



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

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

**SUBJECT: PLANNING COMMISSION  
APPOINTMENT**

**DATE:** September 4, 2019

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**COUNCIL DISTRICT: CITYWIDE**

## **RECOMMENDATION**

1. Interview applicants for appointment to the Planning Commission;
2. Appoint one (1) applicant to the Planning Commission for a term expiring June 30, 2020; and
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 one applicant to the immediate vacancy will ensure a full membership on the Planning Commission to continue conducting regular business.

## **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 is currently one vacancy on the Planning Commission due to the resignation of Namrata Vora on March 16, 2019. The Office of the City Clerk conducted an open recruitment from June 13, 2019-July 15, 2019. In addition to applications already on file, a total of 25 applications were transmitted to the Mayor and City Council for review.

### **ANALYSIS**

As required by Council Policy 0-4, Consolidated Policy Governing Boards and Commissions, applicants receiving indications of interest from four or more Councilmembers have been invited to be interviewed by the City Council on September 17, 2019. Three (3) candidates received indications of interest from four or more Councilmembers. An applicant 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 an appointment for a term ending June 30, 2020.

The list of candidates, listed in the random alphabet order as established by the Secretary of State for the General election held in November 2019, who can be appointed are:

- Mariel Caballero
- Louis Barocio
- Rolando Bonilla

Candidate applications and any supporting documentation are attached to this memorandum. Memoranda from the Office of the City Attorney regarding their review for potential conflicts of interest is attached. A review of code actions by the Planning, Building and Code Enforcement Department found no outstanding code enforcement for the applicants.

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

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

HONORABLE MAYOR AND CITY COUNCIL

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**Subject: Planning Commission Interviews**

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### **PUBLIC OUTREACH**

The Office of the City Clerk conducted an open recruitment for the vacancies from Additional recruitment occurred from June 13-July 15, 2019. This memorandum has been posted for the meeting of September 17, 2019.

### **COORDINATION**

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

### **COMMISSION RECOMMENDATION/INPUT**

The recommended actions have no commission input or recommendation.

### **CEQA**

Not a Project, File No. PPI7-010, City Organizational & Administrative Activities resulting in no changes to the physical environment.



TONI J. TABER, CMC  
City Clerk

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