

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, October 12, 2004, at 6:58 p.m.

ROLL CALL: PRESENT: (5) CHAIRMAN ROSEN, MEMBERS BROADWATER, DALTON, LEYES, TRAN

ABSENT: (0) NONE

ALSO PRESENT: Director, Matthew Fertal; Assistant Director, Les Jones; Finance Officer, Kingsley Okereke; Legal Counsel, John Shaw; Special Counsel, Celeste Brady; and Deputy Secretary, Priscilla Stierstorfer.

ORAL COMMUNICATIONS – PUBLIC

Stephanie McManus commented regarding the Closed Session item on the Vietnamese Cultural Center. She noted her concerns with the location and the displacement of individuals; negative effect on real estate; and additional traffic and parking needs. (F: A-53.3) (XR: A-116.10)

Tony Flores commented on various articles that he presented to the Agency and Council regarding different Disposition and Development Agreements with hotels and money spent in association with the hotels. (F: A-53.3)

Ray Littrell commented that the Mayor was incorrect in saying that according to the Brown Act, the Council does not have to answer questions during Oral Communications when in fact it does allow for responses. He noted that by listing all the properties being considered for the Vietnamese Cultural Center in Closed Session rather than in Open Session, it is putting pressure on the people to

sell. People should be advised of what is going on before they see their properties listed for discussion. (F: A-53.3)

Eugene Zalyzec commented regarding a previous meeting that was held in 1999 when properties in the Civic Center area were being considered for a project. Residents received letters from staff after that meeting to advise them that there was no project, and they would be notified when there is. His concern is that their addresses are again listed on the agenda under Closed Session without knowing that their properties are being considered. (F: A-53.3)

Don Warshauer commented that the residents should be notified when their properties are being discussed. He was not in favor of a Vietnamese Cultural Center in the Civic Center area. (F: A-53.3) (XR: A-116.10)

Cy Labree commented that when the City gets involved in projects like the Vietnamese Cultural Center, it should be for the benefit of everyone. Negotiations with City staff should not be for a specific group of people. City money is spent on a project if only one employee engages in discussions. (F: A-53.3) (XR: A-116.10)

RECESS

At 7:25 p.m., the Chairman declared a recess.

RECONVENE

At 7:27 p.m., the meeting was reconvened with Chairman Rosen and all Agency Members in attendance.

MATTERS FROM AGENCY MEMBERS

Member Leyes commented that there have been some comments on the Closed Session items, and he requested clarification. He questioned whether the property owners were given notice that their properties would be listed, and whether it is a requirement of the Agency.

Chairman Rosen commented that a demand was received from Mr. Ray Littrell that a prior listing on the agenda did not list all the addresses.

Special Counsel commented that by listing all of the addresses under Closed Session on this agenda, it is a cure on the demand. All the parcels that were considered for the proposed project are being

identified. A letter will be drafted in response to Mr. Littrell's demand.

In response to Member Leyes, Special Counsel commented that the cure is to identify all the parcels that will be discussed in Closed Session. She noted that the Agency wants to list every parcel. No action will be taken in Closed Session, and all discussions will take place in open session.

Special Counsel commented that the listing in Closed Session is to protect the integrity of a potential real estate transaction.

Member Tran commented that his concern is that in order to give everybody an opportunity to be heard, the item can be listed on the agenda in Closed Session, and then discuss it in Open Session.

Member Broadwater commented that he will abstain from discussion because of a possible conflict.

Chairman Rosen commented that three people spoke about the Closed Session item. He felt that to be thorough there should be a regular disclosure in Open Session to advise people what is being done.

In addition, Chairman Rosen indicated he would like to have each department director provide a quarterly report on the departments' activities.

Member Leyes moved that the Closed Session items be discussed in Open Session. The motion died for lack of a second.

Chairman Rosen suggested that when this item is again listed, it be listed in Closed Session as well as Open Session, and the Closed Session portion will be discussed first. He questioned whether that would be a satisfactory remedy for Mr. Littrell.

Ray Littrell commented that would be satisfactory, and the intent is to comply with the Brown Act.

It was moved by Member Tran, seconded by Member Dalton, that the Closed Session items be relisted in both Open and Closed Sessions on the Agency agenda in 30 days. The motion carried with the following vote:

AYES:	MEMBERS: (4)	DALTON, LEYES, TRAN, ROSEN
NOES:	MEMBERS: (0)	NONE
ABSENT:	MEMBERS: (0)	NONE
ABSTAIN:	MEMBERS: (1)	BROADWATER

CLOSED SESSION

The following Closed Session items were not discussed and will be relisted in 30 days.

Pursuant to Government Code Sections 54956.8 and 54960.1(c)(2), the Agency will give direction to its negotiator, the Agency Director, with regard to the potential purchase, sale, exchange, and/or lease of certain properties listed below, and the price and/or terms of payment for such transaction(s). The negotiating party is Phat Bui, as representative of Nhan Ai Foundation, and the owner(s) of such properties, to wit real property located at:

"Site 1" - 12051, 12081 Garden Grove Blvd. (APN 231-392-26, 27), Owner: East-West Pacific Investments; 12061 Garden Grove Blvd. (APN 231-392-25), Owner: Heid Partners; 12111 Garden Grove Blvd. (APN 231-406-11) Owner: Richard Kim

"Site 2" - 10901 Westminster Avenue (APN 099-362-22), Owner: Leslie Hamilton

"Site 3" - 12942 Civic Center Drive (APN 090-172-07) Owner: Franklin Buccella; 12952 Civic Center Drive (APN 090-172-08) Owner: Franklin Buccella; 12941 7th St. (APN 090-172-16), Owner: Arthur & Linda Viramontes; Agency-owned parcels at 12921, 12932 7th Street (APN 090-172-15, 090-173-07); 11301 Garden Grove Blvd. (APN 090-172-31); 11351 Garden Grove Blvd. (APN 090-172-24), Owner: Luis Salinas; 11341 Garden Grove Blvd. (APN 090-172-25), Owner: Khoi Ngo Vo; 11331 Garden Grove Blvd. (APN 090-172-26), Owner: Chi Huynh; 11315 Garden Grove Blvd. (APN 090-172-27), Owner: Jack Arnold Perris; 12942 7th St. (APN 090-173-08), Owner: Mario Suarez; 11361 Garden Grove Blvd. (APN 090-173-09), Owner: Helen Noland; 11371 Garden Grove Blvd. (APN 090-173-10), Owner: Gerald Sloan

"Site 4" - Agency-owned parcels at 12932 7th St. (APN 090-173-07); 12932, 12942 8th St. (APN 090-174-05, 06); 11391, 11421 Garden Grove Blvd. (APN 090-173-11; 090-174-07); 12942 7th St. (APN 090-173-08) Owner: Mario Suarez; 11361 Garden Grove Blvd. (APN 090-173-09) Owner: Helen Noland; 11371 Garden Grove Blvd. (APN 090-173-10) Owner: Gerald Sloan; 11401 Garden

Grove Blvd. (APN 090-173-12) Owner: Clifford Hampton; 12941
8th St. (APN 090-173-13) Owner: James Van Nguyen; 12933 8th
St. (APN 090-173-14) Owner: Jeronimo & Margarita Martinez

"Site 5" - All of the following City-owned parcels: APN 090-143-05,
090-143-06, 090-143-07, 090-143-08, 090-143-09, 090-143-10,
090-143-11, 090-143-27, 090-143-28

"Site 6" - Agency-owned parcel at 11900 Gilbert Street (APN 132-
402-02)

ADJOURNMENT

At 7:45 p.m., the meeting was declared adjourned.

PRISCILLA STIERSTORFER
DEPUTY SECRETARY