

COSTA MESA REDEVELOPMENT AGENCY

CHAIRPERSON
KATRINA FOLEY

VICE CHAIRPERSON
WENDY LEECE

AGENCY MEMBER
ERIC BEVER

AGENCY MEMBER
GARY MONAHAN

AGENCY MEMBER
ALLAN MANSOOR

AGENDA OF THE JOINT REDEVELOPMENT AGENCY AND CITY COUNCIL CLOSED SESSION MEETING

JULY 13, 2010



EXECUTIVE DIRECTOR
KIMBERLY BRANDT

AGENCY ATTORNEY
KIMBERLY HALL
BARLOW

AGENCY MEETS 2ND TUESDAY OF EACH MONTH – 6:30 P.M.
COUNCIL CHAMBERS, 77 FAIR DRIVE, COSTA MESA

6:30 p.m. – Closed Session

Persons desiring further information about any agenda item may visit the Redevelopment Agency's web site at www.cmredevelopment.org, call the Redevelopment Office at (714) 754-5635, or come into the Redevelopment Office on the 5th floor of City Hall.

Speakers: Please print your name and address on the blue cards provided.

In compliance with the Americans with Disabilities Act, if special assistance is required to participate in this meeting, please contact the Redevelopment Secretary at (714) 754-5635. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102.35 ADA Title II).

CLOSED SESSION

6:30 p.m.

At the conclusion of the Public Comment, Redevelopment/Council Members will recess to Conference Room **1B** for Closed Session.

I. ROLL CALL

II. PUBLIC COMMENTS – Members of the public are welcome to address the Agency/Council Members on the item listed on the Closed Session Agenda only. Public speakers have three (3) minutes to speak.

III. CLOSED SESSION

1. Government Code §54956.8 - Conference with Real Property Negotiator and Government Code §54956.9(c) – Conference with City Attorney and Special Counsel regarding Potential Litigation. Based on existing facts and circumstances the City Council and Agency will consider whether to initiate litigation due to alleged defaults under three Affordable Housing Agreements between City of Costa Mesa and Civic Center Barrio Housing Corporation and one Affordable Housing Agreement between Costa Mesa Redevelopment Agency and CCBHC.
- **Affordable Housing Agreements (AHA) and Property Locations:**
 - HOME Investment Partnership Agreement No. M92 MC060507 (734 James Street, 740 James Street, and 744 James Street) between City and CCBHC;
 - HOME Investment Partnership Agreement NO. M93 MC060507-01 (745 West 18th Street) between City and CCBHC;
 - Affordable Housing and HOME Investment Partnership Agreement (717 and 721 James Street) between City and CCBHC; and
 - Affordable Housing Agreement (707 West 18th Street and 711 West 18th Street) between Agency and CCBHC.
 - **City and Agency Negotiators:** Allan Roeder, City Manager; Thomas Hatch, Assistant City Manager; Kimberly Brandt, Agency Executive Director; Muriel Ullman, Neighborhood Improvement Manager; Alma Penalosa, Management Analyst; Kimberly Hall Barlow, Esq., City Attorney and Agency General Counsel; Kathleen Head, Keyser Marston Associates, Economic Advisor; Celeste Brady, Esq., Stradling Yocca Carlson & Rauth, Special Counsel
 - **Developer/Owner Negotiator:**
Helen Brown, President of Civic Center Barrio Housing Corporation
 - **For conference, discussion, and negotiation:** As listed above, the City, Agency and CCBHC are parties to four AHAs. City Council and Agency will confer with legal counsels and provide direction (1) whether or not to initiate litigation relating to alleged defaults under the AHAs; and (2) the price/terms of real property transaction that may be the basis for amendments to any or all of the AHAs in settlement of the alleged defaults. Proposed First Amendments to each AHA would address each alleged default and modify the amounts due under each contract's promissory note as secured by a subordinate deed of trust. The factors affecting price and terms under negotiation include: (1) evaluation of amounts due under residual receipts notes secured by deeds of trust for past due monies, and (2) modifications, if any, of the AHAs as to amounts due regarding future residual receipts payments.

RECESS TO REGULAR REDEVELOPMENT AGENCY MEETING:

Agency Members will recess to and convene a regular Redevelopment Agency meeting in the Council Chambers of City Hall. The public is welcome to attend and offer comment.

**RECONVENE REGULAR REDEVELOPMENT AGENCY MEETING
REDEVELOPMENT AGENCY AGENDA**

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. CLERK'S STATEMENT

The Redevelopment Agency Meeting Agenda was posted at the City Council Chambers, Postal Office, Headquarters Police Department, the Neighborhood Community Center, and Mesa Verde Public Library on Thursday, July 8, 2010.

IV. MINUTES – minutes of the Special Joint Redevelopment Agency/City Council meeting of July 6, 2010.

V. PUBLIC COMMENTS

To ensure fair and equal treatment of all who appear before the Redevelopment Agency, and to expedite Agency business, speakers will be limited to three minutes during Public Comments. The Chairperson may extend this time for good cause or by majority vote of the Agency Members.

VI. AGENCY MEMBERS' COMMENTS AND SUGGESTIONS

VII. WARRANT RESOLUTIONS - None

VIII. OLD BUSINESS - None

IX. NEW BUSINESS

1. [Fiscal Year 2010-2011 Budget Adjustment Request](#)
for Labor Distribution

RECOMMENDATIONS

Approve a budget adjustment for the designation of \$148,900 in the Redevelopment (RDA) Downtown Project fund for additional labor costs.

X. REPORTS

1. City Attorney
2. Executive Director

XI. ADJOURN