

RESOLUTION NUMBER R- 314279DATE OF FINAL PASSAGE AUG 09 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPOINTING MEMBERS OF THE BOARD OF
DIRECTORS OF THE HORTON PLAZA THEATRES
FOUNDATION.

WHEREAS, the Council of the City of San Diego (Council) has approved the Articles of Incorporation and Bylaws for the Horton Plaza Theatres Foundation (Foundation); and

WHEREAS, the specific purpose of the Foundation is "to establish, operate, and maintain one or more legitimate theatres in the City of San Diego," and to promote, either alone or in cooperation with other non-profit organizations or governmental entities, theatre and fine arts in the City of San Diego, through educational, cultural, and artistic programs; and

WHEREAS, the Foundation's Bylaws provide that the Council shall appoint fifty percent plus one of the authorized number of members on the Board of Directors of the Foundation, and the rest of the directors shall be appointed by Horton Plaza, LLC; and

WHEREAS the Foundation amended its Bylaws on May 24, 2022, to increase the total number of Foundation board members from seven to nine. Of the nine board members, five are to be appointed by the Council; and

WHEREAS, currently, two of the Council appointed seats on the Board of Directors of the Foundation are open, one with a term ending June 7, 2025, due to the creation of a new seat, and one with a term ending June 7, 2023, due to a vacancy; and

WHEREAS, directors appointed by the Council shall serve a term of three years; and

WHEREAS, a director shall hold office until the expiration of the term for which the director was appointed, and until a successor has been appointed and qualified; and

WHEREAS, the following nominations have been made:

(1) Suzanne R. Varco; and

(2) Jennifer Noel Gattey.

WHEREAS, Council considered the nominees pursuant to the procedure set forth in Council Policy 000-13; and

WHEREAS, the Council now seeks to make two appointments to the Foundation's Board of Directors; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff including information provided by affected third parties and verified by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the following appointments by the Council, to serve as members of the Board of Directors of the Horton Plaza Theatres Foundation, for terms ending as indicated, are made and hereby confirmed:

<u>NAME</u>	<u>TERM ENDING</u>
Suzanne R. Varco (Bonita) (Filling a new seat)	June 7, 2025
Jennifer Noel Gattey (District 3) (Filling seat previously held by Larry Marshall)	June 7, 2023

BE IT FURTHER RESOLVED, that pursuant to Council Policy 000-13, for purposes of deliberation and consideration of appointment, it is determined that Suzanne R. Varco is a resident of San Diego County, but not the City of San Diego, and has unique qualifications to serve as a member of the Foundation's Board of Directors, therefore, a conscious exception to Council Policy 000-13 is hereby declared.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/Kathy J. Steinman
Kathy J. Steinman
Deputy City Attorney

KJS:jvg
July 27, 2022
Or.Dept: Mayor
CC No. N/A
Doc. No. 3042272

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of AUG 01 2022.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 8/8/22
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on August 1, 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 09 2022.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA

Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

314279

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