

ORDINANCE NO. 3076

ORDINANCE OF THE CHULA VISTA CITY COUNCIL
AMENDING CHAPTER 2.55, SECTION 2.55.090 OF THE
CHULA VISTA MUNICIPAL CODE TO REMOVE THE CITY
COUNCIL MEMBERS FROM THE CVRC BOARD OF
DIRECTORS

WHEREAS, on May 24, 2005, the City Council and Redevelopment Agency of the City of Chula Vista jointly adopted Resolution Nos. 2005-175 and 2005-1911, respectively, approving and adopting legal and operating documents for the formation of the Chula Vista Redevelopment Corporation (CVRC) as a 501(c)(3) nonprofit, public benefit corporation; and

WHEREAS, the legal and operating documents adopted for the CVRC included chapter 2.55 of the Chula Vista Municipal Code that set forth, among other things, the structure, composition, and operations of the CVRC; and

WHEREAS, on December 19, 2006, the City Council formed a subcommittee, consisting of the Mayor and Deputy Mayor, to review and evaluate the structure of the CVRC; and

WHEREAS, on March 22, 2007 the Council Subcommittee presented a full report for consideration by the CVRC, Redevelopment Agency, and City Council containing recommendations for structural modifications to the CVRC; and

WHEREAS, on March 22, 2007 the CVRC recommended by resolution and the Redevelopment Agency, and City Council approved by resolution the Council Subcommittee's recommendations which included removing the Council Members from the CVRC Board of Directors and that the remaining Board of Directors be supplemented by one to five Chula Vista resident(s) selected by the City Council and possessing expertise and experience in one or more of the following professional fields: education, business, finance, architecture, civil engineering, urban planning and/or design, science, environmental planning, environmental remediation, environmental law, and real estate, including real estate development, investment, and law; and

WHEREAS, staff has reviewed the proposed activity for compliance with the State of California Environmental Quality Act (CEQA), *California Public Resources Code Section 21000 et seq.*, and has determined that the activity is not a "Project" as defined under Section 15378(b)(5) of the State CEQA Guidelines, therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the activity is not subject to CEQA.

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

SECTION 1: That Chapter 2.55, Section 2.55.090 of the Chula Vista Municipal Code is amended to read as follows:

2.55.090. Board of Directors' Membership.

A. Number of directors. The board of directors of the corporation shall consist of up to nine (9) voting members, none of whom shall be duly elected or appointed and qualified members of the City Council then in office.

B. Directors.

1. The directors shall consist of members of the public appointed to the corporation board of directors by majority vote of the city council for four (4) year staggered terms, based upon the criteria and qualifications set forth in the corporation bylaws approved by the city council, as such bylaws may be amended from time to time.
2. The initial terms of directors shall be for nominal periods of two and four years, commencing upon appointment and concluding for two directors on June 30th of the second year of the term, and for the remaining two directors on June 30th of the fourth year of the term, unless an director's office becomes vacant prior to the end of such initial term. Thereafter, all directors shall serve for a term of four years, concluding on June 30th of the fourth year of the term, subject to removal or resignation pursuant to the corporation's bylaws.
3. Appointment of the directors to their initial nominal two-year and four-year terms shall be as determined by the bylaws.
4. By majority vote, the city council shall have the power to remove any director for any reason, to reappoint any director to a succeeding four-year term without any limit on the number of terms served by such independent directors except as set forth in the corporation bylaws approved by the city council, and to appoint any person meeting the criteria and qualifications set forth in the corporation bylaws to a vacant director office. Subject to the city council's power to remove a director, all directors of the corporation shall hold office until a successor has been appointed and qualified.

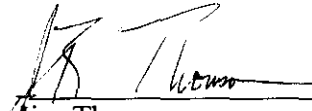
C. Election and Duties of Chair and Vice Chair

1. Election of chair and vice-chair. At the first regular meeting of the board of directors, following July 1st of every year, or as soon as practical thereafter, the board shall elect a chair and vice-chair from its membership. The chair and vice-chair shall serve for a period of one year.
2. Duties of the chair and vice-chair. The chair shall serve as presiding officer at meetings. In the absence of the chair, the vice-chair shall serve as presiding officer.


SECTION 2: This ordinance shall take effect and be in full force thirty (30) days following its second reading.

Presented by

Approved as to form by



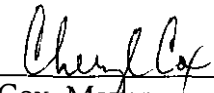
Jim Thomson
Interim City Manager



Ann Moore
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 5th day of June 2007, by the following vote:

AYES:	Councilmembers:	Castaneda, McCann, Ramirez, Rindone, and Cox
NAYS:	Councilmembers:	None
ABSENT:	Councilmembers:	None



Cheryl Cox, Mayor

ATTEST:



Susan Bigelow, MMC, City Clerk

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

I, Susan Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 3076 had its first reading at a regular meeting held on the 24th day of May, 2007 and its second reading and adoption at a regular meeting of said City Council held on the 5th day of June 2007.

Executed this 5th day of June 2007.



Susan Bigelow, MMC, City Clerk