



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Susana Alcala Wood
City Attorney

**SUBJECT: Conflicts Review –
Arts Commission Applicants**

DATE: May 5, 2026

BACKGROUND

This Office routinely reviews applications to City Boards and Commissions. The applications generally do not provide complete information regarding actual conflicts; however, they do occasionally disclose potential conflicts of interest or incompatible offices. The purpose of this memorandum is to highlight areas of potential conflict which are disclosed by the applications. In order to analyze potential conflicts, it is necessary to consider the duties of the particular commission for which the applicants are seeking appointment. This review is limited to the information provided on the applications and is not intended to be a comprehensive investigation of potential conflicts involving the applicants.

COMMISSION DUTIES

Pursuant to the San José Municipal Code, the Arts Commission advises the City Council and other City boards and commissions on matters relating to the arts and cultural life of the City, reviews and recommends funding levels for grant applications from cultural and other organizations and monitors the City's art acquisition program.

The Commission is also responsible for formulating recommendations with respect to the City's art in public places program, in conjunction with the appropriate City departments and commissions.

Persons appointed to the Commission must have "acknowledged accomplishment" in one or more fields of art or "they must have demonstrated a deep interest and appreciation of cultural and artistic activities."

APPLICANTS

The applicants listed below were reviewed by our office. The applications do not disclose incompatible offices or apparent conflicts of interest that would substantially impair the functioning of the Arts Commission.

LEGAL CONFLICTS THAT MAY PRECLUDE VOTE OR PARTICIPATION

Certain positions may preclude a commissioner from participating in a commission discussion or from voting if a matter involving a commissioner and an entity comes before the Commission in the situations mentioned below. While this list is not complete, these types of conflicts generally fall within one or more of the following situations:

- An application shows entities that are “sources of income” to a potential commissioner within the 12 months preceding the start of the commission term, as defined under the Political Reform Act.
- An application shows sources of income to a Spouse or Domestic Partner of a potential commissioner within the 12 months preceding the start of the commission term.
- An applicant or the Spouse or Domestic Partner of an applicant is an Officer or Board Member of an entity and it is foreseeable that the entity could be involved in a matter coming before the commission.

APPEARANCE OF BIAS

There may be facts which would not amount to a legal conflict of interest requiring a commissioner to recuse him or herself from a commission vote or discussion, but the relationship could create an appearance of bias on the part of the commissioner. City Council policy requires commissions to be free of bias in their decision making and may require a commissioner to recuse him or herself if the facts could reasonably lead one to conclude that the applicant would be biased for or against an entity or entities.

REVIEW OF APPLICANTS

Set forth below are the applicants and any apparent legal conflicts of interest and/or appearance of bias related to entities that are likely to come before the Arts Commission in some manner, as identified on the applications.

Incumbents:

Shelby Taketa – The applicant is a self-employed consultant in San José and is the current chair of the Arts Commission, seeking reappointment. The applicant is an Advisory Board Member for Awaken Society, is or was a Co-Host Committee Member for ArtSpan, fundraises for Disco Space Shuttle, and volunteers with San José Zebra Youth Foundation. Historically, the applicant was the Chair of the Public Arts Committee for the City of San José. It is possible that the Commission could consider a matter involving a source of income to or an organization affiliated with the applicant which may present an actual conflict or appearance of bias. In such a case, the applicant may

need to disqualify themselves from taking part in the Commission's decision on that matter. Otherwise, the application discloses no incompatible offices nor apparent conflicts of interest.

Minerva Sarellano – The applicant is a Director for FIRST 5 Santa Clara County in San José and currently holds a position on the Arts Commission, seeking reappointment. The applicant's spouse is employed by the Oakland FAA Air Route Traffic Control Center as an Air Traffic Controller. The applicant is on the Board of Parents Helping Parents and is the President of the PFA at Stipe Elementary School. The applicant is also on the Santa Clara County Office of Education's Local Planning Council where they co-lead the Workforce Committee. It is possible that the Commission could consider a matter involving a source of income to or an organization affiliated with the applicant which may present an actual conflict or appearance of bias. In such a case, the applicant may need to disqualify themselves from taking part in the Commission's decision on that matter. Otherwise, the application discloses no incompatible offices nor apparent conflicts of interest.

Carman Gaines – The applicant is the Deputy Director of Local Color in San José and currently holds a position on the Arts Commission, seeking reappointment. It is possible that the Commission could consider a matter involving a source of income to or an organization affiliated with the applicant which may present an actual conflict or appearance of bias. In such a case, the applicant may need to disqualify themselves from taking part in the Commission's decision on that matter. Otherwise, the application discloses no incompatible offices nor apparent conflicts of interest.

De Anna McNeal Mirzadegan – The applicant is the Owner and President of McNeal Enterprises in San José and currently holds a position on the Arts Commission, seeking reappointment. The applicant sits on both the Executive and Public Arts Subcommittees within the Arts Commission. The applicant also manages two property management companies, AMG Ringwood and Mirzadegan Management which own multiple properties in both Santa Clara and Santa Cruz County, and is a Board Member for Willow Glen Neighborhood Association. The Applicant's spouse is the Owner of Great Bear Coffee in Los Gatos. It is possible that the Commission could consider a matter involving a source of income to or an organization affiliated with the applicant which may present an actual conflict or appearance of bias. In such a case, the applicant may need to disqualify themselves from taking part in the Commission's decision on that matter. Otherwise, the application discloses no incompatible offices nor apparent conflicts of interest.

New Applicants:

Darya Semyonova– The applicant is self-employed as a Photographer. It is possible that the Commission could consider a matter involving a source of income to or an organization affiliated with the applicant which may present an actual conflict or appearance of bias. In such a case, the applicant may need to disqualify themselves from taking part in the Commission’s decision on that matter. Otherwise, the application discloses no incompatible offices nor apparent conflicts of interest.

Laurel Li – The applicant is a Volunteer Docent and Portfolio Chair at the San José Museum of Modern Art. The applicant’s spouse is employed by Google in San José as a Manager. The applicant is applying to the Arts Commission, Housing and Community Development Commission, and Climate Advisory Commission. If selected for the Arts Commission, the applicant should not seek appointment on the Housing and Community Development Commission or Climate Advisory Commission as they may not serve on more than one commission at a time pursuant to Council Policy Number 0-4. It is possible that the Commission could consider a matter involving a source of income to or an organization affiliated with the applicant which may present an actual conflict or appearance of bias. In such a case, the applicant may need to disqualify themselves from taking part in the Commission’s decision on that matter. Otherwise, the application discloses no incompatible offices nor apparent conflicts of interest.

Lee Andra Leota – The applicant is a Mental Health Therapist at Prodigy Clinic in San José. The applicant is also the Executive Director of Wavemakers, a nonprofit in San José. The applicant is applying to the Arts Commission, and Climate Advisory Commission. The applicant, if selected for the Arts Commission, should not seek appointment on the Climate Advisory Commission as they may not serve on more than one commission at a time pursuant to Council Policy Number 0-4. It is possible that the Commission could consider a matter involving a source of income to or an organization affiliated with the applicant which may present an actual conflict or appearance of bias. In such a case, the applicant may need to disqualify themselves from taking part in the Commission’s decision on that matter. Otherwise, the application discloses no incompatible offices nor apparent conflicts of interest.

Aris Bernales – The applicant works in Business Development for DISCO Hi-Tec America, Inc. in San José. The applicant is also a member of the SEMI Silicon Valley Chapter Steering Committee. The applicant is applying to the Arts Commission, and Planning Commission. If the applicant is selected for the Arts Commission, they should

not seek appointment on the Planning Commission as they may not serve on more than one commission at a time pursuant to Council Policy Number 0-4. It is possible that the Commission could consider a matter involving a source of income to or an organization affiliated with the applicant which may present an actual conflict or appearance of bias. In such a case, the applicant may need to disqualify themselves from taking part in the Commission's decision on that matter. Otherwise, the application discloses no incompatible offices nor apparent conflicts of interest.

Carrie Song – The applicant is a student at Lynbrook High School. The applicant is also involved in Silicon Valley Youth Channel as a Writer and Managing Editor. The applicant is applying to the Arts Commission and Youth Commission. If the applicant is selected for the Arts Commission, they should not seek appointment on the Youth Commission as they may not serve on more than one commission at a time pursuant to Council Policy Number 0-4. It is possible that the Commission could consider a matter involving a source of income to or an organization affiliated with the applicant which may present an actual conflict or appearance of bias. In such a case, the applicant may need to disqualify themselves from taking part in the Commission's decision on that matter. Otherwise, the application discloses no incompatible offices nor apparent conflicts of interest.

Rebecca Porda – The applicant is a Home Care Employee with IHSS in San José. The applicant's spouse is employed as a Carpenter. It is possible that the Commission could consider a matter involving a source of income to or an organization affiliated with the applicant which may present an actual conflict or appearance of bias. In such a case, the applicant may need to disqualify themselves from taking part in the Commission's decision on that matter. Otherwise, the application discloses no incompatible offices nor apparent conflicts of interest.

Rita Holiday – The applicant is a retired member of the community. The applicant owns property in San José described as The Villages Golf and Country Club. In their application, the applicant does not describe an "acknowledged accomplishment" in one or more fields of art or a "demonstrated deep interest" in art. It is possible that the Commission could consider a matter involving a source of income to or an organization affiliated with the applicant which may present an actual conflict or appearance of bias. In such a case, the applicant may need to disqualify themselves from taking part in the Commission's decision on that matter. Otherwise, the application discloses no incompatible offices nor apparent conflicts of interest.

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Ravi Pathak – The applicant is the Founding Executive Director of FinFit Life in San José. The applicant's spouse is a Master Teacher for Priti Pathak in San José. In their application, the applicant does not describe an "acknowledged accomplishment" in one or more fields of art or a "demonstrated deep interest" in art. The applicant appears to be applying for the Arts Commission, Airport Commission, Civil Service Commission, Climate Advisory Commission, Housing and Community Development Commission, Board of Fair Campaign and Political Practices, Appeals Hearing Board, Planning Commission, and Senior Citizens Commission. If the applicant is selected for the Arts Commission, they should not seek appointment on the other Boards and Commissions as they may not serve on more than one commission at a time pursuant to Council Policy Number 0-4. It is possible that the Commission could consider a matter involving a source of income to or an organization affiliated with the applicant which may present an actual conflict or appearance of bias. In such a case, the applicant may need to disqualify themselves from taking part in the Commission's decision on that matter. Otherwise, the application discloses no incompatible offices nor apparent conflicts of interest.

CONCLUSION

The applicants do not appear to have any incompatible offices or pervasive conflicts which would prevent serving on the Commission. You may wish to consider the above comments in making your recommendation on appointment to the Commission.

SUSANA ALCALA WOOD
City Attorney

By: /s/ Annette E. Brennan
ANNETTE E. BRENNAN
Deputy City Attorney

cc: Jennifer Maguire, City Manager
Toni J. Taber, CMC, City Clerk

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Susana Alcala Wood
City Attorney

SUBJECT: Historic Landmarks
Commission Applicants

DATE: May 5, 2026

BACKGROUND

The Office of the City Attorney routinely reviews applications to City Boards and Commissions. The applications do not provide complete information regarding potential conflicts of interest; 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. To analyze potential conflicts, it is necessary to consider the duties of the particular commission for which the applicant is seeking appointment. This review is limited to the information provided on the applications and is not intended to be a comprehensive investigation of potential conflicts involving the applicants.

COMMISSION DUTIES

The Historic Landmarks Commission has two major responsibilities under the Municipal Code:

1. To serve in an advisory capacity to the City Council, the City Manager, and the Director of Planning with respect to various actions proposed to be taken involving property of historical significance. The various actions include acquisition, gifts, disposal, designation, sales, and exchanges of such property; and
2. To encourage and promote the preservation of historic landmarks, sites, artifacts, and other property connected with the history of the City of San José.

The members of the Commission must be persons having demonstrable interest and expertise in historic preservation. Whenever possible, at least three (3) members shall have professional expertise in one of the following disciplines: architecture, history, architectural history, planning, prehistoric and historic archaeology, folklore, cultural anthropology, curation, conservation, landscape architecture or related disciplines.

LEGAL CONFLICTS THAT MAY PRECLUDE VOTE OR PARTICIPATION

Certain positions and other financial interests may preclude a commissioner from participating in a Commission discussion and voting if a matter involving the entity comes before the Commission. While this list is not complete, these types of conflicts generally fall within one or more of the following situations:

- An application shows entities that are “sources of income” to a potential commissioner within the 12 months preceding the start of the Commission term, as defined under the Political Reform Act.
- An application shows sources of income to a spouse or domestic partner of a potential commissioner within the 12 months preceding the start of the Commission term.
- An applicant of the spouse or domestic partner of an applicant is an officer or board member of an entity, and it is foreseeable that the entity could be involved in a matter coming before the Commission.
- An applicant has an interest (including community property interest) in real property, such as their place of residence or any other real property in San José, that may be affected by a matter coming before the Commission.

APPEARANCE OF BIAS

There may be facts which would not amount to a legal conflict of interest under the Political Reform Act requiring a commissioner to abstain from a commission vote or discussion, but the relationship could indicate a bias or the appearance of bias on the part of the commissioner. City Council policy requires commissioners to be free from bias in their decision making and may require a commissioner to abstain if the facts could reasonably lead one to conclude that the commissioner would be biased for or against an applicant or application.

REVIEW OF APPLICANTS

Multiple applications were received and determined by the City Clerk to meet the basic qualifications for consideration. Applications from the applicants listed below were reviewed by our office. Set forth below is a list of the new applicants and any apparent legal conflicts of interest and/or appearance of bias related to entities that are likely to come before the Commission in some manner, as identified in their applications.

HISTORIC LANDMARKS COMMISSION APPLICANTS:

Council District 1

Damon Ybarra applied on June 30, 2025. Mr. Ybarra is a Sales Guide for Yeti Coolers LLC. He does not own real property in San José. If appointed, Mr. Ybarra may need to abstain from participating in decisions that potentially affect his employer.

Council District 3

Jimi Kogura applied on September 26, 2025. Mr. Kogura is a Biographic Services Associate for Stanford University and owns the Kogura Company. He does own real property in San José. If appointed, Mr. Kogura may need to abstain from participating in decisions that potentially affect real property, his employer, or his business.

Council District 6

Rachel Royer (Incumbent) reapplied on March 25, 2026. Ms. Royer is Vice President for Development and Construction at Jamestown LP. Ms. Royer's spouse is Corporate Counsel for Palo Alto Networks. She owns real property in San José. If reappointed, Ms. Royer may need to abstain from participating in decisions that potentially affect her real property, her employer, or her spouse's employer.

Council District 7

Pasquale Casalino applied on September 30, 2025. Mr. Pasquale is retired. He owns real property in San José. If appointed, Mr. Pasquale may need to abstain from participating in decisions that potentially affect his real property interest or his previous employers, if he still receives income from those employers.

Council District 8

Ravi Pathak applied on April 20, 2025. Mr. Pathak is the Founding Executive Director of FinFit Life. His spouse is a teacher. He owns real property in San José. If appointed, Mr. Pathak may need to abstain from participating in decisions that potentially affect his real property or his or his spouse's employer/clients.

CONCLUSION

If an applicant is compensated for a given activity, there may be occasions when they may have to abstain from participation in matters before the Commission which concern the source of income. If an applicant is a member of a board, they may also be required to abstain when the organization of which they are a board member takes a position in favor or against a project before the Commission.

The applications do not reveal any pervasive conflicts of interest which would prevent the current applicants from serving on the Historic Landmarks Commission. You may

wish to consider the above comments in making your recommendations on appointments to the Historic Landmarks Commission.

SUSANA ALCALA WOOD
City Attorney

By 
DANIEL ZAZUETA
Senior Deputy City Attorney

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

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Susana Alcala Wood
City Attorney

SUBJECT: Planning Commission
Applicants

DATE: May 5, 2026

BACKGROUND

The Office of the City Attorney routinely reviews applications to City Boards and Commissions. The applications do not provide complete information regarding potential conflicts of interest; 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. To analyze potential conflicts, it is necessary to consider the duties of the particular commission for which the applicant is seeking appointment. This review is limited to the information provided on the applications and is not intended to be a comprehensive investigation of potential conflicts involving the applicants.

COMMISSION DUTIES

The Planning Commission has two major responsibilities under the City Charter and the San José Municipal Code (SJMC):

1. To serve as a quasi-judicial body with respect to the consideration of issuance of certain land use permits and appeals; and
2. To serve in an advisory capacity to the City Council with respect to specific proposals for or affecting zoning, the general plan, a specific plan, and zoning ordinance (SJMC Title 20) amendments.

Pursuant to state law and the City Charter, the Planning Commission is also required to review capital improvement programs. Additionally, under SJMC requirements, the Planning Commission has responsibilities related to considering and certifying the adequacy of many environmental impact reports under the California Environmental Quality Act for projects within the Planning Commission's jurisdiction and for making recommendations to the City Council for projects within the Council's jurisdiction. In addition, the Commission serves in an advisory capacity with respect to other City activities related to land use and development, such as park master plans.

LEGAL CONFLICTS THAT MAY PRECLUDE VOTE OR PARTICIPATION

Certain positions and other financial interests may preclude a commissioner from participating in a Commission discussion and voting if a matter involving the entity comes before the Commission. While this list is not complete, these types of conflicts generally fall within one or more of the following situations:

- An application shows entities that are “sources of income” to a potential commissioner within the 12 months preceding the start of the Commission term, as defined under the Political Reform Act.
- An application shows sources of income to a spouse or domestic partner of a potential commissioner within the 12 months preceding the start of the Commission term.
- An applicant of the spouse or domestic partner of an applicant is an officer or board member of an entity, and it is foreseeable that the entity could be involved in a matter coming before the Commission.
- An applicant has an interest (including community property interest) in real property, such as their place of residence or any other real property in San José, that may be affected by a matter coming before the Commission.

APPEARANCE OF BIAS

There may be facts which would not amount to a legal conflict of interest under the Political Reform Act requiring a commissioner to abstain from a commission vote or discussion, but the relationship could indicate a bias or the appearance of bias on the part of the commissioner. City Council policy requires commissioners to be free from bias in their decision making and may require a commissioner to abstain if the facts could reasonably lead one to conclude that the commissioner would be biased for or against an applicant or application.

REVIEW OF APPLICANTS

Multiple applications were received and determined by the City Clerk to meet the basic qualifications for consideration. Applications from the applicants listed below were reviewed by our office. The applicants are divided by Council District to be considered in accordance with the November 8, 2022 amendments to Section 1000 of the City Charter. Unless otherwise indicated, no application discloses incompatible offices or apparent conflicts of interest that would substantially impair the functioning of the Commission.

PLANNING COMMISSION APPLICANTS

Council District 1

Daniel Cao (Incumbent) reapplied on March 30, 2026. Mr. Cao's term as a Planning Commissioner ends on June 30, 2026. Mr. Cao is a Policy Aide for Santa Clara County Supervisor Otto Lee. His spouse works as an Occupational Therapist for the County of Santa Clara. He does not own real property in San José. If reappointed, Mr. Cao may need to abstain from participating in decisions that potentially affect his and his spouse's employer.

Mahbanou Rostami applied on February 16, 2026. Mr. Rostami is a Architectural Job Captain with 360 Design Studio. He does not own real property in San José. If appointed, Mr. Rostrami may need to abstain from participating in decisions that potentially affect his employer.

Damon Ybarra applied on June 30, 2025. Mr. Ybarra is a Sales Guide at Yeti Coolers, LLC. He does not own real property in San José. Mr. Ybarra didn't provide any references on his application or completely answer all questions on the application. If appointed, Mr. Ybarra may need to abstain from participating in decisions that potentially affect his employer.

Council District 4

Melissa Bickford (Incumbent) reapplied on February 26, 2026. Ms. Bickford's term as a Planning Commissioner ends on June 30, 2026. Ms. Bickford is a Senior Technical Program Manager at Google. Her spouse is retired and formerly employed by IBM. She owns real property in San José. If reappointed, Ms. Bickford may need to abstain from participating in decisions that potentially affect her employer or property interest.

Council District 5

Luis Arguello applied on April 13, 2026. Mr. Arguello is an Assistant Business Manager with LIUNA Laborers Local 270. He owns real property in San José. If appointed, Mr. Arguello may need to abstain from participating in decisions that potentially affect his employer or his property interest.

Council District 6

Pierluigi Oliverio (Incumbent) reapplied on February 27, 2026. Mr. Oliverio's term as a Planning Commissioner ends on June 30, 2026. Mr. Oliverio is a corporate finance, advanced technology strategist at OneStream consulting based in Birmingham, Michigan. He owns real property in San José. If reappointed, Mr. Oliverio may need to

abstain from participating in decisions that potentially affect his employer or his property interest.

Council District 9

Michael Young (Incumbent) reapplied on February 25, 2026. Mr. Young's term as a Planning Commissioner ends on June 30, 2026. Mr. Young is retired from the Mountain View Fire Department. He owns real property in San José. If reappointed, Mr. Young may need to abstain from participating in decisions that potentially affect his property interest.

CONCLUSION

If an applicant is compensated for a given activity, there may be occasions when they may have to abstain from participation in matters before the Commission which concern the source of income. If an applicant is a member of a board, they may also be required to abstain when the organization of which they are a board member takes a position in favor or against a project before the Commission.

The applications do not reveal any pervasive conflicts of interest which would prevent the current applicants from serving on the Planning Commission. You may wish to consider the above comments in making your recommendations on appointments to the Planning Commission.

SUSANA ALCALA WOOD
City Attorney

By 
DANIEL ZAZUETA
Senior Deputy City Attorney

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