

JUN 13 2007

# **CHARTER OF THE CITY OF VISTA**

**(Filed with Secretary of State on June 13, 2007)**

## ***PREAMBLE***

**WE THE PEOPLE** of the City of Vista declare our intent to restore to our community the historic principles of self governance inherent in the doctrine of home-rule. Sincerely committed to the belief that local government has the closest affinity to the people governed, and firm in the conviction that the economic and fiscal independence of our local government will better serve and promote the health, safety and welfare of all the citizens of this City, we do hereby exercise the express right granted by the Constitution of the State of California to enact and adopt this Charter for the City of Vista.

## ***CHARTER***

### **Article 1 Municipal Affairs**

#### **Section 100. Municipal Affairs**

Each of the responsibilities of governance set forth and described in this Charter, and as established by the Constitutional, statutory and judicially defined law of the State of California, is hereby declared to be a municipal affair or concern, the performance of which is unique to the benefit of the citizens of the City of Vista.

#### **Section 101. Powers**

The City shall have all powers that a City can have under the Constitution and laws of the State of California as fully and completely as though they were specifically enumerated in this Charter. The enumeration in this Charter of any particular power, duty or procedure shall not be held to be exclusive of, or any limitation or restriction upon, this general grant of power.

## **Section 102. Incorporation and Succession**

The City shall continue to be a municipal corporation known as the City of Vista. The boundaries of the City of Vista shall continue as now established until changed in the manner authorized by law. The City shall remain vested with and shall continue to own, have, possess, control and enjoy all property rights and rights of action of every nature and description owned, had, possessed, controlled or enjoyed by it at the time this Charter takes effect, and is hereby declared to be the successor of same. It shall be subject to all debts, obligations and liabilities, which exist against the City at the time this Charter takes effect. All lawful ordinances, resolutions, rules and regulations, or portions thereof, in force at the time this Charter takes effect and not in conflict with or inconsistent herewith, are hereby continued in force until the same have been duly repealed, amended, changed or superseded by proper authority.

## **Article 2 Form of Government**

### **Section 200. Form of Government**

The municipal government established by this Charter shall be known as the "Council-Manager" form of government. The City Council will establish the policy of the City and the City Manager will carry out that policy.

## **Article 3 Fiscal Matters**

### **Section 300. Public Works Contracts**

The City is exempt from the provisions of all California statutes regulating public contracting and purchasing except as provided by ordinance or by agreement approved by the City Council. The City shall establish all standards, procedures, rules or regulations to regulate all aspects of public contracting.

### **Section 301. Economic and Community Development**

The City shall encourage, support, and promote economic development and community development in the City.

## **Article 4 Revenue Retention**

### **Section 400. Reductions Prohibited**

Revenues raised and collected by the City shall not be subject to subtraction, retention, attachment, withdrawal or any other form of involuntary reduction by any other level of government.

### **Section 401. Mandates Limited**

No person, whether elected or appointed, acting on behalf of the City, shall be required to perform any function which is mandated by any other level of government, unless and until funds sufficient for the performance of such function are provided by said mandating authority.

## **Article 5 General Laws**

### **Section 500. General Law Powers**

In addition to the power and authority granted by the terms of this Charter and the Constitution of the State of California, the City shall have the power and authority to adopt, make, exercise and enforce all legislation, laws and regulations and to take all actions and to exercise any and all rights, powers, and privileges heretofore or hereafter established, granted or prescribed by any law of the State of California or by any other lawful authority. In the event of any conflict between the provisions of this Charter and the provisions of the general laws of the State of California, the provisions of this Charter shall control.

## **Article 6 Interpretation**

### **Section 600. Construction & Interpretation**

The language contained in this Charter is intended to be permissive rather than exclusive or limiting and shall be liberally and broadly construed in favor of the exercise by the City of its power to govern with respect to any matter which is a municipal affair.

### **Section 601. Severability**

If any provision of this Charter should be held by a court of competent jurisdiction to be invalid, void or otherwise unenforceable, the remaining provisions shall remain enforceable to the fullest extent permitted by law.

**AUTHENTICATION  
AND  
CERTIFICATION**

Authenticated and certified to be a true copy by Mayor Morris B. Vance and  
City Clerk Marci Kilian.

Date of Municipal Election: June 5, 2007.

  
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**Morris B. Vance, Mayor**

  
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**Marci Kilian, City Clerk**



**DEBRA BOWEN | SECRETARY OF STATE | STATE OF CALIFORNIA**  
**BUSINESS PROGRAMS | SPECIAL FILINGS**

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June 13, 2007

Marci Kilian, City Clerk  
City of Vista  
600 Eucalyptus Ave.  
Vista, CA 92084-6240

A Charter for the City of Vista, ratified by the voters at the election on June 5, 2007, was filed in this office on June 13, 2007 and assigned Charter Chapter Number 13 for publication in the Statutes of 2007.

Sincerely,

Special Filings Unit

**RECEIVED**

**JUN 13 2007**

**CITY CLERK  
CITY OF VISTA, CA**