

September 23, 2021

Denise Kehn
Records Specialist
City Clerk's Office
City of Garden Grove
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RE: Public Records Act Request- the Willowick Property, Garden Grove-Owned Real Property Located in the City of Santa Ana

Dear Clerk of the Council:

Pursuant to the California Public Records Act, Government Code Sections 6250, et seq., we request that you make available to us, within ten (10) days, for our review and copy the public records in the possession, custody, or control of the City of Garden Grove as described below. It is our desire to secure these records with as little burden as possible on you and other City staff; accordingly, please do not hesitate to contact us if there are alternative ways of securing the requested information in a more streamlined fashion.

Definitions Used in this Request:

Regarding the following requests, we have provided the following definitions to specify as clearly as possible the nature of each request:

“The City” refers to the City of Garden Grove and includes all of its officers, agents, and departments, including without limitation, the Garden Grove City Council and Mayor, any Council aides and assistance, as well as all Garden Grove City agencies, commissions, and committees.

“Records” and “Documents” refers to the following: All “writings” as defined in Section 250 of the California Evidence Code, namely “handwriting, typewriting, printing, Photostatting, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording any tangible thing, any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.”

“The Willowick Property” refers to the real property owned by the City of Garden Grove and located in the City of Santa Ana on **3017 West 5th Street, APN: 198-291-08**

“Surplus Land Act” refers to the California Surplus Land Act (Government Code section 54220, et seq), which includes the amendments from Assembly Bill 1486 (Government Code sections 54230.6, 54233.5, 54234, 65400.1, and 65585.1)

“Entities” refers to any non-profit organization, for-profit organization or governmental agency that has responded to the notification of the availability of the Willowick Property with a “Letter of Interest” and is now a negotiating party for the disposition of the Willowick Property.

Requests:

1. All Records and Documents, including but not limited to emails, text messages, or other communications, that pertain to the Willowick property and were exchanged between the City and McWhinney between November 6, 2020 and present. --- The City of Garden Grove’s Website lists correspondences between McWhinney and the City as of July 29, 2021; however, in a July 29, 2021 email¹, within that same email there is a message, dated November 6, 2020 that is cut off. This November 6, 2020 message is from Peter Laener of McWhinney. **Rise Up Willowick requests this truncated message and any and all other emails that have been exchanged since.**
2. All Records and Documents, including but not limited to emails, text messages, or other communications, that pertain to the Willowick property and were exchanged between the City and Willowick Community Partners LLC between January 6, 2021 and present. --- The City of Garden Grove’s Website lists correspondences between Willowick Community Partners LLC and the City as of July 29, 2021; however, in a July 29, 2021 email², there is a message dated January 6, 2021 that is cut off. This email was from Ryan of City Ventures to the City. **Rise Up Willowick requests this truncated message and any and all other emails that have been exchanged since.**
3. All Records and Documents, including but not limited to emails, text messages, or other communications, that pertain to the Willowick property that were exchanged between the City of Garden Grove and the entities listed below between November 6, 2020 and present that are not listed on the City’s website³:
 - a. Willowick Community Partners LLC., which includes City Ventures, Jamboree, and Primestor
 - b. Trust for Public Lands, Clifford Beers Housing, California Coastal State Conservancy
 - c. McWhinney Real Estate Services Inc and Wakeland Housing
 - d. County of Orange
4. Rise Up Willowick requests an attachment listed in an August 23, 2021 email from McWhinney to the City that is titled “Willowick McWhinney 25% Affordable Proforma 2021-08-20.xlsx” as this attachment is not included on the City’s website⁴.
5. All Records and Documents, including but not limited to, emails, text messages, letters, correspondence, and/or any other documents currently in the possession of the Office of the Mayor and City Council (including aides, assistants, policy advisers, chiefs of staff, and independent firms on contract with the city), Office of the City Manager, and any other

¹ <https://ggcity.org/sites/default/files/07292021%20508%20p.m.%20-%20City's%20Response%20to%20McWhinney.pdf>

² <https://ggcity.org/sites/default/files/07292021%20508%20p.m.%20-%20City's%20Response%20to%20Willowick%20Community%20Partners.pdf>

³ <https://ggcity.org/surplus-land-act-willowick-golf-course>

⁴ <https://ggcity.org/surplus-land-act-willowick-golf-course>

departments or agencies under the jurisdiction of the City of Garden Grove, which address, deal with, and/or pertain to all communications exchanged regarding the Willowick Property from July 29, 2021 to present including, but not limited to, intradepartmental and interdepartmental messages and messages to California Department of Housing and Community Development (HCD).

Pursuant to the Public Records Act, please provide us with all of the following Records:

We have attempted to be as specific as we can to designate the public records as requested without the need to access the records themselves. If you find any of these requests insufficiently focused, we request that you provide the assistance required by Government Code Section 6253.1, including “assisting the member of the public to identify records and information that are responsive to the request or the purpose of the request.”

If you believe any portion of the information we have requested is exempt from disclosure by express provision of the law, Government Code Section 6253(a) additionally requires that you segregate or delete the exempted material and release the remainder of the information. Please make the information requested available for our review before charging us for copies. Where the information is contained in electronic databases, we request you provide such information in electronic form, pursuant to Government Code Section 6253.9.

Thank you in advance for your timely attention to this request. Please do not hesitate to contact us.

Sincerely,

On behalf of Rise Up Willowick,
Cynthia Guerra