



CITY COUNCIL AGENDA STATEMENT



September 11, 2018

File ID: 18-0391

TITLE

A. DELIBERATION AND NOMINATIONS OF APPLICANTS TO BE INTERVIEWED FOR THE FOLLOWING AT-LARGE MEMBER SEATS ON THE MEASURE A CITIZENS' OVERSIGHT COMMITTEE:

- AT-LARGE MEMBER - DISTRICT 1 REPRESENTATIVE: Becky Cortez, Nadia Kean-Ayub, Marc Marconi, Tim Marsh, Quentin Redman, Phillip Rhamy, David Stucky, and Bernardo Vasquez
- AT-LARGE MEMBER - DISTRICT 2 REPRESENTATIVE: Pedro Anaya, Jan High, Kevin O'Neill, Joseph Raso, Tom Salvestrini, Daniel Vaccaro, and Maria Whitehorse
- AT-LARGE MEMBER - DISTRICT 3 REPRESENTATIVE: Jennifer Becker, John McKay, Heather Rubio, Jose Serrato, and Nick Todaro

B. SELECTION OF DATE AND TIME OF OPEN MEETING OR MEETINGS TO CONDUCT INTERVIEWS OF:

- APPLICANTS RECEIVING TWO OR MORE NOMINATIONS FOR THE AT-LARGE MEMBER SEATS FOR DISTRICTS 1, 2, AND 3
- ALL APPLICANTS FOR THE AT-LARGE MEMBER - DISTRICT 4 REPRESENTATIVE SEAT; AND
- ALL APPLICANTS FOR THE SEVEN DESIGNATED MEMBER SEATS (AS DEFINED IN CVMC 2.63.050(C))

RECOMMENDED ACTION

Council nominate applicants to be interviewed for applicable At-Large Member seats, discuss and provide staff with direction regarding the interview process, and select date(s) and time(s) for an open meeting or meetings to conduct required interviews.

ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines because it will not result in a physical change in the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Thus, no environmental review is required.

BACKGROUND

In June 2018, Chula Vista voters approved Measure A, a half-cent general transactions and use tax, which included provisions for citizens' oversight, separate accounting, and independent audits. As a result, the Chula Vista City Council established the Measure A Citizens' Oversight Committee (COC) to review and report on compliance with the provisions of Measure A, particularly with respect to the City's accounting and expenditure of Measure A revenues.

The Measure A COC will be comprised of 11 members:

- Four (4) At-Large Members, consisting of one resident from each of the four City Council districts; and
- Seven (7) Designated Members, who are nominated by "nominating authorities," described in Chula Vista Municipal Code (CVMC) section 2.63.050(C).

The City Clerk's Office received 31 qualified applications from individuals interested in serving on the Measure A COC.

Additional details related to the Measure A Citizens' Oversight Committee are described in Ordinance 3438 (Attachment 1). The Measure A COC must be convened prior to October 1, 2018, pursuant to CVMC section [3.34.160\(D\)](#). A timeline of the appointment process for the Measure A COC is attached (Attachment 2).

APPOINTMENT PROCESS

The next steps in the process are:

- A. The City Council will make nominations for interviews for the At-Large Member seats for which five or more applications were received; and
- B. The City Council will set a date or dates to hold an open meeting or meetings to conduct the required interviews for all seats.

ITEM A: NOMINATIONS FOR INTERVIEWS REQUIRED

Appointments to the At-Large Member (District Representative) Seats are conducted in accordance with CVMC chapter [2.53](#). For any seat receiving five or more applications, the Council nominates applicants to be interviewed. Applicants receiving two or more nominations will be invited to interview. For seats that received four or fewer applications, all applicants are invited to interview.

In accordance with CVMC section [2.53.040](#), any member of the public, including any individual submitting a qualified application, shall be afforded the opportunity to speak to the nomination item. Following the public comment period, the Mayor and each Councilmember will complete a form indicating one or more applicant each wishes to nominate for an interview and provide the form to the City Clerk. The City Clerk will then announce the names of each applicant who receives two or more nominations. The nomination forms will be public record and available for public review.

The initial recruitment for the Measure A COC resulted in five or more applications being received for the following At-Large Member seats; therefore, nominations for interviews are required for these seats:

- At-Large Member - District 1 Representative
- At-Large Member - District 2 Representative
- At-Large Member - District 3 Representative

Applications for these seats are provided as Attachment 3. Pursuant to the appointment process, the Council shall independently review the applications. The list of applicants for these seats is as follows:

At-Large Member - District 1 Representative:

- Becky Cortez
- Nadia Kean-Ayub
- Marc Marconi
- Tim Marsh
- Quentin Redman
- Phillip Rhamy
- David Stucky
- Bernardo Vasquez

At-Large Member - District 2 Representative:

- Pedro Anaya (*currently serving on the Planning Commission*)
- Jan High
- Kevin O'Neill
- Joseph Raso
- Tom Salvestrini
- Daniel Vaccaro
- Maria Whitehorse

At-Large Member - District 3 Representative:

- Jennifer Becker
- John McKay
- Heather Rubio
- Jose Serrato
- Nick Todaro

At-Large Member - District 4 Representative: Fewer than five applications were received for this seat, therefore, nominations are not required and all applicants will be invited to interview.

ITEM B: FUTURE INTERVIEWS OF ELIGIBLE APPLICANTS

Recommended Action: Council select a date or dates to conduct interviews of eligible applicants.

Following the nominations for interviews in Item A, the City Council will select a date and time to conduct the required interviews for all seats. All interviews will be conducted during an open meeting or meetings of the City Council, at which any member of the public will be provided an opportunity to speak before and after the interviews, in accordance with CVMC section [2.53.040](#). Typically, 10 minutes is allotted for each applicant's interview and interviews are held at City Hall in the Executive Conference Room; however, the Council may provide other direction to staff.

The following applicants will be invited to interview at a future meeting of the Council:

- Applicants for At-Large Member seats who received two or more nominations as part of Item A, above;
- All At-Large Member – District 4 Representative applicants, since fewer than five applications were received; and
- All Designated Member applicants, in accordance with CVMC 2.63.060. Nominating Authorities have submitted the name(s) of their nominee(s) to the City Clerk, who has obtained an application from each nominee.

Although Council’s action at this time is only to set the date(s) to hold interviews, the applications for the District 4 and all Designated Member seats have been included as Attachment 4, to allow sufficient time for Council and public review. Pursuant to the appointment process, the Council shall independently review the applications.

DECISION-MAKER CONFLICT

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the 500-foot rule found in California Code of Regulations Title 2, section 18702.2(a)(11), is not applicable to this decision for purposes of determining a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov’t Code § 87100, et seq.).

Staff is not independently aware, and has not been informed by any Councilmember, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

LINK TO STRATEGIC GOALS

The City’s Strategic Plan has five major goals: Operational Excellence, Economic Vitality, Healthy Community, Strong and Secure Neighborhoods and a Connected Community. The boards and commissions program supports the Connected Community goal. Members of the City’s boards and commissions play a vital role by participating in the City’s processes and helping influence public policy with their diverse viewpoints.

CURRENT-YEAR FISCAL IMPACT

There is no impact on the general fund.

ONGOING FISCAL IMPACT

There is no ongoing fiscal impact.

ATTACHMENTS

1. Ordinance 2018-3438
2. Measure A Citizens’ Oversight Committee Appointment Timeline
3. Applications Packet - Council Nominations for Interview Required (Item A)
4. Applications Packet - All Other Applications to be Interviewed at Future Meeting
5. Applicant Spreadsheet

Staff Contact: Leah Larrarte