MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, April 27, 2021

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

CONVENE MEETING

At 6:37 p.m., Mayor Jones convened the meeting.

ROLL CALL	PRESENT:	(7)	Council Members Brietigam, O'Neill, D. Nguyen, Bui, Klopfenstein, Mayor Pro Tem K. Nguyen, Mayor Jones
	ABSENT:	(0)	None

INVOCATION

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

ORANGE COUNTY FIRE AUTHORITY UPDATE PRESENTED BY CHIEF RON ROBERTS (F: 61.1A)

Following an introduction, Chief Roberts provided some general OCFA updates:

- 896,221 doses of COVID-19 have been administered as of April 22, 2021 in Orange County
- OCFA has resumed community events while observing COVID safety precautions
- Announcement of Fire Cadet Program that replaces current Fire Explorer Program available to Garden Grove youth ages 14-21. More information is available at OCFA.org

Chief Roberts then provided some Garden Grove specific updates:

- The City has become a "destination" battalion for OCFA firefighters due to the variety in nature of calls ranging from medical aid emergencies to existing and new building construction calls. Additionally, the collaborative relationship with the Garden Grove Police Department fostered by Chief DaRé and his staff is another incentive for firefighter's desire to serve in Garden Grove.

- A Type 3, Wildland Engine, now housed at Fire Station 84 which is located on Valley View
- Average number of calls increased slightly in 2020, but not as much as anticipated
- Response times are on a downward trend with response times as follows:
    - 7:46 seconds in 2019
    - 7:40 seconds in 2020
    - 7:26 seconds in 2021 (as of 4/22/2021)

ORAL COMMUNICATIONS

Speakers: John Rowles, Nicholas Dibs

Written Communications: Craig Durfey.

RECESS

At 6:56 p.m., Mayor Jones recessed the meeting.

AWARD OF CONTRACT TO ALL AMERICAN ASPHALT FOR PROJECT NO. CP-1254000, ARTERIAL AND STREETS REHABILITATION AND SANITARY DISTRICT SEWER IMPROVEMENTS ON GARDEN GROVE BOULEVARD (Joint Action Item with the Sanitary District) (F: 96.PROJ.CP-1254000)

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

A contract for Project No. CP-1254000, Arterial Streets Rehabilitation and Garden Grove Sewer Improvements, in the amount of $3,185,281, be awarded to All American Asphalt; and

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

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

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

SANITARY DISTRICT ACTION

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

A contract for Project No. CP-1254000, Arterial Streets Rehabilitation and Garden

Grove Sewer Improvements, in the amount of $3,185,281, be awarded to All American Asphalt; and

The General Manager be authorized to execute the agreement on behalf of the Sanitary District Board, and make minor modifications as appropriate.

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

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

RECONVENE

At 7:07 p.m., Mayor Jones reconvened the meeting with all Council Members present.

ADOPTION OF A PROCLAMATION SUPPORTING DROWNING PREVENTION AWARENESS AND THE ORANGE COUNTY FIRE AUTHORITY'S 2021 CAMPAIGN "ALWAYS WATCH YOUR CHILD AROUND WATER." (F: 83.1)

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

A Proclamation supporting drowning prevention awareness and the Orange County Fire Authority's 2021 Campaign "Always watch your child around water," be adopted.

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

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

ADOPTION OF A PROCLAMATION CELEBRATING MAY 2021 AS ASIAN AND PACIFIC ISLANDER HERITAGE MONTH IN GARDEN GROVE (F: 83.1)

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

A Proclamation celebrating May 2021 as Asian and Pacific Islander Heritage Month in Garden Grove, be adopted.

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

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

ADOPTION OF A PROCLAMATION RECOGNIZING BUILDING AND SAFETY MONTH (F: 83.1)

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

A Proclamation recognizing Building and Safety month, be adopted.

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

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

ACCEPTANCE OF AN EASEMENT FOR PUBLIC STREET AND HIGHWAY PURPOSES FOR A PORTION OF PROPERTY LOCATED AT 12431 NINTH STREET, GARDEN GROVE (F: 84.1)

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

Acceptance of the easement for public street and highway purposes for a portion of property located at 12431 Ninth Street, Garden Grove, be approved; and

The City Clerk be authorized to accept the offer of grant of easement by Street Deed on behalf of the City.

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

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

APPROVAL OF AN AGREEMENT WITH THE COUNTY OF ORANGE FOR THE RECEIPT AND ALLOCATION OF THE 2020 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANTS (JAG) PROGRAM (F: 82.15)

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

The Agreement with the County of Orange for the 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) program; and allocation of those grant funds to the Police Department's FY 2020-21 budget, be approved; and

The City Manager be authorized to execute the agreement with the County of Orange and make minor changes or modifications thereto as needed.

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

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

AWARD A CONTRACT TO INFOSEND INC. FOR DATA PROCESSING, PRINTING, INSERTING AND MAILING SERVICES FOR UTILITY BILLS, AND THE CITYWORKS PUBLICATION (F:55-Infosend Inc.)

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

A contract be awarded to Infosend Inc., in the amount of $132,000, for data processing, printing, inserting and mailing services for utility bills and CityWorks inserts for a 5-year term; and

The City Manager be authorized to execute the agreement on behalf of the City and make modifications as appropriate.

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

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

WARRANTS

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

Payroll Checks 184455 through 184466 and 184467 through 184484; Direct Deposits D378745 through D379347 and D379346 through D379947; and Wires W2790 through W2793 and W2794 through W2797 have been audited for accuracy and have been verified by the Finance Director for payment, be received and filed.

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

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

APPROVAL TO WAIVE FULL READING OF ORDINANCES LISTED

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

Full reading of ordinances listed be waived.

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

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

PUBLIC HEARING - ACCEPT COMMENTS AND AUTHORIZE SUBMITTAL OF THE FISCAL YEAR 2021-22 ACTION PLAN FOR THE USE OF HOUSING AND URBAN DEVELOPMENT FUNDS (F: 117.10D)(XR: 117.2A)

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

Speakers: Nicholas Dibs

With no further public comment, Mayor Jones declared the public hearing closed.

Following Council member comments, it was moved by Council Member Klopfenstein, seconded by Mayor Pro Tem K. Nguyen that:

Staff be directed to submit Fiscal Year 2021-22 Action Plan to the Department of Housing and Urban Development (HUD) for approval; and

The City Manager be authorized to execute agreements related to HUD funding, and make modifications as appropriate, on behalf of the City.

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

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

ACCEPTANCE OF DAVID JOHNSON'S RESIGNATION FROM THE PARKS, RECREATION AND ARTS COMMISSION (F: 122.70A)

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

Parks, Recreation and Arts Commissioner David Johnson's resignation be accepted with regret.

The motion carried by a 7-0 vote as follows:
Ayes: (7) Brietigam, O'Neill, D. Nguyen, Bui, Klopfenstein, K. Nguyen, Jones
Noes: (0) None

AWARD OF CONTRACTS TO C BELOW, INC. AND T2 UES, INC. TO PROVIDE SUBSURFACE UTILITY INVESTIGATION SERVICES (F: 55-C Below, Inc.)(F: 55-T2 UES, Inc.)

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

Contracts for on-call Subsurface Utility Investigation Services in the amount of $250,000 per contract for a total of $500,000 for a term of three years, be awarded to 1) T2 UES, Inc. and 2) C Below, Inc.; and

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

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

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

APPROVAL OF AN AGREEMENT WITH THE COUNTY OF ORANGE TO PROVIDE FORENSIC SERVICES (F: 55-County of Orange)

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

The agreement with the County of Orange to provide forensic services for the period of July 1, 2021 through June 30, 2026, in the amount of $633,970, for Fiscal Year 2021-22, be approved; and

The Mayor be authorized to execute the agreement on behalf of the City and make minor modifications as appropriate thereto.

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

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

AWARD OF CONTRACT TO ALL AMERICAN ASPHALT FOR PROJECT NO. CP-1254000, ARTERIAL AND STREETS REHABILITATION AND SANITARY DISTRICT SEWER IMPROVEMENTS ON GARDEN GROVE BOULEVARD (Joint Action Item with the Sanitary District) (F: 96.PROJ.CP-1254000)

This matter was considered during the Sanitary District Board meeting.

SECOND READING BY TITLE ONLY AND ADOPTION OF ORDINANCE NO. 2921 (F: 116.1.PUD-104-73 (REV. 2018/REV. 2021))

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

Following full reading of the Ordinance title, it was moved by Council Member Brietigam, seconded by Council Member Bui that:

Ordinance No. 2921 entitled: An Ordinance of the City Council of the City of Garden Grove approving a text amendment to Planned Unit Development No. PUD-104-73 (Rev. 2018/Rev. 2021) to expand the uses permitted to also include the uses permitted in the C-1 (neighborhood commercial) zone and to amend the sign requirements of the PUD, be adopted.

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

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

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

FINANCIAL UPDATE INCLUDING THE AMERICAN RESCUE PLAN AND FY 2021-2023 BIENNIAL BUDGET DEVELOPMENT AS REQUESTED BY CITY MANAGER STILES (F: 117.2A)(XR: 34.1)

Finance Director Patricia Song provided an update indicating that the $50.6 million in State and Local Emergency Relief Funds allocated to the City will be dispersed in two tranches with the first half dispersed within 60 days of the enactment of the American Rescue Plan Act (ARPA), and the remaining balance 12 months later. The distribution of funds will occur once the rulemaking process is completed by the Treasury Department. Currently, only statutory provisions are available and agencies are awaiting detailed guidelines to be issued by the U.S. Department of the Treasury (Treasury Department). The Treasury Department will provide more information in the coming weeks through the www.Treasury.gov/Coronavirus website.

Director Song also highlighted that the four City Council priorities presented by City Manager Stiles at a previous meeting, are consistent with the guiding principles issued by the Government Finance Officers Association (GFOA). Furthermore, GFOA announced that credit rating agencies will be formulating their credit rating opinions based on a government's use of ARPA funds, as well as consideration of a government's level of reserves and structural budget balance.

In the overview of the General Fund budget, Director Song stated that a $10 million deficit for the Fiscal Year 2020-21 is still anticipated due to lower than expected Transient Occupancy Tax (TOT) revenues; a $7.4 million deficit estimated for Fiscal

Year 2021-22, and $3.2 million deficit for Fiscal Year 2022-23. She cautioned that these estimates are conservative and expenditures will likely be higher due to inflation, growth of material consumption as the City's staffing levels return to pre-pandemic conditions and deferred work resumes, and lastly a possible increase to the Fleet Internal Service charge. She also stated that the status quo expenditure budget incorporates the 22 previously defunded positions. Finance Director Song also provided a brief overview on the top three General Fund revenue source forecasts, indicating that TOT was the revenue source most impacted by the pandemic and most significant factor in the budget deficit forecast. The Finance Department will continue to monitor revenue trends and adjust budget projections accordingly. More detailed information will be provided at the budget study session scheduled for June 1St.

Lastly, Finance Director Song shared that as the City awaits guidance from the Treasury Department, the City has been actively assessing operational and community needs. Information on the American Rescue Plan can be found at https://ggcity.org/arp website launched by the City Manager's Office. Furthermore, in an effort to promote transparency and community engagement, the American Rescue Plan Survey has also been launched and gives the community an opportunity to provide feedback and help prioritize recovery efforts.

City Manager Stiles provided some closing comments highlighting previously defined City Council priorities focused on quality of life, public safety, public facility improvements, and infrastructure improvements and briefly described how ARP funds and proposed budget allocations will help address those issues. More information and ARP survey results will be presented to the City Council at the June 1St budget study session.

CITY OF GARDEN GROVE HEALTH EQUITY AND VACCINE DISTRIBUTION UPDATE AS REQUESTED BY CITY MANAGER STILES (F: 117.2A)

Senior Administrative Analyst, Shawn Park, provided a brief update on health equity and case positivity numbers in Orange County with both indicating a downward trend. The City continues to educate the community and offer vaccination opportunities, which directly contributes to the downward trends. Orange County is currently in the orange (moderate) tier due to the adjusted daily case rate of 2.8% however, once this number falls below 2%, Orange County will move to the yellow tier. It is expected that the tiered system will not be in effect starting June 15th assuming vaccination supplies remain available and hospitalizations remain low.

In response to Council Member Klopfenstein's inquiry about mobile pods, City Manager Stiles shared that the equity pod at Christ Cathedral will continue to operate, as well as a partnership with the City of Santa Ana for a 1-day vaccination pod at the Second Baptist Church located in Santa Ana, which will be available to Garden Grove residents who register. Lastly, City Manager Stiles shared that the

Community Services Department is working on a mobile pod at the Buena Clinton Family Resource Center.

2021 HOMELESSNESS ACTIVITIES AND UPDATES AS REQUESTED BY CITY MANAGER STILES (F: 57.1)

Following City Manager Stiles introduction, Assistant City Manager Lisa Kim provided an update on the Draft Comprehensive Strategic Plan to Address Homelessness (CSPAH) and highlighted recent efforts:

- In February, in partnership with United Way and The United and Homelessness Initiative, a Homelessness 101 and Advocacy 101 webinar was presented; the webinar is posted on the City's website at https://ggcity.org/endhomelessness#community-outreach-and-engagement.
- In March, fair housing virtual workshops were conducted by the Fair Housing Foundation in multiple languages.
- In March, in partnership with Orange County Asian Pacific Islander Community Alliance (OCAPICA), Stand Up for Kids, and the Los Angeles/Orange County Building and Construction Trades Union, launched the Workforce Activation and Readiness Program (WARP) webinar which is also posted on the website.
- The CSPAH and Community Survey to gather community feedback to incorporate into the final Comprehensive Strategic Plan to Address Homelessness will launch this week and be presented to the City Council in June.

Next, Police Chief DaRé presented and discussed Garden Grove Police Department statistics related to mental health and homelessness:

- Of the 14,491 annual calls for service to the Garden Grove Police Department where mental health and/or homelessness are the primary cause
  - 3,066 calls are related to mental health issues
  - 11,425 calls for service involve homelessness caused by mental illness
- Each mental health call requires at least (2) responding officers, and an average of 45 minutes for police officers to conduct in-field evaluations and assess options.

Assistant City Manager, Lisa Kim, then highlighted the benefits of a mobile mental health unit, like the pilot mobile crisis response program to be operational in the City of Huntington Beach by June or July of this year. A mobile mental health unit would support and enhance existing emergency response efforts and free up police officers from responding to calls where mental health and/or homelessness are the primary cause. Funding for this program would be derived from CDBG-COVID, CDBG Entitlement, ESG-COVID, the Low and Moderate Income Housing Trust Fund, and the General Fund.

In closing, City Manager Stiles shared that this would be a 1-year pilot program, the City would continue community engagement of the Draft CSPAH, complete a budget analysis for the Pilot Mobile Health Program, and asked the City Council for guidance for consideration in bringing back a proposal with the City of Huntington Beach to partner in a Pilot Mobile Health Care Unit with Be Well OC.

All City Council Members expressed support for the pilot mobile mental health care unit. Council Member Brietigam and Council Member O'Neill however, also expressed concern for the safety of clinicians responding to these types of calls and cautioned that this be considered and mitigated where possible. Additionally, Council Member D. Nguyen suggested that a report be provided every six months in order to track the progress and success of the program. Mayor Jones reiterated the City Council's unanimous support of the pilot program and encouraged City staff to proceed to explore a proposal with the City of Huntington Beach to partner in a Pilot Mobile Health Care Unit with Be Well OC.

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

Council Member Bui shared his concern about a non-traditional medical practitioner from Vietnam who hosted several treatment events throughout the United States, including one event at the Ramada Inn in Garden Grove about four years ago. Most recently, allegations against this practitioner have surfaced in the Vietnamese community and Council Member Bui has been contacted and asked why the City allowed the event. City Attorney Sandoval stated that the City does not regulate the rental of conference rooms in private hotels; hotels have permission to hold conferences. Furthermore, medical practice is regulated by state or federal regulations and those respective agencies would know the types of treatments or activities that are regulated by their respective agencies. City Attorney Sandoval added that if a person reports that they have been injured or defrauded, and feel that they are a victim of a crime they would report it to the police department as such. Subsequently, the police department would determine whether a crime was committed under State or federal regulations and then possibly turn the case over to the Orange County District Attorney's Office for review and determination as to whether to prosecute.

Police Chief DaRé concurred with City Attorney Sandoval's statement that the City does not regulate private events at hotels or rental of conference rooms. He welcomed anyone who felt that they were victim of a criminal offense to contact the police department, but cautioned that the police department would make a determination whether an act violated state or federal statutes and would proceed accordingly. Lastly, City Attorney Sandoval shared that the Medical Board of California website (mbc.ca.gov) has a Consumer Information Unit where persons can get license information/verification and file complaints by calling (800) 633-2322.

Council Member Klopfenstein mentioned her attendance to two ribbon cuttings celebrating the opening of two Garden Grove businesses: Happiness is a Balloon located on Main Street, and Express Employment Services located on Harbor Boulevard. Lastly, she reminded the community to dump any standing water as mosquito season approaches.

Council Member K. Nguyen noted the observation of May 28th as Denim day. This symbolic event shows support for survivors of rape and she invited the community to join her the following morning at 8:00 a.m. by the large Adirondack chairs placed at the Community Center Park located across the street from City Hall, for a group photo in denim and masks to show support.

Council Member D. Nguyen highlighted the importance of the upcoming April 30th date recognized as Black April. She expressed gratitude for the veterans that sacrifice their lives for our freedoms.

Council Member O'Neill noted that May marks the beginning of warmer weather and urged the community to visit Orange County Fire Authority's website for drowning prevention tips. He asked community members, especially those with pools to make sure that gates to pools are secure.

Council Member Brietigam noted the Medal of Honor Bike Path and Pedestrian Trail and monument dedication that happened earlier in the day located near Nutwood and Stanford, where the families of three Congressional Medal of Honor recipients attended. He also mentioned that registration for Summer Day Camp for children between the ages of 5-12 is now open. More information could be received by calling Community Services at (714) 741-5200.

City Manager Stiles shared that Census numbers are expected to be released on August 17th and might affect district boundaries. It is expected for current boundaries to be minimally affected however, this will still require that the City to go through the re-districting process as done five years prior. The demographer has already been contacted and Assistant City Manager, Maria Stipe, has been actively working in preparing to meet all deadlines and state mandates which includes four map hearings. It is anticipated that two of those hearing will occur at the end of this year, and the remaining two occurring early next year with a deadline to approve district maps by April 17, 2022.

ADJOURNMENT

At 9:10 p.m., Mayor Jones adjourned the meeting in memory of World War II veteran Frank Russell. The next Regular City Council Meeting will be held on Tuesday, May 11, 2021, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Lizabeth Vasquez
Deputy City Clerk