

## GARDEN GROVE SUCCESSOR AGENCY

### RESOLUTION NO.

A RESOLUTION OF THE CITY OF GARDEN GROVE AS SUCCESSOR AGENCY TO THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT AWARDDING A CONTRACT TO INTERIOR DEMOLITION, INC., FOR DEMOLITION AND RELATED SERVICES FOR THE NORTHWEST CORNER OF HARBOR BOULEVARD AND TWINTREE AVENUE B-2 SITE DEMOLITION PROJECT, SUCCESSOR AGENCY PROJECT NO. 022-01 AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH

WHEREAS, the Successor Agency to the Garden Grove Agency for Community Development, (Successor Agency) is a public body corporate and politic, organized and operating under Parts 1.8 and 1.85 of Division 24 of the California Health and Safety Code, and the successor to the former Garden Grove Agency for Community Development (former Agency) that was previously a community redevelopment agency organized and existing pursuant to the Community Redevelopment Law, Health and Safety Code Section 33000, et seq. (CRL); and

WHEREAS, the Former Agency and Palm Court Lodging, LLC (Developer), entered into a Disposition and Development Agreement (DDA) on June 26, 2001, establishing the terms and conditions for the disposition of the Property to the Developer and the development of two (2) hotels on property commonly referred as the B-2 (Site); and

WHEREAS, the DDA was assigned to Kam Sang Company, Inc. and New Age Garden Grove, LLC on June 30, 2006; and

WHEREAS, Assembly Bill x1 26 (AB x1 26) added Parts 1.8 and 1.85 to Division 24 of the California Health & Safety Code and which laws were modified, in part, and determined constitutional by the California Supreme Court in the petition *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861 (*Matosantos* Decision), which laws and court opinion caused the dissolution of all redevelopment agencies and winding down of the affairs of former redevelopment agencies; thereafter, such laws were amended further by Assembly Bill 1484 (AB 1484) (together AB x1 26, the *Matosantos* Decision, and AB 1484 are referred to as the "Dissolution Laws"); and

WHEREAS, as of February 1, 2012 the former Agency was dissolved pursuant to the Dissolution Laws and as a separate public entity, corporate and politic the Successor Agency administers the enforceable obligations of the former Agency and otherwise unwinds the former Agency's affairs, all subject to the review and approval by the oversight board (Oversight Board); and

WHEREAS, on May 17, 2013, the State of California Department of Finance (DOF) provided written confirmation to the Successor Agency that the DDA is an enforceable obligation pursuant to Health and Safety Code Section 34171(d)(1)(E); and

WHEREAS, on that written confirmation dated May 17, 2013, provided to the Successor Agency by the DOF approving the DDA as an enforceable obligation, the DOF acknowledged the Successor Agency's obligation to clear all surface above ground structures before conveying the Property to the Developer; and

WHEREAS, the Successor Agency desires to utilize the services of Interior Demolition, Inc., (Contractor) for all surface demolition and related services on the Property pursuant to the DDA; and

WHEREAS, the Successor Agency is authorized to enter into this Agreement pursuant to ABX1-26 and Successor Agency Resolution No. 1-12, adopted February 14, 2012; and

NOW, THEREFORE, BE IT RESOLVED THAT THE SUCCESSOR AGENCY TO GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT does hereby resolve as follows:

Section 1. The foregoing recitals are true and correct and constitute a substantive part of this Resolution.

Section 2. The Successor Agency Board hereby awards the contract with Interior Demolition, Inc., for surface demolition and related services for the B-2 Site.

Section 3. The Secretary of the Successor Agency shall certify to the adoption of this Resolution.

Section 4. The Successor Agency Director is hereby directed to transmit this Resolution to the Oversight Board and State Department of Finance.