

Following the adoption of the Proclamation, Mayor Jones presented Hadir Azab, Policy & Advocacy Coordinator with the Council on American-Islamic Relations, California, with a framed proclamation.

ORAL COMMUNICATIONS

Speakers: Rubi Garcia, Maureen Blackmun, Candice Taylor, Nicholas Dibs.

Written Communications: Kevin Nguyen

RECESS

At 7:03 p.m. Mayor Jones recessed the meeting.

RECONVENE

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

ADOPTION OF A PROCLAMATION RECOGNIZING AUGUST AS MUSLIM APPRECIATION AND AWARENESS MONTH IN GARDEN GROVE (F: 83.1.2023)

This matter was considered earlier in the meeting.

ADOPTION OF A PROCLAMATION CELEBRATING HISPANIC HERITAGE MONTH IN GARDEN GROVE (F: 83.1.2023)

It was moved by Mayor Pro Tem Brietigam, seconded by Council Member Nguyen that:

September 15 through October 15, 2023, be proclaimed and hereby celebrated as Hispanic Heritage Month.

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen,
Brietigam, Jones
Noes: (0) None

ACCEPTANCE OF THE ACACIA-JOSEPHINE STORM DRAIN IMPROVEMENTS, PROJECT NO. CP-1007000 AS COMPLETE (F: 92.PROJ.CP-1007000)

It was moved by Mayor Pro Tem Brietigam, seconded by Council Member Nguyen that:

The Acacia-Josephine Storm Drain Improvements, Project No. CP-1007000, be accepted as complete;

The City Manager be authorized to execute the Notice of Completion of Public Improvement and Work; and

The Finance Director be authorized to release the retention payment when appropriate to do so.

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen,
Brietigam, Jones
Noes: (0) None

APPROVAL OF THE DELEGATED MAINTENANCE AGREEMENT BETWEEN THE CITY AND CALTRANS TO IDENTIFY CERTAIN MAINTENANCE FUNCTIONS (F: 55-CalTrans)

It was moved by Mayor Pro Tem Brietigam, seconded by Council Member Nguyen that:

The City Manager, or her designee(s), be authorized to execute the Delegated Maintenance Agreement with Caltrans and make necessary changes as appropriate thereto, on behalf of the City;

The City Manager, or her designee(s), be authorized to exercise option terms and sign the amendments;

The City Manager be authorized to enter into a contract, as approved by the City Attorney, to install the Project for an amount not to exceed the State funding of \$600,000; and

Funds be appropriated per the Delegated Maintenance Agreement with Caltrans.

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen,
Brietigam, Jones
Noes: (0) None

APPROVAL OF AN AMENDMENT TO THE WEST ORANGE COUNTY WATER BOARD JOINT POWERS AGREEMENT FOR APPOINTMENTS OF ALTERNATE MEMBERS TO THE BOARD OF DIRECTORS (F: 112.9) (XR: 122.1)

It was moved by Mayor Pro Tem Brietigam, seconded by Council Member Nguyen that:

The fifth amendment for the Joint Powers Agreement with the West Orange County Water Board to permit alternate members to the board of directors, be approved; and

The Mayor be authorized to execute the agreement on behalf of the City.

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen,
Brietigam, Jones
Noes: (0) None

APPROVAL OF A 15-YEAR BUS SHELTER LICENSE AGREEMENT WITH CLEAR CHANNEL OUTDOOR, LLC (F: 55-Clear Channel Outdoor, LLC)

It was moved by Mayor Pro Tem Brietigam, seconded by Council Member Nguyen that:

The City Manager be authorized to execute the 15-year license agreement with Clear Channel Outdoor, LLC to provide, operate, and maintain 88 bus shelters, benches, and receptacles throughout the City, and to make minor modifications as necessary, on behalf of the City.

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen,
Brietigam, Jones
Noes: (0) None

APPROVAL OF AMENDMENT NO. 2 OF THE AGREEMENT WITH 4LEAF, INC., FOR ON-CALL BUILDING CONTRACTUAL SERVICES (F: 55-4LEAF, Inc.)

It was moved by Mayor Pro Tem Brietigam, seconded by Council Member Nguyen that:

Amendment No. 2 for on-call Building Contractual Services with 4LEAF, Inc. for a total amount of \$28,000, be approved; and

The City Manager, or her designee, be authorized to execute Amendment No. 2, and make minor modifications as appropriate thereto, on behalf of the City.

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen,
Brietigam, Jones
Noes: (0) None

APPROVAL OF AN AGREEMENT WITH THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY FOR FIRST 5 ORANGE COUNTY PROGRAM

(F: 55-Children and Families Commission) (XR: 74.3)

It was moved by Mayor Pro Tem Brietigam, seconded by Council Member Nguyen that:

The Agreement with the Children and Families Commission of Orange County to receive grant funding, in the amount of \$240,000, for the First 5 Program Engaged Neighborhoods initiative, be approved;

The City Manager be authorized to prepare a Sub-recipient Agreement between the City and the Boys and Girls Clubs of Garden Grove; and

The City Manager be authorized to sign the Agreement with the Children and Families Commission of Orange County and the Sub-recipient Agreement with the Boys and Girls Clubs of Garden Grove, on behalf of the City, including making any minor modifications during the contract period for the operation and implementation of the contract services.

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen,
Brietigam, 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 Mayor Pro Tem Brietigam, seconded by Council Member Nguyen that:

Resolution No. 9822-23 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. 9775-22, be adopted.

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen,
Brietigam, Jones
Noes: (0) None

ADOPTION OF A RESOLUTION AUTHORIZING APPLICATION SUBMITTALS FOR THE DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE) RUBBERIZED PAVEMENT GRANT PROGRAM (F: 89.2) (XR: 24.13)

It was moved by Mayor Pro Tem Brietigam, seconded by Council Member Nguyen that:

Resolution No. 9823-23 entitled: A Resolution of the City Council of the City of Garden Grove authorizing submittal of application for the rubberized pavement grant program, be adopted; and

The City Manager, or her designee, be authorized to execute grant documents, including but not limited to, applications, agreements, amendments, and requests for payment necessary to secure grant funds and implement the approved grant project on behalf of the City.

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen, Brietigam, Jones
Noes: (0) None

REJECTION OF ALL CONSTRUCTION BIDS AND AUTHORIZATION TO RE-ADVERTISE FOR PROJECT NO. CP-1344023, TRAFFIC SIGNAL MODIFICATIONS AT VARIOUS LOCATIONS FISCAL YEAR 2023-24 (F: 100.PROJ.CP-1344023)

It was moved by Mayor Pro Tem Brietigam, seconded by Council Member Nguyen that:

All bids received on August 30, 2023 for Project No. CP-1344023 - Traffic Signal Modifications at Various Locations FY 23-24, be rejected; and

Staff be authorized to re-advertise the project.

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen, Brietigam, Jones
Noes: (0) None

REJECTION OF ALL CONSTRUCTION BIDS AND AUTHORIZATION TO RE-ADVERTISE FOR PROJECT NO. CP-1345000/CP-1346000, TRAFFIC SIGNAL MODIFICATIONS AT GARDEN GROVE BOULEVARD/NELSON STREET-CENTURY BOULEVARD AND GARDEN GROVE BOULEVARD/NEWLAND STREET
(F: 100.PROJ.CP-1345000/CP-1346000)

It was moved by Mayor Pro Tem Brietigam, seconded by Council Member Nguyen that:

All bids received on August 30, 2023 for Project No. CP-1345000/CP-1346000 - Traffic Signal Modifications at Garden Grove Boulevard/Nelson Street-Century Boulevard and Garden Grove Boulevard/Newland Street, be rejected; and

Staff be authorized to re-advertise the project.

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen, Brietigam, Jones
Noes: (0) None

RECEIVE AND FILE MINUTES FROM THE MEETINGS HELD ON JUNE 27, 2023, JULY 25, 2023, AND AUGUST 8, 2023 (F: Vault)

It was moved by Mayor Pro Tem Brietigam, seconded by Council Member Nguyen that:

Minutes from the meetings held on June 27, 2023, July 25, 2023, and August 8, 2023, be received and filed as submitted or amended.

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen, Brietigam, Jones
Noes: (0) None

WARRANTS

It was moved by Mayor Pro Tem Brietigam, seconded by Council Member Nguyen that:

Demands covered by Wire number 00001649 through 00001704, EFT numbers 00038315 through 00038352, and check numbers 00687796 through 00687919 inclusive as listed have been verified by the Finance Division as properly issued and bear all proper signatures, be received and filed; and

Demands covered by EFT numbers 00038353 through 00039407 and check numbers 00687920 through 00688116 inclusive have been verified by the Finance Division as properly issued and bear all proper signatures, be received and filed; and

Demands covered by EFT numbers 00039408 through 00039427 and check numbers 00688117 through 00688144 inclusive and have been verified by the Finance Division as properly issued and bear all proper signatures, be received and filed; and

Demands covered EFT numbers 00039428 through 00039461, and check numbers 00688145 through 00688305 inclusive and have been verified by the Finance Division as properly issued and bear all proper signatures, be received and filed; and

Demands covered by EFT numbers 00039462 through 00039488 and check numbers 00688306 through 00688385 inclusive and have been verified by the Finance Division as properly issued and bear all proper signatures, be received and filed; and

Demands covered by EFT numbers 00027213 through 00027871 and check numbers 00185522 through 00185544 inclusive and 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) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen, Brietigam, Jones
Noes: (0) None

PUBLIC HEARING – ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY AS CONDUIT FINANCING FOR THE GARDEN BROOK SENIOR VILLAGE PROJECT LOCATED AT 10080 AND 10180 GARDEN GROVE BOULEVARD, GARDEN GROVE (F: 60.1)

Following staff introduction, Mayor Jones opened the public hearing.

Speaker: Nicholas Dibs

With no further testimony from the audience, Mayor Jones closed the public hearing.

Mayor Pro Tem Brietigam expressed his support for the project; however, he learned that there is an issue regarding a light standard blocking access for trash pick-up, and stated that this needs to be resolved.

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

Resolution No. 9824-23 entitled: A Resolution of the City Council of the City of Garden Grove approving the issuance of the California Municipal Finance Authority exempt facility bonds in an aggregate principal amount not to exceed \$150,000,000 for the purpose of financing or refinancing the acquisition, construction, improvement and equipping of Garden Brook Senior Village and certain other matters relating thereto, be adopted.

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen,
Brietigam, Jones
Absent: (0) None

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

DISCUSSION REGARDING NAMING THE NEW CIVIC CENTER BRIDGE IN MEMORY OF GARDEN GROVE POLICE DEPARTMENT CORPORAL HAN CHO, AS REQUESTED BY MAYOR PRO TEM GEORGE BRIETIGAM (F: 48.4)

Mayor Pro Tem Brietigam moved to list the naming of the Civic Center Bridge in Memory of Corporal Han Cho on the meeting agenda scheduled for September 26, 2023, for action, which was seconded by Council Member O'Neill, and carried by the following vote:

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen,
Brietigam, Jones
Absent: (0) None

DISCUSSION ON ADOPTING A PROCLAMATION RECOGNIZING SEPTEMBER AS NATIONAL SERVICE DOG MONTH AS REQUESTED BY COUNCIL MEMBER KLOPFENSTEIN (F: 83.1-2023)

Council Member Klopfenstein moved to list adoption of a Proclamation recognizing September as National Dog Month on the meeting agenda scheduled for September 26, 2023, for action, which was seconded by Council Member Nguyen, and carried by the following vote:

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen,
Brietigam, Jones
Absent: (0) None

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

Mayor Pro Tem Brietigam praised a recent Garden Grove Neighborhood Association (GGNA) event hosted by Maureen Blackmun in her backyard. People from all over the city came together at this event and he encouraged people to join the GGNA, as it is a great organization. He commented that the Public Works Department always does an awesome job; but he is concerned about the condition of residential streets. He knows that road repairs are on a five year rotation, but it appears that a rotational system is not working because many of the residential streets in each district are in need of repair. He noted that infrastructure is one of the main council priorities, and he tasked Public Works to come up with a strategy to make improvements to the residential streets. He noted that four years ago, the City Council voted unanimously for the City Manager and City Attorney to draft an ordinance to address commercial property blight, noting that residents are quickly cited for code enforcement issues; but citing commercial property owners who do not care about the community and allow their properties to become blighted seems to take an extra amount of time and paperwork. With the ongoing accumulation of trash and debris on blighted commercial properties, he tasked staff for a more timely remedy.

Mayor Jones agreed that there are issues with residential streets and there are limited resources to address improvements, noting how expensive it is to grind, repair, and pave roads. Recent paving improvements to the streets around Desmond and Marchand look great, was properly noticed to the residents, and the job was done quickly; however, there are a lot of residential streets that need to be repaved, and the City will need to creatively budget for the costs.

Council Member O'Neill noted his absence from the last City Council meeting as he was in Sacramento meeting with legislators. He noted that many legislative changes coming up will have a significant impact to local government, and he encouraged everyone having issues with pending legislation to contact their State Senators, Representatives, Assembly members, the Mayor and District Council Members to let them know. He wished his wife Sylvia a happy 37th anniversary, commenting that without her he would not be able to do all the things he loves doing to help people.

Council Member Tran thanked the GGNA for inviting her to their recent event where she was able to meet several District 3 residents who voiced their concerns for the homeless issues, code enforcement, and parking concerns. She noted that she will be meeting with City Manager Kim to go over their concerns and come up with ways to resolve these issues. She noted that the consent item on tonight's agenda

included an amended contract with 4Leaf, Inc., for building contractor services, that increased the original amount of their contract by more than 50 percent. She understands that this was a necessary cost overrun, and that City Manager Kim is keeping up on this issue. She thanked Pam Haddad, Council Liaison, for helping her with a resident by reaching out to CalTrans to address the homelessness issues. She recognized OCFA Division Chief Covey's participation with the rescue mission in Lahaina on the island of Maui, and noted his heartfelt reaction to the devastating loss of life and property from the recent fire.

Council Member DoVinh shared a few details from items on consent that were approved at tonight's meeting. The approval of the License Agreement with Clear Channel for the bus shelters' upkeep and maintenance including the revenue generated by advertisers that helps offset cost of maintenance, and he looks forward to seeing the bus stops in better condition. He asked to be provided with a list of the advertisers with a cost for advertising on the bus benches. He noted the slurry seal of roads and that he has asked for a list of the roads to be slurry sealed, and he noted the City's healthy budget is making these improvements possible. He noted the updated amendment to the Conflict of Interest Code for designated staff positions required to file a Form 700, reflecting internal promotions of Deputy Directors, and he thanked City Manager Kim and the Human Resources Department for implementing those positions. He commented on the importance of a succession plan and a pool of experienced and capable leaders within the organization. He noted that he and Council Member Tran attended a We Care for Humanity non-profit Royal Summit event recently at the Golden Sea Restaurant. He is proud to share that he was knighted as a humanitarian worker by Maria Leonora Amor Torres, Queen of Maharlika International and Princess of Calabarzon, and he was pleased to have had the presence of the We Care For Humanity event in Garden Grove. In response to a speaker, he noted that there is a need to address the activities at Temples located in residential neighborhoods and suggested creating an ordinance to address the concerns. He indicated he is willing to be an intermediary and arrange for tours of the temples. He commented that addressing these issues can be done taking a compassionate and methodical approach, and he encouraged operators of house temples to be considerate of the residents. He committed that he will personally work towards resolving the issues between the residents and the temple operators. He noted the upcoming trip to Sister City Anyang Korea that some of the council members will be taking, and stated that in the past he accompanied his wife, Dina Nguyen, a former Garden Grove Council Member, to Anyang, which was an experience of a lifetime. He is looking forward to this trip as a Council Member.

Council Member Klopfenstein thanked all who attended the GGNA event, and expressed that it was a great event that gave an opportunity for people to come together to creatively talk about what can be done to make improvements and changes in the City.

Council Member Nguyen noted the continual increase of graffiti starting at Clinton Street to Roxey Drive along Westminster Avenue, on the back wall of Antojitos Restaurant, and the block wall for Enterprise. The block walls are painted over, but graffiti is occurring daily. She asked that this be looked into. She also noted that on Euclid Street and Newhope Avenue there are overgrown weeds on the empty lot. The underpass near OC Vector Control has multiple homeless camping there, as well as blocking the sidewalk. She gave a shout out to Public Works for the road repairs on Harbor Boulevard south of the 22 freeway in preparation of the new hotel. She wished her future husband, David Penalosa, a happy anniversary.

City Manager Kim thanked the City Council for attending the Welcome Reception for Ursula Luna-Reynosa, the newly appointed Economic Development and Housing Director. She announced that the City received a \$1.92 million grant funding from the Business, Consumer Services and Housing Agency in support of the Navigation Center, the Special Resource Team, street outreach, and Be Well. She recognized Christy Le, Sergeant Jeff Brown, and Tim Throne for diligently working to acquire the grant.

Mayor Jones praised staff for securing the grant funding. He asked City Attorney Sandoval on the need to hold a Closed Session.

City Attorney Sandoval stated yes there were two items for discussion on the City Council agenda; and one item for discussion on the Special Meeting Agenda for the Sanitary District, which an outside counsel will be conducting the Sanitary District session as a partner in his firm represents Midway City.

Mayor Jones noted that tonight's meeting will be closed in memory of Corporal Han Cho and of Minh Nguyen. Corporal Cho, proved himself a dedicated Police Officer who gave 28 years of service to the City of Garden Grove. He was recruited in 1995 from the Police Academy and during his career he worked as a Patrol Officer, was in the Gang Suppression Unit, Career Criminal Apprehension Team, and Neighborhood Traffic Unit. He was a member of the Hostage Negotiation Team for over 24 years, rising to the rank of Master Officer in 2006 and then to Corporal in 2022. He was known for his warmth, professionalism, dedication, and great attitude. His life was cut tragically short as a result of a traffic accident, and he will be deeply missed by his family and friends, and those who worked alongside him. Han is survived by his parents, sisters, brother, niece, his son Christian and daughter Kaitlyn.

Anyone familiar with Garden Grove knows about Advance Beauty College, which was started by Minh and Kien Nguyen and ultimately became a beauty school empire and legacy of kindness and love. A former Navy officer, Minh and his hairdresser wife, Kien, arrived in the US after the fall of Saigon in 1975 with little to their name, but a big vision for their future. With many from Vietnam having minimal English skills, Minh saw an opportunity to teach a trade to help Vietnamese refugees transition to a new life in America. In 1987 after success with beauty

salons, the Nguyen's opened their first beauty school in the heart of Little Saigon. In 1999, brother and sister Tam and Linh Nguyen took over the family business and for over two generations, Advance Beauty College has gone on to graduate thousands of students.

A pioneer in the industry, Advance Beauty College's rise to success has been featured on Fox News, CNN, BBC America and countless local and international publications. In addition to this national attention, Advance Beauty College has been the recipient of many awards honoring their leadership, innovation and commitment to giving back to the community. Minh Nguyen gave so much and provided so many opportunities to his community, and on behalf of the City Council Mayor Jones offered sincere condolences to the family and friends of Minh Nguyen.

RECESS MEETING

At 8:00 p.m. Mayor Jones recessed the meeting.

CONVENE CLOSED SESSION

At 8:22 p.m., Mayor Jones convened Closed Session in the Founders Room with all Council Members present.

ORAL COMMUNICATIONS

Speakers: None.

Conference with Legal Counsel – Existing Litigation

Pursuant to Government Code Section 54956.9(d)(1): Johnson vs. City of Grants Pass, USCA (9th Circuit) Case Nos. 20-35752 & 20-35881

Conference with Real Property Negotiators

Pursuant to Government Code Section 54956.8

Property: 12966 Euclid Street, Garden Grove

City Negotiator: Lisa L. Kim, City Manager

Negotiating Parties: Peter Wells and Anthony DeLorenzo, CBRE

Under Negotiation: To obtain direction regarding the price and terms of payment for the acquisition of the property.

ADJOURN CLOSED SESSION

At 8:53 p.m., Mayor Jones adjourned Closed Session.

RECONVENE MEETING

At 8:54 p.m., Mayor Jones reconvened the Meeting with all Council Members present.

City Attorney Sandoval reported that: The council unanimously authorized the City Attorney to join the City in litigation as an amicus participant with other cities in support of the City of Grants Pass, Oregon, in their petition for United States Supreme Court review of the 9th Circuit decision in Johnson v. City of Grants Pass; and that there was no reportable action taken with Real Property located at 12966 Euclid Street, Garden Grove.

ADJOURNMENT

At 8:55 p.m., Mayor Jones adjourned the meeting in memory of Corporal Han Cho, and Minh Nguyen. The next Regular City Council Meeting will be held on Tuesday, September 26, 2023, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy
City Clerk