

VIA E-MAIL

December 14, 2020

Robin Mark
Los Angeles Program Director
The Trust for Public Land
Robing.mark@tpl.org

Alex Size
Southern California Land Protection Director
The Trust for Public Land
Alex.Size@tpl.org

Tily Shue
Legal Director
The Trust for Public Land
Tily.Shue@tpl.org

Megan Cooper
South Coast Regional Manager
State Coastal Conservancy
Megan.Cooper@scc.ca.gov

Audrey Peterson
Director of Housing Development
Clifford Beers Housing, Inc.
apeterson@cbhousing.org

Steven R. Jones
Mayor

Kim Bernice Nguyen
Mayor Pro Tem - District 6

George S. Brietigam
Council Member - District 1

John R. O'Neill
Council Member - District 2

Diedre Thu-Ha Nguyen
Council Member - District 3

Patrick Phat Bui
Council Member - District 4

Stephanie Klopfenstein
Council Member - District 5

**Re: Sale/Lease of the property located at 3017 W. 5th Street, Santa Ana, CA
92703 per the Surplus Land Act.**

Dear Sirs/Madams,

We are in receipt of the Trust for Public Land's letter dated December 8, 2020, pursuant to which Ms. Robin Mark alleges, without support, that the Trust for Public Land made two proposals, the first, on behalf of the State Coastal Conservancy solely for open space/recreational uses and the second, on behalf of the Trust for Public Land and Clifford Beers Housing for combined open space and housing. We only find one proposal in the string of correspondence.

On March 12, 2020, the City sent a Notice of Availability of Surplus Land to the entities designated to receive such notices pursuant to the Surplus Land Act. The Notice of Availability specifically stated: "Sale/lease of the entire site in one transaction is contemplated."

On July 6, 2020, the City received a letter from Clifford Beers Housing (CBH) and the Trust for Public Land (TPL) proposing to jointly negotiate with the City to acquire the property for a combination of affordable housing and open space. Separately, on July 7, 2020, the State Coastal Conservancy (Conservancy) submitted a letter providing a notice of intention to support the conversion of the property into publicly accessible open space. The July 7, 2020 Conservancy letter designates TPL "to enter into discussions and negotiations with the City of Garden Grove, with the goal of acquiring the [property] for parks and open space purposes."

On July 24, 2020, the City sent CBH and TPL separate letters requesting proposal information which would include, among other items, the identification of the proposing entity, a description of the terms of purchase or lease, and a description of the proposed project. In response, the City received the "Willowick Community Park Proposal" from TPL dated August 20, 2020, to develop the property "into a nature park with supportive, affordable housing." The Willowick Community Park Proposal (Proposal) includes as attachments both the July 7, 2020 Conservancy letter of intent and the July 6, 2020 joint Clifford Beers Housing / TPL letter of intent and clearly expresses the intent to acquire the entire property for a combination of park/open space and affordable housing purposes.

The City did not receive a separate proposal from TPL on behalf of the Conservancy, or the Conservancy itself, seeking to acquire the property solely for park and recreational use. The only mention of the Conservancy in the Proposal was the partial acquisition of the property for open space/recreational use by some unnamed public agency.

In response to its receipt of the August 20, 2020 Proposal, on September 21, 2020 the City sent TPL a further request for clarification of various points, including the identification of the proposing entity and contact information for the entity's negotiators, number of residential units and affordability levels, and proposed open space uses. The City received a response dated October 22, 2020 from TPL identifying its representatives and reiterating that it proposes to purchase the property to implement open spaces, restoration of lands along the Santa Ana River Trail and, in partnership with CBH, develop affordable housing units. TPL further stated that TPL would not be taking title to the land, but, instead, would direct the deed effecting transfer of title directly to a public agency steward.

For the foregoing reasons, the City is surprised to have received TPL's letter on December 8, 2020 stating that TPL has submitted two distinct proposals. One seeking priority pursuant to Government Code Section 54227(b) as the agent for the Conservancy, and the second in collaboration with the Conservancy and CBH. Again, the City has received no offers or clarification from the Conservancy or TPL on behalf of the Conservancy to acquire the property solely for park or recreational purposes, even after the City twice asked for proposals and clarification on July 24, 2020 and September 21, 2020. We therefore ask that TPL please clarify what documentation or portions of the follow up letters and proposals it has submitted to the City constitute the proposal on

behalf of the Conservancy to acquire the property solely for park or recreational purposes so that the City can afford it the proper priority under the Surplus Land Act.

Please provide a response to our request for clarification by December 21, 2020. Unless we missed something, if TPL is interested in acquiring the property on behalf of the Conservancy solely for park or recreational purposes, it would be appropriate to include a written proposal from the Conservancy consistent with the City's July 24, 2020 letters, although at this point we are not sure whether we can even entertain what appears to be a new, late proposal from TPL on behalf of the Conservancy.

Respectfully,



Lisa Kim

Assistant City Manager/Community and Economic Development Director