

MINUTES

GARDEN GROVE CITY COUNCIL

Regular Meeting

Tuesday, January 11, 2022

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

CONVENE CLOSED SESSION

AT 6:03 p.m., Mayor Jones convened closed session telephonically.

<u>ROLL CALL</u>	PRESENT:	(5)	Council Members Brietigam, Klopfenstein, K. Nguyen, Mayor Pro Tem D. Nguyen, Mayor Jones
	ABSENT:	(2)	Council Member O'Neill, Council Member Bui absent at Roll Call, but joined the meeting at 6:05 p.m.

ORAL COMMUNICATIONS

Speakers: Craig Durfey

ADOPTION OF A RESOLUTION MAKING SPECIFIED FINDINGS RELATING TO THE USE OF TELECONFERENCING FOR THE CITY'S LEGISLATIVE BODIES MEETINGS INCLUDING CITY COUNCIL, COMMISSIONS, COMMITTEES, AND BOARDS IN ACCORDANCE WITH AB 361 AND GOVERNMENT CODE 54953(E) (F: 127.4)

Following City Attorney Sandoval's introduction, it was moved by Council Member K. Nguyen, seconded by Council Member Brietigam that:

Resolution No. 9722-22 entitled: A Resolution of the City Council of the City of Garden Grove, California, making specified findings relating to 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 6-0-1 vote as follows:

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

Following the vote, Mayor Jones announced the closed session item to be discussed as follows:

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 6:20 p.m., Mayor Jones adjourned closed session.

#### CONVENE REGULAR MEETING

At 6:32 p.m., Mayor Jones convened the meeting telephonically with Council Members Brietigam, Bui, Klopfenstein, K. Nguyen, and D. Nguyen present.

#### INVOCATION

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

#### ORAL COMMUNICATIONS

Speakers: Mike Truong, Tom Raber, Nicholas Dibs, Craig Durfey, Dolce, Roberto, Victor

#### FIRST PUBLIC HEARING ON THE REDISTRICTING PROCESS POST 2020 CENSUS (F: 58.13)

Following staff introduction and a PowerPoint presentation provided by David Ely, with Compass Demographics, Mayor Jones declared the public hearing open.

Speakers: Lucia Valencia

With no further testimony, Mayor Jones declared the public hearing closed and stated that as the report is for information, no action was necessary.

#### RECESS

At 7:22 p.m., Mayor Jones recessed the meeting.

## RECONVENE

At 7:24 p.m., Mayor Jones reconvened the meeting with Council Members Brietigam, Bui, Klopfenstein, K. Nguyen, and D. Nguyen present.

## ADOPTION OF A PROCLAMATION DECLARING JANUARY 13, 2022, AS KOREAN AMERICAN DAY IN GARDEN GROVE (F: 83.1)

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

January 13, 2022, be and hereby proclaimed as Korean American Day in Garden Grove.

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

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

## RECEIVE AND FILE THE FISCAL YEAR 2020-21 DEVELOPMENT IMPACT FEE ANNUAL REPORT (F: 60.2D)

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

Fiscal Year 2020-21 Development Impact Fee Annual Report be received and filed as required by Government Code Section 66006(b).

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

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

## APPROVAL OF OVERNIGHT TRAINING FOR POLICE DEPARTMENT MANAGEMENT AND SUPERVISORY PERSONNEL TO ATTEND A LEADERSHIP TRAINING AND TEAM BUILDING WORKSHOP (F: 55-TEMECULA CREEK INN) (XR:82.1)

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

Police Department supervisory and management personnel be approved to attend a leadership training and team building workshop in Temecula, CA from May 2-3, 2022; and

The City Manager be authorized to execute the agreement with Temecula Creek Inn 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, Bui, Klopfenstein, K. Nguyen, D. Nguyen, Jones  
Noes: (0) None  
Absent: (1) O'Neill

### WARRANTS

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

Demands covered by Wire numbers 00000759 through 00000766, EFT numbers 00015981 through 00015997, and check numbers 00674372 through 00674461 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 00000767 through 00000774, EFT numbers 00015998 through 00016011, and check numbers 00674462 through 00674591 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 00000767 and 00000775 through 00000779, EFT numbers 00016012 through 00016034, and check numbers 00674592 through 00674710 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 00000780 through 00000789, EFT numbers 00016035 through 00016045, and check numbers 00674711 through 00674779 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 00016046 through 00017016, and check numbers 00674780 through 00674981 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 00000790 through 00000794, EFT numbers 00017017 through 00017036, and check numbers 00674982 through 00675081

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 00000795 through 00000813, EFT numbers 00017037 through 00017057, and check numbers 00675082 through 00675213 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 00000814 through 00000820, EFT numbers 00017058 through 00017068, and check numbers 00675214 through 00675311 inclusive as listed on this register and have been verified by the Finance Division as properly issued and bear all proper signatures;

Payroll checks 184783 through 184799, direct deposits D389620 through D390220, and Wires W2862 through W2865, and been audited for accuracy and funds are available for payment thereof; and

Payroll checks 184800 through 184816, direct deposits D390219 through D390813, and Wires W2866 through W2869, and been audited for accuracy and funds are available for payment thereof; be received and filed.

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

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

#### APPROVAL TO WAIVE FULL READING OF ORDINANCES LISTED

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

Full reading of ordinance listed be waived.

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

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

APPROVAL TO PLACE A STRAWBERRY ZEST STATUTE IN FRONT OF FIRE STATION 84 ON VALLEY VIEW STREET UPON COMPLETION OF PRIVATE FUND RAISING EFFORTS (F: 87.1)

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

Placement of a Strawberry Zest statue in front of Fire Station 84 on Valley View Street upon completion of private fundraising efforts, be approved.

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

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

PUBLIC HEARING – INTRODUCTION AND FIRST READING OF AN ORDINANCE APPROVING AMENDMENT NO. A-033-2021 (F: 115.A-033-2021)

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

Following staff introduction and PowerPoint presentation reviewing state mandates in relation to SB 9, Mayor Jones declared the public hearing open and asked if anyone wished to address the City Council on the matter.

Speakers: Mike Truong, Chi Bui, Quyen Tat, Craig Durfey

There being no further response from the audience, Mayor Jones closed the public hearing.

Following City Council discussion, with Council Member Bui expressing concern that more analysis was needed before the City Council should consider this ordinance, it was moved by Council Member Klopfenstein, seconded by Mayor Jones to pass the ordinance to second reading.

Council Member Bui motioned to table this matter for two months to allow further staff analysis, seconded by Council Member Brietigam.

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

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

Following further discussion, Mayor Jones noted that this Ordinance aligns with state mandates and that staff has done a thorough job preparing for incorporating the changes to the development standards and that:

Ordinance No. 2930 entitled: An Ordinance of the City Council of the City of Garden Grove approving Amendment No. A-033-2021, a zoning text amendment to Title 9 of the Garden Grove Municipal Code to adopt new regulations for two-unit residential developments and parcel maps for urban lot splits in single-family residential zones in accordance with Senate Bill 9, be passed to second reading.

The original motion carried by a 5-1-1 vote as follows:

Ayes: (5) Brietigam, Klopfenstein, K. Nguyen, D. Nguyen,  
Jones  
Noes: (1) Bui  
Absent: (1) O'Neill

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

This matter was considered earlier in the meeting.

CONSIDERATION OF AN APPOINTMENT TO FILL A VACANCY ON THE NEIGHBORHOOD IMPROVEMENT AND CONSERVATION COMMISSION (CONTINUED FROM THE DECEMBER 14, 2021, MEETING.) (F: 122.4)

This item was continued to the next meeting.

SECOND READING AND ADOPTION OF ORDINANCE NO. 2926 (F: 115.A-032-2021)

*(As approved earlier in the meeting, it was moved by Council Member Brietigam, seconded by Council Member Klopfenstein, and approved by a 6-0-1 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 Klopfenstein that:

Ordinance No. 2926 entitled: An Ordinance of the City Council of the City of Garden Grove approving Amendment No. A-032-2021, A Zoning Text Amendment to portions of Chapter 9.16 (Commercial, Office Professional, Industrial, and Open Space Development Standards) of Title 9 of the City of Garden Grove Municipal Code establishing enhanced development and operational standards and modified parking requirements for incidental outdoor dining areas associated with eating establishments/restaurants within the commercial and industrial zones, be adopted.

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

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

SECOND READING AND ADOPTION OF ORDINANCE NO. 2928 (F: 100.1)

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

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

Ordinance No. 2928 entitled: An Ordinance of the City Council of the City of Garden amending Chapter 36 of Title 10 of the Garden Grove Municipal Code establishing speed limits for certain designated city streets based upon an updated traffic and engineering speed survey, be adopted.

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

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

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

DISCUSSION REGARDING ADJUSTING THE CITY COUNCIL'S SALARY AS AUTHORIZED BY CALIFORNIA LAW BASED ON GARDEN GROVE'S POPULATION, AS REQUESTED BY COUNCIL MEMBER KIM NGUYEN AND COUNCIL MEMBER GEORGE BRIETIGAM (F: 46.1C)

Council Member Brietigam noted that council compensation has not been adjusted since 1988 when it was decreased from the compensation approved in 1974. He commented that even by following state recommendations based on population, Garden Grove council members would still be compensated on the lower end of the scale. He stated that consideration for Garden Grove's population, using personal funds while meeting obligations to their districts and constituents, and in comparison to other Orange County cities, an adjustment to council and mayoral compensation is overdue.

Council Member K. Nguyen noted that when she was newly elected to the City Council, she was under thirty and paying half of her income to rent. She stated



that being a council member is an intense volunteer position that takes a lot of time and personal resources and that the current compensation would be considered below minimum wage. By increasing the compensation, it could incentivize other residents to consider running for a council seat. Based on the comparison to other Orange County cities, preparing for meetings, researching legislative matters, as well as attending outside committee meetings and events, an increase to the compensation is reasonable. She asked that staff provide the legal parameters for compensation.

City Attorney Sandoval stated that Government Code 36516 states that the maximum amount of council compensation is based on population size from the most current census. Council members of cities with populations from 150,000 to 250,000, can be compensated \$800 per month, which can be increased up to five percent for each calendar year on the operative date of the last adjustment. If a compensation formula used is based on the last compensation approved in 1988, the maximum amount would be \$1300. The Mayor compensation is considered a member of the council; however, the compensation can be higher. Most cities pay elected Mayors an additional compensation of \$100 to \$150. He also noted that council compensation requires an ordinance that states that the compensation would take effect following an election or when a council member would begin a new term of office.

Following further City Council discussion, it was moved by Council Member K. Nguyen, seconded by Council Member Klopfenstein that:

Consideration of ordinances to increase City Council and Mayoral compensation be listed on the next agenda.

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

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

#### ERP PROJECT SUBCOMMITTEE UPDATE PROVIDED BY COUNCIL MEMBER BUI

Council Member Bui commented on the success of the ERP System, which is now fully integrated and live for all of the City's financial activities. He commended City staff and the ERP Consultant, Central Square, on bringing the project in on time and under budget.

Finance Director, Patricia Song, acknowledged the teamwork by staff and the consultant for bringing the ERP system online timely and under budget.

City Manager Stiles thanked Council Member Bui and City staff bringing the ERP system online, and acknowledging the tremendous amount of work for the past two years.

Council Member Brietigam wished everyone a Happy New Year, and he recognized Team Tackney for the Jingle Jam event held at Eastgate Park over the holidays, as well as Josh Lindsay for the Christmas Light contest.

Council Member Bui encouraged the community to get vaccinated for COVID-19 and to get a booster to help prevent the spread of Omicron.

Mayor Pro Tem D. Nguyen wished everyone a Happy New Year and noted she has been getting the word out to the community on the City's redistricting schedule.

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

Assistant City Manager Maria Stipe announced the City's partnership with Republic Waste Management on Community Cleanup Days for bulky items. The schedule is available on the City's website at <https://ggcity.org/pw/cleanup-days>. Hazardous materials and waste will not be accepted.

At 8:56 p.m., Mayor Jones adjourned the meeting. The next Regular City Council Meeting will be on Tuesday, January 25, 2022, at 5:30 p.m. at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California.

Teresa Pomeroy  
City Clerk