



## *Memorandum*

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Richard Doyle  
City Attorney

**SUBJECT:** Measure T Community  
Oversight Committee Applicants

**DATE:** February 4, 2020

### **BACKGROUND**

This Office routinely reviews applications to City Boards, Commissions and Committees. The applications do not provide complete information; however, they do occasionally disclose potential conflicts of interest or incompatible offices. The purpose of this memorandum is to highlight major areas of potential conflict that are disclosed by the applications for the Measure T Community Oversight Committee. In order to analyze potential conflicts, it is necessary to consider the duties of the particular commission or committee to which the applicant is seeking appointment.

### **COMMITTEE DUTIES**

The Measure T Community Oversight Committee ("Measure T Committee") was established pursuant to Resolution No. 79165 that the City Council adopted on June 18, 2019. Per Resolution No. 79165, the Measure T Committee is required to meet once each year and has the following responsibilities:

1. Review the expenditure of the proceeds of Measure T Bonds to ascertain consistency with the voter approved purposes for the funds;
2. In connection with the review of expenditures of Measure T Bonds, review and forward to the City Council the City Auditor's separate audit of the proceeds of the Measure T Bonds as well as the Director of Finance's annual report on the amount of Measure T Bonds issued and the amount of ad valorem tax collected for each prior fiscal year ending June 30<sup>th</sup>; and
3. Review the status of projects funded with the proceeds of Measure T Bonds and forward a status report on the pending Measure T projects to the City Council.

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## **COMMITTEE MEMBERSHIP**

The Measure T Committee is to be comprised of fifteen members, with each member nominated pursuant to the process set forth in San José Municipal Code 2.08.180, as may be amended. Each Councilmember recommends one Committee member who is a resident of the district of the nominating Council Office. The Mayor recommends five members as citywide representatives, with each member possessing subject matter expertise in one of the following fields: public safety, environmental issues, labor, business, and finance or accounting. Each of the nominations shall be considered by the full Council for formal appointment. Nominees must be residents of San José. Subject matter expertise in the fields of emergency and disaster response, public safety, finance, and/or transportation is highly desirable.

## **APPLICANTS**

**Ellen Talbo** – Ms. Talbo resides in District 5. She is employed by Santa Clara County as a transportation planner. The spouse portion of her application is marked “N/A.” Ms. Talbo’s application discloses neither incompatible offices nor apparent conflicts of interest.

## **CONCLUSION**

Ms. Talbo resides in San José and does not appear to hold any incompatible offices or to have conflicts of interest that would preclude her from serving on the Measure T Committee. The City Council may wish to consider the above comments in considering the appointment to the Measure T Committee.

RICHARD DOYLE  
City Attorney

By \_\_\_\_\_ /s/  
Danielle Kenealey  
Chief Deputy City Attorney

cc: David Sykes, City Manager  
Toni Taber, City Clerk