

MINUTES  
GARDEN GROVE AGENCY  
FOR  
COMMUNITY DEVELOPMENT

A regular meeting of the Garden Grove Agency for Community Development was called to order in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, on Tuesday, March 22, 2005, at 6:17 p.m.

ROLL CALL: PRESENT: (5) CHAIR NGUYEN, MEMBERS DALTON, KREBS, LEYES, ROSEN

ABSENT: (0) NONE

ALSO PRESENT: Director, Matthew Fertal; Assistant Director, Les Jones; Legal Counsel, John Shaw; and Deputy Secretary, Priscilla Stierstorfer.

ORAL COMMUNICATION - PUBLIC

There were no oral communications from the public relevant to the closed session item.

ADJOURN TO CLOSED SESSION

At 6:18 p.m., under the Ralph M. Brown Act, the meeting was adjourned to Closed Session in the Founders Room, to discuss the following:

Member Rosen was not present in Closed Session due to a conflict of interest.

Conference with real property negotiator pursuant to Government Code section 54956.8.

Properties: Parcels commonly referred to as the "Promenade Center" and "Former Costco Site" at northwest corner of Brookhurst and Chapman and comprised of the following parcels listed by Assessor Parcel Number (APN), address, and current owner(s):

- APNs 132-409-09, 12, 13, 16, 18, 34, 36, 37 and 38 (9500 block of Chapman Avenue) HGGA Promenade L.P., BB Promenade, LLC and 3535 Promenade, LLC
- APN 132-402-32 (11822 Gilbert Street) Gilbert Street Developers, LLC

Agency's Negotiator: Matthew Fertal, City Manager/Agency Director  
Negotiating Parties: Garden Grove Agency for Community Development, Thomas Lynch of HGGA Promenade L.P. and Hughes Investments Thom Falcon; Gilbert Street Developers, LLC

Under Negotiation: Price and terms related to the potential acquisition of certain rights and restrictions contained in recorded reciprocal easement agreements (together, "REA") affecting the Promenade Center and the Former Costco Site. The specific REAs at issue include: (i) Reciprocal Easement and Operation Agreement between Hughes/Lyon Garden Grove Associates ("HGGA") and Costco Wholesale Corporation recorded February 27, 1987 as Document No. 87-108247; (ii) Amended and Restated Reciprocal Easement Agreement between HGGA and the Chikasa was recorded February 27, 1987 as Document No. 87-108242; and (iii) supplements to the above-referenced REAs dated 1987 and 1990. The purpose of the closed session is to apprise and update the Agency Board as to the status of the acquisition negotiations to acquire rights in and extinguish certain provisions of the REA.

#### RECONVENE

At 7:12 p.m., the meeting was reconvened in the Council Chamber with Chair Nguyen and all Agency members in attendance, and it was announced that the matter previously disclosed was not discussed and will be discussed at the end of the meeting.

#### RECESS

At 7:13 p.m., Chair Nguyen declared a recess.

#### RECONVENE

At 7:25 p.m., the meeting was reconvened with Chair Nguyen and all Agency members in attendance.

## ORAL COMMUNICATIONS – PUBLIC

There were no oral communications from the public relevant to the Agency.

## RECESS

At 7:38 p.m., Chair Nguyen declared a recess.

## RECONVENE

At 7:40 p.m., the meeting was reconvened with Chair Nguyen and all Members in attendance.

## MINUTES (F: Vault)

It was moved by Member Rosen, seconded by Member Krebs, and carried by unanimous vote, that the minutes of the Regular Agency for Community Development Meetings held February 5, February 22, and March 8, 2005, be and hereby are approved.

## RECESS

At 7:41 p.m., Chair Nguyen declared a recess.

## RECONVENE AND ADJOURN TO CLOSED SESSION

At 10:28 p.m., the meeting was reconvened in the Council Chambers and was adjourned to Closed Session in the Founders Room under the Ralph M. Brown Act to discuss the following:

Member Rosen was not present in Closed Session due to a conflict of interest.

Conference with real property negotiator pursuant to Government Code section 54956.8.

Properties: Parcels commonly referred to as the "Promenade Center" and "Former Costco Site" at northwest corner of Brookhurst and Chapman and comprised of the following parcels listed by Assessor Parcel Number (APN), address, and current owner(s):

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#### RECONVENE

At 11:44 p.m., the meeting was reconvened with Chair Nguyen and all Agency members in attendance, and it was announced that the matter previously disclosed was discussed and no others.

#### ADJOURNMENT

At 11:45 p.m., the meeting was adjourned to March 29, 2005, at 6:15 p.m. in the Founders Room of the Community Meeting Center, 11300 Stanford Avenue.

PRISCILLA STIERSTORFER  
DEPUTY SECRETARY