

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, August 24, 2021

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

CONVENE MEETING

At 6:42 p.m., Mayor Jones convened the meeting.

ROLL CALL      PRESENT:      (5)      Council Members Brietigam, D. Nguyen,  
Klopfenstein, Mayor Pro Tem K. Nguyen,  
Mayor Jones

ABSENT:      (2)      Council Members O’Neill and Bui

INVOCATION

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

ORAL COMMUNICATIONS

Speakers: Jose Guevara, Nicholas Dibs, Nick Berardino, Mary Richard, Ron Bengochea, Tom Raber, Nomabah Kadenehi, Baac Garcia, Lupe Lopez, Sophia Seaboy, Art Pedroza, A citizen.

CONSIDERATION OF A WRITTEN REQUEST FROM THE LIVE OUT LOUD WITH AUTISM FOUNDATION TO WAIVE FEES FOR THE USE OF THE ATLANTIS PLAY CENTER FOR AN “END OF SUMMER BASH” EVENT ON SATURDAY, SEPTEMBER 11, 2021 (F: 88.1)

Following staff introduction, it was moved by Council Member Brietigam, seconded by Council Member D. Nguyen that:

A fee in the amount of \$585 for the use of the Atlantis Play Center, be waived, for the Live Out Loud with Autism (LOLA) Foundation to hold their “End of Summer Bash” on September 11, 2021.

The motion carried by a 5-0-2 vote as follows:

Ayes: (5) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,  
Jones  
Noes: (0) None  
Absent: (2) O'Neill, Bui

RECESS

At 7:17 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 7:22 p.m., Mayor Jones reconvened the meeting with Council Members Brietigam, D. Nguyen, Klopfenstein, and K. Nguyen present.

ADOPTION OF A PROCLAMATION CELEBRATING SEPTEMBER 15 THROUGH OCTOBER 15 AS HISPANIC HERITAGE MONTH IN GARDEN GROVE (F: 83.1)

It was moved by Council Member D. Nguyen, seconded by Council Member Klopfenstein that:

A proclamation celebrating September 15 through October 15, as Hispanic Heritage Month in Garden Grove be adopted.

The motion carried by a 5-0-2 vote as follows:

Ayes: (5) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,  
Jones  
Noes: (0) None  
Absent: (2) O'Neill, Bui

ADOPTION OF A PROCLAMATION RECOGNIZING SEPTEMBER AS HUNGER ACTION MONTH IN GARDEN GROVE (F: 83.1)

It was moved by Council Member D. Nguyen, seconded by Council Member Klopfenstein that:

A proclamation recognizing September as Hunger Action Month in Garden Grove be adopted.

The motion carried by a 5-0-2 vote as follows:

Ayes: (5) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,  
Jones  
Noes: (0) None  
Absent: (2) O'Neill, Bui

APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE GARDEN GROVE HOUSING AUTHORITY AND THE CITY OF GARDEN GROVE FOR THE TRANSFER OF EMERGENCY HOUSING VOUCHER SERVICE FEES (JOINT ACTION ITEM WITH THE GARDEN GROVE HOUSING AUTHORITY) (F: H-55.1)

It was moved by Council Member D. Nguyen, seconded by Council Member Klopfenstein that:

The Memorandum of Understanding for the transfer of Emergency Housing Voucher Fees from the Garden Grove Housing Authority to the City of Garden Grove be approved;

The City Manager/Executive Director be authorized to execute the Memorandum of Understanding on behalf of the City and Housing Authority; and

The City Manager be authorized to execute new and amended sub-recipient agreements with service providers to implement the Emergency Voucher Program, and to make minor modifications to the agreements as appropriate on behalf of the City.

City Council Action:

The motion carried by a 5-0-2 vote as follows:

Ayes: (5) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,  
Jones  
Noes: (0) None  
Absent: (2) O'Neill, Bui

Housing Authority Action:

The motion carried by a 7-0-2 vote as follows:

Ayes: (7) Beckles, Brietigam, D. Nguyen, Klopfenstein,  
Jones, Tindoc, K. Nguyen  
Noes: (0) None  
Absent: (2) O'Neill, Bui

ACCEPTANCE OF PROJECT NOS. 7212, 7215, AND 7292 FOR VARIOUS ARTERIAL AND RESIDENTIAL STREET IMPROVEMENTS AS COMPLETE (F: 96.PROJ.7212/7215/7292)

It was moved by Council Member D. Nguyen, seconded by Council Member Klopfenstein that:

Project Nos. 7212, 7215, and 7292 – Various Arterial and Residential Street Improvements be accepted as complete;

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

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

The motion carried by a 5-0-2 vote as follows:

Ayes: (5) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,  
Jones  
Noes: (0) None  
Absent: (2) O'Neill, Bui

ACCEPTANCE OF CITY PROJECT NO. 176-01, BICYCLE AND PEDESTRIAN TRAIL  
LANDSCAPE AND IRRIGATION PROJECT AS COMPLETE  
(F: 55-Kato Landscape, Inc.) (XR: 33.3)

It was moved by Council Member D. Nguyen, seconded by Council Member Klopfenstein that:

Project No. 176-01, Bicycle and Pedestrian Trail Landscape and Irrigation Project along the Orange County Transportation Authority (OCTA) right-of-way from Brookhurst Street to Nelson Street 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 5-0-2 vote as follows:

Ayes: (5) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,  
Jones  
Noes: (0) None  
Absent: (2) O'Neill, Bui

REJECTION OF A CONSTRUCTION BID AND AUTHORIZATION TO RE-ADVERTISE  
PROJECT NO. CP-1007000 PHASE 1: ACACIA-JOSEPHINE STORM DRAIN  
IMPROVEMENTS (F: 92.PROJ.CP-1007000)

It was moved by Council Member D. Nguyen, seconded by Council Member Klopfenstein that:

The bid received on Wednesday, July 28, 2021, for Project No. CP-1007000 - Acacia-Josephine Storm Drain Improvements be rejected based on the sole bid being significantly higher than the engineer's estimate; and

Staff be authorized to re-advertise the project at a later date.

The motion carried by a 5-0-2 vote as follows:

Ayes: (5) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,  
Jones  
Noes: (0) None  
Absent: (2) O'Neill, Bui

APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH THE COUNTY OF ORANGE TO CONTINUE TO PARTICIPATE WITH ALERT OC, THE COUNTY WIDE MASS NOTIFICATION SYSTEM (F: 55-County of Orange – Alert OC)

It was moved by Council Member D. Nguyen, seconded by Council Member Klopfenstein that:

The Memorandum of Understanding by and between the County of Orange and the City of Garden Grove and participating agencies for access to AlertOC, the County wide Mass Notification System for the term of July 1, 2021, through June 30, 2024, be approved; and

The City Manager be authorized to sign the Memorandum of Understanding on behalf of the City.

The motion carried by a 5-0-2 vote as follows:

Ayes: (5) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,  
Jones  
Noes: (0) None  
Absent: (2) O'Neill, Bui

ADOPTION OF A RESOLUTION FOR SIGNATURE AUTHORITY AND APPROVAL OF THE 2020 EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM COVID-19 SUPPLEMENTAL AGREEMENT WITH THE COUNTY OF ORANGE SHERIFF-CORONER FOR GRANT FUNDING FROM THE CALIFORNIA OFFICE OF EMERGENCY SERVICES (F: 55-County of Orange Sheriff-Coroner)

It was moved by Council Member D. Nguyen, seconded by Council Member Klopfenstein that:

The 2020 Emergency Management Performance Grant Program COVID-19 Supplemental grant agreement with the County of Orange Sheriff Coroner, be approved; and

Resolution No. 9705-21 entitled: Designation of Applicant's Agent Resolution for non-state agencies to authorize the City Manager, or the Finance Director, or the EOC Coordinator to sign Cal OES grant agreement, be adopted.

The motion carried by a 5-0-2 vote as follows:

Ayes: (5) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,  
Jones  
Noes: (0) None  
Absent: (2) O'Neill, Bui

APPROVAL OF AN AGREEMENT WITH CARRIER CORPORATION, INC., AND RATIFICATION OF AN AGREEMENT WITH ACCO ENGINEERED SYSTEMS, INC. FOR ON-CALL HEATING, VENTILATION, AND AIR CONDITIONING SYSTEM REPAIR SERVICES (F: 55-Carrier Corporation, Inc.) (F: 55-ACCO Engineered Systems, Inc.)

It was moved by Council Member D. Nguyen, seconded by Council Member Klopfenstein that:

The agreement with Carrier Corporation to provide on-call HVAC repair services in the amount of \$75,000 for the initial term, with the option to renew the contract for four (4) one-year extensions, be approved;

The agreement with ACCO Engineered Systems, Inc. to provide on-call HVAC repair services in the amount of \$75,000 for the initial term, with the option to renew the contract for four (4) one-year extensions, be ratified;

The City Manager be authorized to execute the agreement with Carrier Corporation Inc., and ratification of the agreement with ACCO Engineered Systems, Inc., on behalf of the City and to allow minor modifications as necessary; and

The City Manager be authorized to exercise each option year extension and sign the corresponding amendments, valued at \$75,000 per option year per contract, provided sufficient funds are budgeted.

The motion carried by a 5-0-2 vote as follows:

Ayes: (5) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,  
Jones  
Noes: (0) None  
Absent: (2) O'Neill, Bui

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO NATIONAL AUTO FLEET GROUP FOR FOUR (4) NEW UTILITY BODY TRUCKS

It was moved by Council Member D. Nguyen, seconded by Council Member Klopfenstein that:

The Finance Director be directed to issue a purchase order, in the amount of \$242,312.45, to National Auto Fleet Group for the purchase of four (4) new Public Works Department utility body trucks.

The motion carried by a 5-0-2 vote as follows:

Ayes: (5) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen, Jones  
Noes: (0) None  
Absent: (2) O'Neill, Bui

RECEIVE AND FILE MINUTES FOR THE MEETING HELD ON JULY 27, 2021  
(F: Vault)

It was moved by Council Member D. Nguyen, seconded by Council Member Klopfenstein that:

Minutes from the meeting held on July 27, 2021, be received and filed.

The motion carried by a 5-0-2 vote as follows:

Ayes: (5) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen, Jones  
Noes: (0) None  
Absent: (2) O'Neill, Bui

WARRANTS

It was moved by Council Member D. Nguyen, seconded by Council Member Klopfenstein that:

Payroll Checks 184604 through 184622; Direct Deposits D383510 through D384206; and Wires W2822 through W2825 have been audited for accuracy and have been verified by the Finance Director for payment;

Payroll Checks 184624 through 184643; Direct Deposits D384205 through D384821; and Wires W2826 through W2829 have been audited for accuracy and have been verified by the Finance Director for payment;

Demands covered by Wire numbers 00000596 through 00000616, EFT numbers 00011896 through 00011919, and check numbers 00672303 through 00672412 inclusive as listed on this register and have been verified by the Finance Division as properly issued and bear all proper signatures;

Demands covered by EFT numbers 00011920 through 00012874, and check numbers 00672413 through 00672616 inclusive as listed on this register and have been verified by the Finance Division as properly issued and bear all proper signatures;

Demands covered by Wire numbers 00000617 through 00000621, EFT numbers 00012875 through 00012889, and check numbers 00672617 through 00672720 inclusive as listed on this register and have been verified by the Finance Division as properly issued and bear all proper signatures;

Demands covered by Wire numbers 00000622 through 00000630, EFT Numbers 00012890 through 00012904, and check numbers 00672721 through 00672823 inclusive as listed on this register and have been verified by the Finance Division as properly issued and bear all proper signatures;

Demands covered by Wire numbers 00000631 through 00000637, EFT numbers 00012905 through 00012926, and check numbers 00672824 through 00672896 inclusive as listed on this register and have been verified by the Finance Division as properly issued and bear all proper signatures;

Demands covered by Wire numbers 00000638 through 00672897 through 00672953 inclusive as listed on this register and have been verified by the Finance Division as properly issued and bear all proper signatures; and

Demands covered by EFT numbers 00012944 through 00013906, and check numbers 00672954 through 00673157 inclusive as listed on this register 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 5-0-2 vote as follows:

Ayes: (5) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,  
Jones  
Noes: (0) None  
Absent: (2) O'Neill, Bui



APPROVAL OF A MUTUAL AID MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF ORANGE AND THE CITY OF GARDEN GROVE FOR COVID-19 VACCINE POINT OF DISPENSARY (POD) FUNDING REIMBURSEMENT AND ADOPTION OF A RESOLUTION FOR SIGNING AUTHORITY (F: 55-County of Orange)

It was moved by Council Member D. Nguyen, seconded by Council Member Klopfenstein that:

A Mutual Aid Memorandum of Agreement (MOA) with the County of Orange to reimburse the City of Garden Grove for establishing and operating POD sites for COVID-19 vaccinations, be approved;

Resolution No. 9706-21 authorizing the City Manager, or the Finance Director, or the Emergency Management Coordinator to execute the agreement on behalf of the City, and to execute any actions necessary for the purposes of obtaining federal financial assistance related to this MOA if those actions do not materially change the terms or amount of the City's commitment, be adopted; and

The adjustment of revenue and expense budgets in City's operating budget to match the mutual aid expenditures reimbursed through the County to anticipated revenues, be approved.

The motion carried by a 5-0-2 vote as follows:

Ayes: (5) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,  
Jones  
Noes: (0) None  
Absent: (2) O'Neill, Bui

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

TRANSMITTAL OF THE UPDATED 2021 ECONOMIC DEVELOPMENT STRATEGIC PLAN AS REQUESTED BY CITY MANAGER STILES (F: 57.1)

Staff provided a PowerPoint presentation featuring the Community and Economic Development Department's six goals defined as: Community based development; Leveraging creative funding and financing tools; Expand and preserve locally generated tax revenue; Tourism initiatives and development of the resort; Promote and expand homeless resources and services; and Increase housing opportunities and investment. By utilizing cost effective marketing strategies the Department plans to engage community stakeholders and perform public outreach through digital media and popular social media platforms with the purpose of generating interest and promoting the City's local businesses.

Following staff introduction and presentation, it was moved by Mayor Jones, seconded by Council Member Brietigam to receive and file the 2021 Economic Development Strategic Plan.

The motion carried by a 5-0-2 vote as follows:

Ayes: (5) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,  
Jones  
Noes: (0) None  
Absent: (2) O'Neill, Bui

DISCUSSION ON A PROPOSED RESOLUTION SUPPORTING THE ORANGE COUNTY VETERANS CEMETERY IN ANAHEIM HILLS, AND ENCOURAGING FEDERAL, STATE AND LOCAL GOVERNMENT SUPPORT FOR THIS MUCH NEEDED PROJECT, AS REQUESTED BY MAYOR PRO TEM KIM NGUYEN (F: 52.2)

Following Mayor Pro Tem Kim Nguyen's request for support, Council Member Brietigam and Council Member D. Nguyen expressed support for a long overdue Veterans Cemetery in Orange County.

It was moved by Council Member Brietigam, seconded by Mayor Pro Tem K. Nguyen that a Resolution supporting the Orange County Veterans Cemetery in Anaheim Hills be listed for action at the next City Council meeting.

The motion carried by a 5-0-2 vote as follows:

Ayes: (5) Brietigam, D. Nguyen, Bui, Klopfenstein, K.  
Nguyen, Jones  
Noes: (0) None  
Absent: (2) O'Neill, Bui

DISCUSSION ON A PROPOSED PROCLAMATION HONORING OCTOBER 11, 2021, AS INDIGENOUS PEOPLES' DAY AS REQUESTED BY MAYOR PRO TEM KIM NGUYEN  
ADJOURNMENT (F: 83.1)

Following Mayor Pro Tem Kim Nguyen's introduction and request for support, Council Member Brietigam expressed his view that recognizing Indigenous Peoples' Day does not undermine Columbus Day.

It was moved by Mayor Pro Tem K. Nguyen, seconded by Council Member D. Nguyen that a Proclamation honoring October 11, 2021, as Indigenous Peoples' Day be listed on the September 28, 2021, City Council agenda for action.

The motion carried by a 5-0-2 vote as follows:

Ayes: (5) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen,  
Jones  
Noes: (0) None  
Absent: (2) O'Neill, Bui

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

Council Member Klopfenstein expressed her anger and the need for addressing the trash, drug use, unsanitary and unsafe conditions, as well as concerning behaviors exhibited by the homeless in the Civic Center Park. She stated that she wants the park back for the people in the community without fear for their health and safety. She has heard from multiple residents who are tired of the park being held hostage by a handful of people who are not interested in being helped. The Civic Center Park is across the street from the High School, next to the Senior Center, and the Regional Library where countless events for children are held. She expressed fear that we are dangerously and precariously close to potential injury or assault on a resident. She thanked the residents who have expressed their frustrations and fears, as well as the Garden Grove Special Resource Team for their diligent efforts and their daily fight in spite of poor state legislation tying the hands of law enforcement. She assured the residents that the City is paying attention. She has been noting since July 2019, the slowly evolving degradation, and asked that staff provide a report with solutions to address the ongoing issues with the Civic Center Park area. Our community deserves a clean and safe park to enjoy with their families and if nothing else, we owe it to our children. She noted an increase of code enforcement issues as well, and asked for code enforcement data including short term rentals. She asked for a meeting within the next two weeks with Assistant City Manager, Lisa Kim.

Council Member Brietigam echoed Council Member Klopfenstein's concern regarding the homeless issues, and expressed the need to think outside the box and come up with solutions and to provide our police officers with appropriate tools. He noted that some cities are adopting ordinances to restrict camping at parks that are within 500 feet of a school. He stated he is collaborating with School Board Member Teri Rocco on a student art contest. He noted that the artist of the Monarch Butterflies at Lampson and Manley was recently injured, and he is hoping that the project will move forward after her recovery.

Council Member D. Nguyen agreed with Council Member Klopfenstein that we need safe parks for families and children, and we need to step up to address the issues.

Mayor Pro Tem K. Nguyen thanked the Police Department Special Resource Team for addressing issues at the Pioneer Park. She requested an update within the next six months on the Be Well Pilot program. She thanked Public Works for working with her on graffiti issues, improving on color matching, and working with private businesses. We need to invest in an Emergency Shelter for the homeless necessary for establishing anti-camping ordinances. She, along with Mayor Jones and Council

Member Klopfenstein, has been researching emergency shelters to work towards a continuum of care in Garden Grove. She invited her fellow council members to attend the California League of Cities Orange County Division's annual elections to the Board of Directors on Thursday, September 2, 2021, at 3:00 p.m. in the Community Meeting Center in support of her bid to be elected as President.

Mayor Jones stated he received a request from Garden Grove resident and Behavioral Health Consultant, Mitch Cherness, who has requested that the City Council adopt a proclamation recognizing September a Recovery Happens Month. Further, Mitch volunteers his time to an organization called The Purpose of Recovery, and they have organized a family oriented event for September 25, 2021, at Kiwanisland in Garden Grove. With that, Mayor Jones moved, seconded by Council Member Brietigam to bring a Proclamation recognizing September as National Recovery Month in Garden Grove forward to the next meeting.

The motion carried by a 5-0-2 vote as follows:

Ayes: (5) Brietigam, D. Nguyen, Klopfenstein, K. Nguyen, Jones  
Noes: (0) None  
Absent: (2) O'Neill, Bui

City Manager Stiles stated that he is very aware of the issues at the Civic Center Park and is working on all options available including identifying organizations contributing to the problem. He noted that an appropriate location for a shelter is difficult to identify; however, staff is proactively seeking out potential locations. An update on the Be Well pilot program will be scheduled in a month. Staff is also working on the next steps for community engagement for improvements to the Civic Center and Public Safety and the City Council will be apprised of the progress.

At 7:45 p.m., Mayor Jones adjourned the meeting. The next Regular City Council Meeting will be on Tuesday, September 14, 2021, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy  
City Clerk