
REGULAR MEETING MINUTES
MAY 22, 2025

1. CALL TO ORDER & ORDERS OF THE DAY

ROLL CALL

PRESENT: Chair Karen Parsons, Vice Chair Ron Cabanayan, Commissioner Genevieve Altwer, Commissioner Jon Budas, Commissioner Timothy Kenny and Commissioner Brett Williamson.

ABSENT: Commissioner David Hook.

STAFF: Board Secretary Regina Lizaola, Code Enforcement Division Manager Eusebio Espitia, Finance Department Investigator Collector II Trinh Nguyen, Finance Department Senior Analyst Gary Marquez and Deputy City Attorney Leanne Bolaño.

CALL TO ORDER

Chair Parsons convened the Appeals Hearing Board at 6:30 p.m. in the Wing Rooms 118, 119, 120 of City Hall, 200 E. Santa Clara Street, San Jose, CA 95113.

2. OPENING REMARKS AND APPROVAL OF MINUTES

APPROVAL OF MINUTES

Documents Filed: Draft Meeting Minutes from Appeals Hearing Board Regular Meeting on May 8, 2025.

Action: Upon motion by Commissioner Altwer, seconded by Commissioner Kenny, and abstained by Vice Chair Cabanayan the minutes for May 8, 2025 was approved. (6-1-1).

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. DELINQUENT TREE LIENS

Documents Filed: Notice of Public Hearing and Report of Delinquent Tree Liens dated May 5, 2025.

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 April 30, 2025.

Trinh Nguyen provided a written summary of the proposed liens to the Board as of 5:00p.m. May 22, 2025. The paid accounts were redlined in an updated spreadsheet provided to the Board as an addendum to the May 5, 2025 staff memo, leaving the outstanding 49 accounts.

Commissioner Kenny confirmed the redlined rows on the updated written report prepared by Finance staff demonstrated paid accounts as of May 22, 2025.

Upon a motion by Commissioner Kenny, Second by Vice Chair Cabanayan and carried (6-0-1) unanimously to confirm the report from the Director of Finance as revised by 5:00 p.m. on May 22, 2025 and direct the Director of Finance to place a Special Assessment lien against the properties to be recorded with the Santa Clara County Clerk Recorder's Office.

b. ADMINISTRATIVE REMEDIES LIENS

Documents Filed: Notice of Public Hearing and Report of Delinquent administrative penalties and costs dated May 5, 2025.

Action: Public Hearing to adopt a resolution confirming the report from the Director of Finance concerning delinquent administrative penalties and costs and place a special assessment lien against the property accounts that have remained unpaid as of April 30, 2025.

Trinh Nguyen provided a written summary of the proposed liens to the Board and testified that as of 5:00p.m. May 22, 2025, no accounts have been removed.

Upon a motion by Commissioner Kenny, Second by Commissioner Williamson and carried (6-0-1) unanimously to confirm the report from the Director of Finance and direct the Director of Finance to place a lien against the properties to be recorded with the Santa Clara County Clerk Recorder's Office.

c. ABATEMENT LIENS

Documents Filed: Notice of Public Hearing and Report of delinquent abatement costs dated May 5, 2025.

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 April 30, 2025.

Trinh Nguyen provided a written summary of the proposed liens to the Board and testified that as of 5:00p.m. May 22, 2025, no accounts have been removed.

Chair Parsons confirmed with staff that the two listed accounts on the spreadsheet attachment to the Staff memo were billed correctly.

Upon a motion by Commissioner Kenny, Second by Commissioner Altwer and carried (6-0-1) unanimously to confirm the report from the Director of Finance concerning the delinquent abatement costs for the accounts that have remained unpaid as of 5:00 p.m. April 30, 2025, and direct the Director of Finance to place a Special Assessment lien against the property to be recored with the Santa Clara County Recorder's Office.

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

Documents Filed: Notice of Public Hearing and Report of Delinquent Solid Waste Collection Service accounts dated April 30, 2025.

Action: Public Hearing to adopt a resolution confirming the report from the Director of Finance concerning Delinquent Solid Waste Collection Service accounts and place a special assessment lien against the property accounts that have remained unpaid as of April 30, 2025.

Gary Marquez provided a written summary of the proposed liens to the Board as of 5:00 p.m. May 22, 2025. The paid accounts were redlined in an updated spreadsheet provided to the Board as an addendum to the April 30, 2025 staff memo, leaving the 145 outstanding accounts.

Commissioner Kenny confirmed the redlines in the updated spreadsheet demonstrated accounts that had been paid as of 5:00 p.m. as of May 22, 2025.

Upon a motion by Commissioner Budas, Second by Chair Parsons and carried (6-0-1) unanimously to confirm the report from the Director of Finance as revised by 5:00 p.m. on May 22, 2025 and direct the Director of Finance to place a Special Assessment and secure a lien against the properties to be recorded with the Santa Clara County Clerk Recorder's Office.

7. REQUEST FOR EXCUSED ABSENCE

Recommendation: Request excused absences for:

- A. Commissioner Hook from the regular meeting of May 8, 2025, due to personal business.

Action: Upon motion by Chair Parsons seconded by Commissioner Kenny the request for excused absences was approved. (6-0-1).

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 Altwer, seconded by Chair Parsons, and carried unanimously, the Hearing was adjourned at 6:44 p.m.