

# CHARTER OF THE CITY OF GARDEN GROVE

## PREAMBLE

We, the People of the City of Garden Grove, State of California, do ordain and establish this Charter as the organic law of the City under the Constitution of the State.

### **Article I - Incorporation and Succession**

#### Section 100. Name and Boundaries.

The City of Garden Grove, hereinafter termed the City, shall continue to be a municipal corporation under its present name of "City of Garden Grove." The boundaries of the City shall be the boundaries as established at the time this Charter takes effect, and as such boundaries may be changed thereafter in the manner authorized by law.

#### Section 101. Succession, Rights and Liabilities.

The City of Garden Grove shall continue to own, possess and control all rights and property of every kind and nature owned, possessed or controlled by it at the time this Charter takes effect and shall be subject to all its debts, obligations, liabilities and contracts.

#### Section 102. Ordinances.

All lawful ordinances, resolutions, rules and regulations, and portions thereof, in force at the time this Charter takes effect, and not in conflict or inconsistent herewith, are hereby continued in force until the same shall have been duly repealed, amended, changed or superseded by proper authority.

#### Section 103. General Law Governs.

Except as set forth in this Charter, the general law set forth in the Constitution of the State of California and the laws of the State of California shall govern the operations of the City of Garden Grove.

#### Section 104. City Ordinances Enacted by the Voters Remain in Effect.

Except as set forth in this Charter, ordinances of the City of Garden Grove adopted by the voters prior to the enactment of this Charter shall remain in full force and effect and may only be modified or repealed by a vote of the people.

#### Section 105. Continuance of Present Officers and Employees.

The present officers and employees shall continue without interruption to perform the duties of their respective offices and employments upon the same conditions and for the compensation provided by the existing ordinances, resolutions, rules, laws or contracts, as such ordinances, resolutions, rules, laws or contracts may periodically be amended, until the election,

or appointment, and qualification of their successors under this Charter and subject to such removal and control as is provided in this Charter.

**Section 106. Continuance of Contracts and Public Improvements.**

All contracts entered into by the City, or for its benefit, prior to the taking of effect of this Charter, shall continue in full force and effect. Public improvements for which proceedings have been instituted under laws existing at the time this Charter takes effect, in the discretion of the City Council, may be carried to completion as nearly as practicable in accordance with the provisions of such existing laws or may be continued or perfected under this Charter.

**Section 107. Pending Action and Proceedings.**

No action or proceeding, civil or criminal, pending at the time when this Charter takes effect, brought by or against the City or any officer, office, department or agency thereof, shall be affected or abated by the adoption of this Charter or by anything herein contained, but all such actions or proceedings may be continued notwithstanding that functions, powers and duties of any officer, office, department or agency party thereto, by or under this Charter, may be assigned or transferred to another officer, department or agency, but in that event the same may be prosecuted or defended by the head of the office, department or agency to which such functions, powers and duties have been assigned or transferred by or under this Charter.

**Section 108. Effective Date of this Charter.**

This Charter shall take effect upon its approval by the voters, certification of passage and filing with the Secretary of State of the State of California.

**Article II - Powers of City**

**Section 200. Powers.**

The City shall have the power to make and enforce all laws, rules and regulations in respect to municipal affairs, subject only to such restrictions and limitations as may be provided in this Charter and in the Constitution of the State of California. It shall also have the power to exercise, or act pursuant to any and all rights, powers, privileges, or procedures, heretofore or hereafter established, granted or prescribed by any law of the State, by this Charter, or by other lawful authority, or which a municipal corporation might or could exercise, or act pursuant to, under the Constitution of the State of California. The enumeration in this Charter of any particular power shall not be held to be exclusive of, or any limitation upon, the generality of the foregoing provisions.

**Article III - Form of Government.**

**Section 300. "Council-Manager" Form of Government.**

The municipal government established by this Charter shall be known as the "Council-Manager" form of Government.

### Section 301. City Council.

The governing body of the City is a City Council consisting of a Mayor, nominated and elected by the qualified electors of the City at large, and six (6) Councilmembers nominated and elected by the qualified electors of their respective designated council districts. The regular municipal elections shall take place at the general election in November of even-numbered years. Any ties in voting shall be settled by the casting of lots under the supervision of, and in such manner and place as the City Clerk decides.

### Section 302. Council Districts.

The names and respective boundaries of each council district shall be established by ordinance except as otherwise set forth herein. The council district boundaries so defined shall be established in such manner that each district shall, as nearly as practicable, be reasonably equal in population based on the latest census, constitute natural areas of contiguous and compact territory and provide fair representation on the City Council.

After the swearing in of the members elected in a year ending in "0", the City Council shall reapportion the districts consistent with the census taken in the same year ending in "0". Such drawing of districts shall be complete in time for the election in the following year ending with "2". Notwithstanding the provisions herein, no redistricting shall disqualify any Councilmember from serving as Councilmember from the district from which he or she was nominated or designated for the remainder of his or her term, if elected, or until the next general municipal election, if appointed. Any territory hereafter annexed to or consolidated with the City shall, at the time of such annexation or consolidation, be added by ordinance of the City Council to an adjacent district or districts. Any territory constituting a part of the City and not specifically included in any district shall be deemed included in the district with which it has the longest common boundary line. If there is no common boundary line with any district, then such territory shall be deemed included in the nearest district to it.

### Section 303. Terms of Office.

The term of the office of City Councilmembers is four years and until their respective member successors qualify. The term of the Mayor is two years and until his/her successor qualifies. The term of each City Council member and the Mayor shall commence on the date of the City Council meeting, following his or her election, at which the City Council receives the certification of election results from the City Clerk.

### Section 304. Term Limits for Councilmembers.

No person shall serve more than three consecutive four-year terms as a member of the City Council. A person who fills a vacancy for more than two years shall be deemed to have served a term for the purpose of this provision.

Section 305. Term Limits for Mayor.

No person shall serve more than four consecutive two-year terms as Mayor. A person who fills a vacancy for more than one year shall be deemed to have served a term for the purpose of this provision.

Section 306. Consecutive Terms.

For purposes of determining consecutive terms and years pursuant to this Charter, terms or years as Mayor or member of the City Council shall not be considered consecutive if the person seeking the office has not held that office for two years.

The phrase “two years” as used in this section shall mean the period between the date of the declaration of the results of any general municipal election held in November of any even numbered year and the date of the declaration of the results of any general municipal election held in November of any immediately preceding or immediately succeeding even numbered year even though such period may be more or less than an actual period of two years.

Section 307. Candidate Limitation.

No person may run for a Councilmember office and Mayor in the same election.

Section 308. Effective Date of Term Limits.

The term limits set forth herein shall only apply to the terms of office of Mayor and offices of the City Councilmembers beginning on or after November 3, 2008. Sections 304 through 307 herein supercede all City ordinances pertaining to term limits.

Section 309. Eligibility Requirements.

No person shall be eligible to hold the office of City Councilmember unless he or she is and shall have been (1) a qualified elector of the City and a resident of the district from which nominated for at least thirty (30) days immediately preceding the filing of his or her nominating papers with the City Clerk; or (2) in the case of appointment, a qualified elector of the City and a resident of the district from which the appointment is made at least thirty (30) days prior to the appointment.

No person shall be eligible to hold the office of Mayor unless he or she is and shall have been a qualified elector and resident of the City for at least thirty (30) days (1) preceding the filing of his or her nominating papers with the City Clerk; or (2) in the case of appointment, preceding the date of appointment.

Section 310. Vacancy on City Council.

Should a vacancy occur in any district, the City Council shall fill the vacancy with a person meeting the eligibility requirements for appointment as set forth in Section 309. Should the City Council be unable to fill the vacancy by the end of thirty (30) calendar days following

the occurrence of the vacancy, a special election shall be called, in accordance with state law, within the district to fill the vacancy.

Section 311. Vacancy for Mayor.

Should a vacancy occur in the position of Mayor, the City Council shall fill the vacancy with a person meeting the eligibility requirements for appointment as set forth in Section 309. Should the City Council be unable to fill the vacancy for Mayor by the end of thirty (30) calendar days following the occurrence of the vacancy, a special election shall be called, in accordance with state law, to fill the vacancy. The Mayor Pro Tem shall serve as acting Mayor during the vacancy.

Section 312. Vacancy Within Ten Months of Election.

Notwithstanding any other provision herein, even if the City Council is unable to fill a vacancy, no election shall be called for a City Council vacancy or for a mayoral vacancy if the vacancy occurs within three hundred (300) calendar days of the regularly scheduled election for the office.

Section 313. Powers Vested in the City Council.

All powers of the City shall be vested in the City Council except as otherwise provided in this Charter.

**Article IV - Miscellaneous**

Section 400. Initiative and Referenda.

This Charter does not abridge or modify the rights of citizens to propose initiatives and referenda (including amendments to this Charter), or to recall elected officials, as provided for in the general laws of the State of California.

Section 401. City Commissions.

There shall exist and be created from time to time City commissions. Unless otherwise required by federal law or by state law applicable to a charter city, each commission shall be filled as follows: each City Councilmember shall make one appointment, and the Mayor shall fill the balance. All appointments must be confirmed by a majority of Councilmembers and Mayor voting. Every commissioner serves at the pleasure of the appointing Councilmember or Mayor and can be removed at any time with or without cause by the appointing Councilmember or Mayor.

Section 402. Validity.

If any provision of this Charter, or the application thereof to any person or circumstance is held invalid, the remainder of the Charter, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

## Article V - Creation of Interim Districts

### Section 500. Interim Provision for Implementation of District Elections.

From and after the effective date of this Charter until the swearing in of the new City Council and Mayor following the election of 2010, the districts shall be those set forth in Section 504. Maps showing the districts are as set forth in Section 505.

### Section 501. Elections in Even Numbered Years.

Those districts designated in Section 504 by an even number shall hold elections for a four-year term for Councilmembers representing those districts, commencing in 2008, and, as such districts may be modified pursuant to Section 302, every four years thereafter.

### Section 502. Elections in Odd Numbered Years.

Those districts designated in Section 504 by an odd number shall hold elections for a four-year term for Councilmembers representing those districts, commencing in 2010; and, as such districts may be modified pursuant to Section 302, every four years thereafter; provided, however, that if as a result of Section 503 no current councilmember is designated to represent an odd-numbered district, that district shall hold an election, concurrent with the even-numbered districts, to elect a councilmember for two years until the 2010 election. For the purposes of Section 304, the two-year term shall not count as a term.

### Section 503. Designation of Current Councilmembers.

Each current councilmember shall be designated to represent the district in which he or she presently resides, provided, however, that if two Councilmembers reside in the same district, and one of their terms expires in 2008 and one expires in 2010, the councilmember whose term expires in 2010 shall continue to serve his or her full term. In order that no City Councilmember who was elected in 2006 shall have the elected term cut short, Councilmember Broadwater is designated to represent District 3, and Councilmember Nguyen is designated to represent District 1, regardless of residency.

### Section 504. Descriptions of Districts.

The districts to be represented in the 2008 and 2010 elections are described as follows:

- A. District 1: Census tracts 888.02, block 1; 888.02, block 3; 889.01; 889.02; 889.03; 889.04; 992.03; 890.01; 890.03.
- B. District 2: Census tracts 891.04; 891.02; 891.07; 891.06; 885.02, block 1; 761.03; 884.03.
- C. District 3: Census tracts 882.03, block 1; 883.02, block 2; 883.02, block 3; 886.01, block 2; 886.01, block 3; 886.01, block 4; 886.02; 885.01; 884.01, block 2; 884.02, block 2; 885.02, block 2; 885.02, block 3; all properties

on the east side of Nutwood Street between Trask Avenue and Garden Grove Boulevard.

- D. District 4: 881.04, block 1; 881.06; 881.05; 881.07; 882.03, block 2; 882.03. Block 3; 887.01; 887.02; 886.01, block 1.
- E. District 5: 1100.0 I; 1100.03; 11 00.04; 11 00.05; 1100.10; 881.01; 881.04, block 2; 998.01; 888.01; 888.02, block 2
- F. District 6: 879.01; 879.02; 880.01; 880.02; 878.06; 882.01; 882.02; 883.01; 876.02; 875.03; 883.02, block 1; 884.01, block 1; 884.01, block 3; 884.02, block 1

Section 505. Maps of Districts.

The maps for these districts are as follows:

[show maps]

Section 506. Resolution of Inconsistencies.

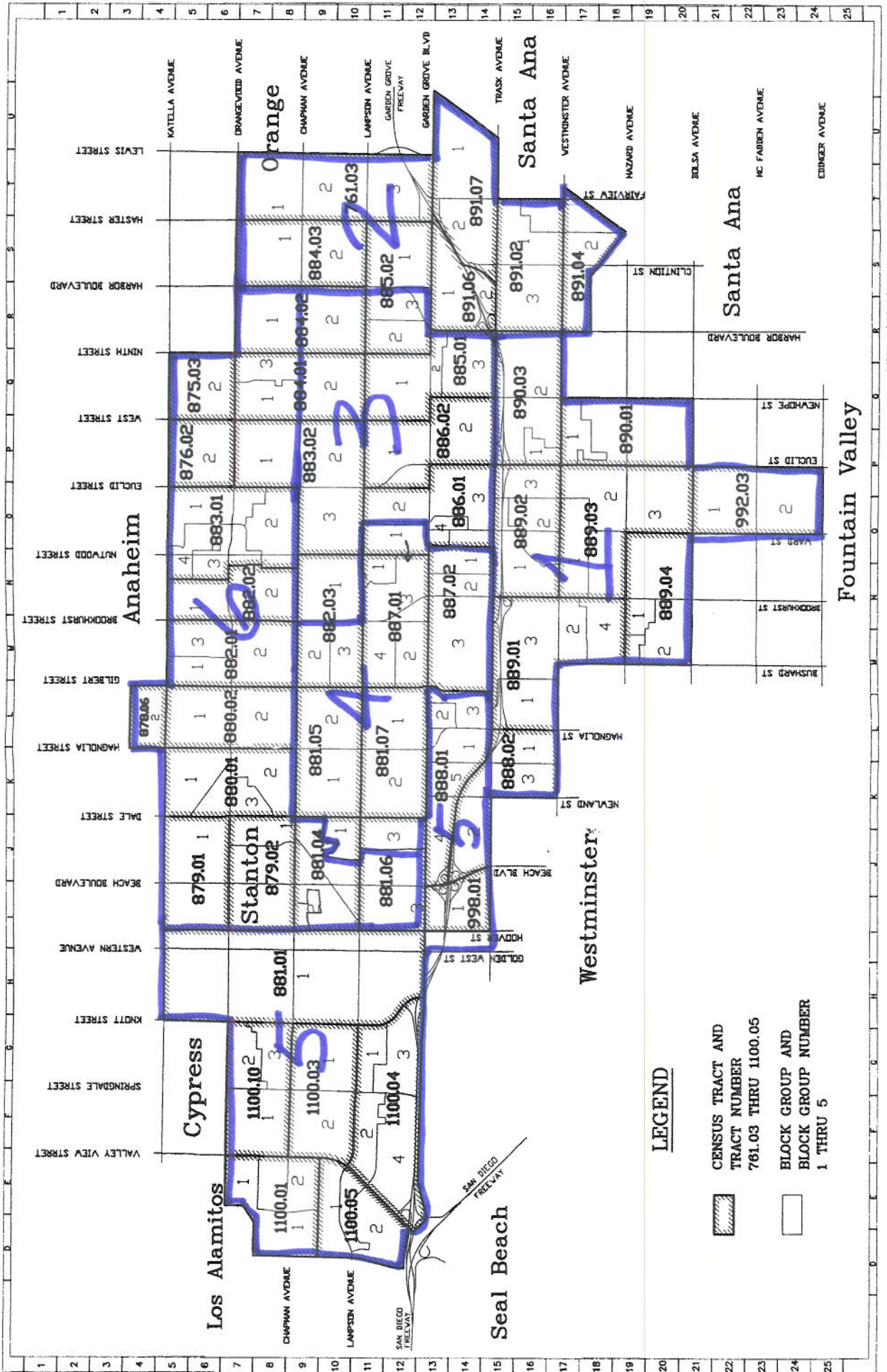
In the case of any inconsistency between Sections 504 and 505, the provisions of Section 504 shall prevail.



# CITY OF GARDEN GROVE CENSUS TRACTS AND BLOCK GROUPS



NO SCALE  
CITY OF GARDEN GROVE  
COMMUNITY DEVELOPMENT DEPARTMENT  
NEIGHBORHOOD DEVELOPMENT  
CAD SYSTEM  
REF: 2000 CENSUS TRACTS & BLOCK GROUPS.DWG  
SEPTEMBER 2004



## LEGEND

- CENSUS TRACT AND TRACT NUMBER 761.03 THRU 1100.05
- BLOCK GROUP AND BLOCK GROUP NUMBER 1 THRU 5



Six districts in Garden Grove based on 2000 census tracts

total population is 166,470  
divided by six is **27,745** per district

**District 1 - South of the Freeway**

888.02, block 1	1718
888.02, block 3	1275
889.01	6375
889.02	5136
889.03	6656
889.04	667
992.03	1928
890.01	25
890.03	3808

**TOTAL: 27,588**

**District 2 - Eastside**

891.04	3687
891.02	4418
891.07	3408
891.06	3784
885.02, block 1	2133
761.03	7423
884.03	3033

**Total: 27,886**

**District 3 - Central East**

882.03, block 1	2428
883.02, block 2	1255
883.02, block3	1578
886.01, block 2	1468
886.01, block 3	2099
886.01, block 4	1229
886.02	4479
885.01	6584
884.01, block 2	2337
884.02, block 2	2278
885.02, block 2	1182
885.02, block 3	1708

**TOTAL: 28,625**

**District 4 - Central West**

881.04, block 1	188
881.06	1271
881.05	3839
881.07,	7137
882.03, block 2	1487
882.03. Block 3	733
887.01	6314
887.02	5459
886.01, block 1	936

**TOTAL: 27,364**

**District 5 - Westside**

1100.01	3539
1100.03	3175
1100.04	4666
1100.05	3159
1100.10	1817
881.01	0
881.04, block 2	570
998.01	0
888.01	8206
888.02, block 2	2499

**TOTAL: 27,631**

**District 6 - North of Chapman**

879.01	0
879.02	124
880.01	4701
880.02	3544
878.06	150
882.01	3661
882.02	2869
883.01	5991
876.02	278
875.03	454
883.02, block 1	1259
884.01, block 1	1470
884.01, block 3	1096
884.02, block 1	1778

**TOTAL: 27,375**