



City of Chula Vista

Staff Report

File#: 14-0450, **Item#:** 5.

RESOLUTION NO. 2014-167 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE APPOINTMENT OF THREE DISTRICTING COMMISSION MEMBERS, PURSUANT TO CHARTER SECTION 300.5.D.

RECOMMENDED ACTION

Council adopt the resolution.

SUMMARY

The City's Charter requires that the City Council approve the selection of the final three Districting Commission members, as selected by the initial Districting Commission, consisting of four members. The Districting Commission has selected the final three members and their selection is presented to the City Council for final approval.

ENVIRONMENTAL REVIEW

The Development Services Director 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(b)(5) of the State CEQA Guidelines because it involves only approval of the appointment of three individuals to the Districting Commission and, therefore, is an organizational or administrative activity of government that will not result in a direct or indirect physical change in the environment. Accordingly, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary.

BOARD/COMMISSION RECOMMENDATION

The Districting Commission recommends that the City Council approve the appointment of the three recommended individuals to the Districting Commission.

DISCUSSION

The City Charter was amended in 2012 to provide that the City Council members would be elected by-district, rather than at-large, beginning with the 2016 election cycle. Charter Section 300.5 mandates the establishment of a Districting Commission to recommend for City Council approval a Districting Plan establishing four Council districts. In an effort to have the Council districts determined sufficiently in advance of the 2016 elections, City staff has begun the process of establishing the Districting Commission.

The process for selection Districting Commission members began with the solicitation of applications. The City received 25 applications which met the minimum qualifications. Pursuant to the Charter, the Charter Review Commission ("CRC") then undertook the task of selecting the ten most qualified applicants. The CRC reviewed the applications, considered input from the City's Human Resources staff regarding the City's ethnic and racial make-up, based on the most recent census data, and received public comment. It then invited 17 applicants to attend a CRC meeting and provide oral

statements. From those, the CRC selected the final pool of ten candidates, at the CRC meeting on July 30, 2014. Pursuant to the procedures set forth in Section 300.5 and Chula Vista Municipal Code section 2.51, the City Clerk then randomly selected four of the candidates: Rita Buencamino-Andrews, Dr. John Korey, Reymond Monzon and William Richter. Those four candidates were sworn in as the first Districting Commission members.

The initial Districting Commission of four members is tasked with selecting the final three members from among the six remaining candidates in the pool of ten. After selection by the Districting Commission, those final three members shall then be approved by the City Council. Specifically, Section 300.5.D.3. provides:

“Three Commission Members shall be selected by the randomly selected Commission Members from the pool of eligible applicants, subject to approval by the City Council. The goal of such selections shall be to ensure that, to the extent possible and as permitted by law, the Commission includes:

- a. Women and me who reflect the racial, ethnic, and geographic diversity of the City;
- b. Persons who have relevant knowledge and/or demonstrated analytical abilities that would allow the Commission to carry out its responsibilities with a high degree of competence;
- c. Persons who have demonstrated the ability to serve impartially in a nonpartisan role;
- d. Persons who have experience in the areas of public communication and/or public outreach in the City; and
- e. Persons who have experience in civic and/or volunteer activities in the City.

The City Council shall approve nominees for selection to the Commission unless the City Council finds by at least four (4) affirmative votes that the approval of one or more of the nominees would be inconsistent with this goal. In such case, the City Council shall approve for selection to the Commission one or more persons from the remaining pool of eligible applicants.”

Appointment of the recommended candidates will be accomplished by a majority vote of the City Council. If, for some reason, four members of the City Council determine that appointment of any one of the nominees would be inconsistent with the Charter’s enumerated goals, the Council must approve one of the remaining candidates. This would be done at the next City Council meeting, after the City Council members have had an opportunity to review the applications of the remaining three candidates. (Chula Vista Municipal Code section 2.51.060.L.)

In accordance with the Charter and the Municipal Code, the Districting Commission met on August 6, 2014, at a public meeting. They reviewed the applications of the remaining six candidates, received input from the City staff regarding the City’s census data, and the ethnic, gender and geographic information of the candidates, and considered public comment. They then selected the following three candidates: Patricia Chavez, Cheryl Goddard and Jerome Torres. Attachment 1 to this staff report contains the applications for the three nominees, as

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well as the four initial Districting Commission members. The Districting Commission submits the three selected candidates to the City Council for approval.

Once the three candidates are approved for appointment, the full Commission can begin its task of identifying proposed district boundaries for recommendation to the City Council.

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 section 18704.2 (a)(1), is not applicable to this decision. Staff is not independently aware, and has not been informed by any City Council member, 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. This action is the next step to implement the voter-approved district elections system for City Council members, which will further the City's efforts toward its goal of a Connected Community, by implementing the will of the voters, and allowing the residents of each district to elect one of its own residents to the City Council.

CURRENT YEAR FISCAL IMPACT

There is no fiscal impact as a result of this action.

ONGOING FISCAL IMPACT

There is no fiscal impact as a result of this action.

ATTACHMENTS

Attachment 1: Applications of Districting Commission members and recommended appointees

Staff Contact: Jill Maland