
DRAFT REGULAR MEETING MINUTES
MARCH 14, 2019

1. CALL TO ORDER & ORDERS OF THE DAY

ROLL CALL

PRESENT: Chair Karen Parson Vice, Chair Ron Cabanayan, Commissioners Rajwant (Raji) Bains, Elizabeth Chien Hale, and Timothy Kenny.

ABSENT: None.

STAFF: Board Secretary Leslie Alvernaz, Finance Department Investigator Collector II My Vuong, Finance Department Senior Analyst Eric Lemon, and Senior Deputy City Attorney Rosa Tsongtaatarii.

CALL TO ORDER

Chair Parsons convened the Appeals Hearing Board at 6:35 p.m. in the City Council Chambers of City Hall, 200 E. Santa Clara Street, San Jose, CA 95113.

2. OPENING REMARKS AND APPROVAL OF MINUTES

APPROVAL OF MINUTES

- a. Documents Filed: Draft Meeting Minutes from Appeals Hearing Board Regular Meeting on April 25, 2019.

Action: Upon motion by Commissioner Bains, seconded by Commissioner Chien-Hale, the minutes for April 25, 2019 was approved. (5-0).

3. REQUEST FOR DEFERRALS

There was no request for deferrals.

4. CONSENT CALENDAR

There was no Consent Calendar.

5. DEFERRED AND/OR CONTINUED ITEMS

There was no Deferred and/or Continued Items.

6. PUBLIC HEARINGS

a. DELINQUENT TREE LIENS

Documents Filed: Notice of Public Hearing and Report of Delinquent Tree Liens dated May 29, 2019.

Action: Public Hearing to adopt a resolution confirming the report from the Director of Finance concerning delinquent tree violation costs and place a special assessment lien against the property accounts that have remained unpaid as of May 1, 2019. My Vuong gave a summary and presented the Board with an updated list of 122 properties as of 5:00 p.m. June 13, 2019.

Upon a motion by Vice Chair Cabanayan, second by Commissioner Bains and carried unanimously to adopt a resolution confirming the report of of delinquent tree violations costs and to place a Special Assessment lien against the listed properties. (5-0)

b. ABATEMENT LIENS

Documents Filed: Notice of Public Hearing and Report of Delinquent Abatements Costs dated May 29, 2019.

Action: Public Hearing to adopt a resolution confirming the report from the Director of Finance concerning delinquent abatement costs and place a special assessment lien against the property accounts that have remained unpaid as of May 1, 2019. My Vuong gave a summary and presented the Board with an updated list of two property accounts as of 5:00 p.m. June 13, 2019.

Upon a motion by Commissioner Bains, second by Vice Chair Cabanayan and carried unanimously to adopt a resolution confirming the report of delinquent abatement costs and to place a special assessment lien against the listed properties. (5-0)

c. ADMINISTRATIVE REMEDIES LIEN

Documents Filed: Notice of Public Hearing and Report of Delinquent Administrative Penalties and Costs dated May 29, 2019.

Action: Public hearing to adopt a resolution confirming the report from the Director of Finance concerning the delinquent administrative penalties and costs for the accounts that have remained unpaid as of May 1, 2019. My Vuong gave a summary and presented the Board with an updated list with no change in the number of properties as of 5:00 p.m. June 13, 2019.

Upon a motion by Commissioner Kenny, second by Vice Chair Cabanayan and carried unanimously to adopt a resolution confirming the report of delinquent administrative penalties and costs and to place a lien against the listed properties. (5-0)

d. SPECIAL ASSESSMENT LIENS FOR COLLECTION OF DELINQUENT SOLID WASTE COLLECTION SERVICE

Documents Filed: Notice of Public Hearing and Report of Delinquent Residential Solid Collection Service Charges, Late Charges and Administrative Fees and Charges dated May 29, 2019.

Action: Jeff Rhoads, Senior Analyst, from the Finance Department provided an updated report of the accounts in a delinquent status as of 5:00 pm, June 13, 2019.

Upon motion by Commissioner Chien-Hale, second by Commissioner Bains and carried unanimously, to adopt a resolution to confirm the special assessment report of the Director of Finance and the delinquent Residential Solid Waste Collection Service Charges, Late Charges and Administrative Fees and Charges, and to place a special assessment and secure a lien in the amount listed in the updated report as of June 13, 2019 at 5:00 p.m. (4-0-1) Commissioner Cabanayan abstained due to a legal conflict of interest.

7. REQUEST FOR EXCUSED ABSENCE

There was no request for excused absence.

8. OTHER BUSINESS

There was no other business.

9. PUBLIC COMMENT

There was no public testimony on the floor.

10. ADJOURNMENT

Upon a motion by Commissioner Chien-Hale, seconded by Commissioner Kenny, and carried unanimously, the Hearing was adjourned at 6:57 p.m. (5-0)