



COUNCIL AGENDA: 9/9/2025
FILE: 25-956
ITEM: 2.7

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Toni J. Taber, MMC
City Clerk

**SUBJECT: BOARDS AND COMMISSIONS
APPOINTMENT**

DATE: September 3, 2025

RECOMMENDATION

Approve the following Boards and Commissions appointments:

(a) Arts Commission:

(1) District 8 Seat: Appoint Carman Gaines for term ending June 30, 2026.

(b) Planning Commission:

(1) District 1 Seat: Appoint Daniel Cao for term ending June 30, 2026.

OUTCOME

Appointment to the vacant seats on the Arts Commission and Planning Commission will allow the commissions to continue conducting business.

BACKGROUND

Section 2.08.180 of the San José Municipal Code (SJMC) indicates that each Councilmember, including the Mayor, shall nominate one Commissioner to each Council-Nominated Commission.

ANALYSIS

The applications of the nominated candidates are attached. A conflict of interest review for Carman Gaines, conducted by the City Attorney's office, identified that it is possible the Arts Commission could consider a matter involving Local Color or other organizations affiliated with Ms. Gaines, which may present an actual conflict or appearance of bias. Ms. Gaines has identified in her application that historically, Local Color has participated in RFQs with the City and is a recipient of the Operating Grant reviewed by the Arts Commission. In such a case, Ms. Gaines may need to disqualify herself from taking part in the Commission's decision on that matter. Otherwise, the application discloses no incompatible offices nor apparent conflicts of interest. The conflict of interest review for Daniel Cao is attached. The candidates were also reviewed by Planning Building and Code Enforcement with no issues.

found. A supplemental memorandum will be posted should additional names be submitted for vacancy nominations.

EVALUATION AND FOLLOW-UP

A duty of the Office of the City Clerk is to minimize vacancies on the Boards and Commissions. The Office of the City Clerk and City Council Offices are still recruiting for additional vacancies.

PUBLIC OUTREACH

The Office of the City Clerk noticed vacancies on the City Clerk's Boards and Commissions webpage.

The memorandum has been posted on the City Clerk's website as part of the September 9, 2025 City Council Meeting Agenda.

COORDINATION

This memorandum has been coordinated with the Office of the City Attorney.

CEQA

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



TONI J. TABER, MMC
City Clerk

For questions, please contact Toni Taber, City Clerk, at (408) 535-1260.