

MINUTES

GARDEN GROVE CITY COUNCIL

A Regular Meeting of the City Council of the City of Garden Grove was called to order in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, on Tuesday, February 12, 2008, at 5:32 p.m.

ROLL CALL: PRESENT: (5) MAYOR DALTON, COUNCIL MEMBERS
BROADWATER, JONES, NGUYEN, ROSEN

ABSENT: (0) NONE

PUBLIC INPUT ON CLOSED SESSION ITEM

There was no input from the public concerning the Closed Session item.

ADJOURN TO CLOSED SESSION

At 5:33 p.m., under the Ralph M. Brown Act, the meeting was adjourned to Closed Session in the Founders Room to discuss the following:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Subdivision (a) of Section 54956.9)

Vietnamese Buddhism Study Temple in America, et al. v. City of Garden Grove, et al.
United States District Court Case No. SACV06-728 CJC.

RECESS

At 6:28 p.m., the Mayor declared a recess.

RECONVENE IN OPEN SESSION

At 6:34 p.m., the meeting was reconvened in the Council Chamber with Mayor Dalton and all Council Members present. Mayor Dalton announced that the Closed Session item previously announced was discussed, and there was no reportable action.

INVOCATION AND PLEDGE

Assistant City Manager Les Jones gave the Invocation. Council Member Rosen led the Pledge of Allegiance to the Flag of the United States of America.

REPORT FROM THE ORANGE COUNTY HUMAN RELATIONS COMMISSION

(F: 23.17)

Carol Turpin, representative from the Orange County Human Relations Commission, addressed the City Council, reviewing the Commission's 2006-07 annual report. She also presented a Certificate of Recognition to the City Council for its support.

ORAL COMMUNICATIONS – PUBLIC

Christine Payette addressed the City Council, providing information on the upcoming Relay for Life events in Garden Grove. She thanked the City Council for its past support, and invited them to participate this year. (F: 53.3)

Verla Lambert addressed the City Council/Agency, regarding her concern with the use of redevelopment in the city. She indicated she supports Supervisor Norby's position outlined in his publication "Redevelopment: The Unknown Government." (F: 53.3) (XR: A-53.3)

Raul Alvarez, representing Cypress College President Michael Kasler, addressed the City Council, announcing that Garden Grove's 2008 Cypress Americana Award Honoree is Mallory Vega, Executive Director of Acacia Adult Day Services. He thanked the Council Members for their past participation, and invited them to the upcoming awards celebration. (F: 53.3)

Beatrice Jones addressed the City Council, announcing upcoming Black History Month events and celebrations sponsored by the Santa Ana Black Historical Society. She thanked Council Member Rosen for his participation in the Black History Month parade. (F: 53.3)

David Vill addressed the City Council, stating one of the benefits of membership in AARP is that senior citizens are given a voice for issues they feel are important, such as banning fireworks in the city. (F: 53.3) (XR: 61.6)

Robin Marcario addressed the City Council, endorsing two items on the agenda: the graffiti truck purchase, and the agreement with One More Productions. She commented on a recent newspaper article regarding the Police Department's response to an illegal fireworks shop in the city. She further commented that women are underrepresented on the commissions in general, and specifically the Planning Commission. (F: 53.3) (XR: 24.1) (XR: 55) (XR: 61.6) (XR: 122.1)

Russ McDonald addressed the City Council, thanking the Police Department for their quick response to the fireworks shop previously mentioned. He encouraged the City Council to appoint a woman to the Traffic Commission. (F: 53.3) (XR: 61.6) (XR: 122.1)

Peggy Bergin addressed the City Council, thanking City Staff and Southern California Edison for repairing the streetlights in her neighborhood. She also commented on a recent article about Council Member Jones in the Journal, and the lack of local information provided by the Orange County Register. (F: 53.3) (XR: 121.2A)

Nick Dibs addressed the City Council/Agency, providing copies of "Redevelopment: The Unknown Government" to each Council/Agency Member, and announced an upcoming conference on redevelopment reform. He urged the Council/Agency Members to make ethical decisions when accepting campaign contributions. (F: 53.3) (XR: A-53.3)

Charles Mitchell addressed the City Council personally encouraging the young people in the community to become involved in the Relay for Life event. (F: 53.3)

Larry Labrado, representative of Southern California Edison, addressed the City Council providing a status report on the street light repairs on Garden Grove Boulevard. (F: 53.3) (XR: 121.2A) (XR: 69.1)

RECESS

At 7:19 p.m., the Mayor declared a recess.

RECONVENE

At 7:24 p.m., the meeting was reconvened with Mayor Dalton and all Council Members present.

PROCLAMATION – NATIONAL ENGINEERS WEEK (F: 83.1) (XR: 24.11)

Staff report dated February 12, 2008, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Rosen, and carried by unanimous vote, that February 17-23, 2008, be and hereby is designated as National Engineers Week.

RESOLUTION ACCEPTING GRANT FUNDS FROM THE CLEAN TRANSPORTATION LOCAL GOVERNMENT MATCH PROGRAM BY THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT MOBILE SOURCE AIR POLLUTION REDUCTION REVIEW COMMITTEE FOR THE PURCHASE OF HEAVY-DUTY COMPRESSED NATURAL GAS VEHICLES (F: 24.13)

Staff report dated February 12, 2008, was introduced.

RESOLUTION NO. 8805-08

It was moved by Council Member Nguyen, seconded by Council Member Rosen, and carried by unanimous vote, that full reading of Resolution No. 8805-08 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ACCEPTING GRANT FUNDS FROM THE MOBILE SOURCE AIR POLLUTION REDUCTION REVIEW COMMITTEE (MSRC), be and hereby is adopted.

RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR GRANT FUNDS FROM THE LAND AND WATER CONSERVATION FUND, TO ASSIST IN FUNDING A SKATE PARK (F: 97.1) (XR: 87.1)

The City Council concurred with Council Member Rosen's request that the items regarding skate park funding and location be discussed concurrently later in the meeting.

SUBMITTAL OF PROJECTS TO THE CALIFORNIA DEPARTMENT OF FINANCE FOR FUNDING (F: 97.1) (XR: 24.1)

Staff report dated February 12, 2008, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Rosen, and carried by unanimous vote, that the improvement

projects list identified for Fiscal Year 2007-08, be and hereby is approved for submittal to the California Department of Finance for funding under Prop1 B - Local Street and Roads (LSR) Improvement.

AGREEMENT WITH DUANE SOLOMON (F: 55) (XR: 57.1)

Staff report dated February 12, 2008, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Rosen, and carried by unanimous vote, that the Agreement by and between the City of Garden Grove and Duane Solomon, for assistance to the Community Development Department in the administration and compliance of ADDI, CDBG, ESG, and HOME Programs, in the amount not to exceed \$45,000, be and hereby is approved; and the City Manager and the City Clerk are authorized to execute the agreement.

AGREEMENT WITH INTERWEST CONSULTING GROUP (F: 55) (XR: 35.1)

Staff report dated February 12, 2008, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Rosen, and carried by unanimous vote, that the Agreement by and between the City of Garden Grove and the Interwest Consulting Group, to provide both Building Services Manager and Building Inspection services for the Community Development Department, in the amount not to exceed \$125,000, be and hereby is approved; and the City Manager and the City Clerk are authorized to execute the agreement.

AWARD OF CONTRACT TO TAYLOR TENNIS COURTS, INC. (F: 55) (XR: 24.1)
(XR: 73.23) (XR: 73.11)

Staff report dated February 12, 2008, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Rosen, and carried by unanimous vote, that a contract in the amount of \$29,750 be awarded to Taylor Tennis Courts Inc., for the resurfacing of the six tennis courts at Chapman Sports Complex and the basketball court at West Grove Park; and the Mayor and City Clerk are authorized to execute the agreement on behalf of the City.

PURCHASE ORDER TO ROADLINE PRODUCTS INC. USA, FOR ONE GRAFFITI REMOVAL TRUCK FOR THE PUBLIC WORKS DEPARTMENT (F: 60.4) (XR: 24.1)

Staff report dated February 12, 2008, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Rosen, and carried by unanimous vote, that the purchase of one graffiti removal truck, be and hereby is approved; and the Finance Director is authorized to issue a purchase order in the amount of \$89,744.82 to Roadline Products Inc. USA for said purchase.

MINUTE ORDER ACCEPTING STREET DEEDS AND AGREEMENTS FOR CONVEYANCE OF PROPERTIES AT 11002 MAGNOLIA STREET, 9562 KATELLA AVENUE, 10972 MARKEV STREET, 10971 MARKEV STREET, AND 9510 KATELLA AVENUE, IN CONJUNCTION WITH THE KATELLA SMART STREET IMPROVEMENT PROJECT FOR THE ACQUISITION OF EASEMENTS FOR STREET PURPOSES (F: 84.1) (XR: 57.9) (XR: 23.26A)

Staff report dated February 12, 2008, was introduced.

It was moved by Council Member Nguyen, seconded by Council Member Rosen, and carried by unanimous vote, that the acquisition of the pertinent rights-of-way and acquisition agreement for 11002 Magnolia Street, by and between the City of Garden Grove and Victor K. Makita and Sue A. Makita, in the amount of \$63,500; the acquisition of the pertinent rights-of-way and acquisition agreement for 9562 Katella Avenue, by and between the City of Garden Grove and A Nhut Tran and SangThi Do, in the amount of \$9,450; the acquisition of the pertinent rights-of-way and acquisition agreement for 10972 Markev Street, by and between the City of Garden Grove and Leslie A. Williams, in the amount of \$33,500; the acquisition of the pertinent rights-of-way and acquisition agreement for 10971 Markev Street, by and between the City of Garden Grove and Rohmer Fund LLC, in the amount of \$34,300; the acquisition of the pertinent rights-of-way and acquisition agreement for 9510 Katella Avenue, by and between the City of Garden Grove and In Kyeong Seong and Myung Ok Seong, in the amount of \$2,225; be and hereby are approved; the City Manager and the City Clerk are authorized to

execute the agreements for conveyance of property and accept the Street Deeds on behalf of the City; and the Finance Department is authorized to draw a warrant in the amount of \$176,475 when appropriate to do so.

MINUTES (F: Vault)

It was moved by Council Member Nguyen, seconded by Council Member Rosen, and carried by unanimous vote, that the minutes of the Regular Meeting of the City Council held January 22, 2008, be and hereby are approved.

WARRANTS (F: 60.5)

It was moved by Council Member Nguyen, seconded by Council Member Rosen, and carried by unanimous vote, that regular warrants 406920 through 408250, Wires W358-W359, and payroll warrants 154385 through 154602, Wires W1292 thru W1293, and Direct Deposits D147720 through D148344, and Wires W1288 through W1291 and Wire W1284-C, which have been audited for accuracy and availability of funds by the Finance Director, be and hereby are approved.

WAIVER OF FULL READING OF ORDINANCES LISTED

It was moved by Council Member Nguyen, seconded by Council Member Rosen, and carried by unanimous vote, that the full reading of all Ordinances listed for consideration of adoption be waived.

HEARING OF PROTESTS ON THE FALL 2007 WEED ABATEMENT INVOICES
(F: 113.1)

Staff report dated February 12, 2008, was introduced, reviewing the requirement to hold a public hearing for receipt of objections to the Weed Abatement Invoices mailed to parcel owners whose properties were cleaned by the City's contractor during the Fall 2007 Weed Abatement Program.

Mayor Dalton declared the public hearing open and asked if anyone wished to address the City Council on the matter.

There being no protests received and no response from the audience or comments from Council Members, the public hearing was declared closed.

RESOLUTION NO. 8806-08

It was moved by Council Member Broadwater, seconded by Council Member Nguyen, and carried by unanimous vote, that full reading of Resolution No. 8806-08 be waived, and said Resolution A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE CONFIRMING REPORT OF COSTS OF FALL 2007 WEED ABATEMENT AND DIRECTING THE ORANGE COUNTY AUDITOR-CONTROLLER TO ADD OUTSTANDING ASSESSMENTS TO THE 2008-2009 ASSESSMENT ROLL AS INDICATED BY SAID REPORT, be and hereby is adopted.

PLANNED UNIT DEVELOPMENT NO. PUD-119-07, IN CONJUNCTION WITH SITE PLAN NO. SP-427-07 (F: 116.PUD-119-07)

Planned Unit Development No. PUD-119-07, in Conjunction with Site Plan No. SP-427-07, initiated by Albert Gharibian, requesting to rezone a commercial development located at the northwest corner of Knott Street, at 6961 and 6941 Chapman Avenue, from C-1 to PUD-C (Planned Unit Development-Commercial) to allow an automatic car wash operation.

On August 16, 2007, the Planning Commission recommended approval to rezone a 1.37-acre site to Planned Unit Development (PUD-119-07). A Public Hearing was held on September 25, 2007, and this matter was continued for further consideration to October 9, 2007; at which time, the Applicant requested a further continuance.

Pursuant to Legal Notice published January 24, 2008, public hearing on the case was ordered by the City Council to be held this date.

Staff report dated February 12, 2008, was introduced and reviewed by staff. The Applicant made changes to the project in response to issues raised by the City Council at the hearing on September 25, 2007. The changes included lowering the block wall to allow better street visibility of the other businesses, and a noise level check by

Code Enforcement that indicated the level from the street traffic is higher than the level from a car wash. In addition, the Applicant submitted a petition of 162 signatures from local residents and shopkeepers in support of the car wash being developed at this location.

Mayor Dalton declared the public hearing open and asked if anyone wished to address the City Council on the matter.

Both the Applicant and Designer addressed the City Council reviewing the history of the project. They reviewed the changes made, and indicated they had meetings with Perry's Pizza and Tony Flores, and referenced the petition they submitted in support of the project. There being no response from the audience, the public hearing was declared closed.

Council Member Nguyen moved approval of the project.

Council Member Jones complimented the Applicant on his perseverance with the process. He stated given that the Applicant responded to the issues raised at the last hearing, he would be supporting the project.

Council Member Rosen commented he felt the project was too large for this site and would cause traffic problems for the area. He noted the two Planning Commissioners living on the west side of town voted against this project. He further commented that this area is zoned C-1, which does not allow a 50-foot car wash, so a Planned Unit Development is being used for spot zoning. He stated he would not be supporting the project.

Council Member Broadwater stated he too would not be supporting this project based on the size of the car wash. He acknowledged that the Applicant has tried very hard to make it work.

Mayor Dalton noted that no one from West Garden Grove was present to speak for or against the project. He agreed that the area is too small, and that the project would have a negative impact on the area.

Council Member Nguyen outlined the changes the Applicant made to the project, accommodating City Council's requests made at the last hearing. Additionally, she commented that meetings were held with Tony Flores to address his concerns, and that Mr. Flores is now in

favor of the project. She indicated the two Planning Commissioners voted against the project based on the height of the block wall, which has been addressed, along with other design changes. She noted the length of time this project has taken to go through the process and the hardship on the owner. Should this project be approved, it would remove some of the blight in the area. She asked the Council Members to reconsider their decision.

Council Member Jones seconded Council Member Nguyen's previous motion, that Planned Unit Development No. PUD-119-07, be approved. Said motion failed to carry by the following vote:

AYES: COUNCIL MEMBERS: (2) JONES, NGUYEN
NOES: COUNCIL MEMBERS: (3) BROADWATER, ROSEN, DALTON
ABSENT: COUNCIL MEMBERS: (0) NONE

Council Member Rosen moved, seconded by Council Member Broadwater, that Planned Unit Development No. PUD-119-07, be denied. The motion carried by the following vote:

AYES: COUNCIL MEMBERS: (3) BROADWATER, ROSEN, DALTON
NOES: COUNCIL MEMBERS: (2) JONES, NGUYEN
ABSENT: COUNCIL MEMBERS: (0) NONE

AGREEMENT WITH ONE MORE PRODUCTIONS TO PROVIDE FOR THE REPAIRS, OPERATION, AND MANAGEMENT OF THE GEM THEATER (F: 55) (XR: 87.3)

Staff report dated February 12, 2008, was introduced and reviewed by staff. Under the agreement, One More Productions is required to produce a minimum of five theatrical productions per year, and at least twenty other performances, including live music, comedy, children's theater, interactive theater, and dance. One More Productions would be developing a rental fee structure, approved by the City, allowing for use of the theater by the public. Interior maintenance of the theater will be the responsibility of One More Productions, with the exterior maintenance and building repairs provided by the City.

Damien Lorton, representing One More Productions, addressed the City Council expressing the Company's desire to be part of the Gem Theater's cultural history. Mr. Lorton indicated funding would come

from private donations, current clients, corporate sponsorships, and if necessary, a small business loan.

It was moved by Council Member Rosen, seconded by Mayor Dalton, and carried by unanimous vote, that the Agreement by and between the City of Garden Grove and One More Productions, to utilize the Gem Theater without charge in exchange for providing capital upgrades at an estimated cost of \$150,000, interior maintenance of the theater, and presenting professional theatrical performances in the theater, be and hereby is approved; and the City Manager and the City Clerk are authorized to execute the agreement.

PROPOSED SITES FOR THE DEVELOPMENT OF A SKATE PARK (F: 87.1)

and

RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR GRANT FUNDS FROM THE LAND AND WATER CONSERVATION FUND, TO ASSIST IN FUNDING A SKATE PARK (F: 97.1) (XR: 87.1)

The City Council concurred with Council Member Rosen's earlier request that the items regarding skate park funding and location be discussed concurrently later in the meeting.

Mayor Dalton indicated he owns property within 500 feet of one of the locations being considered for the development of a skate park, and would be recusing himself from the discussion due to a potential conflict of interest.

MAYOR DALTON LEFT THE MEETING AT 7:50 P.M.

Mayor Pro Tem Rosen assumed the Chair.

Council Member Nguyen moved that the location of a skate park be removed from discussion, to allow the Mayor to participate in the discussion on funding.

Mayor Pro Tem Rosen commented that he requested these two items be discussed together.

Council Member Broadwater inquired whether a decision had already been made to build a skate park in the city. Staff indicated direction

was given at a Study Session to explore the feasibility and practicality of developing a skate park in the city, including potential locations.

Staff reports dated February 12, 2008, were introduced and reviewed by staff. Proposed skate park locations included OCTA Right-of-Way at Bixby/Brookhurst; OCTA Right-of-Way at Nutwood/Stanford; West Haven Park; and Twin Lakes Park. Two kinds of park designs were presented: an aboveground or a custom skate park, using modular units at an approximate cost of \$250,000; and an in-ground concrete skate park at an approximate cost of \$600,000.

In response to inquiries by Council Members, funding options were discussed, including the Grant Funds from the Land and Water Conservation Fund. Also available is the Park Development Fund with approximately \$295,000 in uncommitted funds.

Mayor Pro Tem Rosen inquired about what opportunities would be missed should the City Council choose to use the Park Development funds exclusively for the development of a skate park. Staff indicated the funds could be used to replace the gymnasium floor, and/or to fund park improvement projects identified in the Five Year Strategic Plan.

In response to Council Members inquiries, staff reviewed the process that was used for submitting funding requests for projects to the County and the selection criteria.

Council Member Broadwater commented that developing a skate park in the Right-of-Way would expand the city's parkland.

Council Member Nguyen stated she would continue her efforts to have a skate park developed in the city.

Council Member Jones suggested a broader discussion on parks should take place, including the needs of the City's existing parks; where can parkland be expanded; and what resources are available.

It was moved by Mayor Pro Tem Rosen, seconded by Council Member Jones, and carried by unanimous vote of those present, that the City Council not consider any specific site for a skate park tonight.

MAYOR DALTON REJOINED THE MEETING AND REASSUMED THE CHAIR AT 8:14 P.M.

Council Member Rosen provided an overview to the Mayor of what was discussed during the Mayor's absence.

After further discussion, Staff was directed to examine the needs of the existing parks and pools, and explore all possibilities for park improvements, including a skate park, Olympic size pool, proposed projects in the Strategic Plan; available funding with deadlines; and use of the land east of City Hall.

APPOINTMENT OF COMMISSIONER TO FILL VACANCY ON THE TRAFFIC COMMISSION (F: 122.11A)

Mayor Dalton reviewed the process he uses when making appointments to the Commissions. He noted since becoming Mayor, many people have had the opportunity to take an active role in the community by serving as Commissioners.

It was moved by Mayor Dalton, seconded by Council Member Jones, and carried by unanimous vote, that Jennifer Cabral be appointed to the Traffic Commission.

MATTERS FROM THE MAYOR, CITY COUNCIL MEMBERS AND CITY MANAGER

Council Member Broadwater responded to the comments made that the City is in undue debt as a result of redevelopment. He outlined the financial benefits the City is realizing because of past redevelopment projects, stating these benefits will continue far into the future. He commented that future park development, whether it is a pool, a skate park, or a dog park, would enhance the community. (F: 53.1) (XR: A-53.3) (XR: 87.1)

Council Member Rosen stated that Supervisor Norby, as the Chair of OCTA, appointed two Garden Grove Representatives as chairs to OCTA subcommittees: Supervisor Nguyen is the Chair for the Transit Committee; and he has been appointed as Chair to the Highways Committee. He congratulated Council Member Nguyen on a successful TET Parade. (F: 53.1) (XR: 23.18) (XR: 42.1A)

Council Member Nguyen wished everyone a happy and safe Valentine's Day. She congratulated the Vietnamese Students Association on a successful TET Festival, and thanked her fellow

Council Members for their involvement in the Westminster TET Parade. (F: 53.1) (XR: 42.1A)

Council Member Jones expressed his gratitude to Commissioner Kirkham for his enthusiasm and positive mindset to do a good job as a Planning Commissioner. He also agreed that redevelopment is the engine that drives and rejuvenates local economy. (F: 53.1) (XR: 122.10A) (XR: A-53.3)

Mayor Dalton commented he too supports responsible redevelopment. He admitted he likes to see things done quickly, and it seems to take a long time to realize the benefits. However, with thoughtful risk taking, one of the benefits of redevelopment is it enhances the quality of life in the community. (F: 53.1) (XR: A-53.3)

Mayor Dalton addressed the inaccuracies in the reports that there are fewer women serving on commissions since he has been Mayor. He commented on the appointment process, indicating all requests by Council Members have been honored. He further stated when making appointments, he takes the qualifications of the individual into consideration. He offered his appreciation to everyone expressing desire to serve his or her community. (F: 53.1) (XR: 122.1)

ADJOURNMENT

At 8:46 p.m., the meeting was declared adjourned in memory of Don Cook and Jeffrey Hann. (F: 46.9)

KATHLEEN BAILOR
CITY CLERK

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, February 12, 2008, at 5:32 p.m.

ROLL CALL: PRESENT: (5) CHAIR BROADWATER, MEMBERS DALTON, JONES, NGUYEN, ROSEN

ABSENT: (0) NONE

PUBLIC INPUT ON CLOSED SESSION ITEM

There was no input from the public concerning the Closed Session item.

ADJOURN TO CLOSED SESSION

At 5:33 p.m., under the Ralph M. Brown Act, the meeting was adjourned to Closed Session in the Founders Room to discuss the following:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Properties: Parcels commonly referred to as the "Brookhurst Triangle" comprised of the following parcels listed by Assessor Parcel Number (APN), address, if available, and current owners. * APN 089-071-05, 089-071-06, 089-071-07, 089-071-13, and 089-071-14, Owner: Dai and Debbie Lee; APN 089-661-03, 089-661-04, 089-661-05, 089-071-11, and 089-071-24, Owner: Garden Grove Agency for Community Development; * APN 089-071-25, 089-071-08, and 089-071-12, Owner: J.O. Trust.

Agency's Negotiators: Matthew Fertal, Agency Director; Chet Yoshizaki, Economic Development Director; and Greg Blodgett, Economic Development Sr. Project Manager.

Negotiating Parties: Ronnie Lam for Kam Sang Company, Inc.; Ricardo Graf for Trumark Companies of Southern California; Brian Bauer for South Coast Communities, LLC; and Watt Communities; Rose Cooper for JPI California Development Services, L.P.; Anthony Doan for Park 8 Place, LP; Scott

Newcomb for The Olson Company; and Douglas Stowell for Integral Communities.

Under Negotiation: Price and terms related to the potential Agency disposition of certain rights and/or real property interests in the subject Properties. The purpose of the Closed Session is to seek direction from the Agency about negotiating parameters for price and terms related to the disposition of such real property.

RECESS

At 6:28 p.m., the Chair declared a recess.

RECONVENE IN OPEN SESSION

At 6:39 p.m., the meeting was reconvened in the Council Chamber with Chair Broadwater and all Agency Members present. Chair Broadwater announced that the Closed Session item previously announced was discussed, and there was no reportable action.

ORAL COMMUNICATIONS – PUBLIC

Verla Lambert addressed the Agency/City Council, regarding her concern with the use of redevelopment in the city. She indicated she supports Supervisor Norby's position outlined in his publication "Redevelopment: The Unknown Government." (F: 53.3) (XR: A-53.3)

Nick Dibs addressed the Agency/City Council, providing copies of "Redevelopment: The Unknown Government" to each Agency/Council Member, and announced an upcoming conference on redevelopment reform. He commented on the City's redevelopment indebtedness as it relates to the slowing economy. He also urged the Agency/Council Members to make ethical decisions when accepting campaign contributions. (F: 53.3) (XR: A-53.3)

MINUTES (F: Vault)

It was moved by Member Rosen, seconded by Member Jones, and carried by unanimous vote, that the minutes of the Regular Agency Meeting held January 22, 2008, be and hereby are approved.

CONSENT TO REPRESENTATION AND WAIVER OF CONFLICTS OF INTEREST FOR THE LAW FIRM OF PILLSBURY WINTHROP SHAW PITTMAN LLP

(F: A-116.6) (XR: 43.4)

Staff report dated February 12, 2008, was introduced.

Member Rosen commented this is a matter regarding an attorney, Mr. Jon E. Goetz, who had represented the Agency in past redevelopment matters and has recently moved to another law firm. Mr. Goetz wants to represent people doing business with the City and wants the City to waive the conflict of interest. Member Rosen indicated he would not support the action due to the fact that Mr. Goetz knows how the City does business in Closed Session, thus giving an advantage to his clients in any future negotiations.

In response to Member Nguyen's inquiry, Legal Counsel indicated Mr. Goetz left the Stradling, Yocca, Carlson & Rauth law firm in June 2007.

It was moved by Chair Broadwater, seconded by Member Jones, and carried by unanimous vote, that this matter be continued to the February 26, 2008, meeting.

ADJOURNMENT

At 7:23 p.m., the meeting was declared adjourned.

KATHLEEN BAILOR
SECRETARY