



AGENDA  
REGULAR MEETING

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NEIGHBORHOOD IMPROVEMENT AND CONSERVATION COMMISSION

Council Chamber  
11300 Stanford Avenue

June 4, 2018  
6:30 p.m.

ROLL CALL: CHAIR RAMIREZ, VICE CHAIR MCINTOSH  
COMMISSIONERS BLACKMUN, BRIETIGAM, CRAWFORD, PHAM,  
SERRANO

Members of the public desiring to speak on any item of public interest, including any item on the agenda except Public Hearings, must do so during Oral Communications at the beginning of the meeting. Each speaker shall fill out a card stating name and address, to be presented to the Recording Secretary, and shall be limited to five (5) minutes. Members of the public wishing to address public hearing items shall do so at the time of the public hearing.

Any person requiring auxiliary aids and services due to a disability should contact the City Clerk's Office to arrange for special accommodations. (Government Code §5494.3.2)

All revised or additional documents and writings related to any items on the agenda, which are distributed to all or a majority of the Neighborhood Improvement and Conservation Commissioners within 72 hours of a meeting, shall be available for public inspection (1) at the Neighborhood Improvement Office during normal business hours; and (2) at the Council Chamber at the time of the meeting.

Agenda item descriptions are intended to give a brief, general description of the item to advise the public of the item's general nature. The Neighborhood Improvement and Conservation Commission may take legislative action it deems appropriate with respect to the item and is not limited to the recommended action indicated in staff reports or the agenda.

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

1. ORAL COMMUNICATIONS – PUBLIC
2. APPROVAL OF MINUTES
  - 2.a. Minutes from March 5, 2018 meeting
3. ITEM FOR CONSIDERATION
  - 3.a. Review of the Code of Ethics
4. MATTERS FROM STAFF
  - 4.a. Emergency Solutions Grant – Street Outreach Update
  - 4.b. Public Works – Presentation on selecting public infrastructure projects
5. MATTERS FROM COMMISSIONERS
6. ADJOURNMENT

The next Regular Meeting of the Neighborhood Improvement and Conservation Commission will be held Monday, September 10, 2018, at 6:30 p.m., in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, CA.

MINUTES - REGULAR MEETING

NEIGHBORHOOD IMPROVEMENT AND CONSERVATION COMMISSION (NICC)

Community Meeting Center, Council Chamber  
11300 Stanford Avenue

Monday, March 5, 2018

CALL TO ORDER: 6:36 P.M.

ROLL CALL:

CHAIR RAMIREZ  
VICE CHAIR MCINTOSH  
COMMISSIONER BLACKMUN  
COMMISSIONER BRIETIGAM  
COMMISSIONER CRAWFORD  
COMMISSIONER PHAM  
COMMISSIONER SERRANO

Absent: Brietigam, Pham

Commissioner Pham joined the meeting at 6:47 p.m.

ALSO PRESENT: Allison Wilson, Neighborhood Improvement Manager; Nate Robbins, Senior Program Specialist; Judy Moore, Recording Secretary.

PLEDGE OF ALLEGIANCE: Led by Commissioner Blackmun.

SELECTION OF CHAIR AND VICE CHAIR: Commissioner Blackmun nominated Commissioner Ramirez to continue as Chair, seconded by Commissioner McIntosh. The motion carried with a 5-0-2 vote as follows:

Ayes: (5) Blackmun, Crawford, McIntosh, Ramirez, Serrano  
Noes: (0) None  
Absent: (2) Brietigam, Pham

Commissioner Crawford nominated Commissioner McIntosh to continue as Vice Chair, seconded by Commissioner Blackmun. The motion carried with a 5-0-2 vote as follows:

Ayes: (5) Blackmun, Crawford, McIntosh, Ramirez, Serrano  
Noes: (0) None  
Absent: (2) Brietigam, Pham

ORAL COMMUNICATIONS – PUBLIC: None.

MINUTES: It was moved by Vice Chair McIntosh and seconded by Commissioner Blackmun, to receive and file the Minutes from the December 4, 2017 Meeting. The motion carried by a 5-0-2 vote as follows:

Ayes: (5) Blackmun, Crawford, McIntosh, Ramirez, Serrano  
Noes: (0) None  
Absent: (2) Brietigam, Pham

MATTERS FROM STAFF:

PUBLIC HEARING FOR FISCAL YEAR 2018-19 ACTION PLAN: The staff report dated March 5, 2018 was introduced.

Commissioner Blackmun asked staff to break down the CDBG (Community Development Block Grant) Administration allocation. Staff explained that the CDBG Administrative budget was 20 percent of the annual CDBG allocation and was used to cover uses such as staff salaries, attorney time, materials, printing, mailing, and anything related to the administration of the program.

Commissioner Blackmun then asked for an update on public infrastructure projects. Staff responded that projects in low-income areas were for street maintenance, sidewalks, and sewers, etc. and were typically funded by the General Fund, though some projects could be offset by CDBG funds to maximize City funds to use elsewhere.

Commissioner Blackmun then asked how much of the Action Plan was standardized year after year. Staff replied that the Action Plan was derived from the 5-year Consolidated Plan and each year the plan was similar.

Vice Chair McIntosh asked staff to explain the \$150,000 program for the creation of six jobs or six businesses. Staff explained that Garden Grove had a Small Business Assistance Loan Program that offered \$25,000 loans to Garden Grove businesses. In return, the business was required to ensure one, new job was created for a low-income Garden Grove resident. Though one job was the minimum requirement, new businesses taking advantage of the program may create more than one job. The \$25,000 loan, with interest, was repaid to the City, enabling the City to offer more loans. The loan information was disseminated through the Small Business Association, the SBCD, and various Chambers. Brochures were located at the Business License and Building & Safety counters. The businesses must be in Garden Grove and the person(s) hired must be from Garden Grove and qualify as low-income individuals.

Vice Chair McIntosh inquired about funds directed toward the Westhaven Park Fire Department. Staff responded that the Fire Department line item was a carryover from years ago for a proposed Fire Department on Harbor Boulevard. Of the five parcels required to build the Harbor station, the middle parcel could not be acquired, however, HUD funds were expended for one of the five parcels. The line item would remain in the Action Plan until a decision on the property could be reached. The City would retain the property and in the next Action Plan year, the

General Fund would repay the CDBG line of credit with the CDBG funds to be directed to the La Bonita storm drain.

Vice Chair McIntosh referred to the Home Improvement grants and commented that the 62 years of age or older requirement was discriminatory against low-income homeowners of all ages.

Chair Ramirez asked staff to explain the 80% of area median income. Staff responded that income varied with household size, for example, one person was about \$56,000 and two people were approximately \$63,000 and so on. For low-income areas, 51% of the households had income at or below 80% of the area median income. The 51% listed was HUD's requirement to use CDBG funds in a certain neighborhood. Almost 79% of the City of Garden Grove was low-income.

Commissioner Serrano referred to neighborhood infrastructures and asked how they were prioritized. Staff replied that staff worked with Public Works and relied on their expertise for the five-year capital improvement plan for updating and restructuring neighborhoods. Serrano then asked, if prior to finalizing the Action Plan, the Commission could view a list of the priorities to see what capital improvements were upcoming in their districts.

Vice Chair McIntosh agreed and suggested an on-line poll.

Chair Ramirez opened the public hearing and seeing no one present to comment, closed the public hearing.

It was moved by Commissioner Serrano and seconded by Vice Chair McIntosh, to accept staff's recommendation to transmit the Fiscal Year 2018-19 Action Plan and comments to City Council. The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Blackmun, Crawford, McIntosh, Pham, Ramirez, Serrano  
Noes: (0) None  
Absent: (1) Brietigam

COMMENTS REGARDING 2017 ANNUAL PROGRESS REPORT OF HOUSING ELEMENT:  
The staff report dated March 5, 2018 was introduced.

Commissioner Crawford asked for the definition of new housing units, if they included, for example, a new house constructed on the same lot where a house had been demolished. Staff replied yes, and referred to Table A.3, which indicated that second units, such as Accessory Dwelling Units (ADU's) were included. The State assumption was that if a second unit could be built, the income was 'moderate', and if a new house could be built, the income was 'above moderate'.

Vice Chair McIntosh asked if any of the Housing Element's 465 required low-income units would come from the Brookhurst Triangle.

Staff explained that the Housing Element Needs Assessment identified City areas for potential housing development as well as current housing stock and current

population, which determined the 747 number for the 8-year period. That number was then adjusted per income using percentages. 282 units had been made available over the last five years with 77 additional rehabilitated units, at 10632 Bolsa Avenue, to be added to next year's report, in addition to any ADU units. Also, the Brookhurst Triangle low-income rental units and the affordable senior housing development (formerly Galleria) had potential to be added, which would more than satisfy the 747 requirement. Staff then clarified that HUD units counted toward the Housing Element, however, all units were not HUD funded and that HUD oversees the Action Plan, while the Housing Element was governed by the State.

Commissioner Serrano asked if the City would be fined if the housing numbers were not met. Staff replied that there were no repercussions and that the City only had to show that systems were in place to accommodate such numbers. Other factors may not allow the City to produce the affordable housing as it was market driven.

It was moved by Commissioner Crawford and seconded by Vice Chair McIntosh, to accept staff's recommendation to transmit the Housing Element Update to the Planning Commission. The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Blackmun, Crawford, McIntosh, Pham, Ramirez, Serrano  
Noes: (0) None  
Absent: (1) Brietigam

MATTERS FROM COMMISSIONERS: Commissioner Blackmun asked if the NICC was a part of the Continuum of Care program for housing. Staff responded that NICC would not be involved, however, several staff were beginning to attend the coordination meetings.

In regard to the homeless issue, Commissioner Crawford asked if a representative from City Net could provide an update at the next meeting as the only difference she has seen in the last year was that the homeless were migrating to Main Street and other local areas. Staff added that the Illumination Foundation was also paid to do street outreach services and could update also.

It was moved by Commissioner Crawford and seconded by Commissioner Blackmun, to request that both City Net and Illumination Foundation report out at the next NICC meeting in regard to the needs of the homeless. The motion carried by a 6-0-1 vote as follows:

Ayes: (6) Blackmun, Crawford, McIntosh, Pham, Ramirez, Serrano  
Noes: (0) None  
Absent: (1) Brietigam

Commission Pham mentioned that the 31<sup>st</sup> Annual HIV/Aids on the Frontline Conference was slated for Wednesday, April 25, 2018 from 8:00 a.m. to 5:00 p.m. at the UC Irvine Campus.

Commissioner Serrano asked for Public Works to provide a presentation on how the Capital Improvement Program was established and how projects were prioritized in

the City, so that Commissioners could be advocates for their districts. Staff added that the NICC could provide input and recommendations on prioritizing projects with those comments going to City Council.

It was moved by Commissioner Serrano and seconded by Vice Chair McIntosh, to request Public Works to give a presentation on Capital Improvements and how they were prioritized and funded. The motion carried by a 5-1-1 vote as follows:

Ayes: (5) Crawford, McIntosh, Pham, Ramirez, Serrano  
Noes: (1) Blackmun  
Absent: (1) Brietigam

ADJOURNMENT: The meeting was adjourned at 7:38 p.m.

The next Regular Meeting of the Neighborhood Improvement and Conservation Commission will be held Monday, June 4, 2018, at 6:30 p.m., at the Community Meeting Center, Council Chamber, 11300 Stanford Avenue.

**City of Garden Grove  
INTER-DEPARTMENT MEMORANDUM**

**To:** Neighborhood Improvement  
And Conservation Commission

**From:** Nate Robbins

**Dept:**

**Dept:** C.E.D.D.

**Subject:** REVIEW OF CODE OF ETHICS

**Date:** June 4, 2018

Chapter 2.02 of the Municipal Code comprises the City's Code of Ethics. Pursuant to that Chapter, the Neighborhood Improvement and Conservation Commission has a duty to review the Code of Ethics annually during their first meeting in the month of March; however, if the first meeting is cancelled, the review shall be re-scheduled to the next regular meeting.

Accordingly, the Code of Ethics is scheduled for your formal review at the Commission meeting of June 4, 2018. There is no resolution required; rather, your action will be documented in the minutes of the meeting. However, if you have any questions regarding the Code of Ethics please email or call the City Attorney, Omar Sandoval at [omars@ci.garden-grove.ca.us](mailto:omars@ci.garden-grove.ca.us) or 714-741-5368.

Nate Robbins  
Senior Project Specialist

Attachment: Municipal Code Chapter 2.02



## Chapter 2.02

### CODE OF ETHICS FOR PUBLIC OFFICERS AND EMPLOYEES

#### Sections:

- 2.02.005 Code Review
- 2.02.010 Declaration of Policy
- 2.02.020 Responsibilities of Public Office
- 2.02.030 Dedicated Service
- 2.02.040 Fair and Equal Treatment
- 2.02.050 Use of Public Property
- 2.02.060 Obligations to Citizens
- 2.02.070 Disclosure of Interest and Disqualification
- 2.02.080 Compliance with State Law
- 2.02.090 Violations—Actions
- 2.02.100 State Laws—Control
- 2.02.110 Violations—Penalty

#### 2.02.005 Code Review

All official boards, commissions, and committees of the City are to formally review the following Code of Ethics provided in this chapter with their members annually during their first meeting in the month of April. New members are to be provided a copy of the Code of Ethics for their review when they are appointed or elected to each board, commission, or committee. (2813 § 1, 2012; 1437 § 1, 1975)

#### 2.02.010 Declaration of Policy

The proper operation of municipal government requires that public officials and employees be independent, impartial, and responsible to the people; that governmental decisions and policy be made in the proper channels of the governmental structure; and that public office not be used for personal gain. (2813 § 1, 2012; 1301 § 1, 1972)

#### 2.02.020 Responsibilities of Public Office

Public officials are all elective officials of the City and the members of all official boards, commissions, and committees of the City. Public officials and employees are bound to uphold the Constitution of the United States and the Constitution of the State and to carry out the laws of the

nation, state, and municipality. Public officials and employees are bound to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their offices, regardless of personal considerations; recognizing that the public interest must be their primary concern, and that conduct in both their official and private affairs should be above reproach. (2813 § 1, 2012; 1301 § 1, 1972)

#### 2.02.030 Dedicated Service

Public officials and employees should not exceed their authority or breach the law or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from so doing by law or the officially recognized confidentiality of their work. (2813 § 1, 2012; 1301 § 1, 1972)

#### 2.02.040 Fair and Equal Treatment

Preferential consideration of the request or petition of any individual citizen or group of citizens shall not be given. No person shall receive special advantages beyond that which are available to any other citizen. (2813 § 1, 2012; 1301 § 1, 1972)

#### 2.02.050 Use of Public Property

No public official or employee shall request or permit the use of City-owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the public generally or are provided as municipal policy for the use of such public official or employee in the conduct of official business. No public official or employee shall use the time of any City employee during working hours for personal convenience or profit. (2813 § 1, 2012; 1301 § 1, 1972)

#### 2.02.060 Obligations to Citizens

A. CONFLICT WITH PROPER DISCHARGE OF DUTIES. No public official or employee, while serving as such, shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity, or incur any obligation of any nature that is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed by law.

B. **INCOMPATIBLE EMPLOYMENT.** No public official or employee shall accept other employment that he or she has reason to believe will either impair his or her independence of judgment as to his or her official duties or require him or her or induce him or her to disclose confidential information acquired by him or her in the course of and by reason of his or her official duties.

C. **DISCLOSURE OF CONFIDENTIAL INFORMATION.** No public official or employee shall willfully and knowingly disclose for pecuniary gain to any other person confidential information acquired by him or her in the course of and by reason of his or her official duties nor shall any public official or employee use any such information for the purpose of pecuniary gain.

D. **CONFLICT OF INTEREST.** A conflict of interest exists in a matter before a public official for consideration or determination if:

1. The public official has a substantial financial or substantial personal interest in the outcome or as owner, member, partner, officer, employee, or stockholder of any corporation or other professional enterprise that will be affected by the outcome, and such interest is or may be adverse to the public interest in the proper performance of governmental duties by the public official;

2. The public official has reason to believe or expect that he or she will derive direct monetary gain or suffer a direct monetary loss, as the case may be, by reason of his or her official activity;

3. The public official, because of bias, prejudice, or because he or she has prejudged a matter set for public hearing, is incapable because of such bias, prejudice or prejudgment of granting to the matter before him or her a fair and impartial hearing.

4. Personal interest as distinguished from financial interest is defined as including, among other matters, an interest arising from blood or marriage relationships, or close business association. (2813 § 1, 2012; 1301 § 1, 1972)

**2.02.070 Disclosure of Interest and Disqualification**

A. Any Councilmember who has a conflict of interest as defined herein, in any matter before the City Council, shall disclose such fact on the record of the City Council and refrain from participating in any discussion of voting thereon, pro-

vided that such exceptions shall be observed as are required by law.

B. Any member of any official board, commission, or committee who has a conflict of interest as defined herein in any matter before the board, commission, or committee of which he or she is a member, shall disclose such fact on the record of such board, commission, or committee and refrain from participating in any discussion or voting thereon, provided that such exceptions shall be observed as are required by law.

C. Any employee who has a financial or other special interest in a matter before the City Council or any board, commission, or committee and who participates in discussion with, or gives an official opinion to the City Council, or to such board, commission, or committee relating to such matter, shall disclose on the record of the City Council or such board, commission, or committee, as the case may be, the nature and extent of such interest. (2813 § 1, 2012; 1301 § 1, 1972)

**2.02.080 Compliance with State Law**

Public officials and employees of the City shall comply with applicable provisions of state law relative to conflicts of interest and generally regulating the conduct of public officials and employees. (2813 § 1, 2012; 1301 § 1, 1972)

**2.02.090 Violations—Actions**

The violation of any provision of this chapter shall be:

A. As to all City employees, grounds for dismissal from City employment;

B. As to any appointed position on any board, commission, or committee, grounds for removal from any such board, commission, or committee;

C. As to any prosecution of any elected public official, the City Council shall make findings of fact by at least a vote of three City Councilmembers that an elected public official has, in fact, violated this chapter as a prerequisite to prosecution. (2813 § 1, 2012; 1301 § 1, 1972)

**2.02.100 State Laws—Control**

This chapter and its application are intended to be supplemental to and consistent with all applicable state laws. (2813 § 1, 2012; 1301 § 1, 1972)

**2.02.110 Violations—Penalty**

Any person violating any of the provisions of this chapter is guilty of a misdemeanor and, upon conviction thereof, is punishable as provided in Section 1.04.010 of this Code. (2813 § 1, 2012; 1301 § 1, 1972)