

City of Garden Grove

Garden Grove Agency for Community Development

To: Members of the City Council of the City of Garden Grove      From: Celeste Stahl Brady and Thomas P. Clark, Jr., Agency Counsel and Thomas F. Nixon, City Attorney

Subject: COMMUNITY REDEVELOPMENT LAW SECTION 33130.5 - WRITTEN DISCLOSURE FROM CITY COUNCIL MEMBER/BOARD MEMBER AS PUBLIC OFFICIAL; DIRECTION TO AGENCY FOR ENTRY OF DISCLOSURE ON AGENCY MINUTES      Dept: Legal Counsel

Date: March 10, 2009

OBJECTIVE

Pursuant to Health & Safety Code Section 33130.5, City Council Member/Board Member Steve Jones, as a public official, has provided a formal written disclosure dated February 28, 2009 to the Agency and City Council, as legislative body, of his and his spouse's acquisition on February 19, 2009 of a residential condominium at 12555 Euclid Street, #99, Garden Grove ("Property") and located within the Community Project Area. This written disclosure is required to be made to the City Council and Agency, and thereafter, the City Council may direct the Agency to enter the disclosure on the minutes of the Agency. There is a companion staff report and item on the Agency's agenda for its concurrent consideration and action pursuant to Section 33130.5 relating to the making of the written disclosure by the City Council Member/Agency Board Member, certain certifications regarding the Property, and entering the disclosure on the minutes of the Agency.

BACKGROUND/DISCUSSION

The California Community Redevelopment Law, Part 1 of Division 24, Section 33000, *et seq.*, of the Health and Safety Code ("CRL"), in particular Section 33130.5, establishes an exception to the prohibition of Section 33130, such that a public official, "for personal residential use, may purchase or lease property within a project area after the agency has certified that the improvements to be constructed or the work to be done on the property to be purchased or leased have been completed, or has certified that no improvements need to be constructed or that no work needs to be done on the property."

The Property is a condominium in an existing residential development near Euclid Street and Lampson Avenue called the Lake Grove Condominiums, which development is located within the boundaries of the Agency's Community Development Project. The City Council Member's/Agency Board Member's written disclosure provides information about the purchase of the Property and its intended use.

(A copy of the City Council Member's/Agency Board Member's written disclosure is attached to this report.)

The City's Building Official has provided information that construction on the Property occurred in 1983 and certificates of occupancy were issued in 1984.

Section 33130.5 requires certain actions by the City Council and Agency regarding property purchased or leased within a project area, including:

1. Agency's certification "...that the improvements to be constructed or the work to be done on the [P]roperty to be purchased or leased have been completed ... ."
2. After the City Council Member/Agency Board Member makes written disclosure to the City Council and Agency, as required by Section 33130.5, the statute provides for the Agency to enter such disclosure on the minutes.

#### FINANCIAL IMPACT

There is no financial impact incurred by this item.

#### RECOMMENDATION

Based on the City Council Member/Agency Board Member having made written disclosure to the City Council and Agency about the Property, it is recommended that the Agency certify that the improvements to be constructed on the Property have been completed and the Agency and the City Council authorize entry of the disclosed information on the Agency minutes pursuant to CRL Section 33130.5.

CELESTE STAHL BRADY and THOMAS P. CLARK, JR.

Agency Counsel

and



THOMAS F. NIXON

City Attorney

Attachments: Written Disclosure from City Council Member/Agency Board Member

DATE: February 28, 2009

TO: Garden Grove City Council and  
Garden Grove Agency for Community Development and Members

RE: Notification of Purchase of Condominium and Request to Enter Notification on  
Agency Minutes

Dear Members:

The purpose of this letter is to provide formal notification that on or about February 19, 2008, I purchased a condominium at 12555 Euclid Street for personal residential use by members of my family and myself. The existing improvements were constructed in 1983 and no other work is scheduled to be done to the site. I am requesting that this notification be received by the Agency for Community Development and, if appropriate, by the City Council and entered on the Minutes of the Agency and City.

I will, of course, not participate in any further matters directly affecting this property.

Sincerely,

  
Steve Jones