

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, September 27, 2022

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

CONVENE CLOSED SESSION

AT 5:30 p.m., Mayor Jones convened closed session.

<u>ROLL CALL</u>	PRESENT:	(6)	Council Members Brietigam, K. Nguyen, Bui, Klopfenstein, D. Nguyen, Mayor Jones
	ABSENT:	(1)	Council Member O'Neill recused himself from Closed Session

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers: None.

Conference with Legal Counsel – Anticipated Litigation

Significant exposure to litigation per Government Code Section 54956.9(d)(2):  
One potential case relating to the objections by attorneys for Unite Here Local 11 to the land use entitlement approvals for the B2/Nickelodeon project.

Conference with Legal Counsel – Anticipated Litigation

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): One potential case.

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.

## RECESS

At 6:31 p.m. Mayor Jones recessed the meeting.

## RECONVENE

At 6:35 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

## INVOCATION

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

COMMUNITY SPOTLIGHT IN RECOGNITION OF THE CITY OF HOPE ORANGE COUNTY  
LENNAR FOUNDATION CANCER CENTER

COMMUNITY SPOTLIGHT RECOGNIZING 25 PLUS YEAR EMPLOYEES SERVING THE  
CITY OF GARDEN GROVE

## ORAL COMMUNICATIONS

Speakers: Ana Parker, Leland Sisk, Ray Heimstra, Kyle Mason, Ruby Garcia,  
Maureen Blackmun, Greg Borgman, Paul Crulee, Robert Esparza

## RECESS

At 7:08 p.m. Mayor Jones recessed the meeting.

## RECONVENE

At 7:13 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

ADOPTION OF A PROCLAMATION DECLARING OCTOBER 9<sup>TH</sup> THROUGH THE 15<sup>TH</sup>  
2022, AS FIRE PREVENTION WEEK. (F: 83.1-2022)

It was moved by Council Member Brietigam, seconded by Council Member O'Neill that:

A Proclamation declaring October 9<sup>th</sup> through the 15<sup>th</sup> 2022, as Fire Prevention Week, be adopted.

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

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

ACCEPTANCE OF PROJECT IFB NO. S-1279-A FOR THE RENOVATION OF WEST HAVEN PARK AS COMPLETE (F: 73.12)

It was moved by Council Member Brietigam, seconded by Council Member O'Neill that:

Project IFB No. S-1279-A – Renovation of the West Haven Park 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 7-0 vote as follows:

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

APPROVAL OF FINAL PARCEL MAP NO. 2017-141 FOR THE PROPERTY LOCATED AT 9241 IMPERIAL AVENUE, GARDEN GROVE (F: 118.PM-2017-141)

It was moved by Council Member Brietigam, seconded by Council Member O'Neill that:

Final Parcel Map No. 2017-141, be approved.

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

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

ADOPTION OF A RESOLUTION AMENDING THE CITY'S CONFLICT OF INTEREST CODE PERTAINING TO DESIGNATED POSITIONS AND DISCLOSURE (F: 30.7)

It was moved by Council Member Brietigam, seconded by Council Member O'Neill that:

Resolution No. 9775-22 entitled: A Resolution of the City Council of the City of Garden Grove amending the Conflict of Interest Code of the City of Garden Grove pertaining to designated positions and disclosure categories and rescinding Resolution No. 9655-20, be adopted.

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

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

AUTHORIZATION OF THE ISSUANCE OF A PURCHASE ORDER TO NATIONAL AUTO FLEET GROUP FOR A NEW PUBLIC WORKS DEPARTMENT VAN

It was moved by Council Member Brietigam, seconded by Council Member O'Neill that:

The Finance Director be authorized to issue a purchase order in the amount of \$38,087.80 to National Auto Fleet Group for the purchase of one (1) new Public Works Department Van.

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

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

APPROVAL OF AN AGREEMENT WITH AKM CONSULTING ENGINEERS FOR STORM DRAIN CHANNEL INSPECTION, CONDITIONS ASSESSMENT AND DESIGN SERVICES  
(F: 55-AKM Consulting Engineers)

It was moved by Council Member Brietigam, seconded by Council Member O'Neill that:

A professional services agreement with AKM Consulting Engineers, in the amount of \$57,756, for professional channel inspection, conditions assessment and design services be approved; and

The City Manager be authorized to execute the professional services agreement on behalf of the City.

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

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

APPROVAL OF AN AGREEMENT WITH A3 COMMUNICATIONS, INC., DBA BLUE VIOLET NETWORKS TO PROVIDE MATERIALS AND LABOR FOR A NEW KEYCARD ACCESS AND SECURITY SYSTEM (F: 55-A3 Communications, Inc.)

It was moved by Council Member Brietigam, seconded by Council Member O'Neill that:

An agreement with A3 Communications, Inc., dba Blue Violet Networks, in the amount of \$116,413.09, to provide labor, materials, and services for the installation of a new keycard door entry and security system at the Police headquarters at 11301 Acacia Parkway and at the Purcell building at 11277 Garden Grove Boulevard, be approved; and

The City Manager be authorized to execute the contract 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, K. Nguyen, Klopfenstein,  
D. Nguyen, Jones  
Noes: (0) None

WARRANTS

It was moved by Council Member Brietigam, seconded by Council Member O'Neill that:

Payroll deposits 00010855 through 00011485 and check numbers 00185125 through 00185141; Payroll deposits 00011486 through 00012116 and check numbers 00185143 through 00185156, inclusive 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, K. Nguyen, Klopfenstein,  
D. Nguyen, Jones  
Noes: (0) None

APPROVAL TO WAIVE FULL READING OF ORDINANCES LISTED

It was moved by Council Member Brietigam, seconded by Council Member O'Neill that:

Full reading of ordinances listed be waived.

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

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

PUBLIC HEARING - ACCEPTANCE OF FISCAL YEAR 2021-22 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) (F: 117.10D)

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

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

There being no response from the audience, the public hearing was declared closed.

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

The Consolidated Annual Performance and Evaluation Report for Fiscal Year 2021-22 be accepted; and

Staff be directed to transmit the report to the Department of Housing and Urban Development.

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

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

***Council Member Bui left the meeting at 7:20 p.m.***

PUBLIC HEARING - INTRODUCTION AND FIRST READING OF AN ORDINANCE APPROVING AMENDMENT NO. A-035-2022 FOR FOCUSED ZONING TEXT AMENDMENTS (F: 115.A-035-2022)

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

Following staff introduction and PowerPoint presentation from Laura Stetson, consultant with MIG, Inc., and Council Member comments thanking staff for their work, Mayor Jones declared the public hearing open.

There being no response from the audience, the public hearing was declared closed.

Ordinance No. 2939 entitled: An Ordinance of the City Council of the City of Garden Grove approving Amendment No. A-035-2022 to amend Title 9 (Land Use) of the Garden Grove Municipal Code to make focused zoning amendments to implement various policies and programs set forth in the General Plan Housing Element and Land Use Element and to ensure compliance with applicable state housing laws, be passed to second reading.

Ayes: (6) Brietigam, O'Neill, K. Nguyen, Klopfenstein, D. Nguyen, Jones  
Noes: (0) None  
Absent: (1) Bui

Following Deputy Chief El Affar's introduction, and Council Member Breitgam's query and confirmation on inclusion in the STEP for street racing, it was moved by Council Member Klopfenstein, seconded by Mayor Pro Tem D. Nguyen that:

Office of Traffic Safety Grant Funds in the amount of \$325,000.00, be accepted;

Grant monies be allocated to fund Selective Traffic Enforcement operations.

Ayes: (6) Brietigam, O'Neill, K. Nguyen, Klopfenstein, D. Nguyen, Jones  
Noes: (0) None  
Absent: (1) Bui

AWARD A CONTRACT TO DAVID VOLZ DESIGN LANDSCAPE ARCHITECTS, INC.,  
FOR PROJECT NO. S-1298 TO PROVIDE CONSULTANT SERVICES FOR THE  
REVITALIZATION AND EXPANSION OF WOODBURY PARK  
(F: 55-David Volz Design Landscape Architects, Inc.)

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

A contract be awarded to David Volz Design Landscape Architects, Inc., in the amount of \$678,146, for Project No. S-1298, to provide consultant services for the revitalization and expansion of Woodbury Park; and

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

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, O'Neill, K. Nguyen, Klopfenstein, D.  
Nguyen, Jones  
Noes: (0) None  
Absent: (1) Bui

AWARD A CONTRACT TO STEPHEN DORECK EQUIPMENT RENTALS, INC. FOR  
PROJECT CP1286000 – ORANGEWOOD AVENUE – DALE STREET WATER  
IMPROVEMENTS PROJECT (F: 92-Project CP1286000)

Following Public Works Director, Bill Murray's introduction, Council Member Klopfenstein questioned the estimated duration of the pipe, and Council Member O'Neill asked if the public will be notified of the project.

Following Director Murray's responses that the estimated duration of the pipe is 50 years, and that notification to the public will be done, it was moved by Council Member Klopfenstein, seconded by Council Member O'Neill that:

A contract be awarded to Stephen Doreck Equipment Rentals Inc. for \$2,719,470 for the construction of Project No. CP1286000 - Orangewood Avenue – Dale Street Water Improvements Project; 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 6-0-1 vote as follows:



Ayes: (6) Brietigam, O'Neill, K. Nguyen, Klopfenstein, D.  
Nguyen, Jones  
Noes: (0) None  
Absent: (1) Bui

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

DISCUSSION ON GARDEN GROVE'S EXISTING FILMING REGULATIONS AND TO EXPLORE OPPORTUNITIES FOR INCREASING FILMING ACTIVITIES AS REQUESTED BY THE CITY COUNCIL (F: 60.2)

Following Sr. Administrative Analyst, Mr. Shawn Park's introduction, Council Member K. Nguyen thanked him for his work. She expressed that she would like the City to work with local businesses and hotels for encouraging block rates to production companies to encourage filming in Garden Grove.

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

Council Member K. Nguyen stated that as October is Pregnancy and Infancy Loss Awareness Month, she would like to list a Proclamation to be adopted at the next City Council meeting. She commented on her personal loss of her pregnancy and the numbers of people who have reached out to her with their own experience with loss.

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

A Proclamation recognizing October as Pregnancy and Infancy Loss Awareness Month be listed for action on the next City Council Meeting agenda and annually thereafter.

The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Brietigam, O'Neill, K. Nguyen, Klopfenstein, D.  
Nguyen, Jones  
Noes: (0) None  
Absent: (1) Bui

Council Member Klopfenstein expressed her enthusiasm on the completion of West Haven Park and is happy that families will once again be able to enjoy the park with the needed improvements. She noted the CAPER that was accepted at tonight's meeting, and encouraged residents to look through the document to understand the work being done to address key issues such as homelessness. She noted that there was a substantial amount of grant money funneled through the County that Garden Grove was able to benefit from and use for important programs that help

the community. She encouraged those with an interest to volunteer on a Commission, noting that the Neighborhood Improvement and Conservation Commission reviews the CAPER before it is accepted by the City Council. She further expressed her frustration on the loss of local control in relation to the zoning amendments mandated by state law.

Council Member Brietigam expressed frustration on the numerous complaints about the excessive length of time that it takes for scheduling building inspections and the lack of communication. He stated that the City's focus is on the bigger projects and that the simple kinds of inspections for things like hot water heaters should not take thirty to sixty days. He commented that general contractors will avoid work in Garden Grove because of the length of time it takes to have a permit finalized. He surmised a lack of willingness or incapability to be more responsive in spite of the City hiring contract labor to handle the workload. He noted that he has been asking for improvements for the last four years, and he threatened that after the 2022 election, if by January things have not improved, he will seek a vote of no confidence in the Director.

Council Member O'Neill noted he attended the Candidate Forum that was hosted by the Main Street Business Association and the Neighborhood Association, and expressed his appreciation for the event. He noted for the benefit of the public, that the City Council members not only attend council meetings, but play an active role on a daily basis on issues such as homelessness, crime, and quality of life. He dedicated tonight's meeting to a childhood friend, Jonelle McCaughey Mariot, who grew up in Garden Grove and recently passed away far too young.

Mayor Pro Tem D. Nguyen agreed with Council Member O'Neill that as council members they are very active in responding to the community and work closely with the different departments and city management. She thanked the Main Street Business Association and the Neighborhood Association for sponsoring the candidate forum. She wished her son a happy 16<sup>th</sup> birthday.

City Attorney Sandoval announced that no reportable action was taken during closed session.

City Manager Stiles announced that the Garden Brook Senior Village has 188 units rented to date. The seller for the property slated for the Navigation Center for the homeless has expressed the desire to close escrow sooner, which will allow the project to move forward faster. Currently, Memorandum's of Understanding (MOU) with the cities of Fountain Valley and Westminster, to fund and operate the Navigation Center are being drafted and will be coming to the City Council for approval. An MOU with the County is also being worked on, which will determine the funding available for the Navigation Center as well.

## ADJOURNMENT

At 8:04 p.m., Mayor Jones adjourned the meeting. The next Regular City Council Meeting will be held on Tuesday, October 11, 2022, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC  
City Clerk