuesday, October 25, 2022, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy
City Clerk