

**ORDINANCE NO. 2023-510**

**AN ORDINANCE OF THE CITY OF GUADALUPE AMENDING SECTION 10. OF  
CHAPTER 10.24 OF THE GUADALUPE MUNICIPAL CODE REGARDING  
STOPPING, STANDING, AND PARKING**

**WHEREAS**, City staff met with the Guadalupe Union School District (GUSD) and worked on several proposals to alleviate traffic congestion during morning and afternoon school hours at Mary Buren Elementary School in December 2022, and is still continuing to work with GUSD concerning a traffic plan (as directed by the City Council at its meeting on February 14, 2023); and

**WHEREAS**, as part of this plan and in anticipation of possible parking issues on Obispo Street in front of City Hall, staff proposed that parking permits be issued to City employees only for certain designated spaces, and any vehicles parking in the marked "Employee Parking" spaces without a visible permit, would be subject to citation; and

**WHEREAS**, part of this plan, some parking spaces were designated to be limited time parking places; and

**WHEREAS**, under California Vehicle Code section 22507, a city council may designate streets upon which adjacent businesses and residents and their guests as well as other designated groups, including but not limited to school personnel, may have preferential parking privileges via a permit system, while other parking is restricted; and

**WHEREAS**, Section 22507 initially broadly empowered localities to regulate parking within their jurisdictions, and amendments to this section have expanded rather than restricted the powers accorded local government over parking matters (See, *Friedman v City of Beverly Hills* (1996) 47 Cal.App.4th 436, 443); and

**WHEREAS**, even though the authority granted by Section 22507 does not clearly state that a city can limit public parking spaces on a public street to a city's employees only, since Section 22507 provides that a local government can designate public parking on public streets for the use of residents or merchants, or to "other designated groups, including but not limited to school personnel," and in light of the "grant of power" given to cities to regulate parking within their jurisdictions in general, it appears to be within the authority of a city to limit some public parking spaces for the use of its employees only, so long as the use of permits for such purpose will not adversely affect parking conditions for residents and merchants in the area; and

**WHEREAS**, Vehicle Code section 21458 allows a city council to limit the amount of time a vehicle can be parked in a designated public parking place; and

**WHEREAS**, the City Council has reviewed a proposed parking plan for the area near the Guadalupe City Hall located at 918 Obispo Street, and specifically for the 25 parking spaces located on the east side of Obispo Street between Ninth and Tenth Streets, which plan includes

designating 12 of the 25 parking spaces for City of Guadalupe employee parking only during the hours of 7:00 a.m. through 5:00 p.m. on Mondays through Fridays, except for legal holidays observed by the City of Guadalupe, and designating four (4) of these parking spaces for 10-minute limited time parking during the hours of 7:00 a.m. through 5:00 p.m. on Mondays through Fridays, except for legal holidays observed by the City of Guadalupe; and

**WHEREAS**, at the City Council meeting held on April 25, 2023, the City Council considered the proposed parking plan for City Hall but rejected the 10-minute limited parking, directing staff instead to limit the parking in the designated four (4) limited time parking spaces at City Hall to 20 minutes; and

**WHEREAS**, also, because the City Council approved of the hours from 7:00 a.m. through 5:00 p.m. (Monday - Friday, except for holidays) for the 20-minute limited time parking at City Hall, it directed that Section 10.24.090 of the Guadalupe Municipal Code be amended to allow 20-minute limited time public parking during specific hours and/or days as determined by City Council resolution or minute order, rather than hours and/or days set forth in this section; and

**WHEREAS**, it is also necessary to add a new section to Chapter 10.24 for violations of the “employee only” parking provisions of the proposed plan.

**NOW, THEREFORE**, the City Council of the City of Guadalupe does hereby ordain as follows:

**SECTION 1.** Section 10.24.085 is hereby added to Chapter 10.24 of the Guadalupe Municipal Code to read as follows:

**10.24.085 Parking—City Hall district—Designated spaces for City employees only.**

It is unlawful for any person, except a City of Guadalupe employee who has been issued a permit by the Director of Public Safety or designee, to park any vehicle in a parking space designated as “Employee Parking” on the east side of Obispo Street between Ninth and Tenth Streets during the hours between 7:00 a.m. through 5:00 p.m. of any day except Saturdays, Sundays, or legal holidays observed by the City of Guadalupe. Signs shall be erected, and the curbs shall be painted with black letters, designating the restricted parking spaces under the provisions of this section as “Employee Parking.”

**SECTION 2.** Section 10.24.090 of Chapter 10.24 of the Guadalupe Municipal Code is hereby amended to read as follows:

**10.24.090 Parking—Limited time areas—Green marking.**

The City Council shall have the power to locate and designate parking spaces upon the public streets of the City, in which it is unlawful for any person to park any vehicle for a period longer than 20 minutes between the hours of 9:00 a.m. and 6:00 p.m., Sundays and legal holidays

excepted, by order duly entered in the minutes of a regular or adjourned regular meeting. Such spaces so located and designated shall be painted with green paint on the curb surface and plainly marked "20-minute parking." It is unlawful for any person to park any vehicle in any space so located, designated, painted, and marked as provided in this section for a period longer than 20 minutes.

**SECTION 3.** This Ordinance has been reviewed for compliance with the California Environmental Quality Act (CEQA), and the CEQA guidelines, and has been found to be exempt pursuant to §15306 of the CEQA Guidelines (Information Collection) because it does not have the potential to create a physical environmental effect.

**SECTION 4.** The City Council declares that each section, subsection, paragraph, subparagraph, sentence, clause, and phrase of this Ordinance is severable and independent of every other section, subsection, paragraph, subparagraph, sentence, clause, and phrase of this Ordinance. If any section, subsection, paragraph, subparagraph, sentence, clause, or phrase of this Ordinance is held invalid, the City Council declares it would have adopted the remaining provisions of this Ordinance irrespective of the portion held invalid, and further declares its express intent that the remaining portions of this Ordinance should remain in effect after the invalid portion has been eliminated.

**SECTION 5.** The City Clerk is hereby authorized to make minor changes herein to address clerical errors, so long as substantial conformance of the intent of this document is maintained. In doing so, the City Clerk shall consult with the City Administrator and City Attorney concerning any changes deemed necessary.

**INTRODUCED** at a regular meeting of the City Council on the 9<sup>th</sup> day of May 2023, by the following roll call vote:

**MOTION: EUGENE COSTA JR. / MEGAN LIZALDE**

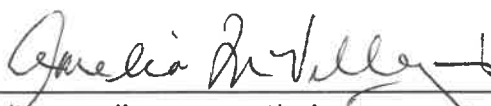
**AYES: 5 Councilmembers: Costa Jr., Hernandez, Julian, Lizalde, Robles**  
**NOES: 0**  
**ABSENT: 0**  
**ABSTAINED: 0**

**PASSED AND ADOPTED** at the regular meeting of the City Council on the 23<sup>rd</sup> day of May 2023, by the following roll call vote:

**MOTION: MEGAN LIZALDE / EUGENE COSTA JR.**

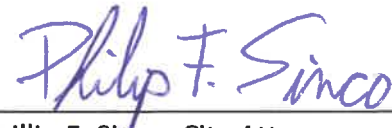
**AYES: 5 Councilmembers: Costa Jr., Hernandez, Julian, Lizalde, Robles**  
**NOES: 0**  
**ABSENT: 0**  
**ABSTAINED: 0**

**ATTEST:**

  
\_\_\_\_\_  
Amelia M. Villegas, City Clerk

  
\_\_\_\_\_  
Ariston Julian, Mayor

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Phillip F. Sinco, City Attorney