



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Toni J. Taber, CMC  
City Clerk

**SUBJECT: PLANNING COMMISSION  
APPOINTMENTS**

**DATE:** June 6, 2018

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## **RECOMMENDATION**

1. Interview applicants for appointment to the Planning Commission;
2. Appoint up to three (3) applicants to the Planning Commission for the term of July 1, 2018 to June 30, 2022;
3. If any vacancy remains, direct the City Clerk to continue recruitment efforts and bring forward additional applicants for consideration within 90 days.

## **OUTCOME**

Appointment of three applicants to the upcoming three (3) vacancies will ensure a full membership on the Planning Commission for the upcoming fiscal year.

## **BACKGROUND**

The Planning Commission, consisting of seven (7) members appointed by the City Council, is established by Section 1000 of the City Charter and San Jose Municipal Code section 2.08.4000. The City Charter states that a Planning Commission member must have been a United States citizen and San Jose resident for at least one year immediately preceding commencement of their term, must be a registered voter at the time of appointment, and must meet these requirements during their term of office. The City Charter provides that the Planning Commission has the following powers and duties:

- (a) Make recommendations to the Council respecting the adoption, amendment, or repeal of master, general, comprehensive, precise or specific plans for future physical development of the City or any part thereof, and periodically review the same;
- (b) Make recommendations to the Council respecting the adoption, amendment or repeal of land use and development regulations, including but not limited to zoning and subdivision regulations;
- (c) Make recommendations to the Council respecting the adoption, amendment or repeal of plans or programs for the redevelopment, rehabilitation or renewal of any areas of the City;
- (d) Make recommendations to the Council respecting capital improvement programs; and

- (e) Exercise such other powers and perform such other functions and duties as may be expressly given to it by other provisions of this Charter, or exercise such other powers or perform such other functions as may be prescribed by the Council not inconsistent with the provisions of this Charter.

There are three (3) upcoming vacancies for the Planning Commission as the terms of three members are set to expire on June 30, 2018. The vacancies term end date is June 30, 2022. The Office of the City Clerk conducted an open recruitment from January 31, 2018 through April 22, 2018. At the close of recruitment sixteen (16) applications were received. Upon review of eligibility, one applicant did not meet the qualifications and withdrew their application.

On May 23, 2018, fifteen (15) applications were transmitted to the Mayor and City Council for review for indication of interest.

### **ANALYSIS**

As required by Council Policy 0-4, applicants receiving indications of interest from four or more Councilmembers have been invited to be interviewed by the City Council on June 19, 2018. Successful applicants must receive six (6) or more votes to be appointed to the Planning Commission. If the seat remains unfilled, it is recommended that the recruitment be referred to the City Clerk to secure additional applicants for consideration by Council in 90 days. After the interviews, the Council may make three appointments for a term ending June 30, 2022. The applicant interview order was determined by using the California Secretary of State's Randomized Alphabet Drawing for the June 5, 2018 Primary Election Ballot. Applicants will be sequestered in another location so that they may not view or hear the interviews of other applicants until they are called to appear. The interview order is:

- Nick Pham
- John Leyba
- Melanie Griswold
- Ryan Carrigan
- Mike D'Ambrosio
- Ada Marquez

Candidate applications and any supporting documentation are attached to this memorandum. Memoranda from the Office of the City Attorney and the Department of Planning, Building, and Code Enforcement regarding their review for potential conflicts of interest, outstanding code enforcement cases, and the department's preliminary review for each applicant are also included.

### **EVALUATION AND FOLLOW-UP**

A core duty of the Office of the City Clerk is to minimize vacancies on the Boards and Commissions.

### **PUBLIC OUTREACH**

The Office of the City Clerk conducted an open recruitment for the vacancies from January 31, 2018 through April 22, 2018 with the following recruitment efforts:

- Council Offices and Board and Commission secretary's newsletters and distribution tools
- Posted on City Manager's Weekly Report
- Posted on the City's main website and Clerk Office's webpage
- Posted on City Calendar
- Distributed to all community centers and library branches

The memorandum has been posted on the City Clerk's website as part of the June 12, 2018 City Council Meeting Agenda.

### **COORDINATION**

This memorandum has been coordinated with the Office of the City Attorney and the Department of Planning, Building, and Code Enforcement.

### **COMMISSION RECOMMENDATION/INPUT**

The recommended actions have no commission input or recommendation.

### **CEQA**

Not a Project, File No. PP17-010, City Administrative Activities, resulting in no changes to the physical environment.



TONI J. TABER, CMC  
City Clerk

For questions, please contact Elaine Trinh, Deputy City Clerk, at (408) 535-1260.