

AGENDA

Regular Meeting

GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT

Community Meeting Center
11300 Stanford Avenue

September 26, 2006

Council Chamber

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

Member Leyes and Member Nguyen absent at roll call, but Member Leyes joined the meeting at 6:31 p.m., and Member Nguyen joined the meeting at 7:00 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

6:17 p.m.

1. PUBLIC INPUT: (Anyone wishing to address only Closed Session items may do so at this time.)
 - 1.a. Elaine Steele addressed the Agency regarding Agenda Item 2.b., expressing concerns relative to a lack of parking in the area for senior citizens, car show and Farmers Market attendees, and people visiting Main Street businesses. (F: A-53.3)

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

2. CLOSED SESSION:

- 2.a. 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 for Community Development closed session to confer with Litigation Counsel regarding pending litigation: *RD Golf Center Company, LLC vs. Garden Grove Sanitary District; the City of Garden Grove; Matthew Fertal; the Garden Grove Agency for Community Development; Atrium Plaza, LLC; Flamingo Street, LLC; Landmark Companies, LLC; Rigg Hotel; Garden Grove Lodging, LLC; Harbor Suites, LLC; Buca Incorporated; and Does 1-10, Inclusive*, Pending in Orange County Superior Court (OCSC), Case No. 04CC12195, filed December 15, 2004.

ACTION: Discussed. Mayor Dalton reported out that a settlement had been reached in this litigation by which RD Golf Center Company, LLC, will be paid the total sum of \$2,050,000 in return for giving up its lease and vacating the property, and dismissal of the lawsuit in its entirety.
(4 Ayes. Nguyen absent)

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

Property: 1.66 acres of real property generally located on the east side of Grove Avenue, west of Main Street and north of Garden Grove Boulevard, Garden Grove, 10936 Acacia (APN 089-213-28, 29), 12892 Grove Avenue (APN 089-213-02, 12942 Grove Avenue (APN 089-213-31, 32)

Agency's Negotiators: Matthew Fertal, Agency Director
Chet Yoshizaki, Economic Development Director
Greg Blodgett, Senior Project Manager
Alison Moore, Project Manager
Gina M. Gallagher, Real Property Manager
Armando Morales, Real Property Consultant
Paul Marra, Keyser Marston Associates
Reena Arvizu, Keyser Marston Associates
Jon Goetz, Agency Counsel

MEMBERS: MEMBER DALTON, MEMBER KREBS, MEMBER LEYES,
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Negotiating Parties: Garden Grove Agency for Community
Development and Sheldon Public Relations, a California corporation

Under Negotiation: Potential sale of the above-listed real property from
the Agency to Sheldon Public Relations, and price and terms of
payment.

- Factors Affecting Price and Terms under Negotiation:
 - Financing of purchase price
 - Recorded covenants
 - Scope of redevelopment of subject property and offsite improvements
 - City parking requirements and required Vehicle Parking District actions
 - 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
 - Due diligence period
 - Environmental condition and remediation of property
 - Purchase price financing terms

ACTION: Discussed. No reportable action taken.

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

Open Session

7:13 p.m.

3. ORAL COMMUNICATIONS - PUBLIC: (To be held simultaneously with City Council and Sanitary District Oral Communications.)

None relevant to the Agency.

4. CONSENT ITEMS:

- 4.a. Minutes of the Regular Meeting of the Agency held August 22, 2006.
(Vault)

ACTION: Approved as amended.
(5 Ayes.)

5. PUBLIC HEARINGS: None.

6. ITEMS FOR CONSIDERATION:

- 6.a. Exclusive Negotiating Agreement with Ryan Companies US, Inc., for the development of a full service resort hotel on the 4.5 -acre site located on Harbor Boulevard, formally the Fire Station Motel site, APN 231-43-102. (F: A-55.327) (XR: A-55.188A)

ACTION: Approved.
(5 Ayes.)

7. MATTERS FROM AGENCY MEMBERS AND DIRECTOR: None.

8. ADJOURNMENT: 7:30 p.m.