

ORDINANCE NO. 2418

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTION 2.48.200 OF THE MUNICIPAL CODE TO ESTABLISH THE MONTGOMERY AREA PLANNING COMMITTEE

WHEREAS, the Montgomery Area Planning Committee ("Committee") was formed under the authority of the Chapter 2.48 of the Chula Vista Municipal Code by the adoption, pursuant to Section 2.48.060 and 2.48.070, of Resolution No. 12097, on or about August 16, 1985; and,

WHEREAS, under the authority of Section 2.48.070 (C), "the City Council may review the procedures established by said chapter or the method of operation of a community planning committee after a period of not less than one year from the date of formation of the first community planning committee in the city, in order to make such changes and modifications as may be deemed necessary or desirable, e.g., change in the method of selection of members of committee by appointment to election of said members by the electors of the territory"; and,

WHEREAS, said Section 2.48.070 (C) requires that said review by undertaken at a public hearing to be called by the City Council; and,

WHEREAS, at the City Council meeting of November 13, the City Council conducted the public hearing required by Section 2.48.070 (C) for review of the procedures and method or operation of the community planning committee;

NOW, THEREFORE, the City Council of the City of Chula Vista does ordain as follows:

Section 1. The Municipal Code is hereby amended to add Section 2.48.200 which shall read as follows:

2.48.200 Montgomery Area Planning Committee

A. Creation.

There is hereby created a Montgomery Area Planning Committee ("Committee").

B. Purpose and Intent.

It is the purpose and intent of the City Council in establishing the Montgomery Area Planning Committee 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 planning matters affecting the area of the city commonly known as the Montgomery Area.

The purpose of the Committee is to focus community energies and resources on said planning matters which, as accomplished, will positively affect the physical, social, and the economic life of the Montgomery Area and all of Chula Vista.

C. Functions and Duties.

The function and duties of the Montgomery Area Planning Committee shall be as follows:

1. Create a forum for discussions, research, and analysis of critical planning issues affecting the Montgomery Area.
2. Mobilize various public agencies to develop resources and share them with the Montgomery Area in a coordinated fashion.
3. Promote sound planning decisions within the Montgomery Area by providing direct communications and recommendations to city departments, boards and commissions with regard to such issues as zoning, health, licensing, building codes, and public safety in the Montgomery Area.
4. Draft policies for consideration and adoption by the City of Chula Vista affecting the Montgomery Area.
5. Encourage cooperative approaches toward the development and implementation of planning measures approved by the City Council relative to the Montgomery Area.
6. Investigate and recommend sources of public funds for improvements to the Montgomery Area.

D. Membership.

1. Number of Members.

The Committee shall consist of seven (7) Voting Members,

and one (1) Staff Ex-officio Member, and such other General Ex-officio members of the Committee as the City Council shall, from time-to-time, appoint.

2. Designation of Members.

a. Voting Members.

The seven (7) 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.

b. 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").

c. General Ex-officio Members.

The City Council, or its designee, may appoint such additional ex-officio members of the Committee 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").

E. Term of Office.

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

a. 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 Committee 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.

b. Initial Terms of Voting Members.

Notwithstanding subsection A.1., the Initial Terms of Voting Members shall commence upon appointment and shall conclude with or without the possibility of reappointment as the

Council may direct upon appointment, for two (2) Voting Member on June 30, 1991; for two (2) Voting Members on June 30, 1992, and for one (1) Voting Members on June 30, 1993, and for two (2) Voting Member on June 30, 1994, unless they shall otherwise sooner resign, die, become disqualified or incompetent to hold Office.

(1). Appointment to Initial Terms by Lot.

Appointment of the Initial Voting Members to the Initial Terms shall be determined by lot.

c. Staff Ex-officio Member.

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

d. General Ex-officio Member.

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

F. 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 that two (2) 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.

G. 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"):

1. The death or disability of said Member that renders said Member incapable of performing the duties of his Office.
2. The member's conviction of a felony or crime involving moral turpitude.

3. The member's absence from three (3) regular, consecutive meetings of the Committee, unless excused by majority vote of the Committee expressed in its official minutes.
4. The member has submitted a resignation which has been accepted by the City Council.
5. 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.

H. Number of Terms.

1. Voting Members

- a. Two Term Limit. No Voting Member shall be appointed to more than two (2) terms except as herein provided ("Two Term Limit").
- b. Unexpired Term Exception. Notwithstanding the Two Term Limit, a person appointed to the Committee 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.
- c. Initial Term Exception. Notwithstanding the Two Term Limit, but subject to the Total Years of Service Restriction set forth below, a person appointed to an Initial Term of two years or less 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 person appointed to an Initial Term of greater than two (2) years may only be appointed at the natural expiration of their Initial Term to one (1) full four-year term 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.

- (1). Total Years of Service Restriction. The "Total Years of Service Restriction" is this:

Notwithstanding the foregoing, no Initial Appointee may be re-appointed to any term of service if he will have served at the end of such term more than 10 years of continuous service on the Committee.

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

2. Staff Ex-officio Member.

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

3. General Ex-officio Members.

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

I. Operation of Committee.

1. Frequency, Time and Place of Regular Meetings.

The Committee shall hold at least one regular meeting each month commencing at 6:00 p.m. on the third Wednesday of each month, 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 Conference Room No. 2 and 3, of the City Hall 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 at such place as may be posted upon the door of said Conference Room at least thirty (30) minutes in advance of the Meeting.

2. Officers of Committee.

The Committee shall select a Chairman and a Vice Chairman from among its Voting Members annually at its first meeting in July of each year. The Chairman and Vice-Chairman so selected shall serve for a period of one (1) year.

3. 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 may call a meeting.

4. Conduct of Meetings.

The meetings of the Committee, 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.

5. Quorum.

Four (4) Voting Members shall constitute a quorum for the transaction of business.

6. Resolutions.

A majority of the votes of the entire membership shall be required for the passage of any resolution of the Committee.

7. Reports and Recommendations.

All reports and recommendations shall be made in writing.

8. Staff Support.

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

9. Rules and Regulations.

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

10. Gifts and Grants.

The Committee 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.

11. By-Laws.

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

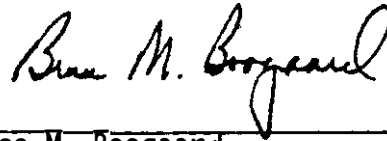
SECTION 2. This ordinance shall take effect and be in full force and effect 30 days after its second reading and adoption.

Presented by

Approved as to form by



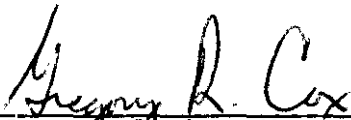
Robert Leiter
Director of Planning



Bruce M. Boogaard
City Attorney

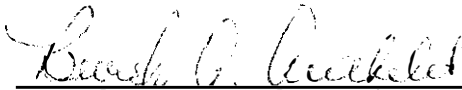
PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 20th day of November, 1990, by the following vote:

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



Gregory R. Cox, Mayor

ATTEST:

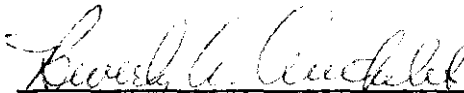


Beverly A. Authalet, City Clerk

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

I, Beverly A. Authalet, City Clerk of the City of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 2418 had its first reading on November 13, 1990, and its second reading and adoption at a regular meeting of said City Council held on the 20th day of November, 1990.

Executed this 20th day of November, 1990.



Beverly A. Authalet, City Clerk