



Memorandum

TO: Honorable Mayor &
City Council

FROM: Toni J. Taber, MMC
City Clerk

SUBJECT: The Public Record
October 10 – October 17, 2024

DATE: October 23, 2024

ITEMS FILED FOR THE PUBLIC RECORD

Letters from Boards, Commissions, and Committees

Letters from the Public Comment:

1. Letter from Tabitha Wheatley, dated October 11, 2024, regarding: Project Homekey Branham & Monterey IS A BLESSING.
2. Letter from Deb Mendez, dated October 15, 2024, regarding: use 115 acres to address SJ needs.
- 3-4. Letters from two members of the public, dated October 16, 2024, regarding: Omar Torres must resign immediately.
5. Letter from Leah Toeniskoetter, dated October 17, 2024, regarding: Supporting the call for resignation of Councilmember Torres.

Toni J. Taber, MMC
City Clerk



Fw: Project Homekey Branham & Monterey IS A BLESSING

From Agendadesk <Agendadesk@sanjoseca.gov>

Date Tue 10/15/2024 9:05 AM

To Rules and Open Government Committee Agendas <rulescommitteeagenda@sanjoseca.gov>

From: City Clerk <city.clerk@sanjoseca.gov>

Sent: Monday, October 14, 2024 12:16 PM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Subject: FW: Project Homekey Branham & Monterey IS A BLESSING

From: Tabitha Wheatley [REDACTED]

Sent: Friday, October 11, 2024 10:51 PM

To: City Clerk <city.clerk@sanjoseca.gov>

Subject: Project Homekey Branham & Monterey IS A BLESSING

[External Email. Do not open links or attachments from untrusted sources.]

You don't often get email from [REDACTED] [Learn why this is important](#)

To whom it may concern,

I saw the petition to stop the build of this much needed project.

My sister is handicapped and homeless there in San Jose. I am in Arizona and am unable to help my sister due to my own current hardships.

She is for the first time in a very long time excited to finally have a place to live in the future. To sleep in a bed and to bath regularly.

She has sores from not being able to bath and the simple things we all take for granted are things she desperately needs.

PLEASE DONT TAKE THIS FROM HER AND FROM ALL THE HOMELESS THAT DESPERATELY NEED A PLACE TO CALL HOME.

It would do more than break her heart, it would break her spirit.

Thank you for hearing me out.

Sincerely,

Tami Wheatley

[REDACTED]

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Fw: Deb Mendez 95135 - use 115 acres to address SJ needs

From Agendadesk <Agendadesk@sanjoseca.gov>

Date Tue 10/15/2024 12:52 PM

To Rules and Open Government Committee Agendas <rulescommitteeagenda@sanjoseca.gov>

From: City Clerk <city.clerk@sanjoseca.gov>

Sent: Tuesday, October 15, 2024 11:50 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Subject: FW: Deb Mendez 95135 - use 115 acres to address SJ needs

From: District 5 United [REDACTED]

Sent: Tuesday, October 15, 2024 11:50 AM

To: [REDACTED] District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: Deb Mendez 95135 - use 115 acres to address SJ needs

[External Email. Do not open links or attachments from untrusted sources.]

Dear Mayor Mahan and City Council,

The land use plan for the former Pleasant Hills Golf Course site is a unique opportunity for the City of San Jose to envision a development strategy in partnership with its residents. This is an unusually large, empty site that is very rare in our community. Its development provides an opportunity to address multiple needs.

Statement of Principles from community members:

Housing and adequate parking with a gradual transition from existing single family homes on Flint Ave and Vista Verde Ave to higher density, including 15%+ affordable housing interspersed on site (such as for seniors, firefighters, teachers, service workers, etc.)

Significant amounts of on-site parkland and green space. Development on this site should include significant acreage of publicly accessible parkland, green space, and tree canopy and should prioritize native plants to maximize biodiversity and habitat value.

A mix of uses that includes jobs, high-quality recreational public space including a community center, and green space with quality retail and commercial facing White Rd.

Resilience to climate change. With the development of this site, the surrounding community will lose the cooling effect and stormwater absorption capability of the existing 115 acres of open space and

tree canopy. To mitigate the impact of this loss, include green stormwater infrastructure and tree canopy in order to reduce flooding and heat island effect along with energy efficiency considerations. A mix of transportation options that will directly benefit the residents of East San Jose.

Transportation facilitation that promotes the use of public transit and mitigates high volume campus entrance and egress on Flint Ave and Vista Verde Ave.

Please do not allow any buildings higher than 2 floors. So many developments block the beautiful views of our majestic hills. (Just like on Hellyer Ave. between Silicon Valley Blvd. and Bernal Rd.) The beautiful mountains is one of the wonderful reasons living here in the valley, especially if you live close to the hills. We don't want to see hard, cold, ugly buildings, but beautiful hills with colors that change with the seasons. More natural views without distractions.

Thank you.

Deb Mendez

95135

You may not use my contact information for any purpose other than to respond to my concern regarding the topic listed above, nor may you share my address with any other organization(s) or individual(s).

—

This mail was sent on behalf of a San Jose resident via District 5 United


Community Working Together

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Fw: Omar Torres must resign immediately

From City Clerk <city.clerk@sanjoseca.gov>

Date Wed 10/16/2024 12:59 PM

To Rules and Open Government Committee Agendas <rulescommitteeagenda@sanjoseca.gov>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? Your [feedback](#) is appreciated!

From: Kathryn Hedges [REDACTED]

Sent: Wednesday, October 16, 2024 12:55 PM

To: District3 <district3@sanjoseca.gov>

Cc: District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: Omar Torres must resign immediately

[External Email. Do not open links or attachments from untrusted sources.]

Dear Mr. Torres:

I am writing today as a constituent from District 3, completely independent of any of the groups of which I am a member. I voted for you. I attended your inauguration. I've visited you for research meetings with SHHAC and SURJ/RECS (whom I do not represent today as I have not consulted them on this issue). Your office has fought for the safety of tenants at Donner Lofts, and I am grateful for that. When I first heard there were "accusations" by your "stalker" at first I took your claims of "innocence" to mean someone was making up stories out of whole cloth, like one of my neighbors did about tenants in our building and SJPd officers. Instead, you are arguing about context for text messages you acknowledge you sent.

I acknowledge that under the U.S. Constitution, you are innocent until proven guilty in a court of law. You are due your day in court, and have the right to plead Not Guilty while the prosecution has the burden of proof. Maybe your defense attorney is urging you to stay in your Council seat to

demonstrate your faith in being exonerated, but your ability to represent District 3 is already compromised. You need to resign immediately.

Nobody will be able to interact with you in the same way as before the investigation, unless they were already in cahoots and knew the full story. But I suspect you glossed over your exact role in this scandal to make yourself look like a hapless victim, and your peers and staff didn't know the full extent of your actions. You have lost the trust of at least some of the people you need to work with on a regular basis and that undermines your effectiveness as a Councilmember. (Not to mention how much time and energy you will be putting into your legal defense.)

You have betrayed your constituents by even running for Council with this shadow over your reputation. You have betrayed the youth of our City due to the nature of these accusations. And most egregiously, you have betrayed the LGBTQ+ community by pretending to be a victim of baseless homophobia instead of a participant in a child sexual abuse scandal that provides fodder for the worst accusations thrown at LGBTQ+ people. Even being willing to "role play" as a participant in child sexual abuse, if we take your defense at face value, rather than blocking the other party and reporting them to the FBI, shows your moral compass is misaligned.

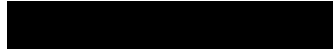
I say that not as a prude, as I am sex-positive and have close friends in the LGBTQ+, kink, furry, and poly communities. I say that as a person who knows that actions and role play "between consenting adults" are a different matter than "involving youth below the age of consent." And as a public official, or potential candidate for public office, your behavior needs to be above reproach.

If you thought this was all wholesome and harmless, you wouldn't have let anyone blackmail you over it. Your excuse that you fell into some kind of honey pot trap and didn't know how to stop texting gross sexual things without it being awkward is so ridiculous that it's either a lie or you're too dense to be an elected official. Either way, it makes you unfit for public office or civil service. (Liability to blackmail is also why it used to be a problem getting a security clearance if you were LGBTQ+, by the way.)

You need to resign immediately, even if the timing is awkward relative to the election or whatever logistical excuses may be in play. Whether or not you are found Not Guilty on some technicality, you can't possibly represent my district effectively.

Regards,

Kathryn Hedges
Sole Proprietor, Splendid Colors



CA Certifications: SB,SP-PW #2024613

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Fw: Omar Torres must resign immediately

From City Clerk <city.clerk@sanjoseca.gov>

Date Wed 10/16/2024 2:38 PM

To Rules and Open Government Committee Agendas <rulescommitteeagenda@sanjoseca.gov>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

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From: E A [REDACTED]

Sent: Wednesday, October 16, 2024 1:55 PM

To: Kathryn Hedges [REDACTED]

Cc: District3 <district3@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

Subject: Re: Omar Torres must resign immediately

[External Email. Do not open links or attachments from untrusted sources.]

THANK YOU KATHRYN! I fully support everything you have said.

On Wed, Oct 16, 2024, 12:55 PM Kathryn Hedges [REDACTED] wrote:

Dear Mr. Torres:

I am writing today as a constituent from District 3, completely independent of any of the groups of which I am a member. I voted for you. I attended your inauguration. I've visited you for research meetings with SHHAC and SURJ/RECS (whom I do not represent today as I have not consulted them on this issue). Your office has fought for the safety of tenants at Donner Lofts, and I am grateful for that. When I first heard there were "accusations" by your "stalker" at first I took your claims of "innocence" to mean someone was making up stories out of whole cloth, like one of my neighbors did about tenants in our building and SJPd officers. Instead, you are arguing about context for text messages you acknowledge you sent.

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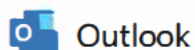
Regards,

Kathryn Hedges
Sole Proprietor, Splendid Colors



CA Certifications: SB,SP-PW #2024613

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Supporting the call for resignation of Councilmember Torres

From Leah Toeniskoetter [REDACTED]

Date Thu 10/17/2024 11:38 AM

To The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>

Cc Maguire, Jennifer <jennifer.maguire@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

 1 attachments (179 KB)

Chamber Support of Resignation of Councilmember Omar Torres.pdf;

[External Email. Do not open links or attachments from untrusted sources.]

Dear Mayor and City Council,

The San Jose Chamber of Commerce would like to express its strong support for the Council's decision to request the resignation of Councilmember Torres, and we formally join you in calling for his resignation. While we respect the due process of justice and the legal proceedings that may follow, it is clear that the councilmember can no longer effectively serve the residents and businesses of District 3 or the broader city.

As the leading representative body for the business community, we understand the critical role that leadership plays in fostering trust, progress, and the economic growth of our city. The challenges faced by businesses in District 3 often resonate throughout the city, and effective representation is essential in addressing them. With mounting concerns over the councilmember's ability to lead, we believe that this decision reflects the Council's commitment to transparency and upholding the public's confidence in their elected officials.

The Chamber is committed to collaborating with the Council and the community to ensure that this district's voice continues to be heard and its needs met by new, accountable leadership.

Thank you for your efforts in safeguarding the principles of good governance for our city.

Looking forward,

Leah



Leah Toeniskoetter

President & CEO

San Jose Chamber of Commerce

Email: [REDACTED]

Assistant: Lina Guzman, [REDACTED]

Office: [REDACTED]

Mailing Address: [REDACTED]

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**San Jose
Chamber of Commerce**

October 17, 2024

Honorable Mayor and City Council
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113

RE: Support of Council Request for Resignation of Omar Torres, Councilmember, D3

Dear Honorable Mayor and Councilmembers:

The San Jose Chamber of Commerce would like to express its strong support for the Council's decision to request the resignation of Councilmember Torres, and we formally join you in calling for his resignation. While we respect the due process of justice and the legal proceedings that may follow, it is clear that the councilmember can no longer effectively serve the residents and businesses of District 3 or the broader city.

As the leading representative body for the business community, we understand the critical role that leadership plays in fostering trust, progress, and the economic growth of our city. The challenges faced by businesses in District 3 often resonate throughout the city, and effective representation is essential in addressing them. With mounting concerns over the councilmember's ability to lead, we believe that this decision reflects the Council's commitment to transparency and upholding the public's confidence in their elected officials.

The Chamber is committed to collaborating with the Council and the community to ensure that this district's voice continues to be heard and its needs are met by new, accountable leadership.

Thank you for your efforts in safeguarding the principles of good governance for our city.

Sincerely,



Leah Toeniskoetter
President & CEO

Cc: Jennifer Maguire, City Manager
Toni Taber, City Clerk

