



RESOLUTION NUMBER R- 301848

DATE OF FINAL PASSAGE AUG 15 2006

WHEREAS, the Centre City Development Corporation, Inc., was incorporated as a nonprofit California corporation in 1975, with the City of San Diego, a municipal corporation, as its sole member, in order to provide redevelopment services by contract with the Redevelopment Agency of the City of San Diego; and

WHEREAS, in November 1995, the City Council of the City of San Diego adopted a resolution approving the current amended and restated corporate bylaws, which is on file with the Office of the City Clerk as Resolution No. R-286582; and

WHEREAS, the bylaws of the Centre City Development Corporation provide that there shall be seven directors, who shall serve for three year terms and until their successors are elected; and

WHEREAS, the bylaws further provide that the City of San Diego, acting through its City Council and in accordance with the City Charter, shall elect the Board of Directors of the Centre City Development Corporation; and

WHEREAS, the San Diego City Charter provides that the Mayor has sole authority to appoint City representatives to boards, commissions, committees, and governmental agencies, unless controlling law vests the power of appointment with the City Council or a City Official other than the Mayor; and

WHEREAS, the California Corporations Code, the controlling law, does not vest the power of appointment in any given official or the City Council, it merely permits the bylaws to specify how board vacancies are filled; and

WHEREAS, in order to reconcile state corporations law and the City Charter, the Office of the City Attorney, in report RC-2006-9 dated February 28, 2006, concluded that both the Mayor and the City Council should be involved in the process of electing the board of directors and, taking into consideration the Charter's intent to vest appointing authority in the Mayor absent controlling law, the Mayor has the appointment authority under the Charter, subject to the vote of the City Council confirming that appointment; and

WHEREAS, two vacancies now exist on the Centre City Development Corporation Board of Directors due to resignation of Harold G. Sadler, whose term expires May 1, 2007, and due to the expired term of Gil Johnson, whose term expired May 1, 2006; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the following appointments by the Mayor of the City of San Diego, to serve as members of the Board of Directors of the Centre City Development Corporation, for a term ending as indicated, be and the same is hereby confirmed:

<u>NAME</u>	<u>CATEGORY</u>	<u>TERM ENDING</u>
Edwin Teddy Cruz (Mission Hills, Dist. 2) (Replacing Harold G. Sadler, who resigned)	Architecture	May 1, 2007
Janice P. Brown (Kensington, Dist. 3) (Replacing Gil Johnson, whose term expired)	Business-Finance	May 1, 2009

R-301848

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Catherine M. Bradley
Catherine M. Bradley
Chief Deputy City Attorney

CMB:jab
07/17/2006
Or.Dept:Mayor
R-2007-36

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of AUG 08 2006

ELIZABETH S. MALAND
City Clerk
By [Signature]
Deputy City Clerk

Approved: 8-15-06
(date)

[Signature]
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

Passed by the Council of The City of San Diego on AUG - 8 2006, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 15 2006

AUTHENTICATED BY:

(Seal)

JERRY SANDERS

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By Debbie Severson-Cruz, Deputy

Office of the City Clerk, San Diego, California

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