MINUTES

GARDEN GROVE CITY COUNCIL

Special Meeting

Tuesday, December 17, 2019

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

CONVENE CLOSED SESSION

At 5:41 p.m., Mayor Jones convened Closed Session in the Council Chamber.

ROLL CALL	PRESENT:	(6)	Council Members Brietigam, Bui, Klopfenstein, K. Nguyen, Mayor Pro Tem O'Neill, Mayor Jones
	ABSENT:	(1)	Council Member D. Nguyen absent from Roll Call, but joined the meeting at 5:50 p.m.

CLOSED SESSION MATTERS

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1):
OCCORD v. City of Garden Grove, et al. OCSC/LASC Case No.: 30-2019-01102770

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers: Craig Durfey

CONVENE CLOSED SESSION

At 5:46 p.m., Mayor Jones convened Closed Session in the Founders Room with Council Members Brietigam, O'Neill, Bui, K. Nguyen, and Klopfenstein present.

ADJOURN CLOSED SESSION

At 6:30 p.m., Mayor Jones adjourned Closed Session.

CONVENE REGULAR MEETING

At 6:38 p.m., Mayor Jones convened the Regular Meeting in the Council Chamber

with all Council Members present.

INVOCATION

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

City Manager Stiles announced that staff would like to remove the matter pertaining to the Willowick Master Ground Lease from consideration.

ORAL COMMUNICATIONS

Speakers: Cynthia Guerra, Karen Rodriguez, Sean Drexler, Tom Raber, Jonathan Abacumoff, Sandra, Anthony Lemaster, Dustin Nguyen, Sarah Latham

RECESS

At 7:01 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 7:10 p.m., Mayor Jones reconvened the Regular Meeting in the Council Chamber with all Council Members present.

CONSIDERATION OF A WRITTEN REQUEST FROM THE LITTLE SAIGON TET PARADE COMMITTEE THAT THE CITY WOULD BE THE HONORARY SPONSOR OF THE 2020 LITTLE SAIGON TET PARADE (F: 88.1) (XR: 42.8A)

Following staff introduction, Council Member Bui requested support and stated that voting on this matter is not a conflict of interest as he has no personal financial interest.

It was moved by Mayor Jones, seconded by Council Member Klopfenstein that:

The City be the honorary sponsor of the 2020 Little Saigon Tet Parade.

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

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

RECEIVE AND FILE THE HOUSING AUTHORITY ANNUAL REPORT AS HOUSING AUTHORITY AND AS HOUSING SUCCESSOR FOR FISCAL YEAR 2018-19 (Joint Action Item with the Garden Grove Housing Authority.) (F: 128.1)

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

The Housing Authority Annual Report be received and filed for Fiscal Year 2018-19 as the Housing Authority and Housing Successor.

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

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

RECEIVE AND FILE THE ANNUAL FINANCIAL REPORTS AND AUDITOR'S COMMUNICATION RELATED TO FISCAL YEAR 2018-19 ANNUAL AUDIT (Joint Action Item with the Garden Grove Sanitary District.) (F: 60.3)

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

The following reports and documentations be received and filed: City of Garden Grove Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2018-19; Single Audit Report; report on agreed-upon procedures applied to Appropriation Limit worksheets – City of Garden Grove; report on agreed-upon procedures applied to Appropriation Limit worksheets – Garden Grove Sanitary District; report on Internal Control and Compliance of the Air Quality Improvement Fund; and auditor communications to the City Council.

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

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

AWARD A CONTRACT TO UNIFIRST CORPORATION FOR UNIFORMS AND RELATED ITEMS (F: 55-UNIFIRST CORPORATION)

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

A contract be awarded to Unifirst Corporation to provide employee uniforms and other related items, in the firm fixed amount of $240,000, with the option to renew

the contract for two (2) additional 12 month terms for a total of $400,000 for 60 months;

The City Manager be authorized to execute the agreement on behalf of the City; and

The City Manager be authorized to exercise each optional term of the agreement and sign the option year agreements through December 17, 2024, provided that sufficient funds are budgeted for the option years.

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

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

PUBLIC HEARING – ADOPTION OF A RESOLUTION TO APPROVE AN EXCHANGE, DISPOSITION AND COOPERATION AGREEMENT BETWEEN THE GARDEN GROVE HOUSING AUTHORITY AND THE CITY OF GARDEN GROVE AND APPROVAL OF FUNDING APPROPRIATION (Joint Action with the Garden Grove Housing Authority.) (F: 84.1)

This matter was considered later in the meeting.

ADOPTION OF A RESOLUTION TO APPROVE A MASTER GROUND LEASE BETWEEN THE CITY OF GARDEN GROVE AND MWILLOWICK LAND LLC (F: 73.13)

This matter was removed from consideration earlier in the meeting.

APPROVAL OF PROFESSIONAL SERVICE AGREEMENTS WITH ASSOCIATED SOILS ENGINEERING, GMU GEOTECHNICAL SERVICES, AND GEOCON WEST TO PROVIDE ON-CALL GEOTECHNICAL SERVICES (F: 55-ASSOCIATED SOILS ENGINEERING, INC.) (F: 55-GMU GEOTECHNICAL) (F: 55-GEOCON WEST, INC.)

Following staff introduction, it was moved by Mayor Pro Tem O'Neill, seconded by Council Member Klopfenstein that:

Professional Service Agreements with Associated Soils Engineering, GMU Geotechnical Services, and Geocon West, in the amount of $300,000 per agreement in a three year period, to provide on-call geotechnical services, be approved; and

The City Manager be authorized to execute the agreements on behalf of the City and to make minor modifications as necessary.

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

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

ADOPTION OF A RESOLUTION ESTABLISHING A GENERAL FUND RESERVE POLICY (F: 127.7)

Following staff introduction, PowerPoint presentation, and City Council comments, it was moved by Mayor Jones, seconded by Council Member Bui that:

Resolution No. 9602-19 entitled: A Resolution of the City Council of the City of Garden Grove, California adopting the City of Garden Grove General Fund Reserve Policy, be adopted; and

The reclassification of $22,500,000 from the Unassigned Fund Balance to the newly established Stability Reserve, reported as a category within the Restricted fund balance component, be approved.

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

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

CONSIDERATION BY THE CITY COUNCIL TO APPROVE THE PURCHASE AND SALE AGREEMENTS WITH INVESTEL GARDEN RESORTS LLC FOR PROPERTIES LOCATED AT 12233, 12235, 12237, AND 12239 CHOISSER ROAD, GARDEN GROVE (F: 55-INVESTEL GARDEN RESORTS, LLC)

Following staff introduction and City Council comments, Council Member Bui stated that he would not support the matter expressing concerns related to the sale of the properties.

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

The Purchase and Sale Agreements for the properties located at 12233, 12235, 12237, and 12239 Choisser Road, Garden Grove, in the total combined amount of $1.8 million, be approved; and

The City Manager be authorized to execute the agreements on behalf of the City, and to make any modifications necessary including all other documents necessary to close the real property transfer.

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

Ayes:	(6)	Brietigam, O'Neill, D. Nguyen, Klopfenstein, K. Nguyen, Jones
Noes:	(1)	Bui

RECESS

At 7:30 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 7:39 p.m., Mayor Jones reconvened the Regular Meeting in the Council Chamber with all Council Members present.

PUBLIC HEARING – ADOPTION OF A RESOLUTION TO APPROVE AN EXCHANGE, DISPOSITION AND COOPERATION AGREEMENT BETWEEN THE GARDEN GROVE HOUSING AUTHORITY AND THE CITY OF GARDEN GROVE AND APPROVAL OF FUNDING APPROPRIATION (Joint Action Item with the Garden Grove Housing Authority.) (F: 84.1)

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

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

Resolution No. 9601-19 entitled: A Resolution of the City Council of the City of Garden Grove approving that certain exchange, disposition and cooperation agreement with escrow instructions for exchange of real property ("Exchange Agreement") between the City and Housing Authority; authorizing the City Manager to carry out the Exchange Agreement; and making certain other findings in connection therewith, be adopted;

The City Manager and City Clerk be authorized to execute the agreement, Grant Deed, pertinent documents needed to effectuate the Exchange and make minor modifications as needed, on behalf of the City; and

An additional $495,000, be appropriated from the General Fund, and the Finance Director be authorized to transfer $475,000 from the General Fund to the Low and Moderate Income Housing Trust fund and disburse related closing costs.

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

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

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

Council Member Brietigam wished everyone happy holidays.

Mayor Pro Tem O'Neill wished everyone a happy holiday and expressed his enthusiasm for the coming new year.

Council Member D. Nguyen wished everyone a Merry Christmas and happy new year.

Council Member K. Nguyen expressed appreciation for the Winter in the Grove event held December 12th, and the OC Autism Breakfast with Santa that was held December 14th at the Atlantis Play Center. She wished her brother a happy belated 16th birthday, and her parents a happy wedding anniversary. She thanked staff for their work, and wished a happy holiday to her co-council, and expressed that she is looking forward to 2020.

Council Member Klopfenstein commented on the holiday lighting and decorations around the downtown area and hotels in the Tourism District and encouraged residents to visit the sites. She wished everyone a Merry Christmas.

Council Member Bui wished everyone a happy holiday and expressed his appreciation for the work that Council Member Brietigam is doing providing safety classes for the public. He expressed his enthusiasm and plans for the upcoming Tet Parade in Garden Grove.

City Manager Stiles noted that City Hall will be closed for the holiday beginning on Tuesday, December 24, 2019, until Thursday, January 2, 2020.

Mayor Jones thanked the staff for all of their hard work throughout the year. He stated that there was no reportable action taken during Closed Session, and that the meeting will be adjourned in memory of James Cunningham, an employee who began working for the City in 1996 supervising the custodial staff.

ADJOURNMENT

At 7:50 p.m., Mayor Jones adjourned the meeting in memory of Mr. James Cunningham to Tuesday, January 14, 2020, at 5:30 p.m., at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC
City Clerk