



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Toni J. Taber, CMC
City Clerk

**SUBJECT: PLANNING COMMISSION
APPOINTMENT**

DATE: March 29, 2019

COUNCIL DISTRICT: CITYWIDE

RECOMMENDATION

1. Interview applicants for appointment to the Planning Commission;
2. Appoint up to (1) applicant to the Planning Commission for a term expiring June 30, 2022; 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 Ada Marquez on November 14, 2018. The Office of the City Clerk conducted an open recruitment from January 8-January 25, 2019. In addition to applications already on file, a total of 25 applications were transmitted to the Mayor and City Council for review. Each Councilmember and the Mayor selected up to four candidates for interview. Those receiving four or more indications of interest were invited to the interview process.

On March 18, three candidates were interviewed for the appointment: Pierluigi Oliverio, Aimee Escobar, and Rolando Bonilla. Today, Mr. Kline will be interviewed.

On February 22nd, the City Clerk sent the list of applicants from the Granicus Boards and Commissions software to the Council. On May 4th, two councilmembers responded with their indications of interest. On May 5th, it came to the City Clerk's attention that one applicant, Norm Kline, was not included in the application packet. Upon investigation, the software had excluded Mr. Kline as he had served before. The City Clerk sent his application to the City Council including those who had submitted their indications, telling them to include Mr. Kline in their evaluations. The list of names sent to them was updated. In order to make sure Mr. Kline was fairly evaluated, the Council voted to include him in the interview process.

ANALYSIS

As required by Council Policy 0-4, applicants receiving indications of interest from four or more Councilmembers have been invited to be interviewed by the City Council on December 11, 2018. Three (3) candidates received indications of interest from four or more Councilmembers. Successful applicants 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, 2022.

The list of candidates, listed in the random alphabet order as established by the Secretary of State for the General election held in November 2018, who can be appointed are:

- Norm Kline
- Pierluigi Oliverio
- Aimee Escobar
- Rolando Bonilla

Candidate applications and any supporting documentation are attached to this memorandum. Memoranda from the Office of the City Attorney and the Department of Planning, Building, and Code Enforcement regarding their review for potential conflicts of interest and outstanding code enforcement for each applicant are also included.

EVALUATION AND FOLLOW-UP

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

PUBLIC OUTREACH

The Office of the City Clerk conducted an open recruitment for the vacancies from Additional recruitment occurred from January 8-January 25, 2019. This memorandum has been posted for the meeting of April 9, 2019.

COORDINATION

This memorandum has been coordinated with the Office of the City Attorney and the Department of Planning, Building, and Code Enforcement.

COMMISSION RECOMMENDATION/INPUT

The recommended actions have no commission input or recommendation.

CEQA

Not a Project, File No. PPI 7-010, City 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.