

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, May 26, 2020

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

CONVENE CLOSED SESSION

At 6:08 p.m., Mayor Jones convened the meeting telephonically.

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

ABSENT: (0) None

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers: None

CLOSED SESSION MATTERS

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1):
Ana Mora, et al. v. Garden Grove, et al., OCSC Case No. 30-2019-01092036

ADJOURN CLOSED SESSION

At 6:12 p.m., Mayor Jones adjourned Closed Session.

CONVENE REGULAR MEETING

At 6:38 p.m., Mayor Jones convened the regular meeting telephonically with all Council Members present.

ORAL COMMUNICATIONS

Electronic Communications received from: Cesar Covarrubias, Nicholas Dibs, Tracy La, Tina Lam, Lien Huynh, Elaine Le, Minh Pham, Jenny Vo, Lena Tran, Allison Vo, Moc Le B. Nguyen, Kevin Ha, Kathleen Nguyen, Indigo Vu, Christina Nguyen, Vincent Tran, Chloe Vo.

At 6:50 p.m., Mayor Jones recessed the meeting.

At 6:54 p.m., Mayor Jones reconvened the meeting telephonically with all Council Members present.

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

A Proclamation recognizing May as Mental Health Month, be adopted.

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

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

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

A Proclamation recognizing June 2020, as Lesbian, Gay, Bisexual, Transgender Pride Month, be adopted.

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

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

ACCEPTANCE OF COMPLETION FOR THE SIEMENS INDUSTRIES ENERGY
EFFICIENCY FACILITIES MODERNIZATION PROJECT (F: 55-Siemens Industry, Inc.)

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

The Siemens Industries Energy Efficiency Facilities Modernization Project 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.

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

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

APPROVAL TO SUBMIT A RESPONSE TO THE GRAND JURY REPORT, *ELECTRIC VEHICLES ARE HERE – IS ORANGE COUNTY ALL CHARGED UP?* (F: 23.1)

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

A letter response addressed to the Honorable Kirk H. Nakamura, Presiding Judge of the Superior Court be approved; and

The Mayor be authorized to sign the response letter.

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

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

ADOPTION OF A RESOLUTION APPROVING THE 2020 LOCAL HAZARD MITIGATION PLAN (F: 24.13)

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

Resolution No. 9628-20 entitled: A Resolution of the City Council of the City of Garden Grove adopting the City of Garden Grove 2020 Local Hazard Mitigation Plan, be adopted.

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

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

APPROVAL OF FISCAL YEAR 2020-21 DOWNTOWN ASSESSMENT DISTRICT NO. 1 BUDGET; ADOPTION OF RESOLUTION FOR: INITIATING PROCEEDINGS FOR THE LEVYING OF ASSESSMENTS FOR FISCAL YEAR 2020-21; APPROVING THE ENGINEER'S REPORT; AND ADOPTION OF A RESOLUTION OF INTENTION FIXING A TIME AND DATE FOR A PUBLIC HEARING (F: 31.4)

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

The Fiscal Year 2020-21 Budget for the Downtown Assessment District No. 1, be approved;

Resolution No. 9618-20 entitled: A Resolution of the City Council of the City of Garden Grove pursuant to the Landscaping and Lighting Act of 1972 (Sections 22500 et seq. of the California Streets and Highway Code) initiating proceedings to levy annual assessments for the 2020-21 Fiscal Year for the City of Garden Grove Downtown Assessment District, and ordering the City Engineer to prepare and file a report in accordance with Article 4 of Chapter 1 of the Act, be adopted;

Resolution No. 9619-20 entitled: A Resolution of the City Council of the City of Garden Grove approving the City Engineer's report regarding the levy of an annual assessment within the City of Garden Grove Downtown Assessment District for Fiscal Year 2020-21, be adopted; and

Resolution No. 9620-20 entitled: A Resolution of the City Council of the City of Garden Grove declaring its intention to order the maintenance of certain improvements in the Downtown Assessment District in the City of Garden Grove; describing the District be benefited, and declaring its intention to levy an assessment to pay the cost and expenses thereof; and setting the time and place for the public hearing on the question of the levy of the proposed assessment; be adopted.

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

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

ADOPTION OF RESOLUTIONS FOR: INITIATING PROCEEDINGS FOR THE LEVYING OF FISCAL YEAR 2020-21 ASSESSMENT FOR THE CITY OF GARDEN GROVE STREET LIGHTING DISTRICT, STREET LIGHTING DISTRICT NO. 99-1, AND PARK MAINTENANCE DISTRICT; THE ENGINEER'S REPORT; AND INTENTION FOR FIXING A TIME AND DATE TO CONDUCT A PUBLIC HEARING (F: 69.2)

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

Resolution No. 9621-20 entitled: A Resolution of the City Council of the City of Garden Grove pursuant to the Landscaping and Lighting Act of 1972 (Sections 22500 et seq. of the California Streets and Highways Code) initiating proceedings to levy annual assessments for the 2020-21 Fiscal Year for the City of Garden Grove Street Lighting District and ordering the City Engineer to prepare and file a report in accordance with Article 4 of Chapter 1 of said act, be adopted; and

Resolution No. 9622-20 entitled: A Resolution of the City Council of the City of Garden Grove pursuant to the Landscaping and Lighting Act of 1972 (Sections 22500 et seq. of the California Streets and Highways Code) initiating proceedings to levy annual assessments for the 2020-21 Fiscal Year for the City of Garden Grove Street Lighting District No. 99-1 and ordering the City Engineer to prepare and file a report in accordance with Article 4 of Chapter 1 of said act, be adopted; and

Resolution No. 9623-20 entitled: A Resolution of the City Council of the City of Garden Grove pursuant to the Landscaping and Lighting Act of 1972 (Sections 22500 et seq. of the California Streets and Highways Code) initiating proceedings to levy annual assessments for the 2020-21 Fiscal Year for the City of Garden Grove Park Maintenance District and ordering the City Engineer to prepare and file a report in accordance with Article 4 of Chapter 1 of said act, be adopted; and

Resolution No. 9624-20 entitled: A Resolution of the City Council of the City of Garden Grove approving the City Engineer's Report regarding the levy of an annual assessment within the City of Garden Grove Street Lighting District, City of Garden Grove Street Lighting District No. 99-1 and the City of Garden Grove Park Maintenance District for Fiscal Year 2020-21, be adopted; and

Resolution No. 9625-20 entitled: A Resolution of the City Council of the City of Garden Grove pursuant to the Landscaping and Lighting Act of 1972 (Sections 22500 et seq. of the California Streets and Highways Code) declaring its intention to levy and collect assessments within the City of Garden Grove Street Lighting District for Fiscal Year 2020-21 and setting a time and place for a public hearing on the levy of the proposed assessment, be adopted; and

Resolution No. 9626-20 entitled: A Resolution of the City Council of the City of Garden Grove pursuant to the Landscaping and Lighting Act of 1972 (Sections 22500 et seq. of the California Streets and Highways Code) declaring its intention to levy and collect assessments within the City of Garden Grove Street Lighting District No. 99-1 for Fiscal Year 2020-21 and setting a time and place for a public hearing on the levy of the proposed assessment, be adopted; and

Resolution No. 9627-20 entitled: A Resolution of the City Council of the City of Garden Grove pursuant to the Landscaping and Lighting Act of 1972 (Sections 22500 et seq. of the California Streets and Highways Code) declaring its intention

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

RECEIVE AND FILE MINUTES FROM THE MEETING HELD ON MAY 12, 2020
(F: Vault)

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

Minutes from the meeting held on May 12, 2020, be received and filed.

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

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

WARRANTS

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

Payroll Warrants 184062 through 184080; 184081 through 184096; Direct Deposits D364336 through D364939; D364938 through D365542; and Wires W2694 through W2697; and W2698 through W2701; be received and filed as presented in the warrant register submitted, and have been audited for accuracy and funds are available for payment thereof by the Finance Director; and

Regular Warrants 662085 through 662277; 662278 through 662421; Wires W2848 through W2861; be received and filed as presented in the warrant register submitted, and have been audited for accuracy and funds are available for payment thereof by the Finance Director.

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

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

RECOGNITION AND APPROPRIATION OF \$517,312 IN GARDEN GROVE HOUSING AUTHORITY ADMINISTRATIVE FEE FUNDING FROM THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT) (JOINT ACTION WITH THE GARDEN GROVE HOUSING AUTHORITY) (F: H-117.1) (XR: 117.2A)

This matter was introduced during the Garden Grove Housing Authority, and was moved by Council Member Briegitam, seconded by Council Member K. Nguyen that:

A Housing Administrative fee funding from the CARES Act, in the amount of \$517,312 be recognized and be appropriated.

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

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

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

CORONAVIRUS EMERGENCY OPERATION COMMAND UPDATE PRESENTED BY CITY MANAGER STILES INCLUDING: JOBS FIRST PROGRAM AND EXPANDING OUTDOOR DINING FOR LOCAL RESTAURANTS UPDATE BY ASSISTANT CITY MANAGER, LISA KIM; CITY COUNCIL REVIEW AND CONFIRMATION OF A TEMPORARY OUTDOOR DINING PERMIT FOR RESTAURANTS; FISCAL YEARS 2019-20 AND 2020-21 FINANCIAL UPDATE BY FINANCE DIRECTOR, PATRICIA SONG (F: 117.2A)

City Manager Stiles reviewed the current information and status related to the COVID-19 crisis, noting that the State approved the Orange County reopening plan on Saturday, May 23, 2020, for moving into Stage 2 and encouraged the public to visit the Orange County Health Care Agency website for guidance. Executive Order No. 3 was signed on May 21, 2020, for a temporary outdoor dining permit at the discretion of the City's Economic and Community Development Department, of which the City Council is being asked to ratify. Information was provided by the State for the upcoming Stage 3 with new guidance for reopening barber shops and hair salons that will be posted on the State's website and also the City's website. There has been discussion by the State on reopening theme parks soon, and any new information and guidelines will be provided on churches and places of worship. Suspension of street sweeping citations, water shut off penalties are still in place and as we move into Stage 2 and Stage 3 the public will receive advance notification when the suspension ends. City Council meetings will resume in person in June and will be held in the A and B Rooms in the Community Meeting Center and will be televised and live streamed.

Assistant City Manager, Lisa Kim, provided background information on the newly launched Jobs 1st Program for zero percent interest business loans for the creation of new jobs, and grants for the retention of jobs at risk of being lost. The Program will be available until the funds have been exhausted and the application and program guidelines are available on the City's website. An additional program for restaurants is an Accessible Dining Program to expand outdoor dining to assist local restaurants with reopening their businesses to meet social distancing requirements and is a sixty day outdoor dining permit.

Following City Attorney Sandoval's report it was moved by Council Member Brietigam, seconded by Council Member Klopfenstein that:

ADJOURNMENT

At 7:40 p.m., Mayor Jones adjourned the meeting. The next Regular City Council Meeting will be held on Tuesday, June 9, 2020, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC
City Clerk