

Garden Grove Housing Authority

INTER-DEPARTMENT MEMORANDUM

To: Scott C. Stiles From: Maria Stipe
Dept.: Director Dept.: City Manager
Subject: Receive and file the Housing Authority Annual Report as Housing Authority and as Housing Successor for Fiscal Year 2015-2016. (Action Item) Date: 1/24/2017

OBJECTIVE

To provide Housing Authority Commissioners the Housing Authority Annual Report as Housing Authority and as Housing Successor for Fiscal Year 2015-2016.

BACKGROUND

In 2012, upon the dissolution of redevelopment, the Garden Grove Housing Authority assumed the housing assets and functions of the former Garden Grove Agency for Community Development ("Former Agency"). As a result the Housing Authority as Housing Successor ("Housing Successor") is responsible for housing monitoring, administration, and certain housing production requirements.

In 2014, the Governor signed into law SB 341 requiring Housing Successors to conduct an annual report of their housing activities associated with their assumed assets and functions of the Former Agency.

DISCUSSION

The required report is attached and includes all of the sections required by the statute. Additionally, as required, this report and its attachments were previously provided to the Housing Successor and posted on the City's website prior to the December 31, 2016, deadline.

FINANCIAL IMPACT

None.

RECOMMENDATION

It is recommended that the Housing Authority Commissioners:

- Receive and file the Housing Authority Annual Report as Housing Authority and as Housing Successor for Fiscal Year 2015-2016.

ATTACHMENTS:

Description	Upload Date	Type	File Name
Housing Authority Annual Report As Housing Authority and Housing Successor for FY 2015-16	1/13/2017	Cover Memo	Housing_Authority_Annual_Report_as_Housing_Successor_for_FY_2015-16.Final.pdf

**GARDEN GROVE HOUSING AUTHORITY ANNUAL REPORT
AS HOUSING AUTHORITY AND AS HOUSING SUCCESSOR
FOR FISCAL YEAR 2015-2016 UNDER CALIFORNIA
HEALTH & SAFETY CODE SECTIONS 34176.1 AND 34328**

This Annual Report of the Garden Grove Housing Authority (GGHA) is prepared under California Health and Safety Code (HSC), Section 34176.1 as the housing successor, and Section 34328 as a housing authority (together, Report). In particular, Division 24 of the HSC sets forth the Dissolution Law in Parts 1.8 and 1.85 and the Housing Authorities Law in Part 2, which respectively require preparation of an annual report on the housing successor and the housing authority's activities for the prior fiscal year. This Report details the GGHA's activities during Fiscal Year (FY) 2015-2016 and is intended to satisfy the requirements under both HSC Sections 34328 and 34176.1. In particular, this Report details the GGHA's activities for FY 2015-2016, including the information required about the Low and Moderate Income Housing Asset Fund (LMIHAF) and on other information under Section 34176.1(f). After receipt of the complete, final CAFR (term defined below) that is expected by the end of December 2016, then this Report will be finalized using data in the CAFR and will be provided to, and will be presented for joint consideration and action by the City Council and Housing Authority Board in January 2017.

This Report includes information prepared by City staff on behalf of the GGHA and data from the independent financial audit of the Low and Moderate Income Housing Asset Fund Financial Report for FY 2015-2016 (CAFR) as prepared by Davis Farr LLP, which audit is separate from this Report; further, this Report conforms with and is organized into sections I. through XIV., inclusive, under Section 34176.1(f) of the Dissolution Law:

- I. **Amounts Received and Deposited Under 34191.4(b)(3)(A).** This section provides the total amount of funds paid to the City and the amount deposited into the LMIHAF allocable to 20% of the repayments on the reinstated City/Agency loan(s), if any, per Section 34191.4.
- II. **Amount Deposited into LMIHAF.** This section provides the total amount of funds deposited into the LMIHAF in FY 15-16 and itemized by amounts deposited in FY 15-16 for items listed on Recognized Obligation Payment Schedule (ROPS), amounts allocable to Section 34191.4 deposits, and other amounts deposited into the LMIHAF.
- III. **Ending Balance of LMIHAF.** This section provides a statement of the balance in the LMIHAF as of the close of FY 15-16. Any amounts deposited for items listed on the ROPS, and amounts allocable to Section 34191.4 deposits, must be distinguished from the other amounts deposited.
- IV. **Description of Expenditures from LMIHAF.** This section provides a description of expenditures made from the LMIHAF during FY 15-16. The expenditures are to be categorized among (A) administration for monitoring, preserving covenanted housing units, (B) homeless prevention and rapid rehousing services and (C) development of housing.

- V. **Statutory Value of Assets Owned by Housing Successor.** This section provides the statutory value of real property owned by the Housing Successor, the value of loans and grants receivables, and the sum of these two amounts.
- VI. **Description of Transfers.** This section describes transfers, if any, to another housing successor made in previous fiscal year(s), including whether the funds are unencumbered and the status of projects, if any, for which the transferred LMIHAF will be used. The sole purpose of the transfers must be for development of transit priority projects, permanent supportive housing, housing for agricultural employees or special needs housing.
- VII. **Project Descriptions.** This section describes any project for which the Housing Successor receives or holds property tax revenue under the ROPS and the status of that project.
- VIII. **Status of Compliance with Section 33334.16.** As and if applicable, this section provides a status update on compliance with Section 33334.16 for interests in real property acquired by the former redevelopment agency prior to February 1, 2012. For interests in real property acquired on or after February 1, 2012, provide a status update on the project.
- IX. **Description of Outstanding Obligations under Section 33413.** This section describes outstanding inclusionary and replacement housing obligations, if any, under Section 33413 that remained outstanding prior to dissolution of the former redevelopment agency as of February 1, 2012, along with the Housing Successor's progress in meeting those prior obligations, if any, of the former redevelopment agency and how the Housing Successor's plans to meet unmet obligations, if any.
- X. **Income Test.** This section provides information required by Section 34176.1(a)(3)(B), or a description of expenditures by income category and restriction for the applicable five-year period, with the time period beginning January 1, 2014 and whether the statutory thresholds have been met. However, reporting of the Income Test is not required until 2019.
- XI. **Senior Housing Test.** This section provides the percentage of deed-restricted rental housing units restricted to seniors and assisted individually or jointly by the Housing Successor, its former redevelopment agency, and its host jurisdiction within the previous 10 years in relation to the aggregate number of units of deed-restricted rental housing assisted individually or jointly by the Housing Successor, its former redevelopment agency and its host jurisdiction within the same 10-year time period.
- XII. **Excess Surplus Test:** This section provides the amount of excess surplus in the LMIHAF, if any, and the length of time that the Housing Successor has had excess surplus, and the Housing Successor's plan for eliminating the excess surplus.
- XIII. **Inventory of Homeownership Units:** This section provides a summary of covenanted homeownership units assisted by the former redevelopment agency or the housing successor that include equity sharing and repayment provisions, including: (A) number of units; (B) number of units lost to the portfolio in the last

fiscal year and the reason for those losses, and (C) any funds returned to the housing successor due to losses or repayments.

XIV. Additional Information: GGHA's Activities for the Preceding Year FY 15-16 under HSC Section 34328.

This Report is to be provided to the Housing Successor's governing body by December 31, 2016. In addition, this Report and the former redevelopment agency's pre-dissolution Implementation Plans are to be made available to the public on the City's website: <http://www.ci.garden-grove.ca.us/finance/econdev/RedevelopmentAgencyDissolution>.

I. AMOUNT RECEIVED BY THE CITY PER HSC SECTION 34191.4

A total of \$0.00 was received by the City in repayment of reinstated City/Agency loans per Section 34191.4.

II. AMOUNT DEPOSITED INTO LMIHAF

A total of \$219,904 was deposited into the LMIHAF during the Fiscal Year. Of the total funds deposited into the LMIHAF, a total of \$0 was held for items listed on the ROPS, [or received pursuant to Health and Safety Code Section 34191.4(b)(3)(B) or (C).]

III. ENDING BALANCE OF LMIHAF

At the close of the Fiscal Year, the ending balance in the LMIHAF was \$459,145 (2015-16 CAFR), of which \$0 is held for items listed on the ROPS.

IV. DESCRIPTION OF EXPENDITURES FROM LMIHAF

The following is a description of expenditures from the LMIHAF by category:

	Fiscal Year
Monitoring & Administration Expenditures (2015-16 CAFR)	\$77,485
Homeless Prevention and Rapid Rehousing Services Expenditures	\$0
Housing Development Expenditures	\$0
➤ Expenditures on Low Income Units	
➤ Expenditures on Very-Low Income Units	
➤ Expenditures on Extremely-Low Income Units	
➤ Total Housing Development Expenditures	
Total LMIHAF Expenditures in Fiscal Year	\$77,485

The administrative expenditures total less than five percent of the statutory value of real property owned by the Housing Successor and of loans and grants receivable held by the Housing Successor.

V. STATUTORY VALUE OF HOUSING ASSETS OWNED BY HOUSING SUCCESSOR IN LMIHAF

Under the Dissolution Law and for purposes of this Report, the “statutory value of real property” means the value of properties formerly held by the former redevelopment agency as listed on the housing asset transfer schedule (HAT) approved by the Department of Finance (DOF) as listed in HAT under Section 34176(a)(2), the value of the properties transferred to the Housing Successor pursuant to Section 34181(f), and the purchase price of property(ies) purchased by the Housing Successor. Further, the value of loans and grants receivable is included in these reported assets held in the LMIHAF.

The following provides the statutory value of assets owned by the Housing Successor (2015-16 CAFR).

	As of End of Fiscal Year
Statutory Value of Real Property Owned by Housing Authority	\$4,584,241
Value of Loans and Grants Receivable*	\$17,603,991
Total Value of Housing Successor Assets	\$22,188,232

**This balance includes SERAF and ERAF loans totaling \$13,729,748. The total value of loans and grants receivable is gross of any allowance.*

VI. DESCRIPTION OF TRANSFERS

The Housing Successor did not make any LMIHAF transfers to other Housing Successor(s) under Section 34176.1(c)(2) during the Fiscal Year.

VII. PROJECT DESCRIPTIONS

The Housing Successor does not receive or hold property tax revenue pursuant to the ROPS.

VIII. STATUS OF COMPLIANCE WITH SECTION 33334.16

Section 34176.1 provides that Section 33334.16 does not apply to interests in real property acquired by the Housing Successor on or after February 1, 2012; nevertheless, this Report presents a status update on the project related to such real property.

With respect to interests in real property acquired by the former redevelopment agency prior to February 1, 2012, the time periods described in Section 33334.16 shall be deemed to have commenced on the date that the Department of Finance approved the property as a housing asset

in the LMIHAF; thus, as to real property acquired by the former redevelopment agency now held by the Housing Successor in the LMIHAF, the Housing Successor must initiate activities consistent with the development of the real property for the purpose for which it was acquired within five years of the date the DOF approved such property as a housing asset on the HAT.

The following table provides a status update on the real property or properties housing asset(s) that were acquired prior to February 1, 2012 and compliance with five-year period that commenced on August 30, 2012, the date of the letter issued by DOF approving the these properties as housing assets on the HAT:

12912 7 th Street	05/07/2007	n/a	In FY 15-16 this property was rented to income eligible tenant.
11361 Garden Grove Blvd.	07/30/2008	n/a	In FY 15-16 this property was rented to income eligible tenant.
12931 9 th Street	04/06/2010	n/a	In FY 15-16 this property was rented to income eligible tenant.
12892, 12942 Grove St., 10936 Acacia Pkwy, no site address (APNs 089-213-02, 29,31,32)	03/11/2011	04/29/2017	No status at this time [vacant].
12291 Thackery Dr.	01/10/2008	04/29/2017	No status at this time [vacant].
12602 Keel Ave.	04/25/1989	n/a	This property is subject to an Affordable Housing Agreement dated 6/25/1990 with Orange County Community Housing Corporation and is encumbered with recorded affordable housing covenants (HAT).
*See footnote below.			

**12661 Sunswep Avenue, previously listed, was included on the DOF-approved LRPMP to be returned to the City for governmental use in FY 2015-16 and has therefore been removed from the list.*

The following provides a status update on the project(s) for property(ies), if any, that have been acquired by the Housing Successor using LMIHAF on or after February 1, 2012:

Address of Property	Date of Acquisition	Deadline to Initiate Development Activity	Status of Housing Successor Activity
N/A			

IX. DESCRIPTION OF OUTSTANDING OBLIGATIONS PURSUANT TO SECTION 33413

Replacement Housing: Whatever unmet obligation that existed according to the 2010-2014 Implementation Plan for the former redevelopment agency, if any, this obligation has been superseded and is being met pursuant to that certain *Stipulation to Substitute Party and for Entry of Interlocutory Judgment (Judgment)* approved by the Superior Court, County of Orange, State of California in the action *Marina Limon, et. al., v. Garden Grove Agency for Community Development* attached as Exhibit A.

Inclusionary/Production Housing: Whatever unmet obligation that existed according to the 2010-2014 Implementation Plan for the former redevelopment agency, if any, this obligation has been superseded and is being met pursuant to that certain *Stipulation to Substitute Party and for Entry of Interlocutory Judgment (Judgment)* approved by the Superior Court, County of Orange, State of California in the action *Marina Limon, et. al., v. Garden Grove Agency for Community Development* attached as Exhibit A.

The Judgment and the former redevelopment agency's Implementation Plans are posted on the City's website at:

<http://www.ci.garden-grove.ca.us/finance/econdev/RedevelopmentAgencyDissolution>

The Successor Agency, Housing Successor, and City are pursuing affordable housing development opportunities to meet the requirements set forth in the Settlement Agreement.

X. EXTREMELY-LOW INCOME TEST

Section 34176.1(a)(3)(A) requires that the Housing Successor must require at least 30% of the LMIHAF to be expended for development of rental housing affordable to and occupied by households earning 30% or less of the AMI. Pursuant to Section 34176.1(a)(3)(B), if the Housing Successor fails to comply with the Extremely-Low Income requirement in any five-year report, then the Housing Successor must ensure that at least 50% of the funds remaining in the LMIHAF be expended in each fiscal year following the latest fiscal year following the report on households earning 30% or less of the AMI until the Housing Successor demonstrates compliance with the Extremely-Low Income requirement. *This information is not required to be reported until 2019 for the 2014 – 2019 period, which is the first of the five-year periods added by Section 34176.1.*

XI. SENIOR HOUSING TEST

The Housing Successor is to calculate the percentage of units of deed-restricted rental housing restricted to seniors and assisted by the Housing Successor, the former redevelopment agency and/or the City within the previous 10 years in relation to the aggregate number of units of deed-restricted rental housing assisted by the Housing Successor, the former redevelopment agency and/or City within the same time period. If this percentage exceeds 50%, then the Housing Successor cannot expend future funds in the LMIHAF to assist additional senior housing units until the Housing Successor or City assists and construction has commenced on a number of restricted rental units that is equal to 50% of the total amount of deed-restricted rental units.

The following provides the Housing Successor's Senior Housing Test for the 10-year period of July 1, 2006 through June 30, 2016:

Senior Housing Test		07/01/2005 – 6/30/2015
# of Assisted Senior Rental Units		0
# of Total Assisted Rental Units		159
Senior Housing Percentage		0%

XII. EXCESS SURPLUS TEST

Excess Surplus is defined in Section 34176.1(d) as an unencumbered amount in the account that exceeds the greater of one million dollars (\$1,000,000) or the aggregate amount deposited into the account during the Housing Successor's preceding four Fiscal Years, whichever is greater.

The following provides the Excess Surplus test for the preceding Fiscal Years of the Housing Successor:

	FY 2011/12	FY 2011/12	FY 2013/14	FY 2014/15	FY 2015/16
Beginning Balance		(\$405,232)	\$191,355	\$252,996	\$314,555
Add: Deposits	\$124,080	\$743,360	\$89,909	\$135,552	\$219,904
(Less)	(\$529,312)	(\$146,773)	(\$28,268)	(\$73,992)	(\$75,314)
Expenditures					
Ending Balance*	(\$405,232)	\$191,355	\$252,996	\$314,555	\$459,145

*Ending Balances do not equal CAFR Cash Balances. Variances reflect short-term interfund loans and accruals.

The Low and Moderate Income Housing Asset Fund does not have an Excess Surplus.

XIII. INVENTORY OF HOMEOWNERSHIP UNITS

This section provides an inventory of homeownership units assisted by the former Agency or the Garden Grove Housing Authority, as Housing Successor, that are subject to covenants or restrictions or to an adopted program that protects the former Agency's investment of moneys from the Low and Moderate Income Housing Fund pursuant to Health and Safety Code Section 33334.3(f).

This inventory includes:

(A) The total number of homeownership units assisted by the former Agency:

9852 Orangewood Ave., Garden Grove, CA	1 unit
11861 Winton St., Garden Grove, CA	1 unit
10330 Belinda Ct, Garden Grove, CA	1 unit
10301 Garden Grove Blvd., Garden Grove, CA	1 unit
12741-12831 Arbor Ct. & 12752-12852 Arbor Ct., Garden Grove, CA	17 units
13143 Michael Monsoor Ct., Garden Grove, CA	1 unit
10852 Sonoma Ln., Garden Grove, CA	1 unit
13100 Mendocino Ln., Garden Grove, CA	1 unit
10803 Sonoma Ln., Garden Grove, CA	1 unit
10811 Sonoma Ln., Garden Grove, CA	1 unit
10853 Sonoma Ln., Garden Grove, CA	1 unit
10831 Sonoma Ln., Garden Grove, CA	1 unit
Total	28 units

(B) Summary of Lost Units.

- a. The total number of homeownership units lost to the Housing Successor's portfolio between February 1, 2012 up to June 30, 2015, along with the reason or reasons for those losses: 20 units

	Property Address	Reason for Loss
FY 2011-12	11861 Winton St., Garden Grove, CA (1 unit)	Loan paid off by owner
FY 2013-14	9852 Orangewood Ave., Garden Grove, CA (1 unit)	Loan paid off by owner
FY 2014-15	12741-12831 Arbor Ct. & 12752-12852 Arbor Ct., Garden Grove, CA (17 units)	Covenants expired
FY2014-15	10831 Sonoma Lane, Garden Grove, CA (1 unit)	Loan paid off by owner

- b. Total losses between 2/1/12 to 6/30/15: 20 units

	Property Address	Payoff Date
FY 2011-12	11861 Winton St., Garden Grove, CA (1 unit)	3/27/2012
FY 2013-14	9852 Orangewood Ave., Garden Grove, CA (1 unit)	1/6/2014
FY 2014-15	12741-12831 Arbor Ct. & 12752-12852 Arbor Ct., Garden Grove, CA (17 units)	2014
FY2014-15	10831 Sonoma Lane, Garden Grove, CA (1 unit)	5/8/2015

- c. Reason for loss from portfolio of each such unit (FY 2015-16 only):

Property Address	Reason for Loss
No units were lost. Inventory remains as listed above.	

- d. Funds returned to the Housing Successor as part of an adopted program that protects the former Agency's investment of moneys from the Low and Moderate Income Housing Fund. This includes repayments of all Single Family Rehab and First Time Homebuyer loans including principal, interest, and equity sharing payments between February 1, 2012 to June 30, 2015. We had no payments in FY 2015-16.

\$ 92,164.77

- (C) The number of homeownership units lost to the Housing Successor's portfolio in fiscal year 2015-16 and the reason for those losses.

- a. Total losses to portfolio in FY 15-16:

None

b. Reason for loss from portfolio of each such unit:

N/A	
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c. Funds returned to the Housing Successor as part of an adopted program that protects the former Agency's investment of moneys from the Low and Moderate Income Housing Fund. This includes repayments of all Single Family Rehab and First Time Homebuyer loans including principal, interest, and equity sharing payments during FY 2015-16.

\$ 0

(D) State whether the Housing Successor has contracted with any outside entity for the management of the units and, if so, the identity of the entity.

The City's Neighborhood Improvement Division administered a majority of the former Agency's Single Family Rehabilitation Program and First Time Homebuyer Program. The Neighborhood Improvement Division does have an existing agreement with Amerinational Community Services, Inc., a Minnesota Corporation relating to certain, but not all, aspects of administration of the former Agency's Single Family Rehabilitation loans and First Time Homebuyer loans that provided second lien mortgages for homeownership units. These consulting services include assistance with oversight and administration of amortized loan payments, if any, due; with tracking and calculation of loan balances in the event of payoff; and, other administrative activities for these outstanding Single Family Rehab and First Time Homebuyer loans. Additionally, the City has contracted with AIM Asset Property Management for property management services.

XIV. ADDITIONAL INFORMATION ABOUT GARDEN GROVE HOUSING AUTHORITY'S ACTIVITIES FOR THE PRECEDING YEAR FY 15-16 PER HSC SECTION 34328

The Housing Authority can provide rental assistance to 2,337 households per month through Section 8 vouchers. The lease up rate by month for FY 2015-16 was as follows:

<u>Month</u>	<u>Number of units leased</u>
July	2274
August	2288
September	2293
October	2288
November	2288
December	2296
January	2301
February	2313
March	2298
April	2300
May	2300
June	2256

Additionally, the Housing Authority also administers a Tenant Based Rental Assistance Program for the City's Neighborhood Improvement Division funded with HOME Investment Partnership Program (HOME) funds from the Department of Housing and Urban Development. During FY 2015-16, the Housing Authority provided a total of 0 Tenant Based Rental Assistance vouchers.

During FY 2015-16, there were no terminations of Section 8 vouchers of victims of domestic violence.

Exhibit A

Limón v. Garden Grove Agency for Community Development
Case No. 30-2009-00291597
Stipulation to Substitute Party and for Entry of Interlocutory Judgment

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ORANGE

MARINA LIMON, *et al.*,
Plaintiffs and Petitioners,
v.
GARDEN GROVE AGENCY FOR
COMMUNITY DEVELOPMENT, a municipal
entity, *et al.*,
Defendants and Respondents.

GARDEN GROVE MXD, LLC, and
MCWHINNEY REAL ESTATE SERVICES,
and DOES 21 through 40,
Real Parties in Interest.

Case No. 30-2009-00291597

STIPULATION TO SUBSTITUTE
PARTY AND FOR ENTRY OF
INTERLOCUTORY JUDGMENT

Complaint Filed: August 10, 2009
Dept.: CX-102
Judge: Robert J. Moss

Plaintiffs Marina Limon, Alfredo Cordero, Celia Gonzalez, Jacquelyn Bodenstedt as
executor of the Estate of Randolph Maynor, Jose Sanchez, Raymond Kent Creamer, Ana Rosa
Olea, Elidia Gonzalez, Ivan Torres, Javier Ibarra ("Individual Plaintiffs"), and the Kennedy
Commission (collectively, "Plaintiffs"), along with Defendants, the City of Garden Grove, the
City of Garden Grove as Successor Agency to the Garden Grove Agency for Community

1 Development ("Successor Agency"), the Garden Grove Housing Authority as Successor Agency
2 to the Garden Grove Agency for Community Development ("Housing Successor") and the
3 Garden Grove City Council (collectively, "Defendants"), hereby enter into this stipulation to
4 substitute party and for entry of judgment ("Judgment"). Plaintiffs and Defendants (collectively,
5 "Parties") settled the above-captioned matter through Voluntary Settlement Conferences before
6 Judge Gail Andler, Department CX-101, on September 20, 2013 and February 28, 2014. The
7 Parties stipulate as follows:

8 1. On September 20, 2013, the Parties entered into a settlement on the record in open
9 court in Department CX-101 that resolved the above captioned matter conditioned upon the
10 settlement of the issue of attorneys' fees. On February 28, 2014, the Parties reached agreement
11 on attorneys' fees. The terms of the settlement are as follows:

12 2. The term "Low Income Households" shall have the meaning set forth in Health
13 and Safety Code section 50079.5.

14 3. The term "Very Low Income Households" shall have the meaning set forth in
15 Health and Safety Code section 50105.

16 4. The term "Low Income Rent" shall be rent affordable to lower income households
17 as set forth in Health and Safety Code section 50053(b)(3).

18 5. The term "Very Low Income Rent" shall be rent affordable to very low income
19 households as set forth in Health and Safety Code section 50053(b)(2).

20 6. Within the timeframe described in Paragraph 9, below, the Successor Agency or,
21 at its discretion, the Housing Successor (hereinafter "Successors"), shall develop replacement
22 housing. Pursuant to this paragraph funds held in the Low and Moderate Income Housing Asset
23 Fund, as defined in Health and Safety Code section 34176, shall be available for development of
24 the replacement housing pursuant to this Judgment. The Successors shall develop or cause to be
25 developed twenty five (25) additional new construction dwelling units as replacement housing for
26 the Travel Country Recreational Vehicle Park ("Park") to address Plaintiffs' claims for
27 development of replacement housing pursuant to Health and Safety Code section 33413. No less
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1. than twelve (12) of the units developed pursuant to this paragraph shall be covenanted to be
2. leased at Very Low Income Rent and restricted to occupancy by Very Low Income Households;
3. the balance of thirteen (13) units shall be covenanted to be leased at Low Income Rent and
4. restricted to occupancy by Low Income Households.

5. 7. In addition to the dwelling units described in Paragraph 6, within the timeframe
6. described in Paragraph 9, below Successors shall develop or cause to be developed thirteen (13)
7. additional dwelling units, either as new construction or Substantial Rehabilitation (as defined
8. below), as replacement housing for the Park to address Plaintiffs' claims for development of
9. replacement housing pursuant to Health and Safety Code section 33413. No less than seven (7)
10. of the units developed pursuant to this paragraph shall be covenanted to be leased at Very Low
11. Income Rent and restricted to occupancy by Very Low Income Households; the balance of six (6)
12. units shall be covenanted to be leased at Low Income Rent and restricted to occupancy by Low
13. Income Households.

14. 8. The Successors may reduce the number of dwelling units required to be developed
15. pursuant to Paragraph 7 (but not Paragraph 6) by one dwelling unit for each dwelling unit offered
16. to a household listed on Exhibit A or B hereto that is rejected by such household provided that a
17. household's rejection of a unit under this section will not disqualify that household from
18. eligibility under Paragraph 11. In order to reduce the unit count, (1) a displaced household must
19. receive an offer of affordable replacement housing after a determination (provided to the
20. displaced household in writing) by the operator of that housing that the displaced household
21. is eligible for occupancy of the replacement housing with respect to all of its qualifications and
22. restrictions, including but not limited to income, family size, rental history and credit score, (2)
23. the offer of affordable housing must be either hand delivered to the displaced household as
24. evidenced by a proof of personal service, or through regular and certified U.S. mail, and (3) the
25. displaced household must be allowed ten (10) business days after receipt of the offer to accept or
26. reject the offer.

1 9. The Successors shall develop, rehabilitate, construct or cause the development,
2 rehabilitation or construction (as applicable) of the dwelling units described in Paragraphs 6 and
3 7 ("Replacement Units") within four years from entry of judgment in this case.

4 10. "Substantial Rehabilitation" shall have the same meaning as contained in Health
5 and Safety Code section 33413.

6 11. In accordance with Health and Safety Code section 33411.3, all residents displaced
7 by the Redevelopment Agency shall have priority in occupancy of the Replacement Units
8 developed pursuant to this Judgment. Successors shall provide for such priority in any agreement
9 for development or administration of the Replacement Units; and shall maintain a list of eligible
10 persons and families displaced by the Redevelopment Agency.

11 12. Defendants shall provide notice to Plaintiffs' counsel upon (1) entry into an
12 agreement for development of Replacement Units, and (2) completion of construction of any
13 replacement dwelling units, no later than ten (10) days after issuance of a certificate of
14 occupancy. The number of required replacement dwelling units shall not be reduced pursuant to
15 Paragraph 8 unless the Successor Agency shall have provided notice (including a copy of the
16 offer) to Plaintiffs' Counsel within five (5) business days of making an offer of affordable
17 housing to a displaced household. Notice to Plaintiffs' counsel pursuant to this paragraph shall be
18 delivered by electronic mail and first class mail to: Public Counsel, Shashi Hanuman, Directing
19 Attorney, Community Development Project, 610 South Ardmore Avenue, Los Angeles,
20 California 90005, shanuman@publiccounsel.org. Parties shall cooperate in the exchange of
21 information relating to any offers.

22 13. Successor Agency shall pay additional relocation amounts to Individual Plaintiffs
23 based on rents paid in 2003 as initiation of negotiation rents, pursuant to the California Relocation
24 Assistance Act, 25 Code of California Regulations, § 6104, as set forth in the "Total Payment"
25 column of Exhibit A hereto.¹ Successor Agency shall pay additional relocation amounts to all

26 ¹ The parties note that in order to protect the privacy of the individual plaintiffs and displaced,
27 Exhibits A and B hereto reference each household by space number only. Parties have reviewed
28 and agree that the relocation amounts, household names, and corresponding space numbers in
Exhibit A, as previously exchanged by their respective counsel of record are correct.

1 other former residents of the Park whom they determined to be eligible for relocation assistance,
2 based on rents paid in 2005 as initiation of negotiation rents; pursuant to the California Relocation
3 Assistance Act, 25 Code of California Regulations, § 6104, as set forth in the "Total Payment"
4 column of Exhibit B hereto.

5 14. Pursuant to action of the California Legislature in Stats. 2012, Ch. 5 (Assembly
6 Bill No. 26, 2011-2012 1st Ex. Sess.) (the "Dissolution Act"), effective June 29, 2011,
7 redevelopment agencies throughout California began a dissolution process. The Dissolution Act
8 provides that the city "that authorized the creation of each redevelopment agency" became the
9 "successor agency" to that redevelopment agency, by operation of law, unless the designated
10 successor entity elected not to serve as the successor agency. California Health and Safety Code
11 sections 34173(a), (d). The Garden Grove City Council adopted resolutions electing to serve as
12 the Successor Agency to the dissolved Redevelopment Agency pursuant to Health and Safety
13 Code section 34173, and designating the Garden Grove Housing Authority as the Housing
14 Successor pursuant to Health and Safety Code section 34176. City of Garden Grove Resolution
15 Nos. 9072-11 (July 12, 2011) and 9089-12 (Jan 17, 2012). As prescribed by the Dissolution Act,
16 the amounts the Successor Agency is obligated to pay pursuant to the terms of this Judgment shall
17 be included as an enforceable obligation of the Successor Agency on each applicable Recognized
18 Obligation Payment Schedule ("ROPS"), as defined in California Health and Safety Code section
19 34171(h) and in accordance with Health and Safety Code section 34177(l), (m), and as set forth
20 below.

21 15. The Successor Agency shall include in the ROPS due to be completed and
22 approved by the oversight board of the Successor Agency no later than October 3, 2014, the
23 entire amount of relocation assistance due pursuant to Paragraph 13.

24 16. The Successor Agency shall include in the ROPS due to be completed and
25 approved by the oversight board of the Successor Agency no later than October 3, 2015 (ROPS
26 2015-16B), amounts for Replacement Units that will be expended during the January 1, 2016
27 through June 30, 2016 period. The amounts to be expended during this ROPS 2015-16B period

1 shall be appropriate to complete development of the Replacement Units for occupancy within
2 four years from entry of the Judgment.

3 17. The Successor Agency shall pay \$795,000 in attorneys' fees to Public Counsel.
4 This amount shall bear interest at the rate of 7 percent per annum, from the date of entry of this
5 Judgment, pursuant to Article XV, Section 1, of the California Constitution. The entire amount of
6 attorneys' fees shall be placed on the ROPS due to be completed by the oversight board of the
7 Successor Agency no later than October 3, 2014 (ROPS 2014-15B).

8 18. Parties agree that the obligations contained herein are obligations of the Garden
9 Grove Agency for Community Development ("Redevelopment Agency"), now dissolved, prior to
10 enactment of the Dissolution Act. Consistent with Health and Safety Code § 34173(e), Successor
11 Agency's liability for amounts owing pursuant to this Judgment shall be limited to the extent of
12 the total sum of property tax revenues the Successor Agency and the Housing Successor receive
13 pursuant to the ROPS process and the value of the assets received by the Successor Agency and
14 the Housing Successor. The Successor Agency shall continue to list the obligations of this
15 Judgment on each ROPS until all obligations required by the Judgment are satisfied.

16 19. Jacquelyn Bodenstedt as executor of the Estate of Randolph Maynor is substituted
17 as a plaintiff in this action in place of plaintiff Randolph Maynor, by reason of his death.

18 20. The Parties agree that the Court shall have continuing jurisdiction to enforce the
19 terms of this settlement and Judgment pursuant to California Code of Civil Procedure section
20 664.6.

21 21. This Stipulation may be executed in any number of counterparts, each of which
22 when so executed shall be deemed an original and all of which taken together shall constitute one
23 and the same agreement.

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1 Dated: March __, 2014

PUBLIC COUNSEL
CALIFORNIA AFFORDABLE HOUSING LAW PROJECT
FULBRIGHT & JAWORSKI L.L.P.

2
3
4 By: _____
SHASHI HANUMAN

5 Attorneys for Plaintiffs/Petitioners *Marina Limon,*
6 *Alfredo Cordero, Celia Gonzalez, Jose Sanchez,*
7 *Raymond Kent Creamer, Ana Rosa Olea, Elidia*
8 *Gonzalez, Ivan Torres, Javier Ibarra and The Kennedy*
9 *Commission*

10 Dated: March __, 2014

11 By: _____
MARINA LIMON


12
13
14 Dated: March __, 2014

15 By: _____
ALFREDO CORDERO

16
17 Dated: March __, 2014

18 By: _____
CELIA GONZALEZ

19
20
21 Dated: March 27 2014

22 By: 
JACKOULYN BODENSTEDT AS EXECUTOR
OF THE ESTATE OF RANDOLPH MAYNOR

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Dated: March 25, 2014

By: Jose Sanchez
JOSE SANCHEZ

Dated: March 25, 2014

By: R. Kent Creamer
RAYMOND KENT CREAMER

Dated: March 25, 2014

By: Ana Rosa Olea
ANA ROSA OLEA

Dated: March 25, 2014

By: Elidia Gonzalez
ELIDIA GONZALEZ

Dated: March 28, 2014

By: Edwardo I Torres
IVAN TORRES

Dated: March 25, 2014

By: Javier Ibarra
JAVIER IBARRA

Dated: March __, 2014

By: _____
THE KENNEDY COMMISSION

Dated: March __, 2014

STRADLING YOCCA CARLSON & RAUTH
By: Allison Burns
ALLISON BURNS

Attorneys for Plaintiffs/Petitioners Defendants
Garden Grove Agency for Community Development (by
and through its successor agencies), The City of Garden
Grove, The Garden Grove Housing Authority and The
Garden Grove City Council

Dated: March __, 2014

By: _____
JOSE SANCHEZ

Dated: March __, 2014

By: _____
RAYMOND KENT CREAMER

Dated: March __, 2014

By: _____
ANA ROSA OLEA

Dated: March __, 2014

By: _____
ELIDIA GONZALEZ

Dated: March __, 2014

By: _____
IVAN TORRES

Dated: March __, 2014

By: _____
JAVIER IBARRA

Dated: March 27, 2014

By: 
THE KENNEDY COMMISSION

Dated: March 27, 2014

Stradling Yocca Carlson & Rauth

By: _____
ALLISON BURNS

*Attorneys for Plaintiffs/Petitioners Defendants
Garden Grove Agency for Community Development (by
and through its successor agencies), The City of Garden
Grove, The Garden Grove Housing Authority and The
Garden Grove City Council*

1 Dated: March __, 2014

By:

Matthew Fintor

THE GARDEN GROVE HOUSING
AUTHORITY AS SUCCESSOR AGENCY TO
THE GARDEN GROVE AGENCY FOR
COMMUNITY DEVELOPMENT

2
3
4 Dated: March __, 2014

By:

Matthew Fintor

CITY OF GARDEN GROVE AS SUCCESSOR
AGENCY TO THE GARDEN GROVE AGENCY
FOR COMMUNITY DEVELOPMENT

5
6
7 Dated: March __, 2014

By:

Matthew Fintor

THE GARDEN GROVE CITY COUNCIL

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Exhibit A
Additional Relocation Payments to Plaintiffs

SPACE	Relocation Base Rent	2003 rent	Differential	Total Payment
1	955	800	155	\$6,510.00
35	415	410	6	\$252.00
38	665	410	255	\$10,710.00
45	418.5	400	18.5	\$777.00
60	630	420	210	\$8,820.00
82	655	400	255	\$10,710.00
93	695	490	205	\$8,610.00
94a	392.4	470	-77.6	0
114	423.73	540	-116.27	0
118a	523.31	450	73.31	\$3,079.02

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Exhibit B
Additional Relocation Payments to Non-Plaintiff Displacees

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SPACE	Relocation Base Rent	2005 Rent	Differential	Total Payment
2	587.95	575	12.95	\$543.90
14	331.19	565	-233.81	0
22	705	575	130	\$5,460.00
23	720	590	130	\$5,460.00
41	670	540	130	\$5,460.00
53	394.3	625	-230.7	0
57	695	565	130	\$5,460.00
74	695	565	130	\$5,460.00
75	344.1	555	-210.9	0
80a	715	585	130	\$5,460.00
85a	680	550	130	\$5,460.00
88a	402.97	590	-187.03	0
92a	698	615	83	\$3,486.00
98	650	520	130	\$5,460.00
100a	685	555	130	\$5,460.00
104	339	515	-176	0
105	695	565	130	\$5,460.00
107	675	545	130	\$5,460.00
109	336.3	550	-213.7	0
111a	675	545	130	\$5,460.00
115	670	540	130	\$5,460.00
116	690	560	130	\$5,460.00
119a	385.37	545	-159.63	0
120	705	575	130	\$5,460.00
122	669.29 (Section 8)	575	0	\$0.00
126	541.23	525	16.23	\$681.66
129	356.3	565	-208.7	0
130	695	565	130	\$5,460.00

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