

SAN JOSE APPEALS HEARING BOARD MINUTES
THURSDAY, SEPTEMBER 11, 2014
6:30 P.M. COUNCIL CHAMBERS

1. The meeting of the San Jose Appeals Hearing Board convened this date at 6:30 p.m., Council Chambers, City Hall, with the following members in attendance: Chair David Parker, Commissioners Rajwant Bains, Ron Cabanayan, Timothy Kenny, William Murphy, Troy Overton and Robyn Shearin.

Staff Present: Erica Grimaldo, San Jose Police Department Permits Unit
Debbie Morales, Appeals Hearing Board Secretary
Rosa Tsongtaatarii, Senior Deputy City Attorney

2. **Approval of Minutes**

Chair Parker read a statement to the public regarding the general procedures for the hearings and requested that speakers submit a speaker's card for the item they wish to speak on. Commissioner Kenny made the motion and Commissioner Bains, second the motion, to approve the minutes of August 28, 2014. Commissioner Overton abstained from approving the minutes of August 28, 2014.

3. **Requests for Deferrals and/or Continuance**

4. **Public Hearings Consent Calendar**

5. **Deferred and/or Continued Items**

6. **Public Hearings**

- a. **Appeal of Tow-Car Business Assistant's Permit**

Erica Grimaldo, Staff Specialist for the City of San Jose Police Permit Unit, stated that the Police Permits Unit denied Mr. Berry's application for a Tow Car Assistant Permit based on an investigation of a complaint from Courtesy Tow on June 3, 2014, that Mr. Berry, a former employee of Courtesy Tow, embezzled money from the company.

Mr. Berry, the appellant, requested a month extension to secure representation for the hearing. Chair Parker informed Mr. Berry that he is not compelled to testify at the administrative hearing.

There was a motion by Commissioner Bains, seconded by Commissioner Kenny, to order as follows:

Motion to continue the case to the regular meeting on October 9, 2014.

AYES: Bains, Cabanayan, Kenny, Murphy, Overton, Parker, Shearin
NAYS:
ABSENT

7. **Request for Excused Absence**

8. **Other Business**

Discussion and feedback of the proposed changes to Policy 0-4. The discussion regarding an increase in the stipend amount received by the Board was agreed by the commissioners to be adequate at this time.

9. **Open Forum - Oral Communication from the Public**

Chair David Parker requested a moment of silence in remembrance of September 11, 2011.

10. **Adjournment**

There was a motion by Commissioner Kenny, seconded by Commissioner Overton to adjourn the meeting. Chair Parker adjourned the meeting at 6:59 p.m. The next regular meeting will be held September 25, 2014 at 6:30 p.m. in the City Hall Council Chambers.