



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Toni J. Taber, MMC
City Clerk

SUBJECT: INTERIM APPOINTMENTS TO
COUNCIL DISTRICT 3

DATE: January 16, 2025

COUNCIL DISTRICT: CITYWIDE

UPDATED MEMORANDUM

RECOMMENDATION

(a) Interview candidates for the interim appointment to Councilmember for District 3 on the San José City Council.

(b) Consideration of appointment of candidate to a term as the Councilmember for District 3, to begin February 2, 2025 and end when a candidate has been duly elected in the next regularly scheduled election and the results of the election have been officially certified.

OUTCOME

The recommended action provides for the possible interim appointment of an applicant to Councilmember for City Council District 3, which will ensure the continued representation for Council District 3 until a candidate has been duly elected and the results of the election have been officially certified at the upcoming special election to be held on April 8, 2025 or, if necessary, the special run-off election scheduled for June 24, 2025.

BACKGROUND

On November 5, 2024, Councilmember Omar Torres, District 3, submitted his resignation effective November 27, 2024. On November 19, 2024, the Council was presented with their options to fill the vacancy as provided in City Charter Section 410. During the meeting, Council voted to hold a Special Municipal Election to fill the vacancy and appoint an interim appointee until a candidate has been duly elected and the result of the election have been officially certified. The City Council further directed the City Clerk and City Attorney to hold the Special Municipal Election as soon as possible. Additionally, Council directed the City Clerk to provide guidance during the December 3, 2024 Council meeting specific to details which would allow for an open interim appointee application period that runs concurrently with the candidate nomination period. Following the close of the nomination period, the Council will consider prospective interim appointees.

Council approved direction to approve staff recommendation with the following additions:

Direct the City Clerk is to return to the full City Council with a recommendation that allows for a simple majority or tie breaker, regarding the portion of recommendation 2(f) stating to “drop the candidate with the least number of votes”. The amended memorandum recommends the following: Accept the staff recommendations and implement a process to make an interim appointment that includes the following: 1.) Initiate the recruiting process for the Council vacancy in District 3, including the release of an application for interested candidates. The application should be similar to that for the Planning Commission, along with City Attorney review for potential conflicts of interest, and include the following questions: a.) Why are you interested in representing this district on the City Council? b.) Please list your past community experience and other qualifications for the role. c.) What do you think is the biggest challenge the city faces? What is the biggest challenge specific to the council district you aspire to be appointed to represent? 2.) The selection process shall take place as follows: a.) Each applicant will be interviewed by council in the random alphabet order to be laid out by the City Clerk. Applicants will be interviewed as a panel and will answer questions in a rotating order. b.) Each applicant will provide an opening statement of up to three (3) minutes. c.) After the opening statement, each Councilmember and the Mayor will have the opportunity to ask the applicant one question. Each applicant will be asked the same questions by the same Councilmembers. Each question will be completed within three (3) minutes, including the question and answer. d.) After all applicants have made their statements and answered each question, the Mayor will open public comment. e.) After public comment, each councilmember will have the opportunity ask a single follow-up question that may arise based on the initial round of questioning and the public comment. Each follow-up question and answer will be completed within two (2) minutes. f.) The final appointments shall require a 2/3 vote of the council for approval. If no candidates receive 2/3rds of the vote, drop the candidate with the least number of votes and repeat the voting process until one candidate receives 2/3rds. The City Council will have the option to lower the 2/3 threshold to simple majority if no candidate receives 2/3rds of the vote.

The Recruitment period for the nomination period and application period was opened on December 16, 2024 and closed at noon on January 10, 2025. Those applicants who submitted the application for the interim appointment and required Form 700 by the deadline are included in the list below.

By 11:59 on January 10, 2025 we received the following applications for District 3:

- Baltazar Lopez
- Carl Eugene Salas
- Danielle Marie Christian
- David James Pandori
- Jahmal Williams
- Jeff Tang
- Jose Posadas
- Kathryn Bell
- Robert Staedler
- Roxanne
- Syna Saberi

ANALYSIS

On January 10, 2025, the City Clerk transmitted the applications along with the Statement of Economic Interests (Form 700). Each Councilmember was asked to select 5 applicants to bring forward for the interview process. Those applicants receiving five or more indications of interest were invited to interview. The deadline for this selection was 4:00 pm on January 17, 2025.

The applicants selected for interview is listed in random alphabet order based on the [Randomized Alphabet](#) the California Secretary of State held on January 13, 2025 as requested by the City Clerk's office.

- Robert Staedler
- Carl Eugene Salas
- ~~Baltazar Lopez~~ *withdrawn by request of applicant.*
- Danielle Marie Christian
- Jahmal Williams

EVALUATION AND FOLLOW-UP

No subsequent City Council action on this issue is necessary. After the appointment has been made, the City Clerk will perform the Oath of Office and swear the interim appointed Councilmember to a term to begin February 2, 2025 and end when a candidate has been duly elected in the next regularly scheduled election and the results of the election have been officially certified.

CLIMATE SMART SAN JOSE

The recommendation in this memo has no effect on Climate Smart San José energy, water, or mobility goals.

PUBLIC OUTREACH

The vacancy was widely reported by San José Mercury News and San José Spotlight. This memorandum will be posted on the City's website for the January 28, 2025 City Council agenda.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office.

COMMISSION RECOMMENDATION/INPUT

No commission recommendation or input is associated with this action.

CEQA

Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment.

HONORABLE MAYOR AND CITY COUNCIL

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Toni J. Taber, MMC
City Clerk

For questions, please contact Toni Taber, City Clerk, at city.clerk@sanjoseca.gov or (408) 535-1260.