



# CITY COUNCIL STAFF REPORT



**January 24, 2023**

## **ITEM TITLE**

District 3 City Councilmember Vacancy: Determine Interview Questions, Interview Finalists, Make the Appointment to Fill the Vacancy For the Remaining Term, and Administer the Oath of Office to the Newly Appointed Councilmember

**Report Number:** 23-0037

**Location:** No specific geographic location

**Department:** City Clerk

**Environmental Notice:** The activity is not a "Project" as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

## **Recommended Action**

- A) Discuss and determine the interview questions to ask each finalist
- B) Conduct the interviews of the finalists in the following randomly determined order: Tanya Williams, David Diaz, Griselda Delgado, Sophia Rodriguez, Alonso Gonzalez, Nimpa Akana, Gian Ghio, Victor Lopez, Daniel Rice (Vazquez), and Devonna Almagro
- C) Deliberate and Appoint one person to fill the District 3 City Councilmember vacancy
- D) Oath of Office for Newly Appointed District 3 City Councilmember

## **SUMMARY**

The City Council nominated ten finalists to be interviewed to fill the District 3 City Councilmember vacancy for the term ending in December 2024. At this meeting, the City Council will determine the questions that will be asked of each finalist, conduct the interviews of all finalists, and deliberate and appoint one person to fill the District 3 City Councilmember seat. The City Clerk will then administer the oath of office for the newly appointed City Councilmember.

## ENVIRONMENTAL REVIEW

The Director of Development Services has received 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.

## BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

## DISCUSSION

### BACKGROUND

At the January 17, 2023 City Council meeting, the City Council nominated ten finalists from the pool of 17 qualified applicants. The nomination forms were added to the agenda packet for that meeting and are available for public review at the Office of the City Clerk. Additional background on the nominations is included in the original staff report from the January 17, 2023 meeting, provided as Attachment 1.

### FINALISTS

Order of Interviews. On January 18, 2023, at 3 p.m., in the City Hall main lobby, the City Clerk conducted a public random drawing of names to determine the order of interviews. Finalists will be interviewed in the following order:

1. Tanya Williams
2. David Diaz
3. Griselda Delgado
4. Sophia Rodriguez
5. Alonso Gonzalez
6. Nimpa Akana
7. Gian Ghio
8. Victor Lopez
9. Daniel Rice (Vazquez)
10. Devonna Almagro

Dissemination of Economic Interests Disclosure Forms. At the direction of the City Council, the City Clerk notified the finalists of the required economic interests disclosure form, which was due on January 19, 2023. The disclosure forms and applications for all finalists will be added as Attachment 2 to this item on January 20, 2023.

Finalists Requested to Exit Council Chambers Until Interview. Before the City Council begins discussion on this item, out of respect for the interview process, all finalists will be asked to provide their cell phone to the City Clerk and wait in the main City Hall lobby until their interview.

## **ACTION A: DETERMINATION OF INTERVIEW QUESTIONS**

At the meeting on January 17, the City Council decided that the interview questions would be determined at the meeting on January 24, before interviews began. Each City Councilmember will ask two questions for a total of eight questions; the same eight questions will be asked of all candidates. Under this portion of the item, the City Council will discuss and decide on the questions each will ask.

Public comment on this item will be permitted before the City Council discusses the interview questions. Public comment will be permitted again after all of the interviews are completed.

## **ACTION B: CONDUCT THE INTERVIEWS**

At the meeting on January 17, 2023, the City Council determined interview and appointment process details, a summary of which is provided in Attachment 3. A synopsis of the process to be used for interviews is as follows:

1. Each City Councilmember will ask two questions for a total of eight questions; the same eight questions will be asked of all candidates.
2. Interviews will be 20 minutes long and will consist of: (A) candidate opening statements (up to three minutes), (B) questions and answers, and (C) candidate closing statements (up to two minutes).
3. After their interview, the finalist may collect their cell phone from the City Clerk.
4. Public comments will be accepted after all interviews are completed and before deliberations begin, in accordance with Chula Vista Municipal Code [Chapter 2.53](#).

## **ACTION C: DELIBERATE AND APPOINT**

At the meeting on January 17, the City Council expressed its intent to make the appointment on January 24, with the appointed member being sworn in that evening. The process for appointment shall proceed as follows:

1. Following all interviews and public comment, in seniority order, each City Councilmember will have the opportunity to make a nomination and request a second. The seniority order is Mayor McCann, Deputy Mayor Preciado, Councilmember Cardenas, and Councilmember Chavez.
2. Each such nomination will be held without action (i.e., no vote will be taken) until each City Councilmember has had the opportunity to make a nomination.
3. The nominations will be taken up for a vote in the same seniority-based order. If a motion fails, the next motion in the rotation will be voted upon.
4. If none of the initial motions receives three or more votes, the rotation of making a nomination will begin again in the same seniority order; provided, however, after the first round of nominations, any motion for an appointment that receives a second shall be immediately voted upon, instead of being held in abeyance.
5. The first affirmative vote of at least three City Councilmembers to make the appointment will result in that person being appointed to fill the District 3 City Councilmember vacancy.

## **ACTION D: OATH OF OFFICE FOR NEWLY APPOINTED DISTRICT 3 CITY COUNCILMEMBER**

Following the appointment, the City Clerk will swear in the newly appointed District 3 City Councilmember. The District 3 City Councilmember will sit on the dais for the remainder of the meeting.

## **DECISION-MAKER CONFLICT**

Staff has received the decision contemplated by this action and has determined that it is not site-specific and consequently, the real property holdings of the City Council members do not create 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 City Councilmember, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

## **CURRENT-YEAR FISCAL IMPACT**

This item will have no impact on the general fund.

## **ONGOING FISCAL IMPACT**

There is no ongoing fiscal impact.

## **ATTACHMENTS**

1. Original staff report from City Council item for nominations heard on January 17, 2023
2. Finalists' applications and economic interests disclosure forms
3. Summary of the process for interviews and appointment, as decided by the City Council on January 17, 2023

Staff Contact: Kerry K. Bigelow, MMC, City Clerk, and Cristina Hernandez, City Clerk Analyst