

AGENDA

Regular Meeting

GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT

Community Meeting Center
11300 Stanford Avenue

September 13, 2005

Council Chamber

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

All Members present.

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

6:15 p.m.

1. PUBLIC INPUT: (Anyone wishing to address only Closed Session items may do so at this time.)
 - 1.a. Verla Lambert thanked staff for providing more information on the Closed Session items. (F: A-53.3)
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:

Properties: Parcels commonly referred to as the "Brookhurst Triangle" and comprised of the following parcels listed by Assessor Parcel Number (APN), address, if available, and current owner:

- APN 89-071-05 (parking lot) and 89-071-14 (10071 Garden Grove Blvd.). Owner: Jose L. Gonzalez.
- APN 89-071-06 (parking lot) and 89-071-07 and 89-071-13 (10081 Garden Grove Blvd.). Owner: Herbert Friedlander and Taylor Katz.
- APN 89-071-08 (12861 Brookhurst St.) and 89-071-12 (10115 Garden Grove Blvd.). Owner: JoAnn Ayala.
- APN 89-071-11, (10111 Garden Grove Blvd.). Owner: Dale G. Ruebsamen.
- APN 89-071-24 (12882 Brookhurst St.), 89-661-03 (12791 Brookhurst St.), 89-661-04 (12801 Brookhurst St.), 89-661-05 (12857 Brookhurst St.). Owner: Garden Grove Agency for Community Development.
- APN 89-071-25 (10151 Garden Grove Blvd.). Owner: Joann Owen Ayala.
- APN 89-071-30 (10011 Garden Grove Blvd.). Owner: Choi Jae Moon.

Agency's Negotiators: Matthew Fertal, City Manager/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
Scott Choppin and Mark Tolley of Urban Pacific Builders
and Garden Grove Housing Investors, LLC

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

MEMBERS: MEMBER DALTON, MEMBER KREBS, MEMBER LEYES,
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- 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
- Affordable housing requirements
- Factors affecting time of payment:
 - Conditions to closing of escrow
 - Due diligence period
 - Environmental condition and remediation of property, if any

ACTION: Discussed. No action taken.

- 2.b. Conference with Legal Counsel pursuant to Government Code section 54956.9(a) – Pending Litigation.
[Litigation to which local agency is a party and has been initiated formally.]

Agency Board closed session to confer with Agency Counsel regarding pending litigation, *Garden Grove Agency for Community Development v. Mary Lynn Colclasure, Jonathan Colclasure, Maria Lynn Colclasure, and Samuel Ray Ball*, Pending in Orange County Superior Court (OCSC), Case No. 05WL04535, filed August 16, 2005.

ACTION: Not Discussed.

MEMBERS: MEMBER DALTON, MEMBER KREBS, MEMBER LEYES,
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Open Session

7:40 p.m.

3. ORAL COMMUNICATIONS - PUBLIC: (To be held simultaneously with City Council and Sanitary District Oral Communications.)
 - 3.a. Robin Marcario urged the Agency to approve the Resolution to make repairs at the Travel Country RV Park. (F: A-53.3) (XR: A-55.290)
 - 3.b. Maria Limon (with the aid of an interpreter) expressed her appreciation for what has already been done at the Travel Country RV Park and for the repairs that will be done. (F: A-53.3) (XR: A-55.290)
 - 3.c. Gary McGaha commented that he is an attorney representing some of the residents at the RV Park and was in support of the resolution regarding the repairs that will be done. He noted that the resolution does not contain a deadline of when the repairs will be done, and the residents would like to know when that will be. (F: A-53.3) (XR: A-55.290)
 - 3.d. Benny Diaz thanked the Agency for the work that has been done at the RV Park. (F: A-53.3) (XR: A-55.290)
 - 3.e. Martin Hernandez commented that even though some repairs have been made, there is a lot of work left to do. He would like to know when the work will take place. He also thanked staff for providing a Spanish translation of the staff report. (F: A-53.3) (XR: A-55.290)

RECESS: 8:25 P.M.

RECONVENE: 8:26 P.M.

4. CONSENT ITEMS: (It is recommended that Items 4.a. and 4.b. be acted on simultaneously unless separate discussion and/or action is requested by an Agency Member.)
 - 4.a. License agreement with the Korean Festival Committee of Orange County for use of Agency-owned property located at 12791-12891 Brookhurst Street and 12882 Brookhurst Way, generally located south

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of the southwest corner of Brookhurst Street and Stanford Avenue.
(F: A-55.296) (XR: 42.7a)

ACTION: Approved.
(5 Ayes.)

- 4.b. Minutes of the Regular Meeting of the Agency held August 23, 2005.
(F: Vault)

ACTION: Approved.
(5 Ayes.)

RECESS: 8:27 P.M.

RECONVENE: 8:35 P.M.

5. PUBLIC HEARINGS:

- 5.a. Purchase and Sale Agreement with M.X.A. Associates, for their purchase of a portion of the OCTA Right-of-Way, Parcel 133-111-43, generally located at the southwest corner of Brookhurst Street and Chapman Avenue. (F: A-55.316) (XR: A-116.8)

ACTION: Public Hearing held and closed. Decision continued to September 27, 2005.
(3 Ayes, Krebs and Rosen voted no.)

6. ITEMS FOR CONSIDERATION

- 6.a. Agreement with the California Pollution Control Financing Authority to obtain a loan through the California Environmental Redevelopment Fund loan program to assist with the cleanup of Agency-owned property on the southeast corner of Rockinghorse Road and Garden Grove Boulevard. (Estimated amount: \$125,000.00) (F: A-55.318)

ACTION: Approved.
(5 Ayes.)

- 6.b. Adoption of a Resolution indicating an emergency exists and authorizing the repair of certain public facilities, without competitive bidding, at

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Agency-owned property located at 12721 Harbor Boulevard (Travel
Country RV Park). (F: A-55.290)

ACTION: Resolution No. 652 adopted.
(5 Ayes.)

7. MATTERS FROM AGENCY MEMBERS AND DIRECTOR: None.
8. ADJOURNMENT: 10:00 p.m.