

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, May 28, 2019

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

CONVENE STUDY SESSION

At 5:47 p.m., Mayor Jones convened the Study Session in the B Room.

ROLL CALL PRESENT: (6) Council Members Brietigam, T. Nguyen, Bui,
K. Nguyen, Mayor Pro Tem Klopfenstein,
Mayor Jones

ABSENT: (1) Council Member O'Neill absent at Roll Call,
but joined the meeting at 5:57 p.m.

ORAL COMMUNICATIONS FOR STUDY SESSION

Speakers: Leland Sisk

DISCUSSION REGARDING A COMPREHENSIVE APPROACH ON HOMELESSNESS IN GARDEN GROVE

Community Development and Economic Department Director Lisa Kim, Sr. Program Specialist Nate Robbins, and Police Chief DaRé provided a PowerPoint presentation that summarized the costs related to homelessness, the cycles of homelessness, levels of service and solutions for permanent supportive housing.

Following City Council discussion, the City Council directed staff to move forward with collaborating and working on solutions for Garden Grove residents impacted by homelessness.

ADJOURN STUDY SESSION

At 6:47 p.m., Mayor Jones adjourned the Study Session.

CONVENE REGULAR MEETING

At 7:24 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

COMMUNITY SPOTLIGHT IN RECOGNITION OF GREGORY KOZLOWSKI FOR BEING NAMED 2019 SPECIAL OLYMPICS ATHLETE OF THE YEAR

ORAL COMMUNICATIONS

Speakers: Tony Flores, Nicholas Dibs, Patrick Krietner, Janet Krietner, Dale Soeffner

RECESS

At 7:48 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 7:52 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

ADOPTION OF A PROCLAMATION DECLARING JUNE 2019 AS LGBT PRIDE MONTH (F: 83.1)

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

A Proclamation declaring June 2019 as LGBT Pride Month, be adopted.

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

Ayes: (7) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K. Nguyen, Jones
Noes: (0) None

APPROVAL OF AN AMENDMENT TO THE AGREEMENT WITH CONTINENTAL CONCRETE CUTTING, INC., TO PROVIDE SAW CUTTING SERVICES FOR THE REMOVAL OF ASPHALT AND CONCRETE AS NEEDED THROUGHOUT THE CITY

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

The amendment to the agreement with Continental Concrete Cutting, Inc., in the amount of \$200,000, to provide saw cutting services for the removal of asphalt and concrete as needed, be approved; and

The City Manager be authorized to execute the agreement on behalf of the City and to make minor modifications as needed thereto.

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

Ayes: (7) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

RECEIVE AND FILE MINUTES FROM THE MEETING HELD ON MAY 14, 2019
(F: VAULT)

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

Minutes from the meeting held on May 14, 2019, be received and filed.

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

Ayes: (7) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

WARRANTS

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

Regular Warrants 650676 through 651013; Wires W2487 through W2498; be approved as presented in the warrant register submitted, and have been audited for accuracy and funds are available for payment thereof by the Finance Director; and

Payroll Warrants 183216 through 183237; Direct Deposits D348434 through D349114; and Wires W2590 through W2593; be approved as presented in the warrant register submitted, and have been audited for accuracy and funds are available for payment thereof by the Finance Director.

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

Ayes: (7) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

WAIVER

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

Full reading of ordinances listed be waived.

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

Ayes: (7) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

ACKNOWLEDGEMENT OF THE RESIGNATION OF KEVIN RODGERS FROM THE TRAFFIC COMMISSION

It was moved by Mayor Jones, seconded by Council Member Brietigam that:

The resignation of Kevin Rodgers from the Traffic Commission be acknowledged with regret.

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

Ayes: (7) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

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

INTRODUCTION AND FIRST READING OF AN ORDINANCE ESTABLISHING A NEPOTISM POLICY FOR BOARDS, COMMITTEES AND COMMISSIONS AS REQUESTED BY THE CITY COUNCIL

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

Following the introduction by City Attorney Sandoval, it was moved by Council Member Bui, seconded by Council Member Klopfenstein that:

Ordinance No. 2905, entitled: An Ordinance of the City Council of the City of Garden Grove establishing a nepotism policy for boards, committees and commissions, be passed to second reading.

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

Ayes: (7) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

TRANSMITTAL OF THE 2019 GARDEN GROVE SAFE ROUTES TO SCHOOL (SRTS)
PHASE 1 PLAN AS REQUESTED BY CITY MANAGER STILES

Community and Economic Development Sr. Administrative Analyst, Alana Cheng, provided a report and introduced Frank Barrera with the KOA Corporation who provided a PowerPoint presentation.

Council Member K. Nguyen noted that the Phase 1 Plan did not represent schools located in City Council Districts 5 and 6, which are in high traffic areas.

Following the introduction and presentation, it was moved by Mayor Jones, seconded by Council Member Klopfenstein that:

The Safe Routes to School: Phase I Master Plan be received and filed.

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

Ayes: (7) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K.
Nguyen, Jones
Noes: (0) None

DISCUSSION ON LISTING A PROCLAMATION DECLARING JUNE 20 AS WORLD
REFUGEE DAY ON THE JUNE 11, 2019, CITY COUNCIL AGENDA AS REQUESTED BY
COUNCIL MEMBER K. NGUYEN

Following introduction of the proclamation by Council Member K. Nguyen, it was moved by Council Member K. Nguyen, seconded by Council Member T. Nguyen that:

A proclamation declaring June 20 as World Refugee Day be listed on the June 11, 2019, City Council agenda.

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

Ayes: (7) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K. Nguyen, Jones
Noes: (0) None

DISCUSSION REGARDING ESTABLISHING A POLICY SIMILAR TO THE CITY OF FULLERTON FOR THE DISPLAY OF FLAGS AT CITY HALL, AS REQUESTED BY COUNCIL MEMBER K. NGUYEN

Council Member K. Nguyen introduced this matter and stated she requested this matter be listed on the agenda for discussion and included the City of Fullerton's commemorative flag policy with the agenda materials for the purpose of providing guidance. She noted that Fullerton's policy allows 45 days to commemorate Harvey Milk Day on May 22nd and continues through the month of June. She asked City Attorney Sandoval to provide clarification on developing a flag policy.

City Attorney Sandoval pointed out that Fullerton's flag policy limits the number of requests that the City Council can consider and in addition to governmental flags it only allows commemorative flags recognized by the federal or state government as an historical event. Fullerton's policy further clarifies that the flag poles are not a public forum and is limited to government speech and only those flags that the City Council specifically authorizes as commemorative events. The Fullerton policy does allay legal concerns related to any future requests that may arise.

RECESS

At 8:16 p.m., Mayor Jones recessed the meeting.

RECONVENE

At 8:35 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

DISCUSSION REGARDING ESTABLISHING A POLICY SIMILAR TO THE CITY OF FULLERTON FOR THE DISPLAY OF FLAGS AT CITY HALL, AS REQUESTED BY COUNCIL MEMBER K. NGUYEN (Continued)

Following a recess, Mayor Jones invited members of the audience to speak on this issue.

Speakers: Ann Dinh, Leland Sisk, Ethan Nguyen, Tom Raber, Joanne Ladwig, Nicholas Dibs, James Webb, Tracy La, Roman Nguyen, Linh Tran, Jared Wallace, Hieu Nguyen, Ariana Arestegui, Danielle Serio, Peterson Pham, Bob Tucker, Julie Vo, Janis Mena, My Nguyen, Uyen Hoang, Tim Phan, Lena Tran, Sarah Jean Nguyen, Lena Tran, Sarah Ann Nguyen, Jeff LeTourneau, Chuck Jones

Email Correspondence: Tony Flores

Council Member K. Nguyen moved to list a flag policy on the next agenda, seconded by Council Member T. Nguyen.

Council Member Brietigam expressed frustration that labels such as racism and homophobia are projected onto those with a different opinion on this issue. He stated that a flag policy is needed; however, there is no need to rush into approving a flag policy, nor have a flag policy that is the same as the City of Fullerton. He expressed the need for input from more residents rather than hearing input from one group.

Council Member O'Neill commented that he has expressed support for the LGBT community; however, as a life-long resident he understands the people he represents and votes on behalf of his constituents. His position on the flag policy is not to display non-governmental flags. He stated that he would support a flag policy that is developed by the City Council and not use the policy from the City of Fullerton.

Council Member Bui expressed his anti-communism political stance and his passion for working towards the protection of human rights and being the voice for those who do not have the right to speak out. He has been called a communist sympathizer and agent and wrongly blamed for selling Garden Grove to communist China. He has also been labeled as doing harm because he speaks out against those who do harm to the Vietnamese community. He noted his involvement in the TET Festival and his support of LGBT representation in the parade. He commented that even though he does not support displaying the LGBT pride flag in City Hall, he does not want to be misunderstood or judged as non-supportive. His opinion is that City Hall is a government building and that government should refrain from appearing to take a position on an issue that could be interpreted as forcing a viewpoint onto the public.

Council Member Klopfenstein commented that the next two weeks gives people enough time to provide input by emailing or calling their district Council Member.

Council Member Brietigam moved a substitute motion to bring a flag policy back for discussion without the City of Fullerton's flag policy. Council Member Bui seconded the substitute motion.

Council Member O'Neill suggested amending Council Member Brietigam's motion to be that the discussion on the flag policy include whether or not to establish a commemorative flag policy.

Council Member Brietigam agreed to modify his substitute motion to discuss whether or not to establish a commemorative flag policy.

Council Member Bui agreed to the modification of the substitute motion.

Council Member K. Nguyen noted that she brought the City of Fullerton's Resolution forward because of the similarity to Garden Grove's current flag policy; however, she reiterated Fullerton's resolution that added commemorative flags to their Standards and asked why this would not address the concerns.

Council Member Brietigam stated that he would not want to rubber stamp Fullerton's resolution as it may not accurately reflect the community of Garden Grove.

Council Member K. Nguyen noted that language in resolutions, ordinances, and policies need to set parameters but also to be flexible. Fullerton's resolution is done very well, and the more attempts to be very specific can be subject to be viewed as discriminatory.

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

Ayes: (7) Brietigam, O'Neill, T. Nguyen, Bui, Klopfenstein, K. Nguyen, Jones
Noes: (0) None

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

Mayor Jones offered sincere condolences to the family of Mr. Richard Olson, a long-time resident of Garden Grove and Veteran who was politically active in the community.

Council Member Brietigam commented that he had a great time at the Strawberry Festival. He noted that he attended numerous meetings with discussions on Willowick, Harbor Boulevard and Valley View Street corridors and Brookhurst Street and Chapman Avenue, while attending the International Conference of Shopping Centers. He asked that the City consider establishing a memorial event to recognize veterans, noting that Garden Grove was home to two distinguished veterans, Michael Monsoor and Tibor Ruben.

Council Member Klopfenstein noted that the Downtown Business Association had discussed honoring Garden Grove Veterans in a Memorial Day event.

Council Member Bui agreed that this is an excellent idea noting that he visited the Magnolia Memorial Park several years ago and it disappointed him that there was no event this year. He expressed that recognizing the Veterans is important and there should be a celebrated event in Garden Grove.

CONVENE CLOSED SESSION

At 9:57 p.m., Mayor Jones announced that City Council will convene Closed Session in the Founders Room to discuss the following matters.

CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6(F)

City designated representative: Laura Stover, Human Resources Director
Employee organization: Police Management.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(d)(2)

One potential case related to the claim filed by Ester Reyes on January 22, 2019.

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers: None.

ADJOURN CLOSED SESSION

At 11:15 p.m., Mayor Jones adjourned Closed Session.

RECONVENE MEETING

At 11:16 p.m., Mayor Jones reconvened the meeting in the Council Chamber with all Council Members present.

Mayor Jones announced that there were no reportable actions taken during Closed Session.

ADJOURNMENT

At 11:16 p.m., Mayor Jones adjourned the meeting in memory of Richard Olson. The next Regular City Council Meeting will be held on Tuesday, June 11, 2019, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC
City Clerk