

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, December 13, 2022

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

CONVENE MEETING

At 6:38 p.m., Mayor Jones convened the meeting in the Council Chamber.

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

ABSENT:      (0)      None

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

DECLARATION OF RESULTS OF THE GENERAL MUNICIPAL ELECTION AND SEATING OF ELECTED MAYOR AND CITY COUNCIL MEMBERS (F: 58.2.2022)

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

Resolution No. 9777-22 entitled: A Resolution of the City Council of the City of Garden Grove, reciting the fact of the General Municipal Election held on November 8, 2022, declaring the result and such other matters as provided by law, be adopted.

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

COURTESY OF THE FLOOR EXTENDED TO OUTGOING MAYOR PRO TEM D. NGUYEN

COURTESY OF THE FLOOR EXTENDED TO OUTGOING COUNCIL MEMBER BUI

OATH OF OFFICE ADMINISTERED TO ELECTED MAYOR JONES

OATH OF OFFICE ADMINISTERED TO ELECTED COUNCIL MEMBER BRIETIGAM – DISTRICT 1

OATH OF OFFICE ADMINISTERED TO ELECTED COUNCIL MEMBER T. NGUYEN – DISTRICT 3

OATH OF OFFICE ADMINISTERED TO ELECTED COUNCIL MEMBER BUI – DISTRICT 4

CONVENE NEW CITY COUNCIL

At 7:01 p.m., Mayor Jones convened the meeting with new City Council.

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

ABSENT:      (0)      None

COURTESY OF THE FLOOR EXTENDED TO MAYOR JONES, COUNCIL MEMBER BRIETIGAM, COUNCIL MEMBER TRAN, COUNCIL MEMBER DOVINH

PRESENTATIONS (F: 52.3)

COMMUNITY SPOTLIGHT IN RECOGNITION OF MAYOR PRO TEM D. NGUYEN

COMMUNITY SPOTLIGHT IN RECOGNITION OF COUNCIL MEMBER BUI

COMMUNITY SPOTLIGHT IN RECOGNITION OF POLICE CHIEF TOM DARÉ ON HIS UPCOMING RETIREMENT

This item was heard later in the meeting.

ADOPTION OF A RESOLUTION OF COMMENDATION FOR POLICE CHIEF DARÉ  
(F: 52.2)

This item was pulled out of order from the Consent Calendar by Mayor Steve Jones.

Following the reading of the Resolution of Commendation, it was moved by Council Member Brietigam, seconded by Council Member Klopfenstein that:

A Resolution of Commendation recognizing Police Chief Tom DaRé for his service upon his retirement, be adopted.

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

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

#### PRESENTATIONS (continued) (F: 52.3)

#### COMMUNITY SPOTLIGHT IN RECOGNITION OF POLICE CHIEF TOM DARÉ ON HIS UPCOMING RETIREMENT

Council Member K. Nguyen left the meeting at 7:26 p.m.

#### RECESS FOR RECEPTION

At 7:41 p.m., Mayor Jones declared a recess.

#### RECONVENE

At 8:13 p.m., Mayor Jones reconvened the meeting with Council Members Brietigam, O'Neill, Tran, DoVinh, and Klopfenstein present.

#### ORAL COMMUNICATIONS

Speakers: Teresa Tran, Nicolas Dibs, Grace Lee, Maureen Blackmun, Kris Beard

#### REORGANIZATION OF THE CITY COUNCIL (F: 46.1)(F: 10.2)(VIP)

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

Council Member Brietigam be selected as Mayor Pro Tempore.

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

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

#### RECESS

At 8:29 p.m., Mayor Jones recessed the meeting.

## RECONVENE

At 8:33 p.m., Mayor Jones reconvened the meeting with Council Members O'Neill, Tran, DoVinh, Klopfenstein, and Mayor Pro Tem Brietigam present.

## ADOPTION OF A RESOLUTION OF COMMENDATION FOR POLICE CHIEF DARÉ (F: 52.2)

This item was heard earlier in the meeting.

## ADOPTION OF A RESOLUTION FOR FISCAL YEAR 2021-2022 RENEWED MEASURE M (M2) ANNUAL EXPENDITURE REPORT (F: 23.18C)

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

Resolution No. 9778-22 entitled: A Resolution of the City Council of the City of Garden Grove concerning the Fiscal Year 2021-22 Measure (M2) Annual Expenditure Report, be adopted; and

The Finance Director be authorized to submit the Renewed Measure M (M2) Annual Expenditure Report to the Orange County Transportation Authority.

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

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

## ACCEPTANCE OF PROJECT NO. CP-109000, EUCLID-WESTMINSTER INTERSECTION CAPACITY ENHANCEMENT PROJECT, EUCLID STREET AT WESTMINSTER AVENUE; OCTA PROJECT NO. 21-GGRV-ICE-3992 AS COMPLETE (F: 96.1PROJ.CP-1090000)

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

Project No. CP-1090000- Euclid-Westminster Intersection Capacity Enhancement be accepted as complete, OCTA Project No. 21-GGRV-ICE-3992;

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

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

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

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

AWARD A CONTRACT TO CONTINENTAL FLOORING COMPANY DBA ARIZONA  
CONTINENTAL FLOORING COMPANY FOR REPLACEMENT OF THE FLOORING AT  
THE PURCELL BUILDING, IFB NO. S-1299 (F: 55-CONTINENTAL FLOORING  
COMPANY DBA ARIZONA CONTINENTAL FLOORING COMPANY)

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

A contract in the amount of \$99,888.00 be awarded to Continental Flooring Company dba Arizona Continental Flooring Company; and

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

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

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

ADOPTION OF A RESOLUTION AMENDING THE HOURLY RATES OF SELECT PART-  
TIME CLASSIFICATIONS TO MAINTAIN COMPLIANCE WITH STATE HOURLY  
MINIMUM WAGE MANDATES (78.1)

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

Resolution No. 9779-22 entitled: A Resolution of the City Council of the City of Garden Grove establishing wages and fringe benefits for part-time positions, be adopted.

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

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

ADOPTION OF A RESOLUTION ADOPTING THE CITY OF GARDEN GROVE'S  
EMERGENCY OPERATION PLAN (EOP) (F: 82.17)

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

Resolution No. 9780-22 entitled: A Resolution of the City Council of the City of Garden Grove approving the 2022 Emergency Operations Plan for the City of Garden Grove, be adopted; and

The Police Department's Emergency Manager be authorized to submit the EOP to the State of California's Governor's Office of Emergency Services (Cal OES).

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

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

WARRANTS

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

Demands covered by Wire numbers 00001289 through 00001307, EFT numbers 00029049 through 00029076, and check numbers 00682220 through 00682365 inclusive have been verified by the Finance Division as properly issued and bear all proper signatures;

Demands covered by Wire numbers 00001308 through 00001310 EFT numbers 0029077 through 00029114, and check numbers 00682366 through 00682533 inclusive have been verified by the Finance Division as properly issued and bear all proper signatures;

Demands covered by Wire numbers 00001311 through 00001330 EFT numbers 0029115 through 00029140, and check numbers 00682534 through 00682622 inclusive have been verified by the Finance Division as properly issued and bear all proper signatures;

Demands covered EFT numbers 0029141 through 00030155, and check numbers 00682623 through 00682840 inclusive have been verified by the Finance Division as properly issued and bear all proper signatures;

Demands covered by Wire numbers 00001331 through 00001332 EFT numbers 00030156 through 00030185, and check numbers 00682841 through 00682950

inclusive have been verified by the Finance Division as properly issued and bear all proper signatures;

Demands covered by Wire numbers 00001333 through 00001337 EFT numbers 00030186 through 00030213, and check numbers 00682951 through 00683087 inclusive have been verified by the Finance Division as properly issued and bear all proper signatures; and

Payroll deposits 00015203 through 00015817 and checks 00185230 through 00185239 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 6-0-1 vote as follows:

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

#### WAIVER

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

Full reading of ordinances listed be waived.

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

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

#### PUBLIC HEARING – SECOND READING, AND ADOPTION OF ORDINANCE NO. 2940 ADOPTING THE 2022 CALIFORNIA BUILDING STANDARDS CODES WITH MODIFICATIONS (F: 35.2) (XR: 50.2)

*(As approved earlier in the meeting, it was moved by Mayor Pro Tem Brietigam, seconded by Council Member Klopfenstein, and approved by a 6-0-1 vote, that full reading of ordinances listed be waived.)*

Mayor Jones declared the Public Hearing open and asked if anyone wished to address the City Council on the matter.

Speakers: None.

There being no further response from the audience, the Public Hearing was declared closed.

Following reading of the Ordinance title, it was moved by Council Member Brietigam, seconded by Council Member O'Neill that:

Ordinance No. 2940 entitled: An Ordinance of the City Council of the City of Garden Grove amending Title 18 of the Garden Grove Municipal Code and adopting by reference the following primary codes with certain amendments, deletions, and additions thereto: California Building Code, 2022 Edition; California Residential Code, 2022 Edition; California Electrical Code, 2022 Edition; California Mechanical Code, 2022 Edition; California Plumbing Code, 2022 Edition; California Energy Code, 2022 Edition; California Fire Code, 2022 Edition; California Existing Building Code, 2022 Edition; California Green Building Standards Code, 2022 Edition; California Referenced Standards Code, 2022 Edition; and certain secondary codes including the International Property Maintenance Code, 2021 Edition, as published by the International Code Council; and the International Swimming Pool and Spa Code, 2021 Edition, as published by the International Code Council, be adopted.

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

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

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

Following staff presentation, Council Member O'Neill noted that the high cost is due to the necessary outfitting required for public works utility vehicles.

Council Member Brietigam noted the high mileage of vehicles and supported the need for replacement.

Council Member DoVinh inquired when the remaining vehicles would be ordered and their estimated costs.

In response, Public Works Director Bill Murray shared that a new vehicle order will be placed when supply is available; however, the price is subject to vehicle specification and outfitting needs, in addition to significant dealer price increases.

Council Member DoVinh inquired whether green or electric vehicles are considered for vehicle replacements.



Public Works Director Bill Murray shared that the Public Works yard does not currently have the infrastructure to support green vehicles.

Council Member Brietigam inquired whether the funds are derived from the Vehicle Maintenance Fund to which staff confirmed.

Council Member Tran inquired why a vehicle with relatively lower mileage was being replaced.

In response, Public Works Director shared that while vehicles might not accumulate road miles, vehicles age and breakdown over time with some vehicles being subject to more engine idle hours than others.

Lastly, Council Member DoVinh shared his interest in budgeting for future infrastructure upgrades for electric vehicles.

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

The Finance Director be authorized to issue a purchase order in the amount of \$461,328.33 to National Auto Fleet Group for the purchase of four (4) new Public Works Department utility body trucks.

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

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

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

Council Member Brietigam thanked his constituents in District 1 for his re-election. He also congratulated Council Member DoVinh and Council Member Tran on being elected to the City Council. Lastly, he wished everyone a Merry Christmas.

Council Member O'Neill congratulated Council Member DoVinh and Council Member Tran on their election to the City Council. He also reminded the public of the upcoming toy drive scheduled for Saturday, December 17, 2022, hosted by the Brown Descents Orange County Car Club. Event will take place at the Orange Baptist Church located on Orangewood Avenue and Dale Street from 10:00 a.m. to 2:00 p.m.

Council Member Tran thanked City Manager Scott Stiles and Assistant City Manager Maria Stipe for their help and dedication as she gets familiar with her role.

Council Member Klopfenstein congratulated Council Member Tran and Council Member DoVinh on their election to the City Council and she congratulated Council Member Brietigam and Mayor Jones on their re-election. Lastly, she thanked outgoing Council Member Diedre Thu-Ha Nguyen and Council Member Bui for their years of dedicated service and leadership.

Council Member DoVinh noted the City Council's leadership which has fostered a harmonious city and shared that he is proud to join the City Council. He views his role as a partnership with citizens, staff, family and friends, surrounding cities, and with all levels of government. He is looking forward to being a good partner and serving well with the support of City staff. He commended outgoing City Council Member Bui and Council Member Diedre Thu-Ha Nguyen for serving their community well over the last eight years. He described himself as a public servant and his role as partnership, and as a long-time resident wants to improve the city. He thanked members of the Vietnamese-refugee community that were instrumental in getting him elected to the City Council. Lastly, he thanked Maureen Blackmun for her support.

City Manager Stiles congratulated newly elected and re-elected City Council members. He reminded the public that City Hall will be closed December 26, 2022 through December 30, 2022 and therefore the City Council meeting scheduled for December 27, 2022 is cancelled.

Mayor Jones adjourned the meeting in memory of Bob Pomeroy, husband of the City Clerk, Terri Pomeroy. He recently passed away from COVID-19 and pneumonia. Bob lived in Garden Grove for over 40 years, raising a family and running his wedding photography business. Not only did he leave behind a legacy of creating beautiful memories, he was also a Structural Mechanic at McDonnell Douglas. His work on the C-17 was always a source of great pride. Bob was dedicated to his wife and children, Diana, Liz, and Ken, and they will miss him deeply.

#### ADJOURNMENT

At 8:58 p.m., Mayor Jones adjourned the meeting in memory of Bob Pomeroy. The next Regular City Council Meeting will be held on Tuesday, January 10, 2023, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Lizabeth Vasquez  
Deputy City Clerk