



CITY COUNCIL STAFF REPORT



April 4, 2024

ITEM TITLE

District 4 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: 24-0115

Location: No specific geographic location

Department: City Clerk

G.C. § 84308: No

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) Direct the City Clerk to determine the order of interviews by random lot
- B) Discuss and determine the interview questions to ask each finalist
- C) Conduct the interviews of the finalists: Christine Brady, Sharmane Estolano, Megan Moore, Rachel Morineau, Guadalupe Ruiz, Nicholas Segura Jr., John Volland, and Daniel Zavala-Soto
- D) Deliberate and appoint one person to fill the District 4 City Councilmember vacancy
- E) Oath of office for newly appointed District 4 City Councilmember

SUMMARY

The City Council determined that all eight qualified applicants would be interviewed to fill the District 4 City Councilmember vacancy for the term ending in December 2024. At this meeting, the City Council will determine the order of interviews and the questions that will be asked of each finalist, conduct the interviews of all finalists, deliberate, and appoint one person to fill the District 4 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 March 19, 2024 City Council meeting, the City Council opted to interview all eight qualified applicants.

Finalists. The qualified applications are provided in Attachment 1. The names of all qualified applicants are as follows (in alphabetical order by last name):

- Christine Brady
- Sharmane Estolano
- Megan Moore
- Rachel Morineau
- Guadalupe Ruiz
- Nicholas Segura Jr.
- John Volland
- Daniel Zavala-Soto

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 March 27, 2024. The disclosure forms have been provided in Attachment 2.

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: ORDER OF INTERVIEWS

At the meeting on February 26, 2024, the City Council decided that before the interviews, the City Clerk would conduct a random drawing to determine the order of interviews.

ACTION B: DETERMINATION OF INTERVIEW QUESTIONS

At the meeting on March 26, 2024, the City Council decided that the interview questions would be determined at the meeting on April 4, 2024, before interviews began. Each City Councilmember will ask one question for a total of four questions; the same four 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 and again after all the interviews, before the City Council deliberation on the appointment.

ACTION C: CONDUCT THE INTERVIEWS

At the meeting on March 26, 2024, the City Council determined the 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. Public comments will be accepted before the City Council discussion and before the finalists are asked to exit the Council Chambers, in accordance with Chula Vista Municipal Code [Chapter 2.53](#).
2. The finalists will be asked to provide their cell phones to the City Clerk and to exit Council Chambers until their turn to interview.
3. The City Council will discuss and decide on the interview questions.
4. For each interview, each City Councilmember will ask one question for a total of four questions; the same four questions will be asked of all candidates.
5. Interviews will be approximately 10 minutes long and will consist of: (A) candidate opening statement (up to three minutes), (B) questions and answers, and (C) candidate closing statement (up to one minute).
6. After their interview, the finalist may collect their cell phone from the City Clerk and remain in the Council Chambers if they wish.
7. After all interviews are completed and before deliberations begin, public comments will be accepted, in accordance with Chula Vista Municipal Code [Chapter 2.53](#).

ACTION D: DELIBERATE AND APPOINT

At the meeting on March 26, 2024, the City Council expressed its intent to make the appointment on April 4, with the appointed member being sworn in that evening. The appointment process determined by the City Council is 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 Gonzalez, Councilmember Chavez, and Councilmember Preciado.
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 4 City Councilmember vacancy.

ACTION E: OATH OF OFFICE FOR NEWLY APPOINTED DISTRICT 3 CITY COUNCILMEMBER

Following the appointment, the City Clerk will swear in the newly appointed District 4 City Councilmember. The District 4 City Councilmember may 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. Finalists' applications
2. Finalists' economic interests disclosure forms
3. Summary of the process for interviews and appointment, as decided by the City Council on March 26, 2024

Staff Contact: Kerry K. Bigelow, MMC, City Clerk, and Tyshar L. Turner, Deputy Director of City Clerk Services