

GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT

RESOLUTION NO. 419

A RESOLUTION OF THE GARDEN GROVE AGENCY FOR
COMMUNITY DEVELOPMENT OVERRULING ORAL OBJECTIONS
AND ADOPTING FINDINGS AND RESPONSES TO WRITTEN
OBJECTIONS TO THE PROPOSED AMENDMENT TO THE
REDEVELOPMENT PLAN FOR THE GARDEN GROVE
COMMUNITY PROJECT

WHEREAS, a proposed Amendment to the Redevelopment Plan for the Garden Grove Community Project (the "Redevelopment Plan Amendment") has been prepared by the Garden Grove Agency For Community Development (the "Agency"); and

WHEREAS, on June 30, 1992, a duly noticed joint public hearing on the proposed Redevelopment Plan Amendment was conducted by the City Council and the Agency; and

WHEREAS, any and all persons having any objections to the proposed Redevelopment Plan Amendment, or the regularity of the proceedings, were given an opportunity to submit written comments prior to the commencement of or at the joint public hearing, or to give oral testimony at the joint public hearing, and show cause why the proposed Redevelopment Plan Amendment should not be adopted; and

WHEREAS, the Agency staff has responded to written objections received from affected property owners and taxing entities, giving reasons for not accepting specified objections and suggestions, and the Agency has reviewed such responses; and

WHEREAS, the Agency has heard and considered all evidence, both written and oral, presented in support of and in opposition to the adoption of the Redevelopment Plan Amendment.

NOW, THEREFORE, BE IT RESOLVED by the Garden Grove Agency For Community Development as follows:

SECTION 1: The Agency hereby finds that all persons have had the opportunity to be heard or to file a written objection to the proposed Redevelopment Plan Amendment and the regularity of the proceedings with respect to the proposed Redevelopment Plan Amendment, and having heard and reviewed such oral and written objections, the Agency hereby makes the findings and responses to written objections as set forth in Exhibit "A", attached hereto and incorporated herein by this reference, and

determines that there are compelling reasons to justify adoption of the Redevelopment Plan Amendment as proposed, notwithstanding such written and oral objections.

SECTION 2: The City Council and the Agency have duly complied with all the provisions, requirements and procedures of the California Community Redevelopment Law (Health and Safety Code, Section 33000 et seq.) relating to the preparation and adoption of the Redevelopment Plan Amendment.

SECTION 3: The Agency, accordingly, overrules any and all objections to the adoption of the Redevelopment Plan Amendment.

MOVED BY MEMBER: DONOVAN
SECONDED BY MEMBER: KESSLER

AYES: KESSLER, LEYES, DONOVAN
NOES: DINSEN
ABSENT: WILLIAMS
ABSTAIN: NONE

ADOPTED: July 7, 1992


WALT E. DONOVAN, CHAIRMAN

GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT

RESOLUTION NO. 420

A RESOLUTION OF THE GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT CERTIFYING THE COMPLETION OF A FINAL ENVIRONMENTAL IMPACT REPORT FOR THE AMENDMENT TO THE GARDEN GROVE COMMUNITY PROJECT.

WHEREAS, the Garden Grove Agency for Community Development (the "Agency") has prepared an Environmental Impact Report (the "EIR") with respect to the Garden Grove Redevelopment Plan Amendment (the "Amendment") pursuant to CEQA (Public Resources Code Section 21000, et seq. ("CEQA"), the Guidelines for the Implementation of the California environmental Quality Act (14 California Code of Regulations, Sections 15000, et seq. [the "State EIR Guidelines]), and procedures adopted by the City Council relating to environmental evaluation of public and private projects; and

WHEREAS, the Agency transmitted for filing a Notice of Completion of the Draft EIR and thereafter in accordance with the State EIR Guidelines forwarded the Draft EIR to the State Clearinghouse for distribution to those agencies which have interested persons and agencies, and sought the comments of such persons and agencies; and

WHEREAS, notice to all interested persons and agencies inviting comments on the Draft EIR was published in accordance with the provisions of CEQA; and

WHEREAS, the Draft EIR was thereafter supplemented to incorporate comments received during the public review period and to provide the Agency's and City's response to said comments, and as so supplemented, a Final EIR has been submitted to the City Council of the City of Garden Grove (the "City Council") as a part of the Report to the City Council pertaining to the Amendment; and

WHEREAS, a joint public hearing was held by the Agency and the city Council, concerning the adoption of the Amendment and review of the Draft EIR relating thereto, following notice duly and regularly given as required by law, and all interested persons expressing a desire to comment thereon or object thereto have been heard; and

WHEREAS, the Final EIR and all comments and responses thereto have been considered by the Agency; and

WHEREAS, the Final EIR consists of the Draft EIR, as supplemented and to incorporate all comments received during the public review period and the responses of the Agency and the City Council thereto.

NOW, THEREFORE, BE IT RESOLVED by the Garden Grove Agency for Community Development as follows:

Section 1:

The Agency hereby determines that the Final Environmental Impact Report for the Amendment is adequate and has been completed in compliance with CEQA, the State EIR Guidelines and local procedures adopted by the City Council pursuant thereto, and that the Agency has reviewed and considered the information contained in the Final EIR.

Section 2:

The Agency has evaluated all comments, written and oral, received from persons who have reviewed the Draft EIR.

Section 3:

The Agency hereby finds that all significant environmental impacts resulting from adoption and implementation of the Amendment have been avoided or reduced to a level of insignificance, except for unavoidable adverse impacts on air quality. With regard to air quality impacts, the Agency hereby recommends the adoption of the Statement of Overriding Considerations set forth in Exhibit "A".

Section 4:

The Agency hereby recommends that the mitigation measures set forth in the Final EIR as conditions of approval for the Amendment and, thereby, further eliminate the potential of the Amendment to result in any significant environmental impacts.

Section 5:

The Agency hereby certifies the Final EIR as adequate and as having been completed in accordance with CEQA.

MOVED BY MEMBER: DONOVAN
SECONDED BY MEMBER: LEYES

AYES: KESSLER, LEYES, DONOVAN
NOES: DINSEN
ABSENT: WILLIAMS
ABSTAIN: NONE

ADOPTED: July 7, 1992


WALT E. DONOVAN, CHAIRMAN

GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT

RESOLUTION NO. 421

A RESOLUTION OF THE GARDEN GROVE AGENCY FOR
COMMUNITY DEVELOPMENT RECOMMENDING ADOPTION OF THE
AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE GARDEN
GROVE COMMUNITY PROJECT

WHEREAS, the Garden Grove Agency For Community Development (the "Agency") is engaged in activities necessary to carry out and implement the Redevelopment Plan for the Garden Grove Community Project (the "Project"); and

WHEREAS, the Agency has prepared an Amendment to the Redevelopment Plan for the Project (the "Plan Amendment") pursuant to which certain territory would be added to the Project, the debt and tax increment limitations of the Project would be increased, and other changes would be made;

WHEREAS, the Agency pursuant to the California Community Redevelopment Law has prepared a Report to City Council on the proposed Plan Amendment; and

WHEREAS, the Agency has approved and recommended to the City Council an Environmental Impact Report in accordance with and pursuant to the California Environmental Quality Act (CEQA) and State and local regulations and guidelines adopted pursuant thereto; and

WHEREAS, the Agency and the City Council have held a duly noticed joint public hearing on the Plan Amendment on June 30, 1992, and the Agency has heard and considered all evidence, both written and oral, presented in support of and in opposition to the adoption of the Plan Amendment.

NOW, THEREFORE, BE IT RESOLVED by the Garden Grove Agency For Community Development as follows:

1. The Agency hereby approves, in all respects, the Plan Amendment, and the Agency hereby recommends to the City Council that the Council approve and adopt the proposed Plan Amendment.

MOVED BY MEMBER: DONOVAN
SECONDED BY MEMBER: LEYES

AYES: KESSLER, LEYES, DONOVAN
NOES: DINSEN
ABSENT: WILLIAMS
ABSTAIN: NONE

ADOPTED: July 7, 1992


WALT E. DONOVAN, CHAIRMAN

RESOLUTION NO. 7488-92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
GARDEN GROVE OVERRULING ORAL OBJECTIONS AND
ADOPTING FINDINGS AND RESPONSES TO WRITTEN
OBJECTIONS TO THE PROPOSED AMENDMENT TO THE
REDEVELOPMENT PLAN FOR THE GARDEN GROVE
COMMUNITY PROJECT

WHEREAS, a proposed Amendment to the Redevelopment Plan for the Garden Grove Community Project (the "Redevelopment Plan Amendment") has been prepared by the Garden Grove Agency For Community Development (the "Agency"); and

WHEREAS, on June 30, 1992, a duly noticed joint public hearing on the proposed Redevelopment Plan Amendment was conducted by the City Council and the Agency; and

WHEREAS, any and all persons having any objections to the proposed Redevelopment Plan Amendment, or the regularity of the proceedings, were given an opportunity to submit written comments prior to the commencement of or at the joint public hearing, or to give oral testimony at the joint public hearing, and show cause why the proposed Redevelopment Plan Amendment should not be adopted; and

WHEREAS, the City Council has directed the Agency staff to respond to written objections received from affected property owners and taxing entities, giving reasons for not accepting specified objections and suggestions, and the City Council has reviewed such responses; and

WHEREAS, the City Council has heard and considered all evidence, both written and oral, presented in support of and in opposition to the adoption of the Redevelopment Plan Amendment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garden Grove as follows:

SECTION 1: The City Council hereby finds that all persons have had the opportunity to be heard or to file a written objection to the proposed Redevelopment Plan Amendment and the regularity of the proceedings with respect to the proposed Redevelopment Plan Amendment, and having heard and reviewed such oral and written objections, the City Council hereby makes the findings and responses to written objections as set forth in Exhibit "A", attached hereto and incorporated herein by this

reference, and determines that there are compelling reasons to justify adoption of the Redevelopment Plan Amendment as proposed, notwithstanding such written and oral objections.


SECTION 2: The City Council and the Agency have duly complied with all the provisions, requirements and procedures of the California Community Redevelopment Law (Health and Safety Code, Section 33000 et seq.) relating to the preparation and adoption of the Redevelopment Plan Amendment.

SECTION 3: The City Council, accordingly, overrules any and all objections to the adoption of the Redevelopment Plan Amendment.

ADOPTED this 7th day of July, 1992.


WALT E. DONOVAN, MAYOR


ATTEST:


CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, CAROLYN MORRIS, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Resolution was duly adopted by the Council of the City of Garden Grove, California, at a regular meeting thereof held on the 7th day of July, 1992, by the following vote:

AYES: COUNCILMEMBERS: (3) KESSLER, LEYES, DONOVAN
NOES: COUNCILMEMBERS: (1) DINSEN
ABSENT: COUNCILMEMBERS: (1) WILLIAMS


CITY CLERK

RESOLUTION NO. 7489-92

A RESOLUTION OF THE GARDEN GROVE CITY COUNCIL FOR
COMMUNITY DEVELOPMENT CERTIFYING THE COMPLETION OF A
FINAL ENVIRONMENTAL IMPACT REPORT FOR THE AMENDMENT TO
THE GARDEN GROVE COMMUNITY PROJECT.

WHEREAS, the Garden Grove Agency for Community Development (the "Agency") has prepared an Environmental Impact Report (the "EIR") with respect to the Garden Grove Redevelopment Plan Amendment (the "Amendment") pursuant to CEQA (Public Resources Code Section 21000, et seq. ("CEQA"), the Guidelines for the Implementation of the California Environmental Quality Act (14 California Code of Regulations, Sections 15000, et seq. [the "State EIR Guidelines]), and procedures adopted by the City Council relating to environmental evaluation of public and private projects; and

WHEREAS, the Agency transmitted for filing a Notice of Completion of the Draft EIR and thereafter in accordance with the State EIR Guidelines forwarded the Draft EIR to the State Clearinghouse for distribution to those agencies which have interested persons and agencies, and sought the comments of such persons and agencies; and

WHEREAS, notice to all interested persons and agencies inviting comments on the Draft EIR was published in accordance with the provisions of CEQA; and

WHEREAS, the Draft EIR was thereafter supplemented to incorporate comments received during the public review period and to provide the Agency's and City's response to said comments, and as so supplemented, a Final EIR has been submitted to the City Council of the City of Garden Grove (the "City Council") as a part of the Report to the City Council pertaining to the Amendment; and

WHEREAS, a joint public hearing was held by the Agency and the City Council, concerning the adoption of the Amendment and review of the Draft EIR relating thereto, following notice duly and regularly given as required by law, and all interested persons expressing a desire to comment thereon or object thereto have been heard; and

WHEREAS, the Final EIR and all comments and responses thereto have been considered by the City Council; and

WHEREAS, the Final EIR consists of the Draft EIR, as supplemented and to incorporate all comments received during the public review period and the responses of the Agency and the City Council thereto.

NOW, THEREFORE, BE IT RESOLVED by the Garden Grove City Council of the City of Garden Grove as follows:

**FINDINGS OF FACT AND MITIGATION MONITORING PROGRAM
RELATING TO THE POTENTIAL SIGNIFICANT ENVIRONMENTAL
IMPACTS OF THE GARDEN GROVE REDEVELOPMENT PLAN AMENDMENT**

**I. FINDINGS CONCERNING THE SIGNIFICANCE OF SPECIFIC ENVIRONMENTAL
IMPACTS IDENTIFIED IN THE FINAL EIR.**

A. Air Quality

1. Environmental Impacts

Emissions generated from construction equipment and dust generated during site preparation and project grading are the two largest sources of short-term or temporary air quality impacts. The South Coast Air Quality Management District has adopted Rule 403, "Fugitive Dust", which lists provisions for reducing dust emissions from a project site. The City would require that a plan of compliance with Rule 403 be submitted and approved prior to issuance of grading permits. Compliance with Rule 403 and City of Garden Grove requirements for reducing dust emissions during and after project grading for projects within the Project Sub-Areas would reduce to insignificant levels any dust emissions due to on-site grading. Short-term exhaust emissions from construction equipment during grading and construction of the projects could be significant, depending upon the size of the project and the operating condition of the equipment.

The South Coast Air Basin is considered to be non-attainment because air pollution standards are constantly exceeded. Since the Project Sub-Areas are located in a non-attainment area, additional development would have an impact on air quality. As traffic volumes within the Project Sub-Areas increase and levels of service decrease, traffic speeds would also decrease. When traffic speeds decrease, emission levels of various pollutants increase. The proposed traffic improvements as identified by the Plan Amendment would result in increased traffic flow which should reduce air emissions.

Adoption and implementation of the Redevelopment Plan Amendment should have a net positive impact on traffic and circulation within the Project Sub-Areas by providing additional funding for construction of needed circulation improvements earlier than anticipated. Construction of the

However, all feasible mitigation measures described above shall be implemented to lessen the air quality impacts of the project. The Statement of Overriding Considerations set forth below is hereby adopted.

4. Statement of Overriding Considerations

The project will provide a significant amount of funding towards the construction of needed local transportation system improvements and other infrastructure and public works projects that might not be built or could be delayed but for the project. Some of the transportation system improvements will contribute to the accomplishment of regional transportation congestion management goals as identified in the Congestion Management Program.

The construction of needed transportation system improvements within the Project Sub-Areas should encourage the continued development of land uses within the Project Sub-Areas as guided by the General Plan. Increased development and re-patronizing of existing business due to relief of traffic congestion with construction of proposed traffic improvements should increase the economic viability of City. An increase in the economic viability will increase jobs and retail sales.

B. Other Potential Impacts

The City Council finds that all other potentially significant environmental impacts addressed in the EIR (i.e., impacts relating to earth resources, hydrology/drainage, cultural resources, traffic and circulation, noise, energy conservation, public services and facilities, light and glare, aesthetics and population and housing) are in fact environmentally insignificant and no mitigation measures are therefore required.

A brief discussion explaining the reason(s) these impacts are not significant is provided below:

Earth Resources: The Draft Environmental Impact Report did not identify any potential soil or geotechnical impacts that could occur with development of the proposed projects within the Project Area. Prior to the issuance of grading or construction permits, a soil and geotechnical report must be prepared and submitted to the City Public Works Department. The geotechnical report

anticipated to be perceptible. Any incremental increase in noise levels would not significantly impact any noise sensitive land uses. Some of the projects including new development or rehabilitation of Sub-Areas could result in noise level increases. When determined by the City to be necessary, noise studies will be prepared. All appropriate and applicable noise mitigation measures will be incorporated into projects when required in order to reduce noise levels.

Energy Conservation: Additional development within the Project Sub-Areas would result in an increase in natural gas, electrical and other energy consumption. Energy would be consumed during both project construction and the life of the projects. Future development would be required to meet applicable Title 24 Energy guidelines prior to the issuance of building permits. None of the proposed public work projects would consume unusually large amounts of energy. The private development projects that are anticipated to be developed within the Project Sub-Areas are not anticipated to consume large quantities of energy. The Plan Amendment is not anticipated to result in any significant energy conservation impacts.

Public Services and Facilities: The existing public services and facilities have capacity to adequately serve the proposed public work improvement projects. Some existing services or facilities may have to be expanded in order to adequately serve future development that will occur in the Project Sub-Areas. However, the ability of existing services and facilities to adequately serve future development would have to be evaluated in the future. Adoption and implementation of the Plan Amendment would not significantly impact police, fire, water, wastewater, solid waste or school facilities.

Light and Glare: The proposed public work improvement projects would not result in any significant light or glare impacts. Future development within the Project Sub-Areas will have to comply with all applicable City design guidelines for development. Although light and glare within the Project Sub-Areas will increase with additional development, no significant light or glare impacts are anticipated.

Aesthetics: The proposed public work improvement projects are not anticipated to have any significant aesthetic impacts. Most of the public improvement projects would consist of improvements to existing facilities such as street widenings, waterline and storm drain improvements, etc. New development projects that

the existing infrastructure in the Project Sub-Areas are anticipated to encourage and promote development and rehabilitation of land uses allowed and existing within the Project Sub-Areas.

The No Project Alternative would virtually eliminate the Agency's ability to attain its goals and objectives which include increasing the economic viability of the City. The Agency would be disabled in its attempt to correct and mitigate blighted infrastructure within the Project Sub-Areas. This Alternative would also affect and constrain the City in its ability to implement many of the goals and objectives of the City General Plan.

As a result, the City Council finds that the No Project Alternative is environmentally inferior to the Project and is not feasible.

B. Infeasibility of Reduced Project Area

This Alternative would reduce the number of Project Sub-Areas and eliminate construction of Agency sponsored projects that may be located within the eliminated areas. This Alternative may reduce air quality impacts somewhat, but would not totally eliminate the air quality impacts. This Alternative would not incrementally eliminate or reduce other significant environmental effects because there were no other significant environmental impacts associated with the project.

This Reduced Project Area Alternative would reduce and limit the Agency's assistance in providing both needed transportation system and infrastructure improvements. This in turn would also reduce the likelihood that the improvements would be provided at all. The construction of only some of the needed transportation system and infrastructure improvements may not significantly improve the traffic circulation and utility service in the Project Sub-Areas with a subsequent improvement in the economic viability. Construction of only a portion of the needed infrastructure improvements may not result in overall system improvements because impacts may only be shifted or relocated instead of reduced or eliminated.

Additionally, tax increment revenues may be significantly reduced. A reduction in tax revenues to the Agency would have subsequent consequences such as: (1) reduced number of public improvement projects that could be funded; (2) a reduced ability for the Agency to assist the City in reducing blight; (3) a lessened ability of the City to implement goals and policies of the City's General Plan to eliminate economic growth constraints; (4) a reduction

funds, federal loans and grants, state loans and grants, and funds borrowed from the City.

The proposed Amendment authorizes the Agency to utilize all of the above financing sources and programs in order to effect development of the Project Sub-Areas. Moreover, the law requires that the Agency give consideration to alternative financing sources when it proposes to provide public facilities and improvements with tax increment revenues, in effect causing the examination of alternative financing sources throughout the term of the Project.

The Financing Alternative would environmentally be the same as the proposed Project. No other sufficient financing vehicles are currently available to the City which would provide for the elimination of existing deficiencies. Moreover, there is no assurance that the alternative financing vehicles which are presently available will remain available over the projected life of the Amendment.

Financially, tax increment revenues may be used for some mitigation activities for which there are no alternative financial resources available or expected to become available in the foreseeable future. Consequently, there is a higher probability that under the Financing Alternative existing deficiencies would continue without abatement or mitigation, and future impacts of sporadic development would not be adequately mitigated. Accordingly, the City Council finds that the Financing Alternative is environmentally inferior to the proposed Project and is not feasible.

E. Environmentally Superior Alternative

The proposed project will not result in any significant environmental impacts that could be reduced to insignificant levels with implementation of any of the project alternatives. The only significant impact identified with the proposed project is an unavoidable adverse impact on air quality. Since the Project Area is located in a non-attainment air basin, any incremental increase in air emissions would be considered adverse. Since all of the project alternatives would result in air emissions, either the same as or greater than the proposed project, none of the project alternatives would reduce air emissions.

The Larger Project Area Alternative could be a superior alternative if areas of the City needing traffic improvements are included in the larger project area.

3. Operational Conditions

These conditions apply to the usable life of a structure. Examples would include hours of operation, noise and odor control, occupancy limits, etc.

C. Environmental Mitigation Monitoring Procedures

The following procedures are required pursuant to the provisions of Public Resources Code Section 21081.6 for this project. For implementing projects as necessary the developer of any project in the Project Sub-Areas shall prepare a written monitoring program consistent with the provisions of Public Resources Code Section 21081.6. This program shall be prepared to the specifications of the Executive Director of the Agency. Upon adoption of the Plan Amendment and during the life of the Plan, the following shall occur:

1. The Agency Director, Public Works Director and Planning Director shall meet annually to determine the City's transportation system and infrastructure improvement needs and whether or not the Agency can assist the City financially in constructing the improvements. The time period when the first annual meeting shall be held will begin on the date the Community Development Plan is formally adopted and within one year from that date and each subsequent year accordingly. The Agency Director shall arrange the meetings in compliance with this mitigation measure and keep on record the meeting date, needed improvements identified by the Public Works and Planning Directors and whether or not the Agency has revenue available to contribute towards constructing the improvements.
2. The Agency Director, upon request by the Public Works and Planning Department Director, shall contact the OCTA and ask that additional bus service be provided in the City when justified by the need. Once the City can show a need for additional bus service in the community, OCTA shall be contacted requesting additional service. The Agency shall assist OCTA in providing bus turnouts, shelters, benches, etc. in conjunction with the additional bus services if additional bus stops are required.
3. The Agency Director shall, in conjunction with the Public Works and Community Development Directors, assure that all existing pedestrian and bicycle

8. The Community Development Department shall notify by certified mail the City of Anaheim Planning Department of all public works and private development projects within the proposed Sub-Areas. The City of Anaheim shall be notified at the time a project is either submitted to the City of Garden Grove Planning Department or the Building Department for approval.
9. Truck deliveries associated with any Agency sponsored or assisted projects located within one block of a public school shall be made by way on streets located away from schools or during times students are not attending schools.
10. Should future Agency sponsored projects clearly generate new students to Garden Grove Unified Schools that would impact the District, the Community Development Department will implement, as feasible, the following mitigation measures:
 - a. The Department will provide additional funding, land and/or school facilities to the District.
 - b. The Department will consider the shared or joint use of City facilities with the District.
 - c. The Department shall attempt to construct any new housing projects in areas of the District where there is student capacity for new students as opposed to areas where overcrowding exists.
 - d. The Department shall phase projects, if possible, to reduce impacts of new students on the District if it is determined a single phase project will significantly impact the District.
11. For those Sub-Areas where the likely possibility exists that hazardous materials may have contaminated the site the Community Development Department, at its discretion, shall conduct a site assessment survey. The purpose of the survey is to determine the potential for the presence of hazardous materials. Depending upon the conclusion of the survey, additional surveys and/or remediation may or may not be necessary.

Section 1

The City Council hereby determines that the Final Environmental Impact Report for the Amendment is adequate and has been completed in compliance with CEQA, the State EIR Guidelines and local procedures adopted by the City Council pursuant thereto, and that the City Council has reviewed and considered the information contained in the Final EIR.

Section 2:

The City Council has evaluated all comments, written and oral, received from persons who have reviewed the Draft EIR.

Section 3:

The City Council hereby makes the written findings set forth in Exhibit "A", attached hereto and incorporated by reference for each of the significant effects set forth in Exhibit "A", and further approves the Findings of Fact as set forth in Exhibit "A". Based upon such Findings of Fact, the City Council hereby finds that all significant environmental impacts resulting from adoption and implementation of the Amendment have been avoided or reduced to a level of insignificance, except for unavoidable adverse impacts on air quality. With regard to air quality impacts, the City Council hereby recommends the adoption of the Statement of Overriding Considerations set forth in Exhibit "A".

Section 4:

The City Council hereby adopts the Mitigation Monitoring Program set forth in Exhibit "A".

Section 5:

Upon approval and adoption of the Amendment by the City Council, the City Clerk is hereby directed to file a Notice of Determination with the County Clerk of the County of Orange pursuant to the provisions of Section 21152 of the Public Resources Code and the State EIR Guidelines adopted pursuant thereto.

ADOPTED this 7th day of July, 1992


WALT E. DONOVAN, MAYOR

ATTEST:


CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, CAROLYN MORRIS, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Resolution was duly adopted by the Council of the City of Garden Grove, California, at a regular meeting thereof held on the 7th day of July, 1992, by the following vote:

AYES: COUNCILMEMBERS: (3) KESSLER, LEYES, DONOVAN
NOES: COUNCILMEMBERS: (1) DINSEN
ABSENT: COUNCILMEMBERS: (1) WILLIAMS


CITY CLERK

ORDINANCE NO. 2232

AN ORDINANCE OF THE CITY COUNCIL OF GARDEN GROVE APPROVING AND ADOPTING AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE GARDEN GROVE COMMUNITY PROJECT

WHEREAS, the City Council of the City of Garden Grove (the "City Council") has received from the Garden Grove Agency for Community Development (the "Agency") the proposed Amendment (the "Plan Amendment") to the Garden Grove Community Project (the "Project"), a copy of which is on file at the office of the City Clerk, 11391 Acacia Parkway, Garden Grove, California, together with the Report of the Agency including the reasons for the selection of the territory proposed to be added to the Project by the Plan Amendment (the "Added Project Area"), a description of the physical, social and economic conditions existing in the Added Project Area, the proposed method of financing the redevelopment of the Added Project Area, a plan for the relocation of families and persons who may be temporarily or permanently displaced from housing facilities in the Added Project Area, an analysis of the Preliminary Plan, the report and recommendations of the Planning Commission of the City of Garden Grove, a report as to the conformity of the Plan Amendment with the City's General Plan, a summary of consultations with Added Project Area owners and businesses, an environmental impact report on the Plan Amendment, the report of the county fiscal officer and the Agency's analysis thereof, the report of the Fiscal Review Committee and the Agency's response thereto, and a summary of consultations with taxing agencies; and

WHEREAS, the Planning Commission of the City of Garden Grove has submitted to the City Council its report and recommendations concerning the Plan Amendment and its certification that the Plan Amendment conforms to the General Plan for the City of Garden Grove; and

WHEREAS, the Agency, as the lead agency, and the City, as a responsible agency, have certified the adequacy of the Final Environmental Impact Report, submitted pursuant to Public Resources Code Section 21151 and Health and Safety Code Section 33352;

WHEREAS, the Agency and the City have determined that, for certain significant effects identified by the Environmental Impact Report, mitigation measures and a monitoring program therefor have been required in or incorporated into the Project as amended by the Plan Amendment (the "Amended Project") which avoid or substantially lessen such effects; and

WHEREAS, the Agency and City have determined that, for certain other significant effects identified by the Environmental Impact Report, the changes or alterations necessary to avoid or substantially lessen such effects are within the responsibility and jurisdiction of another public agency and not of the Agency and City. The Agency and City have further determined that such changes or alternations have been adopted by such other agency or can and should be adopted by such other agency; and

WHEREAS, the City Council and the Agency held a joint public hearing on June 30, 1992 on adoption of the Plan Amendment in the Garden Grove Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California; and

WHEREAS, notice of said hearing was duly and regularly published in a newspaper of general circulation in the City of Garden Grove, once a week for three successive weeks prior to the date of said hearing, and a copy of said notices and affidavits of publication are on file with the City Clerk and the Agency; and

WHEREAS, copies of the notice of joint public hearing were mailed by certified mail with return receipt requested to the last known address of each assessee as shown on the last equalized assessment roll of the County of Orange for each parcel of land in the Added Project Area and within the existing Project boundaries (the "Existing Territory"); and

WHEREAS, each assessee in the Added Project Area and the Existing Territory whose property would be subject to acquisition by purchase or condemnation under the provisions of the Plan Amendment was sent a letter to such effect attached to the notice of the joint public hearing, including a map and legal description of the Added Project Area; and

WHEREAS, copies of the notice of joint public hearing were mailed by certified mail with return receipt requested to the governing body of each taxing agency which receives taxes from property in the Added Project Area and the Existing Territory; and

WHEREAS, the City Council has considered the report and recommendation of the Planning Commission, the report of the Agency, the Plan Amendment and its economic feasibility, and the Final Environmental Impact Report, has provided an opportunity for all persons to be heard, and has received and considered all evidence and testimony presented for or against any and all aspects of the Plan Amendment and has made written findings in response to each written objection of an affected property owner and taxing entity filed with the City Clerk before the hour set for such joint public hearing.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES ORDAIN AS FOLLOWS:

Section 1. The purposes and intent of the City Council with respect to the Added Project Area and the Existing Territory as it relates to the Plan Amendment are to accomplish the following:

1. The elimination and prevention of the spread of blight and deterioration and the conservation, rehabilitation and redevelopment of the Added Project Area and the Existing Territory in accord with the General Plan, design guidelines, specific plans, the Plan, the Plan Amendment and state and local laws, regulations, codes and ordinances.
2. The promotion of new and continuing private sector investment within the Added Project Area and the Existing Territory to prevent the loss of, and to facilitate the recapture of commercial sales activity.
3. The achievement of an environment reflecting a high level of concern for architectural, landscape, urban design, and land use principles appropriate for attainment of the objectives of the Plan and the Plan Amendment.
4. The retention and expansion of as many existing businesses in the Added Project Area and the Existing Territory as possible by means of redevelopment and rehabilitation activities and by encouraging and assisting the cooperation of, and providing the opportunity of participation by, owners, businesses and public agencies in the revitalization of the Added Project Area and the Existing Territory.
5. The creation and development of local job opportunities and the preservation of the area's existing employment base.
6. The replanning, redesign and development of underdeveloped areas which are stagnant or improperly utilized.
7. The elimination or amelioration of certain public improvements, public buildings, public facilities and environmental deficiencies, including without limitation, substandard vehicular circulation systems; inadequate water, sewer, flood control and storm drainage systems; insufficient off-street parking; and other similar public improvements, facilities, utilities and deficiencies adversely affecting the Added Project Area and the Existing Territory.

8. The improvement and expansion of the community's supply of housing (both inside or outside of the Project Area), including opportunities for very low-, lower and moderate-income households.
9. The maximization of the locational advantages of freeway accessibility.
10. The development of commercial and industrial uses which generate increased sales, business license, and other fees, taxes and revenues to the Agency and/or the City of Garden Grove.
11. The reduction of the City's annual costs of the provision of local services to and within the Added Project Area and the Existing Territory resulting from blighting conditions.

Section 2. The City Council hereby finds and determines, based on the evidence in the record, including, but not limited to, the Agency's Report to the City Council on the proposed Plan Amendment, and all documents referenced therein, and evidence and testimony received at the joint public hearing on adoption of the Plan Amendment held on June 30, 1992, that:

a) The Added Project Area is a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.). This finding is abased on the following conditions which characterize the Added Project Area:

(1) The existence of buildings and structures used or intended to be used for living, commercial, industrial or other purposes which are characterized deterioration, age and obsolescence, mixed character, shifting uses, and faulty exterior spacing; and

(2) The existence of properties which suffer from deterioration and disuse because of inadequate public improvements, facilities and utilities, which cannot be remedied by private or governmental action without redevelopment, particularly deficiencies in the circulation system (including without limitation, freeway on-and off-ramps and overpasses), street and infrastructure systems, storm drainage, water and sewer systems, public utilities; and the existence of parcels that are of irregular form, shape, or size for proper usefulness and development; and

(3) A prevalence of impaired investments and economic maladjustment throughout the Added Project Area, and declining rents and property values throughout the Added Project Area.

Such conditions are causing and will increasingly cause a reduction and lack of proper utilization of the Added Project Area to such an extent that it constitutes a serious physical, social and economic burden on the City which cannot reasonably be expected to be reversed or alleviated by private enterprise acting alone, requiring redevelopment in the interest of the health, safety and general welfare of the people of the City and the State. This finding is based on the fact that governmental action available to the City without redevelopment would be insufficient to cause any significant correction of the blighting conditions, and that the nature and costs of the public improvements and facilities and other actions required to correct the blighting conditions are beyond the capacity of the City and cannot be undertaken or borne by private enterprise acting alone or in concert with available governmental action.

b) The Added Project Area is an urbanized area. This finding is based upon the fact that not less than eighty percent (80%) of the privately owned property in the Added Project Area has been or is developed for urban uses, as demonstrated by the Agency's Report to City Council. In addition, as demonstrated by the Agency's Report to City Council, the Added Project Area is part of an area developed for urban uses.

c) The Plan, as amended by the Plan Amendment, will redevelop the Added Project Area in conformity with the Community Redevelopment Law and in the interests of the public peace, health, safety and welfare. This finding is based upon the fact that the purposes of the Community Redevelopment Law would be attained by the Project, as amended by the Plan Amendment; by the elimination of areas suffering from economic dislocation or disuse; by the replanning, redesign and/or redevelopment of areas which are stagnant or improperly utilized, and which could not be accomplished by private enterprise acting alone without public participation and assistance; by protecting and promoting sound development and redevelopment of blighted areas and the general welfare of the citizens of the City by remedying such injurious conditions through appropriate means; and through the installation of new, or replacement of existing public improvements, facilities and utilities in areas which are currently inadequately served with regard to such improvements, facilities and utilities.

d) The adoption and carrying out of the Plan, as amended by the Plan Amendment, is economically sound and feasible. This finding is based on the fact that under the Plan, as amended by the Plan Amendment, the Agency will be authorized to seek and utilize a variety of potential financing resources, including property and retail sales increment; that the nature and timing of public redevelopment assistance will depend on the amount and availability of such financing

resources, including tax increment, generated by new investment in the Added Project Area and the Existing Territory; that under the Plan, as amended by the Plan Amendment, no public redevelopment activity can be undertaken unless the Agency can demonstrate that it has adequate revenue to finance the activity; and that the financing plan included within the Agency's Report to the City Council demonstrates that sufficient financial resources will be available to carry out the Amended Project.

e) The Plan Amendment conforms to the General Plan of the City of Garden Grove. This finding is based on the finding of the Planning Commission that the Plan Amendment conforms to the General Plan for the City of Garden Grove.

f) The carrying out of the Plan, as amended by the Plan Amendment, will promote the public peace, health, safety and welfare of the City of Garden Grove and will effectuate the purposes and policies of the Community Redevelopment Law. This finding is based on the fact that redevelopment will benefit the Added Project Area and the Existing Territory by correcting conditions of blight and by coordinating public and private actions to stimulate development and improve the economic and physical conditions of the Added Project Area and the Existing Territory, and by increasing employment opportunities within the City.

g) The condemnation of real property, as provided for in the Plan, as amended by the Plan Amendment, is necessary to the execution of the Plan, as amended by the Plan Amendment, and adequate provisions have been made for the payment for property to be acquired as provided by law. This finding is based upon the need to ensure that the provisions of the Plan, as amended by the Plan Amendment, will be carried out and to prevent the recurrence of blight, and the fact that no property will be acquired until adequate funds are available to pay full compensation therefor.

h) The Agency has a feasible method and plan for the relocation of families and persons who might be displaced, temporarily or permanently from housing facilities in the Added Project Area and the Existing Territory. The Agency also has a feasible method and plan for its relocation of businesses. This finding is based upon the fact that the Plan, as amended by the Plan Amendment, provides for relocation assistance according to law and the fact that such assistance, including relocation payments, constitutes a feasible method for relocation.

i) There are, or are being provided, within the Added Project Area and the Existing Territory or within other areas not generally less desirable with regard to public utilities and public and commercial facilities and at rents or

prices within the financial means of the families and persons who might be displaced from the Added Project Area and the Existing Territory, decent, safe and sanitary dwellings equal in number to the number of and available to such displaced families and persons and reasonably accessible to their places of employment. This finding is based upon the fact that no person or family will be required to move from any dwelling unit until suitable replacement housing is available for occupancy, and that such housing must meet the standards established in State law and regulations.

j) All noncontiguous areas of the Added Project Area are either blighted or necessary for effective redevelopment and are not included for the purpose of obtaining the allocation of taxes from the area pursuant to Section 33670 of the Health and Safety Code without other substantial justification for their inclusion.

k) Inclusion of any lands, buildings, or improvements which are not detrimental to the public health, safety or welfare is necessary for the effective redevelopment of the entire area of which they are a part, and any such area is not included solely for the purpose of obtaining the allocation of tax increment revenues from such area pursuant to Section 33670 of the Community Redevelopment Law without other substantial justification for its inclusion. This finding is based upon the fact that all properties within Added Project Area boundaries were included because they were underutilized because of blighting influences, or were affected by the existence of blighting influences, or were necessary either to accomplish the objectives and benefits of the Plan Amendment or because of the need to impose uniform requirements on the Added Project Area as a whole. Such properties will share in the benefits of the Project.

l) The elimination of blight and the redevelopment of the Added Project Area and the Existing Territory could not reasonably be expected to be accomplished by private enterprise acting alone without the aid and assistance of the Agency. This finding is based upon the existence of blighting influences, including the lack of adequate public improvements and facilities, and the inability of individual owners and developers to economically remove these blighting influences without substantial public assistance.

m) The effect of tax increment financing will not cause a significant financial burden or detriment to any taxing agency deriving revenues from the Added Project Area and the Existing Territory. This finding is based upon the fact that all affected taxing agencies were consulted with or had the opportunity to be consulted regarding the fiscal effects of the Plan Amendment, and the fact that with regard to certain taxing agencies, the Agency has or will enter into fiscal detriment

mitigation agreements under which it will make payments to or on behalf of such agencies to alleviate identified financial burden or detriment.

Section 3. The City Council is satisfied that permanent housing facilities will be available within three years from the time residential occupants of the Added Project Area, if any, are displaced, and that pending the development of such facilities, there will be available to any such displaced residential occupants temporary housing facilities at rents comparable to those in the City of Garden Grove at the time of their displacement. No persons or families of low and moderate income shall be displaced from residences unless and until there is a suitable housing unit available and ready for occupancy by such displaced persons or families at rents comparable to those at the time of their displacement. Such housing units shall be suitable to the needs of such displaced persons or families and must be decent, safe, sanitary and otherwise standard dwellings.

Section 4. Written objections to the Plan Amendment filed with the City Clerk before the hour set for hearing and all written and oral objections presented to the City Council at the hearing having been considered and, in the case of written objections received from Added Project Area and the Existing Territory property owners and affected taxing agencies, having been responded to in writing, are hereby overruled.

Section 5. That certain Final Environmental Impact Report for the Redevelopment Plan Amendment, a copy of which is on file in the office of the Agency and in the office of the City Clerk, having been duly reviewed and considered, is hereby incorporated into this Ordinance by reference and made a part hereof. All activities undertaken by the Agency and/or the City of Garden Grove pursuant to or in implementation of the Plan, as amended by the Plan Amendment, shall be undertaken in accordance with the mitigation measures and monitoring program set forth in said Final Environmental Impact Report, and the Agency shall undertake such additional environmental review or assessment as necessary at the time of the proposed implementation of such activities.

Section 6. That certain Amended Redevelopment Plan for the Garden Grove Community Project, the map contained therein, and such other reports as are incorporated therein by reference, a copy of which is on file in the office of the Agency and the office of the City Clerk, having been duly reviewed and considered, is hereby incorporated in this Ordinance by reference and made a part hereof, and as so incorporated is hereby designated, approved, and adopted as the official redevelopment plan for the Project, as amended by the Plan Amendment (the "Amended Plan").

Section 7. In order to implement and facilitate the effectuation of the Amended Plan hereby approved, this City Council hereby: (a) pledges its cooperation in helping to carry out the Amended Plan, (b) requests the various officials, departments, boards, and agencies of the City having administrative responsibilities in the Added Project Area and the Existing Territory likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with redevelopment of the Added Project Area and the Existing Territory, (c) stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Amended Plan, and (d) declares its intention to undertake and complete any proceeding, including the expenditure of moneys, necessary to be carried out by the City under the provisions of the Amended Plan.

Section 8. The City Clerk is hereby directed to send a certified copy of this Ordinance to the Agency, whereupon the Agency is vested with the responsibility for carrying out the Amended Plan.

Section 9. The City Clerk is hereby directed to record with the County Recorder of Orange County a description of the land within the Added Project Area and a statement that proceedings for the redevelopment of the Added Project Area, including the Existing Territory, have been instituted under the Community Redevelopment Law.

Section 10. The Building Department of the City of Garden Grove is hereby directed for a period of two (2) years after the effective date of this Ordinance to advise all applicants for building permits within the Added Project Area that the site for which a building permit is sought for the construction of buildings or for other improvements is within a redevelopment project area.

Section 11. The City Clerk is hereby directed to transmit a copy of the description and statement recorded by the City Clerk pursuant to Section 9 of this Ordinance, a copy of this Ordinance, and a map or plat indicating the boundaries of the Added Project Area and the Project Area as revised by the Amended Plan, to the Auditor-Controller and Assessor of the County of Orange, to the governing body of each of the taxing agencies which receives taxes from property in the Added Project Area and the Existing Territory, and to the State Board of Equalization, within thirty (30) days following the adoption of the Plan Amendment.

Section 12. The City Clerk is hereby authorized and directed to certify to the passage of this Ordinance and to cause the same to be published in a newspaper of general circulation which is published and circulated in the City of Garden Grove.


Section 13. If any part of this Ordinance or the Plan Amendment which it approves is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance or of the Plan Amendment, Amended Plan or Plan, and this Council hereby declares that it would have passed the remainder of the Ordinance or approved the remainder of the Plan Amendment if such invalid portion thereof had been deleted.

Section 14. This Ordinance shall be in full force and effect thirty (30) days after passage.

The foregoing ordinance was passed by the City Council of the City of Garden Grove on the 14th day of July, 1992.


MAYOR

ATTEST:


CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, CAROLYN MORRIS, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Ordinance was introduced and presented on July 7th, 1992 with the following vote:

AYES: COUNCILMEMBERS: (3) KESSLER, LEYES, DONOVAN
NOES: COUNCILMEMBERS: (1) DINSEN
ABSENT: COUNCILMEMBERS: (1) WILLIAMS

and was passed on July 14, 1992 by the following vote:

AYES: COUNCILMEMBERS: (3) KESSLER, LEYES, DONOVAN
NOES: COUNCILMEMBERS: (0) NONE
ABSENT: COUNCILMEMBERS: (2) DINSEN, WILLIAMS


CITY CLERK