

ORDINANCE NO. 2403

AN ORDINANCE OF THE CITY OF CHULA VISTA
AMENDING CHAPTER 2.33 OF THE CHULA VISTA
MUNICIPAL CODE REVISING THE STRUCTURE FOR THE
FORMATION OF THE CULTURAL ARTS COMMISSION.

The City Council of the City of Chula Vista does ordain as follows:

Section 1. That Chula Vista Municipal Code is hereby amended by amending Chapter 2.33 to read as follows:

"CHAPTER 2.33 Cultural Arts Commission

Section 2.33.010. Creation.

There is hereby created a Cultural Arts Commission.

Section 2.33.020 Purpose and Intent.

It is the purpose and intent of the City Council in establishing the Cultural Arts Commission to create an advisory body which would serve as a resource to advise and make recommendations to the City Council and the City Manager on cultural arts issues affecting the citizens of the City. The focused efforts of the Cultural Arts Commission will be to identify cultural arts needs and issues.

The purpose of the Commission is to focus community energies and resources on developing a highly visible city with a cultural arts personality and to develop, support, and nurture those ideas which expand and enrich arts and cultural opportunities for the entire community.

Section 2.33.030 Functions and Duties.

The function and duties of the Cultural Arts Commission shall be as follows:

- A. Encourage the preservation of Chula Vista's cultural heritage and the creation of an atmosphere--a Chula Vista image--in which our citizens could take pride and have increased stature.
- B. Help coordinate and marshal support for the arts.
- C. Encourage the provision of cultural and artistic facilities and features in public and commercial construction.

- D. Formulate recommendations for a City arts program, including funding mechanisms, criteria for the selection and placement of public art, procedures for review plans, and guidelines to carry out a City arts program.
- E. Regularly assess, review and update recommended goals and long range plans for the City; and regularly solicit public input on the arts.
- F. Encourage the development of arts and cultural programs for the youth of Chula Vista.
- G. Promote the creation of a cultural environment which would attract visitors and income.
- H. Advise the Redevelopment Agency regarding the expenditure of fine arts in-lieu fees.
- I. Make recommendations to the Redevelopment Agency on fine arts features with Redevelopment districts.

The Commission, by having a definite focus and by demonstrating a high degree of commitment to the arts, can conduct strategic long-range planning to help reach these goals.

Section 2.33.040 Membership.

A. Number of Members.

The Commission shall consist of nine (9) Voting Members, and one (1) Staff Ex-officio Member, and such other General Ex-officio members of the Commission as the City Council shall, from time-to-time, appoint.

B. Designation of Members.

1. Voting Members.

The nine (9) Voting Members shall be appointed by the City Council from the qualified electors of the City in accordance with the provisions of Section 600, et seq. of the Charter, whom shall be residents of the City and who shall, throughout their term, maintain their residency and elector status.

2. Staff Ex-officio Member.

The one (1) Staff Ex-officio Member shall be the City Manager or his designated representative, who shall not be required to be

a qualified elector of the City, and who shall have no vote ("Staff Ex-officio Member").

3. General Ex-officio Members.

The City Council, or its designee, may appoint such additional ex-officio members of the Commission as they deem appropriate, who shall not be required to be qualified elector(s) of the City, but any such appointed ex-officio members shall have no vote ("General Ex-Officio Member").

Section 2.33.050 Term of Office.

A. Term of Office--All Classes of Members.

1. Post-Initial Terms.

Except as otherwise provided in this Subsection A, the term of office of all members, and all classes of members, of said Commission shall be for a nominal period of four (4) years, and shall terminate on June 30th of the fourth year of their term, unless they shall otherwise sooner resign, die, become disqualified or incompetent to hold Office.

2. Initial Terms of Voting Members.

Notwithstanding subsection A.1., the Initial Terms of Voting Members shall commence upon appointment and shall conclude, for two (2) Voting Member on June 30, 1991; for two (2) Voting Members on June 30, 1992, and for two (2) Voting Members on June 30, 1993, and for three (3) Voting Member on June 30, 1994, unless they shall otherwise sooner resign, die, become disqualified or incompetent to hold Office.

a. Appointment to Initial Terms by Lot.

Appointment of the initial Voting Members as to the Initial Terms shall be determined by lot, the fairness of which method shall be approved by the Mayor in advance if agreement as to method can not be reached among the Voting Members.

4. Staff Ex-officio Member.

The term of the Staff Ex-officio Members shall be indefinite.

5. General Ex-officio Member.

The term of General Ex-officio members shall be for a period of four years from the time of appointment.

6. Holdover Office.

Notwithstanding the end of any Member's Initial Term or Post-initial Term as herein provided, a Member, other than the Staff Ex-officio Members, shall be permitted to continue to exercise the privileges of his or her former Office for not longer than 6 months after the end of the term until the Office to which the Member was appointed is filled by re-appointment or by the appointment of a qualified successor.

6. Vacancies.

Notwithstanding the term of Office to which a Member is appointed, said Office shall be deemed vacant upon any of the following events ("Event of Vacancy"):

a. The death or disability of said Member that renders said Member incapable of performing the duties of his Office.

b. The member's conviction of a felony or crime involving moral turpitude.

c. The member's absence from three (3) regular, consecutive meetings of the Commission, unless excused by majority vote of the Commission expressed in its official minutes.

d. The member has submitted a resignation which resignation has been accepted by the City Council.

e. The membership has been terminated by a three affirmative votes of the City Council.

Upon the occurrence of an Event of Vacancy as hereinabove listed, the City Council shall so declare the Office to be vacant, and shall expeditiously take such steps as are necessary to fill said vacancy.

B. Number of Terms.

a. Voting Members.

1. Two Term Limit. No Voting Member shall be appointed to more than two (2) terms except as herein provided ("Two Term Limit").

2. Unexpired Term Exception. Notwithstanding the Two Term Limit, a person appointed to the Commission as a Voting Member to fill the unexpired term of an Office of a Voting Member which has become vacant ("Unexpired Term") which has less than two (2)

years remaining on said Unexpired Term, may be appointed to two (2) terms in addition to their Unexpired Term. A Voting Member who currently occupies an Office may not be re-appointed to fill the Unexpired Term of another Office which has become vacant.

3. Initial Term Exception. Notwithstanding the Two Term Limit, a person appointed to an Initial Term of two (2) or less years may be appointed at the natural expiration of their Initial Term to two (2) full four-year terms in addition to their Initial Term. A Voting Member who occupies an Office under an Initial Term may not be appointed to fill the Unexpired Term of another Office which has become vacant.

4. Any Voting Member may be re-appointed to serve on the Commission after two (2) successive years of not serving on the Commission in any Office or Membership capacity--Voting or Staff Ex-officio.

b. Staff Ex-officio Member.

The Staff Ex-officio members shall serve at the pleasure of the City Council.

c. General Ex-officio Members.

A General Ex-officio member may be reappointed without limitation as to number of terms.

Section 2.33.060. Operation of Commission.

A. Frequency, Time and Place of Regular Meetings.

The Commission shall hold at least one regular meeting each month commencing at 6:00 p.m. on the first Monday, thereof, or at such other day and time that it shall designate by written resolution, a copy of which shall be forwarded to the City Council and entered in the minutes of the meeting thereof, in the Council Conference Room of the Administrative Building at the City Hall Complex located at 276 Fourth Avenue, Chula Vista, or at such other place that it shall designate by written resolution, a copy of which shall be forwarded to the City Council and entered in the minutes of the meeting thereof, or as may be posted upon the door of said Conference Room at least thirty (30) minutes in advance of the Meeting.

B. Officers of Commission.

The Commission shall select a Chairman and a Vice Chairman from among its Voting Members. The Chairman and Vice-Chairman so selected shall serve for a period of one (1) year.

C. Special Meetings.

The Committee may meet specially at such other times, days and places as it shall establish by majority vote, or at such time as the Chairman thereof may call, or at such times as a majority of the members thereof may call a meeting.

D. Conduct of Meetings.

The meetings of the Commission, and notice thereof, shall be governed by the same rules and regulations by which the City Council is bound in the conduct of public meetings.

E. Quorum.

Five (5) Voting Members shall constitute a quorum for the transaction of business.

F. Resolutions.

A majority of the votes cast, but not less than a majority of the quorum, shall be required for the passage of any resolution of the Committee.

F. Reports and Recommendations.

All reports and recommendations shall be made in writing.

G. Staff Support.

All officers and department heads shall cooperate with and render reasonable assistance to the Commission. The City Manager may make available staff and clerical support to the Commission to fulfill its functions and duties, provided such staff and clerical support is available.

H. Rules and Regulations.

The Commission may make such rules and regulations not inconsistent with the provisions of this Chapter.

I. Gifts and Grants.

The Commission may, subject to the approval of the City Council, accept gifts and grants from any source to assist it in the performance of its functions.

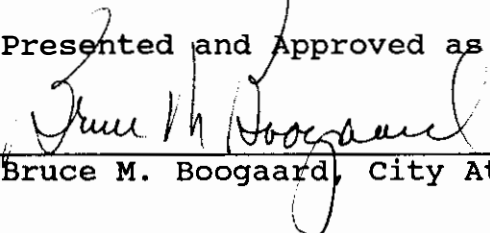
J. By-Laws.

The Commission may pass such other and further rules and regulations regarding the internal affairs of the Commission as are not inconsistent with the terms and conditions of this Chapter."

Section 2: Ordinance No. 2362, adding Chapter 2.33 establishing a Cultural Arts Commission is hereby repealed in its entirety. The members appointed to the Cultural Arts Commission, and to the Initial Terms thereof, under the authority of Ordinance No. 2362 shall be assigned to the Cultural Arts Commission, and the Initial Terms herein created, authorized under the authority of this Ordinance.

Section 3: This ordinance shall take effect and be in full force on the thirtieth day from and after its adoption.

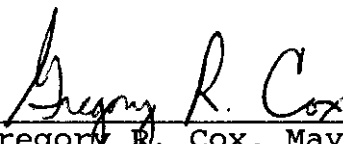
Presented and Approved as to form by:



Bruce M. Boogaard, City Attorney


PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 16th day of October, 1990, by the following vote:

AYES:	Councilmembers:	Malcolm, Moore, Cox
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	McCandliss, Nader
ABSTAIN:	Councilmembers:	None



Gregory R. Cox, Mayor

ATTEST:



Beverly A. Authelet, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF CHULA VISTA)

I, Beverly A. Authelet, City Clerk of the City of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 2403 had its first reading on October 9, 1990, and its second reading and adoption at a regular meeting of said City Council held on the 16th day of October, 1990.

Executed this 16th day of October, 1990.



Beverly A. Authelet, City Clerk