

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, February 13, 2024

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

CONVENE MEETING

At 6:36 p.m., Mayor Pro Tem Tran convened the meeting.

ROLL CALL PRESENT: (6) Council Members Brietigam, O’Neill, Tran,
DoVinh, Klopfenstein, Nguyen-Penaloza,
Mayor Pro Tem Tran

ABSENT: (1) Mayor Jones

INVOCATION

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

COMMUNITY SPOTLIGHT IN RECOGNITION OF NANCY CARUSO, FOUNDER OF GET
INSPIRED, FOR HER OCEAN CONSERVATION AND RESTORATION EFFORTS IN
ORANGE COUNTY (F: 83.1-2024)

COMMUNITY SPOTLIGHT IN RECOGNITION OF THE GARDEN GROVE POLICE
DEPARTMENT SPECIAL RESOURCE TEAM FOR THEIR CONTINUED EFFORTS IN
ADDRESSING HOMELESSNESS (F: 83.1-2024)

ORAL COMMUNICATIONS

Speakers: Claire Bischoff, Maryann Dallawar, Leeza Bondarchuk, Tiffany Lwin

RECESS

At 6:59 p.m., Mayor Pro Tem Tran recessed the meeting.

RECONVENE

At 7:02 p.m., Mayor Pro Tem Tran reconvened the meeting with Council Members Brietigam, O’Neill, DoVinh, Klopfenstein, Nguyen-Penaloza present.

ADOPTION OF A PROCLAMATION CELEBRATING BLACK HISTORY MONTH IN GARDEN GROVE (F: 83.1-2024)

It was moved by Council Member Nguyen-Penalozza, seconded by Council Member Klopfenstein that:

A Proclamation be adopted celebrating Black History Month in Garden Grove.

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

Ayes: (6) Brietigam, O'Neill, DoVinh, Klopfenstein,
Nguyen-Penalozza, Tran
Noes: (0) None
Absent: (1) Jones

REJECTION OF BIDS RECEIVED FOR THE CDD-002 CIVIC CENTER REVITALIZATION PROJECT PLAN REVIEW/INSPECTIONS (F: 48.11)

It was moved by Council Member Nguyen-Penalozza, seconded by Council Member Klopfenstein that:

Bids received on Thursday, December 21, 2023, for the CDD-002 Civic Center Revitalization Project Plan Review/Inspections, be rejected.

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

Ayes: (6) Brietigam, O'Neill, DoVinh, Klopfenstein,
Nguyen-Penalozza, Tran
Noes: (0) None
Absent: (1) Jones

ADOPTION OF A RESOLUTION APPROVING THE RECOMMENDED SALARY ADJUSTMENTS RESULTING FROM THE PART-TIME EQUITY STUDY (F: 78.13)

It was moved by Council Member Nguyen-Penalozza, seconded by Council Member Klopfenstein that:

Resolution No. 9836-24 entitled: A Resolution of the City Council of the City of Garden Grove establishing wages and fringe benefits for part-time positions, be adopted;

Resolution No. 9837-24 entitled: A Resolution of the City Council of the City of Garden Grove, CA approving an amendment to the publicly available citywide salary and pay schedule effective May 11, 2024, as required by CalPers for Fiscal Year 2023-2024, be adopted;

RECEIVE AND FILE THE CURRENT ADOPTED MILITARY EQUIPMENT USE POLICY, AND DIRECT STAFF TO MOVE FORWARD WITH AN AMENDMENT TO THE POLICY (F: 82.1A)

It was moved by Council Member Nguyen-Penalozza, seconded by Council Member Klopfenstein that:

The draft Military Equipment Use Policy, be received and filed;

Staff be directed to post the draft Military Equipment use Policy on the Department's website pending further consideration of the policy by the City Council; and

Staff be directed to publish a public hearing notice to consider an ordinance adopting the draft Military Equipment Use Policy at least 30 days from the date of the February 13, 2024, City Council meeting.

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

Ayes: (6) Brietigam, O'Neill, DoVinh, Klopfenstein,
Nguyen-Penalozza, Tran
Noes: (0) None
Absent: (1) Jones

RECEIVE AND FILE MINUTES FROM THE MEETINGS HELD ON DECEMBER 12, 2023, DECEMBER 20, 2023, AND JANUARY 9, 2024 (F: Vault)

It was moved by Council Member Nguyen-Penalozza, seconded by Council Member Klopfenstein that:

The Minutes from the meetings held on December 12, 2023, December 20, 2023, and January 9, 2024

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

Ayes: (6) Brietigam, O'Neill, DoVinh, Klopfenstein,
Nguyen-Penalozza, Tran
Noes: (0) None
Absent: (1) Jones

WARRANTS

It was moved by Council Member Nguyen-Penalozza, seconded by Council Member Klopfenstein that:

Demands covered by EFT numbers 00034285 through 00034921 and check numbers 00185648 through 00185656 inclusive as listed and have been verified by

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

Ayes: (6) Brietigam, O’Neill, DoVinh, Klopfenstein,
Nguyen-Penaloza, Tran
Noes: (0) None
Absent: (1) Jones

PUBLIC HEARING – ADOPTION OF RESOLUTIONS FOR: APPROVAL OF A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, GENERAL PLAN AMENDMENT NO. GPA-001-2023, SITE PLAN NO. SP-127-2023, AND TENTATIVE TRACT MAP NO. TT-19273 FOR A 30-UNIT RESIDENTIAL TOWNHOME PROJECT; AND THE INTRODUCTION AND FIRST READING OF AN ORDINANCE APPROVING ZONING AMENDMENT NO. A-036-2023 (F: 128.5A) (F: 20.GPA-001-2023)

(It was moved earlier in the meeting by Council Member Nguyen-Penaloza, seconded by Council Member Klopfenstein and approved unanimously that full reading of the ordinances listed be waived.)

Following the introduction and PowerPoint presentation, Mayor Pro Tem Tran declared the public hearing open.

Speakers: Chad Brown, Kyle.

With no further testimony from the audience, Mayor Pro Tem Tran closed the public hearing.

Following City Council discussion, it was moved by Council Member O’Neill, seconded by Council Member Klopfenstein that:

Resolution No. 9839-24 entitled: A Resolution of the City Council of the City of Garden Grove adopting a Mitigated Negative Declaration and an Associated Mitigation Monitoring and Reporting Program for the Brookhurst and Central Townhome Project (General Plan Amendment No. GPA-001-2023, Zoning Amendment No. A-036-2023, Site Plan No. SP-127-2023, and Tentative Tract Map No. TT-19273), be adopted;

Resolution No. 9840-24 entitled: A Resolution of the City Council of the City of Garden Grove approving General Plan Amendment No. GPA-001-2023 to amend the City of Garden Grove’s General Plan Land Use Map to modify the General Plan Land Use Designation of properties located at 13252 Brookhurst Street and 10052 Central Avenue and identified as Assessor’s Parcel Numbers 099-031-01, 099-031-02, 099-031-08, and 099-031-09 from Light Commercial (LC) and Low Medium Density Residential (LMR) to Medium Density Residential (MDR), be adopted;

Resolution No. 9841-24 entitled: A Resolution of the City Council of the City of Garden Grove contingently approving Site Plan No. SP-127-2023 and Tentative Tract Map No. TT-19273, for properties located at the southeast corner of Brookhurst Street and Central Avenue, at 13252 Brookhurst Street and 10052 Central Avenue (Assessor's Parcel Nos. 099-031-01, 099-031-02, 099-031-08, and 099-031-09), be adopted; and

Ordinance No. 2952 entitled: An Ordinance of the City Council of the City of Garden Grove approving Zoning Amendment No. A-036-2023 to amend the City's Official Zoning Map to change the zoning designation of properties located at 13252 Brookhurst Street and 10052 Central Avenue and identified as Assessor's Parcel Nos. 099-031-01, 099-031-02, 099-031-08, and 099-031-09 from C-1 (Neighborhood Commercial) and R-2 (Limited Multiple Residential) to R-3 (Multiple-Family Residential), be passed to second reading.

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

Ayes: (6) Brietigam, O'Neill, DoVinh, Klopfenstein,
Nguyen-Penaloza, Tran
Noes: (0) None
Absent: (1) Jones

APPROVAL OF A COOPERATIVE AGREEMENT WITH THE CITY OF WESTMINSTER FOR THE REHABILITATION OF GARDEN GROVE BOULEVARD, FROM BEACH BOULEVARD (EAST CITY LIMIT) TO EDWARDS STREET (F: 55-City of Westminster)

Following staff introduction, it was moved by Council Member Brietigam, seconded by Council Member Nguyen-Penaloza that:

The Cooperative Agreement, in the amount of \$290,128 including a ten percent contingency, with the City of Westminster for the rehabilitation of Garden Grove Boulevard from Beach Boulevard (East city limit) to Edwards Street, be approved; and

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

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

Ayes: (6) Brietigam, O'Neill, DoVinh, Klopfenstein,
Nguyen-Penaloza, Tran
Noes: (0) None
Absent: (1) Jones

ADOPTION OF A RESOLUTION APPROVING PARTICIPATION OF THE CLEAN CALIFORNIA LOCAL GRANT PROGRAM, AUTHORIZE APPROPRIATION OF FUNDS FOR A LOCAL MATCH FOR THE PROGRAM, AND APPROVAL OF THE CALTRANS RESTRICTED GRANT AGREEMENT (F: 97.2.2024) (F: 55-Caltrans)

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

Resolution No. 9842-24 entitled: A Resolution of the City Council of the City of Garden Grove to accept clean California local grant funds in the amount of \$441,000 and authorize agreements to implement the Clean California Program, be adopted;

Grant funds in the amount of \$441,000, and required matching funds in the amount of \$122,789 (GL: 242-715-1280, JL: GT1408000), be appropriated;

The City Manager, or her designees, be authorized to execute vendor agreements and amendments for the purpose of this Project; and

The City Manager, or her designees, be authorized to execute the Restricted Grant Agreement, Amendments, and make minor modifications as appropriate thereto, on behalf of the City.

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

Ayes: (6) Brietigam, O'Neill, DoVinh, Klopfenstein,
Nguyen-Penaloza, Tran
Noes: (0) None
Absent: (1) Jones

APPROVAL OF AN AGREEMENT WITH AAA OIL CO. DBA CALIFORNIA FUELS AND LUBRICANTS TO PROVIDE FUEL AND FUEL MANAGEMENT FOR CITY VEHICLES AND EQUIPMENT (F: 55-AAA Oil Company, dba California Fuels and Lubricants)

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

Dispensing with bidding in the best interest of the City pursuant to Garden Grove Municipal Code 2.50.060(G), be authorized;

The City Manager be authorized to execute an Agreement by and between the City of Garden Grove and AAA Oil Company, in an amount of \$1,000,000, including three additional option years for a total of \$4,000,000, and to make minor modifications as appropriate thereto, on behalf of the City; and

Ayes: (6) Brietigam, O'Neill, DoVinh, Klopfenstein,
Nguyen-Penaloza, Tran
Noes: (0) None
Absent: (1) Jones

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

UPDATE ON THE CENTRAL CITIES NAVIGATION CENTER (CCNC) AS REQUESTED BY CITY MANAGER KIM INCLUDING: APPROVAL OF AMENDMENT NO. 2 TO THE AGREEMENT WITH BORDERS ARCHITECTS FOR ARCHITECTURAL CONSULTING SERVICES AND APPROVAL OF AMENDMENT NO. 1 TO THE AGREEMENT WITH THOMCO CONSTRUCTION, INC. FOR CONSTRUCTION OF THE CENTRAL CITIES NAVIGATION CENTER PROJECT (F:117.15B) (F: 55-Borders Architects) (F: 55-Thomco Construction, Inc.)

Following staff introduction and update on the progress for the Central Cities Navigation Center, it was moved by Council Member Nguyen-Penaloza, seconded by Council Member Klopfenstein that:

Amendment No. 2 in the amount of \$27,905.00 to the agreement with Borders Architects for architectural consulting services for the Central Cities Navigation Center Project (CCNC), be approved;

Amendment No. 1 in the amount of \$260,000.00 to the agreement with Thomco Construction Inc. for unforeseen change orders for the Central Cities Navigation Center Project (CCNC), be approved;

The City Manager, or her designees, be authorized to execute Amendment No. 2 of the agreement with Borders Architects, approve additional amendment terms, and make minor modifications as appropriate thereto, on behalf of the City; and

The City Manager, or her designees, be authorized to execute Amendment No. 1 of the agreement with Thomco Construction Inc., approve additional amendment terms, and make minor modifications as appropriate thereto, on behalf of the City.

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

Ayes: (6) Brietigam, O'Neill, DoVinh, Klopfenstein,
Nguyen-Penaloza, Tran
Noes: (0) None
Absent: (1) Jones

UPDATE ON THE STRAWBERRY ZEST STATUE ACCEPTANCE AND COMMISSIONING AS REQUESTED BY THE CITY COUNCIL (F: 122.65) (F: 130.15)

Following staff introduction, and City Council discussion, it was moved by Council Member O'Neill, seconded by Council Member Klopfenstein that:

The Strawberry Zest statue be accepted upon completion of final construction, and direct staff to coordinate and complete installation of the statue at the previously approved location in front of Fire Station 84.

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

Ayes: (6) Brietigam, O'Neill, DoVinh, Klopfenstein,
Nguyen-Penaloza, Tran
Noes: (0) None
Absent: (1) Jones

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

Council Member Brietigam wished everyone a Happy Valentine's Day and encouraged everyone to buy their significant others' chocolates and cards.

Council Member O'Neill announced his 39th anniversary of his first date with his wife, and he wished her Happy Valentine's Day. He encouraged everyone to check their smoke detectors for the battery life and, if needed, to get new ones as it can save your life. There are resources for those eligible for free smoke detectors installed, and that people can contact the Orange County Fire Authority for more information. He commented that he was honored to have recently been selected to Chair the Orange County Fire Authority Board of Directors, and that Garden Grove has the best OCFA Division Fire Chief, Craig Covey. He noted the immense benefits from having a highly rated and professional Fire Authority serving our community.

Council Member DoVinh wished everyone a Happy Tet New Year and noted that this is now the Year of the Dragon in the Lunar Cycle, which is a very auspicious sign.

Council Member Klopfenstein noted the implementation of SB 602 is in effect for Trespass Letters. Trespass Letters, authorizing enforcement of trespassing laws when a property owner, the owner's agent or person in lawful possession of property is absent from the property, are now required to be notarized. As such, Council Member Klopfenstein has partnered with a Public Notary, the Garden Grove Chamber of Commerce, the Downtown Business Association, and the Garden Grove Neighborhood Association to host a signing event at Coastline Community College on Euclid Street on Thursday, February 29, 2024, between 8:00 a.m. to noon for those who would like to provide a Trespass Letter to the Garden Grove Police Department.

Council Member Nguyen-Penalozza wished a member of the City's Cable crew, Jeff Davis, a happy belated birthday. She attended Santiago High School's Wellness Center Grand Opening, which is an amazing space for students to spend time and access resources for their mental health and well-being. She gave kudos to the Garden Grove Unified School District for prioritizing the mental health of the students. She is happy to have been able to participate in the numerous Lunar New Year celebrations along with her newborn daughter Penelope Luna. She noted that last year, students from Doig Intermediate introduced their ideas for a wall mural on Trask Avenue, and she called upon the City Manager to coordinate this effort before graffiti starts picking up in this area. She noted significant graffiti along Westminster Avenue at numerous locations, and stressed the importance on beautifying this area, notably where students are walking to and from school.

City Manager Kim announced the Economic Development & Housing Authority Department collaboration with the Fair Housing Foundation inviting tenants, landlords, managers, property owners, attorneys, realtors, and management companies to attend a free Garden Grove Fair Housing Workshop to learn about rights and responsibilities. Meetings will be held in February, March, and May in various locations throughout the city. Presentations will be available in multiple languages. The in-person meetings are scheduled for: Thursday, February 22 at 5:30 p.m., at the Buena Clinton Youth and Family Center, located at 12661 Sunswept Avenue; Friday, March 8 at 9:30 a.m., at the Magnolia Park Family Resource Center, located at 11402 Magnolia Street; Tuesday, March 12 at 9:30 a.m., at the Garden Grove Community Meeting Center A Room, located at 11300 Stanford Avenue; and Thursday, May 16 at 5:30 p.m., at the Buena Clinton Youth and Family Center, located at 12661 Sunswept Avenue. Topics to be discussed include information on new statewide laws, federal and state fair housing laws, security deposits, habitability, and more. Fair Housing Foundation is a HUD approved Housing Counseling Agency dedicated to promoting equal access to housing by educating about housing rights. For more information, visit www.ggcity.org/neighborhood-improvement.

Mayor Pro Tem Tran thanked the Public Works Department for working late into the evening taking care of a water main leak near her home. She praised Emergency Operation Coordinator, Linda Morin, and OCFA Division Fire Chief Covey on their emergency response presentation they provided during a delegation event. She thanked Kristy Thai for assisting the council members with scheduling media appearances and events. She recognized the Special Resource Team on the difficult work addressing the issues from the unhoused population, and noted the quick response from the team when they are called. She was invited to a Lunar New Year Event raising awareness of Foster Children and the need for adoptive parents. She wished all a Happy Valentine's Day.

ADJOURNMENT

At 8:49 p.m., Mayor Pro Tem Tran adjourned the meeting. The next Regular City Council Meeting is scheduled on Tuesday, February 27, 2024, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy
City Clerk