

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, March 14, 2023

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

CONVENE CLOSED SESSION

At 5:40 p.m., Mayor Jones convened closed session.

ROLL CALL      PRESENT:      (7)      Council Members O’Neill, Tran, DoVinh,  
Klopfenstein, Nguyen, Brietigam, Mayor  
Jones

ABSENT:      (0)      None

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers: None.

Conference with Legal Counsel – Existing Litigation

Pursuant to Government Code Section 54956.9(d)(1): Clasby v. City of Garden Grove, Workers Compensation Appeal Board Case Nos. ADJ13886000 and ADJ13878382.

Conference with Legal Counsel – Existing Litigation

Pursuant to Government Code Section 54956.9(d)(1): Southern California Edison Company vs. Griffith Company, City of Garden Grove et al., OCSC Case No. 30-2020-01146577.

ADJOURN CLOSED SESSION

At 6:15 p.m., Mayor Jones adjourned closed session.

CONVENE REGULAR MEETING

At 6:30 p.m., Mayor Jones convened the meeting in the Council Chamber with all Council Members present.

INVOCATION

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

ORANGE COUNTY HUMAN RELATIONS ANNUAL REPORT UPDATE AS PRESENTED BY BOARD MEMBER CHRISTIAN LOPEZ (F: 23.17)

COMMUNITY SPOTLIGHT IN RECOGNITION OF THE TECHNACOLTS FOR WINNING FIRST PLACE AT THE FIRST LEGO LEAGUE CHALLENGE

RECESS

At 6:48 p.m. Mayor Jones recessed the meeting.

RECONVENE

At 7:04 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

ORAL COMMUNICATIONS

Speakers: Rubi Garcia, Grace Lee, Teresa Tran, Nicholas Dibs

RECESS

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

RECONVENE

At 7:19 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

ADOPTION OF A PROCLAMATION CELEBRATING WOMEN'S HISTORY MONTH (F: 83.1-2023)

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

A Proclamation celebrating the month of March as Women's History Month, be adopted.

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen,  
Brietigam, Jones  
Noes: (0) None

ADOPTION OF A RESOLUTION PROCLAIMING THE TERMINATION OF THE LOCAL EMERGENCY DUE TO THE COVID-19 PANDEMIC DECLARED ON MARCH 17, 2020  
(F: 117.2A)

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

Resolution No. 9784-23 entitled: A Resolution of the City Council of the City of Garden Grove proclaiming the termination of the local emergency due to the COVID-19 Pandemic, be adopted.

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen,  
Brietigam, Jones  
Noes: (0) None

AUTHORIZATION FOR COUNCIL MEMBER KLOPFENSTEIN TO PARTICIPATE IN THE ACC-OC ADVOCACY DELEGATION IN WASHINGTON D.C., ON APRIL 17-20, 2023  
(F: 74.11B)

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

Participation by Council Member Klopfenstein in the ACC-OC advocacy delegation in Washington D.C. on April 17-20, 2023, including travel, lodging, food, and other ancillary expenses, be authorized.

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen,  
Brietigam, Jones  
Noes: (0) None

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO VORTEX INTERNATIONAL INC., FOR THE REPLACEMENT OF VARIOUS WATER FILTRATION EQUIPMENT FOR THE ATLANTIS PLAY CENTER SPLASH PAD (F: 73.1)

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

The Finance Director be authorized to issue a purchase order to Vortex International Inc., in the amount of \$57,019.94, for the purchase of new replacement equipment for the Atlantis Play Center splash pad.

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen,  
Brietigam, Jones  
Noes: (0) None

APPROVAL OF AN AGREEMENT WITH FG SOLUTIONS TO PREPARE A WATER RATE STUDY (F: 55-FG SOLUTIONS)

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

The agreement with FG Solutions, in the amount not to exceed \$93,046.80, to prepare a Water Rate Study for the Water Enterprise Fund, be approved; 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) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen,  
Brietigam, Jones  
Noes: (0) None

RECEIVE AND FILE THE 2022 ANNUAL PROGRESS REPORT ON THE STATUS OF THE GENERAL PLAN (F: 20.2)

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

The 2022 Annual Progress Report on the Status of the General Plan, be received and filed; and

Staff be authorized to transmit the annual Report to the Governor's Office of Planning and Research, and the California Department of Housing and Community Development.

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen,  
Brietigam, Jones  
Noes: (0) None

RECEIVE AND FILE MINUTES FROM THE MEETINGS HELD ON JANUARY 24, 2023, FEBRUARY 2, 2023, AND FEBRUARY 18, 2023 (F: VAULT)

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

Minutes from the meetings held on January 24, 2023, February 2, 2023, and February 18, 2023, be received and filed.

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen,  
Brietigam, Jones  
Noes: (0) None

#### WARRANTS

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

Demands covered by Wire numbers 00001445 through 00001461 EFT numbers 00032483 through 00032527, and check numbers 00684403 through 00684526 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;

Demands covered by EFT numbers 00032528 through 00033556, and check numbers 00684527 through 00684736 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;

Demands covered by EFT numbers 00033557 through 00033578, and check numbers 00684737 through 00684824 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;

Demands covered by EFT numbers 00033579 through 00033606, and check numbers 00684825 through 00684977 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;

Demands covered by Wire numbers 00001462 through 00001482 EFT numbers 00033607 through 00033632, and check numbers 00684978 through 00685071 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; and

Payroll deposits dated March 9, 2023, with a check dated February 9, 2023, and checks dated March 9, 2023, are inclusive 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 7-0 vote as follows:

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen,  
Brietigam, Jones  
Noes: (0) None

PUBLIC HEARING – APPROVAL OF THE HOME ARP ALLOCATION PLAN AND  
SUBSTANTIAL AMENDMENT NO. 1 TO THE FY 2021-22 ANNUAL ACTION PLAN (AAP)  
(F: 117.10D)

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

Speakers: Nicholas Dibs, Maureen Blackmun, Kris Beard

With no further public comments, Mayor Jones closed the public hearing.

Following Council Member O'Neill thanking staff on their work, it was moved by Council Member Klopfenstein, seconded by Council Member Nguyen that:

The HOME ARP Allocation Plan and Substantial Amendment No. 1 to the FY 2021-22 AAP, be approved;

That \$3,037,211 in HOME-ARP funds (Fund 249) be appropriated for TBRA and the development of affordable housing with any unused funds to be carried over to FY 2023-24;

That staff be directed to submit Substantial Amendment No. 1 to HUD; and

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

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen,  
Brietigam, Jones  
Noes: (0) None

CONSIDERATION TO APPOINT TO THE CITY'S COMMISSIONS, COMMITTEE, AND  
BOARD (CONTINUED FROM THE MEETINGS HELD ON JANUARY 24, 2023,  
FEBRUARY 14, 2023, AND FEBRUARY 28, 2023.) (F: 122.1)

Mayor Jones introduced this matter, and it was moved by Council Member O'Neill, seconded by Council Member Klopfenstein that the City's Commissions, Committee and Board appointments be approved as follows:

Planning Commission: Asia Cunningham, Josh Lindsay, Daisy Perez Castellanos, John Ramirez, Randy Arbcast, Mark Paredes, and Matthew Montano.

Neighborhood Improvement and Conservation Commission: Maureen Blackmun, Rosalyn Rubin, Tuan Tran, Julian de la O, Matthew Bell, Kay Kearney, and James Kester.

Downtown Commission: Jennifer Stewart, Viet Tran, Katherine Amoukhteh, Linh Nguyen, Elizabeth Dang, Rebecca Weimer, and Marilyn Tortolano.

Administrative Board of Appeals: Kathy Ladd, Jessica Knight, Andrew Nguyen, Geoff Tackney, and Timothy Brady.

Traffic Commission: Ricardo Cepeda, Patrick Catlin, Joseph Laricchia, Jeffrey Sanders, Calvin Van, Lyle Flatebo, and Roger Flanders.

Parks, Recreation and Arts Commission: Andrea Perez, Ted Stevens, Alan Strickland, Cam Mangels, Daniel Gonzales, Dolores Rubi Garcia, and Fernando Cueva.

Measure O – Citizens’ Oversight Committee: Les Malo, Robert Sanders, Kris Beard, Claire Bischoff, Sandy Thomas, Mark Mackanic, and Fernando Ferrer.

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

Ayes: (7) O’Neill, Tran, DoVinh, Klopfenstein, Nguyen,  
Brietigam, Jones  
Noes: (0) None

APPROVAL OF A COOPERATIVE AGREEMENT WITH CALTRANS FOR IMPLEMENTATION OF A FENCING PILOT PROGRAM (F: 55-CALTRANS)

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

A Cooperative Agreement with Caltrans to implement a Fencing Pilot Program, be approved;

The City Manager or designee be authorized to execute the Cooperative Agreement including option terms and amendments on behalf of the City; and

An additional appropriation in the amount of \$600,000 be appropriated for the amended Fiscal Year 2022-23 budget.

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen,  
Brietigam, Jones  
Noes: (0) None

AWARD A CONTRACT TO NEXGEN DESIGN BUILDERS, INC., FOR THE CENTRAL CITIES NAVIGATION CENTER (PROJECT NO. 1350000) – CONSTRUCTION MANAGEMENT SERVICES (F: 55-NEXGEN DESIGN BUILDERS, INC.)

Following staff introduction and City Council comments, it was moved by Mayor Pro Tem Brietigam, seconded by Council Member Nguyen that:

A contract be awarded to NEXGEN Design Builders, Inc., for construction management services for the Central Cities Navigation Center in the not to exceed amount of \$365,850;

Funding in the amount of \$365,850, be appropriated from the Central Cities Navigation budget for funding the Construction Management Services contract with NEXGEN Design Builders, Inc., for GL: 260-211-1210; JL CP1350000; and

The City Manager, or designee, be authorized to execute the contract on behalf of the City and make minor modifications as appropriate including extending option terms and amendments if necessary to complete the project.

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

Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen,  
Brietigam, Jones  
Noes: (0) None

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

DISCUSSION REGARDING PROPOSED LETTER OF COMMENDATION FOR GARDEN GROVE VETERAN GIOVANNI ROMAN FOR HIS SERVICE AS A VOLUNTEER COMBAT MEDIC IN UKRAINE, AS REQUESTED BY COUNCIL MEMBER KIM NGUYEN (F: 83.2)

Council Member Kim Nguyen read the proposed letter of commendation, and asked that the City Council honor the sacrifice made by Giovanni Roman, noting he was injured while helping those in Ukraine. Following City Council questions, it was moved by Council Member Nguyen, seconded by Mayor Pro Tem Brietigam that:

A letter of commendation to Giovanni Roman recognizing his personal sacrifice volunteering as a medic in Ukraine while under attack by the Russian Military, be approved.

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



Ayes: (7) O'Neill, Tran, DoVinh, Klopfenstein, Nguyen,  
Brietigam, Jones  
Noes: (0) None

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

Mayor Pro Tem Brietigam updated the City Council on the progress being made on the bronze "Strawberry Zest" sculpture by artist and sculptress Jennifer Stewart, and that he has raised \$100,000 towards the expenses and installation. He noted that the majority of the funds will be paid to the foundry, and that Ms. Stewart has leased the front portion of "Happiness is a Balloon" business on Main Street where people can watch her progress. The Garden Grove Community Foundation is a major donor to this artwork and are accepting donations for the project. There is a link for those interested in donating to the Strawberry Zest artwork at <https://www.ggcf.com/strawberry-zest>. He is optimistic that the sculpture will be complete by the end of the Fall season.

Council Member O'Neill noted he recently attended the funeral service for Jim Stovall who was a true pillar of the communities of Anaheim and Garden Grove alongside his wife Bobbie Stovall of 57 years. Jim and his brothers built a lot of the hotels in Anaheim, and they built the White House Restaurant. Their support and charitable work included providing for the Gem Theater. Their generosity and support for many organizations throughout Anaheim and Garden Grove was not widely known, and Council Member O'Neill had the privilege of knowing Jim Stovall through personal and work connections, and that he will be missed.

Council Member Tran thanked Public Works Director, Bill Murray, for giving her a tour of the Municipal Services Center, and commented on how impressed she was with the facility and the staff. She noted that as a Library Advisory member, she was very pleased and honored to have attended a pre-school reading event, and a short movie viewing about Little Saigon where she met with the director. She noted that she met with a couple of ladies from the Waymakers on International Women's Day and she encouraged people to reach out to get help with a smoking cessation program. She praised Garden Grove Police Chief El Farra and his department for intervening and assisting with several issues in her district all in less than 24 hours. She noted plans for collaborating with Council Member O'Neill on a school event, and plans for honoring veterans.

Council Member DoVinh congratulated tonight's appointees to the City's commissions, committee and board; noting the importance of these positions and finding the right people. He thanked Council Member Nguyen for requesting delays to appoint, and he thanked Mayor Jones for extending the time to appoint. He hopes to be able to meet the appointees and thanked them for submitting applications and for their willingness to serve.

Council Member Klopfenstein noted that she was part of a delegation from the Association of California Cities – Orange County (ACCOC) who went to Sacramento last week, where they met with key legislators, officials and staff. Discussions included housing, the homelessness crisis, crime, transportation, infrastructure and water. She felt honored that she had a seat at the table representing Garden Grove.

Council Member Nguyen expressed regret for having to step down from her role on the Southern California Association of Governments (SCAG) and the Orange County Council of Governments (OCCOG) for District 18 that encompasses Garden Grove, Cypress, and La Palma. She encouraged her colleagues on the dais to send a letter of interest to serve on the OCCOG Board by March 15, 2023. She cautioned it is a time commitment if elected by the board as members serve on both SCAG and OCCOG that includes a number of policy committees. She wished her father an early Happy Birthday.

City Manager Kim introduced the interim Community and Economic Development Director, Craig Beck, who is the contract manager for the public safety building project and who will be serving as the interim director until the position is filled. Mr. Beck thanked the City Council and City Manager for having the opportunity to serve as the interim director, noting that he has been getting to know the community as well as engaging staff in a team building exercise. He looks forward to moving the public safety building project forward and working with the City Council.

City Attorney Sandoval stated that no reportable actions were taken under closed session.

#### ADJOURNMENT

At 8:04 p.m., Mayor Jones adjourned the meeting. The next Regular City Council Meeting is scheduled for Tuesday, March 28, 2023, at 5:30 p.m. in the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy  
City Clerk