

CITY OF GARDEN GROVE

INTER-DEPARTMENT MEMORANDUM

To:	Matthew Fertal	From:	Chet Yoshizaki
Dept:	City Manager	Dept:	Economic Development
Subject:	ORDINANCE AMENDING TITLE 2, CHAPTER 32 OF THE GARDEN GROVE MUNICIPAL CODE	Date:	July 28, 2009

OBJECTIVE

To conduct the public hearing for this proposed Ordinance amending Title 2, Chapter 32 of Garden Grove Municipal Code (Ordinance), which is a part of and ancillary to the Ordinance Dissolving, Discontinuing, and Disestablishing Vehicle Parking District No. 2 in (VPD) that is also on this July 28, 2009 City Council agenda; and, thereafter, to consider the introduction and first reading of this Ordinance (Attachment).

BACKGROUND

As discussed in the staff report for the Ordinance of Dissolution referenced above and by way of background, the Orange County Board of Supervisors (County) formed the VPD by County Ordinance No. 726, an ordinance of intention, and by County Ordinance No. 738, an ordinance of formation, pursuant to the Vehicle Parking District Law of 1943, Division 18, Part 1, Section 31500 *et seq.* of the California Streets and Highways Code ("S&H Division 18, Part 1"). On December 9, 1958, the County filed and accepted a report recommending the transfer of the rights, obligations and control of the VPD to the City of Garden Grove (City). Consequently, the City of Garden Grove, through the City Council as its legislative body and governing board, has been vested with and has administered and operated the VPD since 1958 through the present. Pursuant to S&H Division 18, Part 1, the City Council appoints a board of parking place commissioners. Under Title 2, Chapter 32 of the Garden Grove Municipal Code (GGMC) there is established the "Parking and Main Street Commission" that serves dual roles as the board of parking commissioners under S&H Division 18, Part 1 and as the Main Street commissioners for the Main Street Historical Retail Combining Zone and Main Street Assessment District.

ANALYSIS

On May 26, 2009, the City Council adopted a Resolution of Intention (No 8892-09) that initiated these proceedings to dissolve, discontinue and disestablish the VPD. If the Ordinance of Dissolution (see separate staff report) receives first reading, in connection therewith, it is necessary to amend and restate Title 2, Chapter 32 of the Garden Grove Municipal Code (GGMC) to remove provisions referencing Division

18, Part 1, Section 31500, *et seq.* of the Streets & Highways Code including the existence of a board of parking place commissioners provided for therein; provided however, there is no intention to eliminate the Main Street commissioners for the Main Street Historical Retail Combining Zone and Main Street Assessment District.

In implementation of the Resolution of Intention Staff has prepared this Ordinance amending the Garden Grove Municipal Code, Title 2, Chapter 32 to modify and delete all references to the VPD and the board of parking place commissioners and to modify and establish a single role and purpose of the renamed "Main Street Commission" to continue to serve as the Main Street commissioners for the Main Street Historical Retail Combining Zone and to the extent required by law the Main Street Assessment District.

In implementation of the Resolution of Intention that initiated these proceedings to dissolve, discontinue and disestablish the VPD and to amend Title 2, Chapter 32, staff caused to be prepared the attached Ordinance (and the companion Ordinance of Dissolution) and has conducted the following due process proceedings leading up to this public hearing and consideration and action on the two Ordinances, including the following:

- Scheduled a public hearing for July 28, 2009 at 6:30 pm to accept any and all oral and written testimony, whether for, against or neutral, to the Ordinance, including written protests from owners of property within the boundaries of the VPD.
- Sent a courtesy letter and that enclosed a copy of the Notice of Public Hearing by first-class mail to owners of real property located within the VPD boundaries.
- Sent a courtesy letter and that enclosed a copy of the Notice of Public Hearing by first-class mail to businesses located within the VPD boundaries.
- Sent a courtesy letter and that enclosed a copy of the Notice of Public Hearing by first-class mail to the members of the Parking and Main Street Commission.
- Caused a Notice of Public Hearing to be published in the newspaper, *Garden Grove Journal*, once a week for two successive weeks, specifically publication on June 25, 2009 and July 2, 2009.
- Posted the Notice of Public Hearing in not less than four places within the VPD boundaries. Staff, in fact, posted a copy of the Notice in about fifty (50) places within the boundaries of the VPD.

The courtesy letter enclosed with the Notice of Public Hearing that was sent to property owners, businesses, and members of the Parking and Main Street

Commission as described above also notified each recipient of an Information Meeting on July 1, 2009 regarding the proposed dissolution of the VPD. The Information Meeting was held on July 1 and about twenty interested persons attended. During the Information Meeting, property owners, businesses and other interested persons were provided information and staff answered questions about the dissolution proceedings, the proposed Ordinance of Dissolution and this Ordinance amending GGMC Title 2, Chapter 32 of Garden Grove Municipal Code to eliminate the board of parking place commissioners and rename the commission the Main Street Commission for its single role and purpose as commissioners for the Main Street Historical Retail Combining Zone and Main Street Assessment District Commission.

FINANCIAL IMPACT

- None.

COMMUNITY VISION IMPLEMENTATION

- None.

RECOMMENDATION

- Introduce and conduct first reading of the Ordinance.


CHET YOSHIZAKI
Economic Development Director


By: Kathleen McCall
Economic Development Specialist

Approved for Agenda Listing


Matthew Fertal
City Manager

Attachment 1: Ordinance
Attachment 2: Copy of existing GGMC Title 2, Chapter 32