

Chair: Karen Parsons  
Vice Chair: Ron Cabanayan

Comissioner: Timothy Kenny  
Commissioner David Hook

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**REGULAR MEETING AGENDA**  
**JUNE 10, 2021**

**6:30 p.m**

**VIRTUAL ZOOM**

**\* COVID-19 NOTICE \***

**Consistent with the California Governor’s Executive Order No. N-29-20 the APPEALS HEARING BOARD meeting will not be physically open to the public and the Commission members will be teleconferencing from remote locations.**

**How to attend the APPEALS HEARING BOARD MEETING:**

Please click the link below to join the webinar:

<https://sanjoseca.zoom.us/j/97532704472>

Or iPhone one-tap :

US: +12133388477, 91851401886# or +14086380968, 91851401886#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 213 338 8477 or +1 408 638 0968 or 877 853 5257 (Toll Free) or 888 475 4499 (Toll Free)

Webinar ID: 975 3270 4472

International numbers available: <https://sanjoseca.zoom.us/u/adDlwjVPFQ>

- 1. CALL TO ORDER & ORDERS OF THE DAY**
- 2. OPENING REMARKS AND APPROVAL OF MINUTES**
  - a. Recommendation: [Approval of minutes for March 25, 2021.](#)
- 3. REQUEST FOR DEFERRALS**
- 4. CONSENT CALENDAR**
- 5. DEFERRED AND/OR CONTINUED ITEMS**

## **6. PUBLIC HEARINGS**

### **a. ABATEMENT SPECIAL ASSESSMENT LIEN**

Conduct a Public Hearing to consider the adoption of a resolution confirming the report from the Director of Finance concerning unpaid Abatement Costs for the accounts that have remained unpaid as of May 25, 2021, and direct the Director of Finance to place a special assessment against the property, secured by a lien to be recorded with the Santa Clara County Recorder's Office.

### **b. ADMINISTRATIVE REMEDIES LIEN**

Conduct a Public Hearing to consider the adoption of a resolution confirming the report from the Director of Finance concerning the delinquent administrative penalties and administrative costs for the account subject to an administrative remedies order that have remained unpaid as of May 25, 2021, and direct the Director of Finance to place a lien against the property to be recorded with the Santa Clara County Recorder's Office.

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

Conduct a public hearing to consider the adoption of a resolution confirming the Special Assessment Report of the Director of Finance concerning unpaid residential solid waste collection service charge billings for accounts in a delinquent status and direct the Director of Finance to 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.

### **d. 439 SANTA MESA DRIVE (689-40-010) – PROPOSED ABATEMENT** (Greg Peacock, Code Enforcement Inspector/ Joseph Green, Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing to consider the adoption of a proposed abatement order to require the property owner by the end of fifteen (15) calendar days of the date of service of the Board's resolution in this matter:

1. Cut and remove overgrown grasses or other vegetation located in the left side yard, right side yard, and rear yard.
2. Remove any discarded wood stored in the front yard.  
If the above mentioned hazards and violations are not removed, and the preventative measures are not completed within fifteen (15) calendar days of the date of service of the Board's resolution in this matter, the abatement shall be performed by a City approved contractor or service providers and the cost of the abatement may be charged to the property owner to be billed following the completion of the work and paid in full within thirty (30) days of the billing date.

**7. REQUEST FOR EXCUSED ABSENCE**

**8. OTHER BUSINESS**

**9. PUBLIC COMMENT***(Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the Board. Meeting attendees are usually given two (2) minutes to speak on any discussion item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Speakers using a translator will be given twice the time allotted to ensure non-English speakers receive the same opportunity to directly address the Board.)*

**10. ADJOURNMENT**

The next regular meeting will be Virtual on June 24, 2021 at 6:30 p.m.

*The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.*

You may speak to the Board about any discussion item that is on the agenda, and you may also speak during Public Comments on items that are not on the agenda and are within the subject matter jurisdiction of the Board. Please be advised that, by law, the Board is unable to discuss or take action on issues presented during Public Comments. Pursuant to Government Code Section 54954.2, no matter shall be acted upon by the Board unless listed on the agenda, which has been posted not less than 72 hours prior to meeting.

Agendas, Staff Reports and some associated documents for the Board items may be viewed on the Internet at <http://sanjoseca.gov/index.aspx?nid=341>.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Clerk, 200 East Santa Clara Street, 14<sup>th</sup> Floor, San José, California 95113, at the same time that the public records are distributed or made available to the legislative body. Any draft resolutions or other items posted on the Internet site or distributed in advance of the Board meeting may not be the final documents approved by the Board. Contact the Office of the City Clerk for the final document.

On occasion the Board may consider agenda items out of order.

The **APPEALS HEARING BOARD** meets every Second (2<sup>nd</sup>) and Fourth (4<sup>th</sup>) Thursday of each month at 6:30 p.m. If you have any questions, please direct them to the Board staff. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

**To request an accommodation or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events or printed materials, please call (408) 535-1260 as soon as possible, but at least three business days before the meeting.**

**Please direct correspondence and questions to:**

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