

M I N U T E S

GARDEN GROVE NEIGHBORHOOD IMPROVEMENT AND  
CONSERVATION COMMISSION (NICC)

REGULAR MEETING

COMMUNITY MEETING CENTER  
11300 STANFORD AVENUE  
GARDEN GROVE, CALIFORNIA

MONDAY  
JUNE 5, 2006

CALL TO ORDER: The regular session of the NICC Commission was called to order at 7:00 p.m. in the Council Chamber of the Community Meeting Center.

PRESENT: CHAIR SILVERBERG, VICE CHAIR BRIETIGAM,  
COMMISSIONERS, HANNA, D. NGUYEN, J. NGUYEN, AND  
M. CHONA PRESTON

ABSENT: COMMISSIONER DIAZ

ALSO PRESENT: Susan Emery, Community Development Director; Allison Mills, Project Manager; Code Enforcement Officers Patti Petruzzelli and Julie Ashleigh; and Teresa Pomeroy, Recording Secretary.

PLEDGE OF ALLEGIANCE

Commissioner Dina Nguyen led the Pledge of Allegiance.

APPROVAL OF MINUTES

Vice Chair Brietigam moved to approve the Minutes from April 3, 2006, seconded by Chair Silverberg, and was carried with the following vote:

AYES: COMMISSIONERS: BRIETIGAM, HANNA, D. NGUYEN, J. NGUYEN, SILVERBERG,  
PRESTON

NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: DIAZ

PUBLIC COMMUNICATION

None.

MATTERS FROM STAFF

General Plan Update

Ms. Susan Emery, Community Development Director, provided a power point presentation on the General Plan Update. The General Plan is required by state law to be updated every 20 years and facilitates legal land use issues. The presentation was a synopsis of the update process and the role that the general plan has with determining appropriate land use development to meet current demands. The community is encouraged to become involved by participating in the on line surveys and attending the workshops. The first workshop was conducted on May 16, 2006, and was attended by more than 85 residents. Information will be available at [www.gardengrovefuture.info](http://www.gardengrovefuture.info) and mailers announcing workshops throughout the update will be sent.

## PUBLIC HEARING ITEMS

### Code Enforcement Abatement for 9821 Quail Court

Staff reviewed the code violations consisting of overgrown and non-maintained landscaping, and cracked and peeling paint. A power point presentation comprised of chronologically dated photographs taken of the front and side yard of the property from April 2005 through June 2006 was given. Staff has not been successful in gaining voluntary compliance, and no attempt has been made to correct the code violations on the property. Staff also noted that the most recent site visit revealed an inoperable vehicle parked in the driveway. Staff recommended that the property be declared a public nuisance.

Staff provided three letters of support to declare the property a public nuisance from the neighbors residing on Quail Court.

Chair Silverberg questioned whether there is a mortgage on this house. Staff responded that the property has been in a trust since the year 2000, and the resident is the daughter of the property owner.

Chair Silverberg opened the public hearing to receive testimony.

Mr. Horst Schmidt of 9823 Quail Court approached the Commission and listed numerous issues with the state of disrepair on the property, as well as the resident's unwillingness to be a good neighbor. He stated that the property has not been maintained since 1989, and raised a concern that without pressure from the city, neither the property owner nor the property owner's daughter who lives in the home with her family will maintain the property.

Mr. Richard Tesdall of 9827 Quail Court approached the Commission and expressed concern about protecting the property values in the neighborhood. He was one of the residents who wrote a letter in support of the decision to declare the property a public nuisance.

Ms. Anna Lee Pinhiero, resident of the subject property, approached the Commission. She stated that she has removed the debris, and has paid \$2,000.00 to have the house painted.

Vice Chair Brietigam asked Mrs. Pinhiero if there was a reason why the house has not been maintained, and not brought into code compliance. Mrs. Pinhiero indicated that there were personal reasons.

Commissioner Hanna stated that she visited the neighborhood, and from what she could see the lawn is dead. She asked Mrs. Pinhiero what she plans to do with the landscaping. Mrs. Pinhiero asked if she was being told what kind of landscaping to plant.

Commissioner Preston asked about what was not visible from the street, and Commissioner Dina Nguyen asked if Mrs. Pinhiero has contracted anyone to clean what is not visible from the street, but visible to the neighbors.

Mrs. Pinhiero stated that they have removed the dead vegetation; however, she was under the assumption that she only had to clean up what was visible from the street.

Staff noted that the code applies to the property in total regardless of visibility from the street, and every notice that was sent specified that there must be healthy vegetation.

There being no further comment the public portion of the hearing was closed.

Vice Chair Brietigam expressed his view that it appears that Mrs. Pinhiero is only willing to do the minimum, and agreed with the neighbor's concern that if the city does not continue to apply pressure for compliance then nothing will get done. He stated that he would like to

include the abatement of the inoperable vehicle into the resolution to declare the property a public nuisance.

Commissioner Dina Nguyen commented that the trustee has benefited by the property, and has the duty to protect the property. Based on the staff's and public testimony, the cracked paint and the dead landscaping is a public nuisance that promotes an unhealthy environment to the community. She accepts staff recommendation of 21 days, because voluntary compliance has not been achieved for over a year.

Vice Chair Brietigam moved to approve Resolution No. 03-06, with an amendment to include the removal of the inoperable vehicle, seconded by Commissioner Preston and was carried with the following vote:

AYES: COMMISSIONERS: BRIETIGAM, HANNA, D. NGUYEN, J. NUGYEN, PRESTON, AND SILVERBERG  
NOES: COMMISSIONERS: NONE  
ABSENT: COMMISSIONERS: DIAZ

#### Code Enforcement Abatement for 12301 Pentagon Street

Staff reviewed the code violations consisting of overgrown and non-maintained landscaping, and cracked and peeling paint. A power point presentation comprised of chronologically dated photographs taken of the front and rear yard of the property from April 2005 through June 2006 was given. Staff has not been successful in gaining voluntary compliance and no attempt has been made to correct the code violations on the property.

Staff stated that the property owner lives in Rancho Santa Margarita, and was notified of the public hearing by certified mail; however, the property owner is not in attendance. The property owner was sent a notice in April 2005 regarding peeling paint, dead and overgrown vegetation, and an inoperable vehicle. No one lives at the property, but on occasion the front lawn is mowed; however, even with the removal of the inoperable vehicle, there are still the code violations of cracked and peeling paint and dead and overgrown vegetation. One letter supporting the abatement procedure was received from the neighbor who writes that they have helped with mowing the front yard and removing debris.

Chair Silverberg opened the public hearing to receive testimony.

There being no comments, the public portion of the hearing was closed.

Commissioner John Nguyen expressed his view that the property does not look that bad, and is concerned about taking this measure with the abatement process.

Staff noted that the alternative is to take the property owner to court, and that this method for abatement benefits the property owner.

Commissioner Hanna commented that this is an insult, and they should not tolerate this lack of care.

Commissioner Hanna moved to accept the staff recommendation and approve Resolution No. 04-06, seconded by Vice Chair Brietigam, and was carried with the following vote:

AYES: COMMISSIONERS: BRIETIGAM, HANNA, D. NGUYEN, J. NUGYEN, PRESTON, AND SILVERBERG  
NOES: COMMISSIONERS: NONE  
ABSENT: COMMISSIONERS: DIAZ

Substantial Amendment No. 1 to the 2005-06 Action Plan

Staff report was reviewed and recommended that the Neighborhood Improvement and Conservation Commission transmit the Substantial Amendment No. 1 to City Council.

Commissioner Hanna questioned whether the amendment provides for a specific program to place the funding. Staff replied that the funding provided by the amendment is to be used for the Tamerlane project, a multi-family acquisition rehabilitation project for low to moderate-income earners.

Vice Chair Brietigam asked whether the funding could be placed into other programs. Staff responded that the funding amounts have already been identified in the action plan, noting that this funding is left over from the 2005/2006 action plan that had been stored under a separate data base that was overlooked by the Finance Department when calculating funding availability for the 2006/2007 action plan.

Commissioner Hanna moved to transmit the Substantial Amendment No. 1 to City Council, seconded by Commissioner Dina Nguyen, and was carried with the following vote:

AYES: COMMISSIONERS: BRIETIGAM, HANNA, D. NGUYEN, J. NUGYEN, PRESTON, AND SILVERBERG  
NOES: COMMISSIONERS: NONE  
ABSENT: COMMISSIONERS: DIAZ

STAFF COMMUNICATION

A flyer announcing a Low Income Energy Efficiency Workshop seminar on Thursday, June 8, 2006 at the Los Angeles Department of Water and Power was provided to the Commission.

COMMISSION COMMUNICATION

Chair Silverberg commended Code Enforcement Officers Patti Petruzzelli and Julie Ashleigh.

ADJOURNMENT: The meeting was adjourned at 9:00 p.m. to September 11, 2006.

TERESA POMEROY  
Recording Secretary