

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, February 8, 2022

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

CONVENE CLOSED SESSION

AT 5:31 p.m., Mayor Jones convened closed session telephonically.

<u>ROLL CALL</u>	PRESENT:	(7)	Council Members Brietigam, O'Neill, Bui, Klopfenstein, K. Nguyen, Mayor Pro Tem D. Nguyen, Mayor Jones
	ABSENT:	(0)	Council Member O'Neill absent at Roll Call, but joined the meeting at 6:32 p.m.

ORAL COMMUNICATIONS

Speakers: None

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54957.6(A): JERRY BRENEMAN VS. CITY OF GARDEN GROVE; WORKERS COMPENSATION APPEAL BOARD CASE NO.: ADJ12795724

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1): SILVINO BRICENO ET AL VS. GARDEN GROVE, ET AL, OCSC CASE NO. 30-2021-01229854

ADJOURN CLOSED SESSION

At 5:56 p.m., Mayor Jones adjourned closed session.

CONVENE REGULAR MEETING

At 6:32 p.m., Mayor Jones convened the meeting telephonically with all Council Members present.

INVOCATION

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

ORAL COMMUNICATIONS

Speakers: Tom Raber, Brian Malley, Craig Durfey, Nicholas Dibs

RECESS

At 6:47 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 6:49 p.m., Mayor Jones reconvened the meeting with all Council Members present.

ADOPTION OF A RESOLUTION MAKING SPECIFIED FINDINGS AND REAUTHORIZING THE USE OF TELECONFERENCING FOR PUBLIC MEETINGS IN ACCORDANCE WITH AB 361 AND GOVERNMENT CODE 54953(E) (F: 127.4)

This matter was considered later in the meeting.

ADOPTION OF A PROCLAMATION CELEBRATING FEBRUARY AS BLACK HISTORY MONTH (F: 83.1)

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

February 2022 be proclaimed Black History Month in Garden Grove and all residents are encouraged to celebrate diversity and work together to create a world that is more just, peaceful, and prosperous for all.

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

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

APPROVAL TO ENTER INTO A JOINT USE AGREEMENT WITH THE GARDEN GROVE UNIFIED SCHOOL DISTRICT FOR A 0.7 ACRE OPEN SPACE PORTION OF THE WOODBURY ELEMENTARY SCHOOL LOCATED AT 11362 WOODBURY ROAD FOR PUBLIC PARK USE (F: 55-GGUSD) (XR: 73.14)

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

The Joint Use Agreement with the Garden Grove Unified School District for 0.7 acres of Woodbury Elementary School property located at 11362 Woodbury Road, be approved for a thirty year term and two optional five year extensions; 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, Bui, Klopfenstein, K. Nguyen,
D. Nguyen, Jones
Noes: (0) None

APPROVAL OF AMENDMENT NO. 4 TO THE AGREEMENT WITH WM CURBSIDE, LLC,
FOR ADMINISTERING THE CITY'S HOUSEHOLD HAZARDOUS WASTE PROGRAM
(F: 55-WM CURBSIDE, LLC) (XR: 61.7)

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

Amendment No. 5, noting the typographical error listing the Amendment as No. 4, to the agreement with WM Curbside, LLC for administering the City's Household Hazardous Waste Program, be approved; and

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

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

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

AWARD A CONTRACT TO DAVID VOLZ DESIGN FOR PROFESSIONAL LANDSCAPE
AND IRRIGATION DESIGN SERVICES ON CHAPMAN AVENUE FROM WILD GOOSE
STREET TO SANTA CATALINA AVENUE (F: 55-DAVID VOLZ DESIGN)

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

A contract be awarded to David Volz Design, in the amount of \$61,811, to provide professional landscape and irrigation services along Chapman Avenue from Wild Goose Street to Santa Catalina Avenue; and

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

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

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

AUTHORIZE THE ISSUANCE OF A FIVE YEAR BLANKET PURCHASE ORDER WITH
TOWNER FILTRATION FOR TREATMENT AT CITY WELL SITES FOR REMOVAL OF
PER-AND POLYFLUOROALKYL SUBSTANCES

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

The Finance Director be authorized to issue a five year blanket purchase order with
Towner Filtration allocating \$225,000 annually for the purchase of water pre-filters
at the new ion exchange treatment well sites.

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

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

RECEIVE AND FILE MINUTES FROM THE MEETINGS HELD ON JANUARY 11, 2022,
AND JANUARY 25, 2022 (F: Vault)

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

The minutes from the meetings held on January 11, 2022, and January 25, 2022,
be received and filed.

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

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

WARRANTS

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

Demands covered by Wire numbers 00000821 through 00000826, EFT numbers
00017069 through 00017085, and check numbers 00675312 through 00675387

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 00017086 through 00018062, and check numbers 00675388 through 00675591 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 00000832 through 00000835, EFT numbers 00018076 through 00018093, and check numbers 00675692 through 00675766 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 00000836 through 00000843, EFT numbers 00018094 through 00018118, and check numbers 00675767 through 00675918 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 00000836 through 00000843, EFT numbers 00018094 through 00018118, and check numbers 00675767 through 00675918 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 00000844 through 00000869, EFT numbers 00018119 through 00018125, and check numbers 00675919 through 00675987 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 0018126 through 00019098, and check numbers 00675988 through 00676192 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 Wire numbers 00000866 through 00000876, EFT numbers 00019099 through 00019108, and check numbers 00676193 through 00676234 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 7-0 vote as follows:

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

APPROVAL TO WAIVE FULL READING OF ORDINANCES LISTED

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

Full reading of ordinance listed be waived.

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

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

ADOPTION OF A RESOLUTION MAKING SPECIFIED FINDINGS AND REAUTHORIZING THE USE OF TELECONFERENCING FOR PUBLIC MEETINGS IN ACCORDANCE WITH AB 361 AND GOVERNMENT CODE 54953(E) (F: 127.4)

Council Member Brietigam pulled this item to express his opposition to continue teleconference meetings. Following assent from Council Member Bui, Council Member Brietigam moved to pull this item from consideration, seconded by Council Member Bui.

Following further discussion and advice provided by City Attorney Sandoval that this action also affects all City Commissions and adopting the resolution does not preclude in-person meetings, it was moved by Council Member K. Nguyen, seconded by Mayor Jones that:

Resolution No. 9723-22 entitled: A Resolution of the City Council of the City of Garden Grove, California, making specified findings and re-authorizing the use of teleconferencing for meetings of the City Council, Commissions, Committees and Boards in accordance with Assembly Bill 361 and Government Code Section 54953(E), be adopted.

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

Ayes: (5) O'Neill, Klopfenstein, K. Nguyen, D. Nguyen, Jones
Noes: (2) Brietigam, Bui

SECOND PUBLIC HEARING REGARDING THE REDISTRICTING PROCESS POST 2020 CENSUS (F: 58.13)

This matter was introduced by Maria Stipe, Assistant City Manager, and David Ely, consultant with Compass Demographics. Mr. Ely provided a PowerPoint presentation, and stated that no maps have been submitted by the public; however, speakers at the community workshop did express the need for communities of interest, primarily the Asian and Latinx communities to be kept

together for the purpose of representation, by delineating district boundaries east and west along Garden Grove Boulevard as opposed to the current delineation of north and south affecting districts 5 and 6.

Following Mr. Ely's presentation, Mayor Jones declared the public hearing open.

Speakers: Roberto Herrera, Brian Malley, Nicholas Dibs, Dorothy Nguyen

With no further testimony from the audience, Mayor Jones declared the public hearing closed.

Following City Council discussion, it was moved by Council Member Brietigam, seconded by Council Member O'Neill that:

The report on community participation and feedback related to the redistricting process post 2020 Census be received and filed.

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

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

AWARD A CONTRACT TO ELECNOR BELCO ELECTRIC, INC., FOR THE CONSTRUCTION OF PROJECT NO. CP-1292000, TRAFFIC SIGNAL INSTALLATION AND MODIFICATIONS AT VARIOUS LOCATIONS FY 21-22 (F: 100.PROJ.CP-1292000)

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

A contract be awarded to Elecnor Belco Electric, Inc., in the amount of \$1,276,196, for construction of Project No. CP-1292000, Traffic Signal Installation and Modifications at Various Locations FY 21-22; and

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

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

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

SECOND READING AND ADOPTION OF ORDINANCE NO. 2930 (F: 50.2) (XR: 46.1C)

(As approved earlier in the meeting, it was moved by Council Member Klopfenstein, seconded by Council Member Brietigam, and approved by a 7-0 vote, that full reading of ordinances listed be waived.)

Following the reading of the title, it was moved by Council Member K. Nguyen, seconded by Council Member Brietigam that:

Ordinance No. 2930 entitled: An Ordinance of the City Council of the City of Garden adding Section 2.04.050 to Chapter 2.04 (City Council) of Title 2 (Administration and Personnel) of the Garden Grove Municipal Code adjusting and codifying the compensation of the City Council, be adopted.

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

Ayes: (5) Brietigam, O'Neill, Klopfenstein, K. Nguyen, Jones
Noes: (2) Bui, D. Nguyen

SECOND READING AND ADOPTION OF ORDINANCE NO. 2931 (F: 50.2) (XR: 46.1C)

Mayor Jones announced that he would be recusing himself from voting on this matter, and left the telephonic meeting at 7:37 p.m.

(As approved earlier in the meeting, it was moved by Council Member Klopfenstein, seconded by Council Member Brietigam, and approved by a 7-0 vote, that full reading of ordinances listed be waived.)

Following the reading of the title, it was moved by Council Member K. Nguyen, seconded by Council Member Brietigam that:

Ordinance No. 2931 entitled: An Ordinance of the City Council of the City of Garden adding Section 2.04.060 to Chapter 2.04 (City Council) of Title 2 (Administration and Personnel) of the Garden Grove Municipal Code establishing additional compensation for the City's elected Mayor pursuant to Government Code Section 36516.1, be adopted.

The motion carried by a 4-2-1 vote as follows:

Ayes: (4) Brietigam, O'Neill, Klopfenstein, K. Nguyen
Noes: (2) Bui, D. Nguyen
Absent: (1) Jones

Mayor Jones returned to the meeting telephonically at 7:38 p.m.

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

Council Member Brietigam praised the recent Tet Parade celebrating the Lunar New Year of the Tiger and wished everyone a Happy Lunar New Year. He commented on the need for Code Enforcement supervisory staffing, as some areas of the City are looking bad.

Council Member O'Neill announced the Community Clean-Up event for Garden Grove residents to drop off bulky items on Saturday, February 19, 2022, between 9:00 a.m. to 11:00 a.m., noting that it has moved to the Skylark Elementary School parking lot near Magnolia Park.

Mayor Pro Tem D. Nguyen wished everyone a Happy Valentine Days coming up.

Council Member Bui expressed his gratitude for the support for the Tet Parade and commented on how well received the parade was with people coming from all over the County and beyond.

Council Member Klopfenstein expressed her appreciation for the Public Works and City staff on helping with the Community Clean-Up event held on Saturday at the Main Branch Library, noting that there were up to nine roll-out bins filled.

Council Member K. Nguyen highlighted the City's Garden Grove Teen Action Collaborative in partnership with the Employment Development Department's Youth Employment Opportunity Program for teens between the ages of 13-17 to attend a free career building workshop series through February 17, 2022. More information is available on the City's website at ggcity.org/news/career-building-workshops.

City Attorney Sandoval noted the Workers Compensation Appeal Board Case was taken off calendar, and there was no reportable action taken for the remaining matter during closed session.

At 7:45 p.m., Mayor Jones adjourned the meeting. The next Regular City Council Meeting will be on Tuesday, February 22, 2022, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy
City Clerk