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REGULAR MEETING MINUTES  
February 8, 2024

**1. CALL TO ORDER & ORDERS OF THE DAY**

**ROLL CALL**

**PRESENT:** Chair Karen Parsons, Vice Chair Ron Cabanayan, Commissioner Jon Budas, Commissioner David Hook, Commissioner Timothy Kenny and Commissioner Williamson.

**ABSENT:** Commissioner Minish Bajpai

**STAFF:** Board Secretary Regina Lizaola, Code Enforcement Division Manager Rita Tabaldo, Finance Department Sr. Analyst Gary Marquez, San José Police Department Staff Specialist Permits Unit Kamira Dunphy, Police Sergeant Hung Ding, Chief Deputy City Attorney Elisa Tolentino, and Deputy City Attorney Leanne Bolano.

**CALL TO ORDER**

Chair Parsons convened the Appeals Hearing Board at 6:32 p.m. in the City Council Chambers of City Hall, 200 E. Santa Clara Street, San José, CA 95113.

**2. OPENING REMARKS AND APPROVAL OF MINUTES**

**APPROVAL OF MINUTES**

Documents Filed: Draft Meeting Minutes from Appeals Hearing Board Regular Meeting on December 14, 2023.

Action: Upon motion by Commissioner Kenny, seconded by Commissioner Hook, and abstained by Commissioner Budas the minutes for December 14, 2023 was approved. (5-0-1-1).

**3. REQUEST FOR DEFERRALS**

There was no request for deferrals.

**4. CONSENT CALENDAR**

No items on the Consent Calendar.

**5. DEFERRED AND/OR CONTINUED ITEMS**

There was no deferred and/or continued items.

## 6. PUBLIC HEARINGS

### a. **SPECIAL ASSESSMENTS LIENS FOR DELINQUENT RESIDENTIAL SOLID WASTE COLLECTION SERVICE CHARGES**

Documents Filed: Notice of Public Hearing and Report of Delinquent Residential Solid Waste Collection Service Charges dated January 23, 2024

Action: Public Hearing to adopt a resolution confirming the report from the Director of Finance concerning delinquent Solid Waste Collection cost and place a special assessment lien against the property accounts that have remained unpaid as of January 23, 2024.

Gary Marquez provided a written summary of the proposed liens to the Board as of 5:00 p.m. February 8, 2024. The paid accounts were redlined leaving the outstanding accounts.

Upon a motion by Commissioner Kenny, second by Commissioner Williams and carried unanimously, the Board upheld the Director of Finance's recommendation to adopt a resolution to confirm the updated special assessment report as of 5:00 p.m. February 8, 2024 from the Director of Finance relating to the delinquent residential solid waste collection service charges, late charges, and administrative fees and charges contained therein; and place a special assessment and secure a lien in the amount of any delinquent customer account balance against the related parcels with the Santa Clara County Tax Assessor's Office and Recorder's Office, respectively. (6-0-1)

### b. **APPEAL OF TAXI DRIVER PERMIT**

Documents Filed: Conduct a Public Hearing and consider an Appeal of Victorio Mendoza of a denial of a Taxi Driver Permit by the Chief of Police, pursuant to San José Municipal Code Section 6.64.500 M

Victorio Mendoza was present and gave testimony.

Dan McNamara, brother-in-law of Mr. Mendoza gave testimony.

Kamira Dunphy was present and gave testimony.

Action: Upon a motion by Commissioner Kenny, seconded by Vice Chair Cabanayan and carried unanimously, to uphold the denial of Victorio Mendoza's application for a Taxi Driver Permit (6-0-1)

## 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 Vice Chair Cabanayan, seconded by Commissioner Hook, and carried unanimously, the Hearing was adjourned at 7:17 p.m.