

**IRWINDALE CITY HALL COUNCIL CHAMBER
5050 N. IRWINDALE AVENUE
IRWINDALE, CALIFORNIA 91706**

**JUNE 23, 2004
WEDNESDAY
6:00 P.M.**

The Irwindale **COMMUNITY REDEVELOPMENT AGENCY** met in special session at the above time and place.

ROLL CALL:

Present: Agency Members Julian A. Miranda, Joseph F. Tapia, Manuel R. Garcia; Vice Chair Rosemary M. Ramirez (arrived during Closed Session); Chair Mark A. Breceda

Also present: Fred Galante, Agency Attorney; Joseph De Ladurantey, Chief of Police; Elaine Cullen, Economic Development Manager; and Linda Kimbro, Assistant Secretary

CLOSED SESSION

At 6:03 p.m., the Agency recessed to Closed Session to discuss the following:

Conference With Real Property Negotiator

Pursuant to California Government Code Section 54956.8

Property: APN 8417-027-005 (Shannon Casket Property)

Negotiating Parties: CRA and Edwina D. Park Trust, et al. and David Chase Trust et al.

Under Negotiation: Possible acquisition

ACTION: Discussed; no reportable action taken

**RECONVENE IN
OPEN SESSION**

At 6:29 p.m., the Agency reconvened in Open Session with all members present.

**SPONTANEOUS
COMMUNICATIONS**

There were no speakers.

CONSENT CALENDAR

MOTION

A motion was made by Agency Member Miranda, seconded by Agency Member Tapia, to approve the Consent Calendar, reading resolutions by title only and waiving further reading thereof. The motion was unanimously approved, Chair Breceda abstaining.

**ITEM NO. 1A
RESOLUTION
DEFERRING PAYMENT
INTO THE LOW AND
MODERATE INCOME
HOUSING FUND FOR
THE PARQUE DEL
NORTE AND
NORA FRAIJO**

**RESOLUTION NO. CR(I) 2004-15-434 DEFERRING PAYMENT
INTO THE LOW AND MODERATE INCOME HOUSING FUND FOR
THE PARQUE DEL NORTE AND NORA FRAIJO
REDEVELOPMENT PROJECTS**

REDEVELOPMENT
PROJECTS

RESOLUTION NO.
CR(I) 2004-15-434
ADOPTED

Resolution No. CR(I) 2004-15-434, entitled:

“A RESOLUTION OF THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY DEFERRING PAYMENT INTO THE LOW AND MODERATE INCOME HOUSING FUND FOR THE PARQUE DEL NORTE AND NORA FRAIJO REDEVELOPMENT PROJECTS,” was adopted.

END OF CONSENT CALENDAR

PUBLIC HEARINGS

ITEM NO. 4A
RESOLUTION
DECLARING THE
PUBLIC INTEREST
AND NECESSITY OF
ACQUISITION OF THE
INTERESTS IN THE
VACANT PROPERTY
AT 15744 ARROW
HIGHWAY

RESOLUTION NO. CR(I) 2004-14-433 DECLARING THE PUBLIC INTEREST AND NECESSITY OF ACQUISITION OF THE INTERESTS IN THE VACANT PROPERTY AT 15744 ARROW HIGHWAY

AGENCY ATTORNEY
GALANTE

Agency Attorney Galante presented the staff report highlighting the need for the resolution of necessity, and noted the following:

- 1) The site has been vacant for approximately 10 years.
- 2) The property is located in a prominent location and is critical to the development of the City's Civic Center.
- 3) The property is subject to several Municipal Code violations.
- 4) The property has fallen out of escrow several times.
- 5) A concern exists that the property will remain vacant or be developed inconsistently with the Redevelopment Plan.
- 6) Staff has attempted to reach a negotiation with the property owner for the acquisition of the property; however, the owner has not responded to the Agency's offers.
- 7) The public necessity and interest compels the Agency to acquire the property.
- 8) The neighboring property owner has expressed an interest in acquiring the property and developing it in a manner that is consistent with the Redevelopment Plan.

In light of the above, Agency Attorney Galante recommended that the resolution of necessity be adopted. He advised that the Agency

would retain the ability to negotiate with the property owners to develop the site consistently with the Redevelopment Plan.

OPEN
PUBLIC HEARING

At 6:43 p.m., Chair Breceda opened the public hearing.

TOM HOLLAND,
HEGER REALTY

Tom Holland, Heger Realty, representing the current owner of the subject site, indicated that the current property owner is interested in working with the Agency to properly develop the site. He advised that the development of the site has been a very complicated issue and, although the owner has received offers from the Agency for the acquisition of the site, he has decided to negotiate with another buyer. He advised that the negotiations are down to the last steps of the remediation process and escrow will close within a few months.

DAVID BRACKMAN,
RAMBO PROPERTIES

David Brackman, representing the property buyer (Rambo Properties), indicated that escrow on the property opened on April 12th. He also indicated that his client's purchase of the property would be finalized once he was satisfied that remediation took place and escrow has closed. Also, the property would need to be in an environmentally sound condition.

AGENCY ATTORNEY
GALANTE

In response to a question by Agency Attorney Galante, David Brackman advised that the property buyer is willing to meet with staff to discuss the type of development he proposes to establish.

AGENCY ATTORNEY
GALANTE

Agency Attorney Galante advised that it would be appropriate to inform the Agency of the type and scope of the project.

CLOSE
PUBLIC HEARING

There being no further speakers, Chair Breceda closed the public hearing at 6:57 p.m.

VICE CHAIR RAMIREZ

Vice Chair Ramirez expressed her desire that the Agency support the development of the property by the buyer. She noted that the site has been vacant for about 10 years with no development. She added that the adoption of this resolution of necessity would not prevent the buyer and the current owner to continue their negotiations and that the buyer is encouraged to successfully develop the property. However, the Agency is proactive in the removal of blight within the City. Vice Chair Ramirez encouraged the owner to continue efforts to develop the property but reminded him that the Agency will continue to protect its interest.

ECONOMIC
DEVELOPMENT
MANAGER CULLEN

Economic Developer Cullen advised that the identity of the purchaser was not made known to the Agency until his request to be heard regarding the resolution of necessity was filed with the City Clerk's Office. She suggested that the purchaser meet with staff to determine whether the proposed development complies with City

guidelines. However, it should be noted that the entire site has not yet been declared "clean" and the soil remains contaminated. She expressed concern over the fact that the current owner chose not to negotiate with the Agency since, in his opinion, the Agency's standards for the cleanliness of the site were higher than those of a private developer. However, this is not the case. She advised that environmental companies set the standards for cleanliness based on the proposed use of the site. The Agency's consultant, Converse Consultants, feels that a thorough site inspection was not conducted.

CHAIR BRECEDA

Chair Breceda concurred with Vice Chair Ramirez in that the Agency has been put in a difficult position and indicated that, although he would prefer that the developer and the owner work with the Agency for the site's development, the Agency must protect its interests.

RESOLUTION NO.
CR(I) 2004-14-433
ADOPTED

Resolution No. CR(I) 2004-14-433, entitled:

"A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF IRWINDALE, CALIFORNIA, DECLARING THE PUBLIC INTEREST AND NECESSITY OF ACQUISITION OF THE INTERESTS IN THE VACANT PROPERTY KNOWN AS ASSESSOR PARCEL NO. 8417-027-005, LOCATED AT 15744 ARROW HIGHWAY, IRWINDALE, CALIFORNIA," was passed, approved, and adopted, reading by title only and waiving further reading thereof, on the motion of Vice Chair Ramirez, seconded by Chair Breceda, and unanimously approved.

AGENCY ATTORNEY
GALANTE

Agency Attorney Galante advised that the adoption of this resolution of necessity authorizes his law firm to proceed with condemnation action on the subject property. However, based on the Agency's comments, he indicated that the firm will withhold from filing a condemnation complaint and encouraged the buyer to meet with him to discuss this matter within the next two weeks.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 7:07 p.m.

Mark A. Breceda, Chair

ATTEST:

Linda J. Kimbro, CMC
Assistant Secretary

Approved as submitted at the meeting held September 7, 2004.