

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, October 13, 2020

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

CONVENE CLOSED SESSION

At 5:37 p.m., Mayor Jones convened Closed Session telephonically.

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

ABSENT: (0) None

ORAL COMMUNICATIONS FOR CLOSED SESSION

Speakers: None.

CONVENE CLOSED SESSION

At 5:38 p.m., Mayor Jones announced the City Council was going into Closed Session telephonically to discuss the following matters:

Conference with Legal Counsel – Existing Litigation

Pursuant to Government Code Section 54956.9(d)(1): Timothy Sawyer vs. City of Garden Grove, Workers Compensation Appeal Board Case Nos. ADJ10806195; ADJ11386384; and ADJ11388118

Conference with Legal Counsel – Existing Litigation

Pursuant to Government Code Section 54956.9(d)(1): OCCORD vs. Garden Grove, et. al., OCSC/LASC Case No. 30-2019-01102770

Conference with Legal Counsel – Anticipated Litigation

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): Three potential cases

ADJOURN CLOSED SESSION

At 6:36 p.m., Mayor Jones adjourned the Closed Session

CONVENE REGULAR MEETING

At 6:38 p.m., Mayor Jones convened the meeting telephonically with all Council Members present.

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

ORANGE COUNTY MOSQUITO AND VECTOR CONTROL DISTRICT UPDATE (F: 23.20)

A PowerPoint presentation was provided by Ron Howard with OC Vector Control.

ORAL COMMUNICATIONS

Speakers: Craig Durfey, Sean Vukan

Written Communications: Tony Flores, Lesley Rivera, Ashley Dao, Wei Huang, Bethany Hernandez, Mariella Vasquez, Sean Dao.

RECESS MEETING

At 7:06 p.m., Mayor Jones recessed the meeting.

RECONVENE MEETING

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

ADOPTION OF A PROCLAMATION PROCLAIMING OCTOBER 2020 AS NATIONAL CODE COMPLIANCE MONTH (F: 83.1)

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

A Proclamation proclaiming October 2020, as National Code Compliance Month, be adopted.

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

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

ADOPTION OF A PROCLAMATION DECLARING THE WEEK OF OCTOBER 25 THROUGH OCTOBER 31, 2020, AS "CHILDHOOD LEAD POISONING PREVENTION WEEK" (F: 83.1)

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

A Proclamation declaring October 25th through October 31st, 2020, as "Childhood Lead Poisoning Prevention Week," be adopted.

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

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

ADOPTION OF A RESOLUTION APPROVING THE REVISED 2020 CITY OF GARDEN GROVE INVESTMENT POLICY (F: 127.3)

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

Resolution No. 9657-20 entitled: A Resolution of the City Council of the City of Garden Grove, California, adopting the City of Garden Grove Investment Policy – 2020 Revised, be adopted.

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

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

APPROPRIATION OF \$22,950 IN GRANT FUNDS RELATED TO CORONAVIRUS RELIEF FUNDING THROUGH THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT) (F: 97.8)

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

Coronavirus Relief Funds allocated to the Magnolia Park Family Resource Center, in the amount of \$22,950 in Fiscal Year 2020-21, be appropriated.

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

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

MINUTES (F: Vault)

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

The minutes from the meeting held on September 22, 2020, be received and filed.

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

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

WARRANTS

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

Payroll Warrants 184242 through 184254; 184255 through 184269; Direct Deposits D370391 through D370992; D370991 through D371591; Wires W2734 through W2737; W2738 through W2741; be received and filed 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, D. Nguyen, Bui, Klopfenstein, K.
Nguyen, O'Neill, Jones
Noes: (0) None

WAIVER

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

Full reading of ordinances listed be waived.

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

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

PUBLIC HEARING - INTRODUCTION AND FIRST READING OF AN ORDINANCE APPROVING AMENDMENT NO. A-029-2020 (F: 115.A-029-2020)

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

Following staff introduction and City Council comments, Mayor Jones declared the public hearing open.

Speaker: David Alagband.

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

It was moved by Mayor Pro Tem O'Neill, seconded by Council Member Bui that: Ordinance No. 2918 entitled: An Ordinance of the City Council of the City of Garden Grove approving Amendment No. A-029-2020 to amend the City's official zoning map to change the zoning of the property, located at 8932 Katella Avenue (Assessor's Parcel No. 132-041-21), from O-P (Office Professional) to C-1 (Neighborhood Commercial), be passed to second reading; and

That the Ordinance be determined categorically exempt from the California Environmental Quality Act pursuant to Title 14, California Code of Regulations, Article 19, Section 15301, Existing Facilities.

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

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

ADOPTION OF A RESOLUTION APPROVING AN INSTALLMENT PURCHASE AGREEMENT FOR ISSUANCE OF WATER REVENUE BONDS, SERIES 2020A, AND OTHER RELATED DOCUMENTS (F: P-60.1)

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

Resolution No. 9658-20 entitled: A Resolution of the City Council of the City of Garden Grove approving the execution and delivery of an installment purchase agreement for the purpose of causing the issuance of not to exceed \$25,000,000 aggregate principal amount of water revenue bonds, Series 2020A, and approving the execution and delivery of certain documents in connection therewith and certain other matters, be adopted.

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

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

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

DISCUSSION ON A PROPOSED PROCLAMATION HONORING OCTOBER 2020 AS DOMESTIC VIOLENCE AWARENESS MONTH AS REQUESTED BY COUNCIL MEMBER KIM NGUYEN (F: 83.1)

Council Member Kim Nguyen stated that she brought this item forward after speaking with Chief DaRé and learning that calls for domestic violence disputes have increased by five percent. She noted that the City has adopted related proclamations on issues of mental health and sexual assault awareness, and she would like to have this proclamation listed on the next agenda for action, and annually going forward.

Council Member K. Nguyen moved to list the proclamation on the next agenda, seconded by Council Member Brietigam.

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

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

Council Member Brietigam commented that City Council members are non-partisan and do not have jurisdiction over national or state issues. He advised council members to refrain from partisan politics. He cautioned mindfulness when posting on social media, and encouraged the members to be unified in their work as elected officials.

Mayor Pro Tem O'Neill agreed and commented that people are smart and will research and vote with their conscience. He asked that partisan political rhetoric be toned down, and stated that their work as council members includes ensuring paved roads, water flow, sewer infrastructure upgrades, and public safety be provided to the community.

Council Member D. Nguyen agreed and commented that more importantly is focusing on their duties at a City Council level, and recommended promoting positivity. She encouraged unity for the whole community, stating that residents are neighbors.

Council Member Bui thanked his council colleagues and expressed the need for specificity regarding Facebook comments made about a Garden Grove resident who had been detained by the office of Immigration and Customs Enforcement that some people believe was illegal. He conveyed that it is inappropriate to encourage people to take matters into their own hands with regards to this; however, he commended those who have worked to ensure due process for people facing deportation.

Council Member Klopfenstein commented on the challenge of campaigning while serving as a council member working to support residents. She encouraged conversation directly as the best opportunity to learn about one another's viewpoints, and stated that communication is key to foster positivity. She thanked Director Howard from Vector Control for tonight's presentation and noted the PowerPoint will be posted on the City's website and on her Facebook council page. She thanked the Special Resource Team and Garden Grove Police Department for consistent and quick response to any of her questions or concerns, as well as their responsiveness to residents.

Council Member K. Nguyen expressed her appreciation for the comments from her colleagues; however, she asserted that she has been unfairly attacked by Council Member Bui. She stated she has not encouraged anyone to take matters into their own hands regarding deportation. She noted that in past City Council meetings, Council Member Bui has spoken out against ICE deportations, as well as fully supporting the City's sobriquet as a "city of compassion" by voting to pass a resolution encouraging harmony and unity. She asked Council Member Bui to refrain from attacking her on social media, and she conveyed the need to advocate for the residents in her district whom she believes have been disenfranchised from local government. She repudiated accusations from Garden Grove resident Tony Flores that she is breaking her oath of office for posting particular comments on her Facebook page, noting that she tolerates all forms of political ideologies to be posted.

In response to Council Member K. Nguyen's assertion that she was attacked on social media, Council Member Bui stated that he has received numerous calls asking him why he has not reproached Council Member K. Nguyen for her statements. He stated that in the future, he will bring up his disagreements with her personally and invited her to reach out to him as well.

Mayor Jones acknowledged Council Member Brietigam's statements as a reminder in recognizing the purview of council, which is to ensure public property maintenance and public safety. He encouraged striving towards better communication and work towards the common purpose of serving and representing this beautiful and diverse city during these polarizing times of COVID and civil unrest.

City Manager Stiles thanked the City Council for approving the Water Revenue Bonds. He commended the Finance and Public Works Departments for all of their work presenting to the Bond Rating Agencies, noting the City received a AA+ rating with a stable outlook, which is critical for ensuring improvements to the City's infrastructure and providing clean water to the residents. He noted that the upcoming agenda appears to be light and recommended cancelling the next City Council meeting.

City Attorney Sandoval announced that during Closed Session, the City Council unanimously authorized staff to file an appeal, at the time due, of the Regional

Housing Needs Allocation units designated to the City by the Southern California Association of Governments.

ADJOURNMENT

At 7:59 p.m., Mayor Jones adjourned the meeting. The next Regular City Council Meeting scheduled on Tuesday, October 27, 2020, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy, CMC
City Clerk