

AGENDA

Regular Meeting

GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT

Community Meeting Center
11300 Stanford Avenue

January 10, 2006

Council Chamber

ROLL CALL: MEMBER DALTON, MEMBER KREBS, MEMBER LEYES,
VICE CHAIR ROSEN, CHAIR NGUYEN

Member Leyes absent at roll call but joined the meeting at 6:19 p.m.

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 City Clerk, 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. Additionally, any person requiring auxiliary aids and services due to a disability should contact the City Clerk's office to arrange for special accommodations. (City Council Manual of Procedures, Section D). 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 City Council 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.

Closed Session

6:16 p.m.

1. PUBLIC INPUT: (Anyone wishing to address only Closed Session items may do so at this time.)

None.

2. CLOSED SESSION:

- 2.a. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8**

MEMBERS: MEMBER DALTON, MEMBER KREBS, MEMBER LEYES,
VICE CHAIR ROSEN, CHAIR NGUYEN

Properties: The following parcels listed by Assessor Parcel Number (APN), address, if available, and current owner:

APN 231-491-21 (Sunbelt), 231-491-20 (Jen Fu Lin & Hong Y L Lin), 231-521-01 (Jerry Bowen), 231-521-02 (Jerry Bowen), 231-521-03 (Richard Kil & Yong Hui Kil), 231-521-04 (Richard Kil & Yong Hui Kil), 231-521-05 (Richard Kil & Yong Hui Kil)

Agency's Negotiators: Matthew Fertal, Agency Director; Chet Yoshizaki, Economic Development Director; Greg Blodgett, Economic Development Project Manager; Celeste Stahl Brady, Agency Counsel; Jon E. Goetz, Agency Counsel

Negotiating Parties: Garden Grove Agency for Community Development and Ajesh Patel Prosperal Hotels

Under Negotiation: Potential disposition, real property sale, price(s) and terms of payment of the above-listed parcels of real property.

Factors Affecting Price and Terms under Negotiation:

- Acquisition of subject property
- Recorded covenants
- Scope of redevelopment of subject property and offsite improvements
- Physical condition of property at close of escrow
- Condition of title to property at close of escrow
- Indemnities of Buyer/Seller
- Representations and warranties of Seller
- Potential highest and best use of property and potential alternative land uses

Factors affecting time of payment:

- Conditions to closing of escrow:

MEMBERS: MEMBER DALTON, MEMBER KREBS, MEMBER LEYES,
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- Due diligence period
- Environmental condition and remediation of property, if any

ACTION: Not discussed.

2.b. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8 (F: A-55.319)**

Properties: Parcels owned by the Agency located at the northeast corner of Chapman Avenue and Magnolia Boulevard, and comprised of the following parcels listed by Assessor Parcel Number (APN) and address:

- APN 132-442-25, 9002 Marylee Drive, Garden Grove
- APN 132-442-26, 9001 Chapman Avenue, Garden Grove
- APN 132-442-27, 9011 Chapman Avenue, Garden Grove
- APN 132-442-28, 9031 Chapman Avenue, Garden Grove
- APN 132-442-29, 9041 Chapman Avenue, Garden Grove

Agency's Negotiators: Matthew Fertal, Agency Director; Chet Yoshizaki, Economic Development Director; Alison Moore, Economic Development Project Manager; Greg Blodgett, Economic Development Project Manager; Celeste Stahl Brady, Agency Counsel; Jon E. Goetz, Agency Counsel

Negotiating Parties: Garden Grove Agency for Community Development and Thom Falcon, La Quinta Homes; Rebecca Weimer, Weimer & Associates; and Manuel Nunes, TriStone.

Under Negotiation: Potential disposition, real property sale, price(s) and terms of payment of the above-listed parcels of real property.

Factors Affecting Price and Terms under Negotiation:

- Physical condition of property at close of escrow
- Condition of title to property at close of escrow

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- Indemnities of Buyer/Seller
- Representations and warranties of Seller
- Potential highest and best use of property and potential alternative land uses

Factors affecting time of payment:

- Conditions to closing of escrow:
- Due diligence period
- Environmental condition and remediation of property, if any

ACTION: Discussed. Consensus to negotiate with Thom Falcon, La Quinta Homes, as developer for the subject property.

2.c. **CONFERENCE WITH LEGAL COUNSEL FOR INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c)** (F: A-55.321)

The Agency acquired, and now owns and operates, certain real property located at 12721 Harbor Boulevard, Garden Grove and commonly referred to as the Travel Country RV Park ("Property"). Agency Board will hold a closed session pursuant to Government Code Section 54956.9(c) to confer with legal counsel, the Agency Director, and staff and to provide direction and/or authority about (i) whether or not to initiate litigation, including filing unlawful detainer action(s) and/or related legal proceedings from commencement through completion of such action(s), against the occupants of Space No. 77-A, 67, and 34 at the Property, including Anna M Thomas, Nadine Gomez, Carlos Gomez, Rick Zapiain, and all others in possession at Space No. 77-A, and Amber Buchholz Jennings, John Jennings and all others in possession at Space No. 67, and Roberto Arellano, Jr., Robert Arellano, Sr., and all others in possession at Space No. 34 and (ii) continuing property management of the Property, including as and if necessary, to authorize initiation of litigation, including filing unlawful detainer action(s) and/or related legal proceedings from commencement through completion of such action(s), regarding Space No. 77-A, 67, 34, and any other person or persons in alleged unlawful possession at

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the Property based on facts and circumstances that support the need to initiate litigation.

ACTION: Discussed. Consensus vote to proceed with 3 evictions and to proceed with any evictions in the future for late payments and gross violations of Occupancy Agreement and RV Park Rules and Regulations without returning to the Agency.

Open Session

7:45 p.m.

3. ORAL COMMUNICATIONS - PUBLIC: (To be held simultaneously with City Council and Sanitary District Oral Communications.)
 - 3.a. Tony Rector addressed the Agency requesting an update on the status of bringing an Indian Casino to Garden Grove. He also commented that questions he had posed at an earlier meeting have not been answered. He also spoke about other restaurants that should be contacted for a Restaurant Row in the city.
4. CONSENT ITEMS: (It is recommended that Items 4.a. through 4.c. be acted on simultaneously unless separate discussion and/or action is requested by an Agency Member.)
 - 4.a. Cooperation, Purchase and Sale Agreement with the City of Garden Grove for the acquisition of City-owned property located at 12461 Springdale Street. (Also listed as agenda item No. 5.f. on City Council agenda) (F: A-55.319) (XR: 55)

ACTION: Approved as amended.
(3 ayes. Krebs and Rosen voted no.)

- 4.b. Cooperation, Purchase and Sale Agreement with the City of Garden Grove for the acquisition of City-owned property located at 12851 Westlake Avenue, 10831-51 Acacia Parkway, 13502 Lanning Street, and 13501-02 Barnet Way. (Also listed as agenda item No. 5.g. on City Council agenda) (F: A-55.319) (XR: 55)

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ACTION: Approved as amended.
(4 ayes. Krebs voted no.)

- 4.c. Minutes of the Regular Meeting of the Agency held December 13, 2005.
(F: Vault)

ACTION: Approved.
(5 ayes.)

5. PUBLIC HEARINGS: None.
6. ITEMS FOR CONSIDERATION: None.
7. MATTERS FROM AGENCY MEMBERS AND DIRECTOR:
None.
8. ADJOURNMENT: 12:15 a.m. on Wednesday, January 11, 2006.