



STAFF REPORT

CONSIDERATION OF RESOLUTION AMENDING THE BYLAWS TO REFLECT A CHANGE IN TIME AND PLACE OF THE REGULAR MEETING OF THE BELMONT REDEVELOPMENT AGENCY

Honorable Chair and Board Members:

Summary

The Bylaws of the Redevelopment Agency should be amended to reflect the official address change of City Hall. Other minor modifications to the Bylaws are being proposed as “cleanup” items.

Background

The Redevelopment Agency was established in 1981, and RDA Resolution RA-1, also adopted in 1981, established the Bylaws of the Agency. In 1984 the Bylaws were amended to reduce the number of monthly meetings from two to one. No other modifications have been made since that date.

Discussion

Staff proposes modifications to the Bylaws as noted in the attached Draft (Attachment B). Listed below are the proposed changes.

1. Article I, Section 2: Change the address of City Hall to reflect the new address.
2. Article III, Section 1: Ditto.
3. Article III, Section 2: Remove reference to specific time and add language to note that the starting time for meetings are set forth in Council Protocols.
4. Article III, Section 3: Add language to allow flexibility for adjusting meeting day/date if the regular meeting date falls on a holiday.
5. Article III, Section 8: Amend the Order of Business to reflect current practice.

Fiscal Impact

No fiscal impact.

Public Contact

This item was placed on the RDA Agenda. No other public contact is required.

Recommendation

Staff recommends adoption of a resolution (Attachment A) amending the Redevelopment Agency Bylaws and Regulations.

Alternatives

Provide other items to be included in amendment.
Request additional information or research by staff.
Continue for further discussion or direction.
Take no action.

Attachments

- A. Resolution.
- B. Bylaws and Regulations with proposed amendments.

Respectfully submitted,

Terri Cook
Agency Secretary

Daniel Rich
Interim Executive Director

RESOLUTION NO. _____

**RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF BELMONT
AMENDING THE BYLAWS TO REFLECT A CHANGE IN TIME AND PLACE OF
THE REGULAR MEETING OF THE BELMONT REDEVELOPMENT AGENCY**

WHEREAS, on May 12, 1981, the City of Belmont adopted Ordinance No. 689 creating a redevelopment agency;
and,

WHEREAS, on June 23, 1981, pursuant to Section 33125(d) of the Health and Safety Code, the Redevelopment
Agency adopted Resolution RA-1 establishing Bylaws and Regulations for said Agency, which was subsequently
amended in 1984 by Resolution RA-28; and,

WHEREAS, the need for additional modifications to the Bylaws and Regulations is necessary, to wit:

1. *Article I, Section 2: Change the address of City Hall to reflect new address.*
2. *Article III, Section 1: Change the address of City Hall to reflect new address.*
3. *Article III, Section 2: Remove reference to specific time and add language to note that the starting time for meetings are set forth in Council Protocols.*
4. *Article III, Section 3: Add language to allow flexibility for adjusting meeting day/date if the regular meeting date falls on a holiday.*
5. *Article III, Section 8: Amend the Order of Business to reflect current practice.*

NOW, THEREFORE, BE IT RESOLVED that the Redevelopment Agency of the City of Belmont adopt the
amendments to the Bylaws and Regulations of the Redevelopment Agency as noted above, as reflected in Exhibit A
hereto.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the Redevelopment
Agency of the City of Belmont at a regular meeting thereof held on April 12, 2005, by the following vote:

AYES, DIRECTORS: _____

NOES, DIRECTORS: _____

ABSTAIN, DIRECTORS: _____

ABSENT, DIRECTORS: _____

Secretary, Redevelopment Agency

APPROVED:

Chair, Redevelopment Agency

(Exhibit A)
BELMONT REDEVELOPMENT AGENCY
BYLAWS AND REGULATIONS

ARTICLE I - THE AGENCY

1. Name. The official name of the Agency shall be "Redevelopment Agency of the City of Belmont."
2. Office. The office of the Agency shall be City Hall, City of Belmont, One Twin Pines Lane, Belmont, California 94002.
3. Seal. The seal of the Agency shall consist of an impression made with a seal press in the form of a circle around the perimeter of which shall appear the name of the Agency and the State, to wit: REDEVELOPMENT AGENCY OF THE CITY OF BELMONT, CALIFORNIA. In the center of the seal shall appear the year of its creation - 1981.

ARTICLE II - OFFICERS

1. Officers. The officers of the Agency shall be a Chairman, a Vice-Chairman, an Executive Director, a Treasurer, and a Secretary.
2. Additional Officers and Assistant Officers. The Agency may by resolution appoint such additional officers, establish their terms of office and define their duties as the Agency determines necessary or desirable.
3. Chairman. The Chairman shall preside at all meetings of the Agency. Except as otherwise authorized by resolution of the Agency, the Chairman shall sign all contracts, deeds and other instruments executed by the Agency. At each meeting, the Chairman shall submit such recommendations and information as he may consider proper concerning the business, affairs and policies of the Agency, and shall be entitled to vote on all matters coming before the Agency.
4. Vice Chairman. The Vice Chairman shall perform the duties of the Chairman in the absence or incapacity of the Chairman; and in case of the resignation or death of the Chairman, the Vice Chairman shall perform such duties as are imposed on the Chairman until such time as a new Chairman is in office.
5. Executive Director. The Executive Director shall serve as administrative chief of the Agency, shall be directly responsible to it, and, subject thereto, shall have complete control

of the responsibility for the execution of the Agency's policies, the administration of its affairs, and the fulfillment of such other duties as from time to time the Agency may impose on him. The Executive Director shall appoint and have supervision of the Agency's personnel. At each meeting of the Agency, the Executive Director shall supply its members with such information and make such recommendations as shall be necessary to effect the purpose of the Agency and for the proper administration of its affairs. The Executive Director may execute all documents, of whatever description, upon prior authorization of the Agency.

6. Treasurer. The Treasurer shall be responsible for ascertaining that all funds of the Agency are deposited in the name of the Agency in such bank or banks, or such special trust fund or funds with the Treasury of the City, as the Agency may select. The Treasurer shall give such bond for the faithful performance of the duties as Treasurer as the Agency may determine. All checks issued by the Agency shall be signed and/or countersigned by a person or persons designated by resolution of the Agency. All persons so designated shall be bonded for faithful performance of duty as determined by the Agency.
7. Secretary. The Secretary shall keep the records of the Agency and record all votes, and shall keep a record of the proceedings of the Agency in a journal of proceedings to be kept for such purposes, and shall perform all duties incident to his office. The Secretary shall keep in safe custody the seal of the Agency and shall have power to affix such seal to all contracts and instruments authorized to be executed by the Agency. Except as otherwise provided by the Agency, the Secretary shall countersign all contracts, deeds and other instruments executed by the Agency.
8. Additional Duties. The officers of the Agency shall perform such other duties and functions as may from time to time be required by the Agency, by the Law, or by these bylaws and regulations.
9. Certain Offices. No member of the Agency shall be eligible for the office of Executive Director, Treasurer or Secretary except as a temporary appointee. The Executive Director may serve as the Secretary.
10. Additional Personnel. The Agency may from time to time employ, retain or use the services of such personnel as it deems necessary to exercise its powers, duties, and functions as prescribed by the Law, and all other laws of the State of California applicable thereto. The

approval of additional positions and specifications therefore, and compensation of such personnel (including the Executive Director, Treasurer and Secretary), shall be determined by the Agency subject to the laws of the State of California.

ARTICLE III - MEETINGS

1. Meeting Place. All meetings of the Agency shall be in Council Chambers, One Twin Pines Lane, Belmont, California. The Agency may at any time fix or adjourn to another meeting place, notice to be given thereof. If by reason of fire, flood, earthquake or other emergency, it shall be unsafe to meet in the place designated, the meetings may be held for the duration of the emergency at such place as is designated by the Chairman.
2. Regular Meetings. Regular meetings shall be held on the fourth Tuesdays of each and every month immediately preceding the regular meeting of the City Council of the City or, if such Council shall not have met on such day, then at the time specified in Council Protocols on such day.
3. Holidays. In the event the day of a regular meeting shall be a legal holiday, then such regular meeting shall be held on the next business day, at the same hour specified for such meeting, or as otherwise provided by motion of the Directors of the Agency.
4. Adjourned Regular Meeting. An adjournment of the City Council of the City, on the day of a regular meeting of the Agency, to a day certain shall be deemed to be an adjournment of the regular meeting of the Agency and a meeting of the Agency held at such time shall be an adjourned regular meeting, provided, further, that the members of the Agency may adjourn to another day certain.
5. Special Meetings. A special meeting may be called pursuant to Section 54956 of the Government Code of the State of California, as amended.
6. Meetings to be Open and Public; Executive Sessions. All legislative sessions of the Agency, whether regular or special, shall be open and public, and all persons shall be permitted to attend any such session of the Agency. All adjourned and special meetings, and closed sessions of the Agency shall be governed by Section 54950 through 54957 of the Government Code of the State of California, as amended.
7. Quorum. The powers of the Agency shall be vested in the members thereof in office. A majority of members of the Agency shall constitute a quorum for the purpose of conducting

its business and exercising its powers and for all other purposes, but a smaller number may adjourn from time to time until a quorum is obtained.

8. Order of Business. At the regular meetings of the Agency the following shall be the order of business:

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Public and Director Comments
4. Consent Calendar
5. Additional Business
6. Adjournment

The order of business at any one regular meeting may be changed by the direction of the Chairman.

9. Method of Action. Any action taken by the Agency shall be only by ordinance, resolution, or motion. Action may be taken by the Agency upon a majority vote of the quorum of the Agency there present and voting, except as otherwise required by the Law or these bylaws and regulations.

10. Recording Vote. Except where action shall be taken by unanimous vote of all members present and voting, the ayes and noes shall be taken on all actions had.

11. Ordinances and Resolutions. The enacting clauses of all ordinances passed by the members of the Agency shall be these words: "Be it ordained by the Redevelopment Agency of the City of Belmont, California, as follows:"All ordinances and resolutions of the Agency shall be signed by the Chairman and attested by the Secretary.

12. Manner of Voting. The voting on resolutions and ordinances and on such other matters as may be requested by a majority of the Agency members shall be by roll call, and the ayes and noes and members present and not voting shall be entered upon the minutes of such meeting.

13. Compensation. Compensation for members for attendance at meetings of the Agency and expenses incurred by members in the discharge of their duties shall be as determined by the Agency, subject to the limitations set forth in Sections 33114 and 33114.5 of the Law.

ARTICLE IV - AMENDMENTS

1. Amendments to Bylaws and Regulations. The Bylaws and Regulations of the Agency shall be amended only with the approval of at least three members of the Agency.