

SAN JOSE APPEALS HEARING BOARD MINUTES
THURSDAY, JUNE 11, 2009
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: Chairperson Clark Williams, Commissioners, Jose Hernandez, Judy Jones, Troy Overton, Karen Parsons and Susan Ruscigno. Commissioner Sonja Etienne was absent.

Staff Present: Evet Loewen, Chief Deputy City Attorney
Diane Buchanan, Code Enforcement Manager
Sandy Bouja, Appeals Hearing Board Secretary
Eusebio Espitia, Code Enforcement Supervisor
Sharon Yamzon, Code Enforcement
Belinda Silvatici, Finance Department
Jeff Rhoads, Finance Department
Betty Mitre, Code Enforcement

2. **Opening Remarks and Approval of Minutes**

Chairperson Clark Williams read a statement to the public requesting that speakers identify themselves and state their address. There was a motion by Commissioner Ruscigno, seconded by Commissioner Hernandez, to approve the minutes of May 28, 2009.

3. **Request for Excused Absence**

The Board approved the excused absence for Commissioner Parsons for May 28, 2009.

4. **Public Hearings Consent Calendar**

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

6. **Public Hearings**

- a. **Recycle Plus Liens**

Public Hearing to adopt a resolution confirming the report from the Director of Finance concerning unpaid Recycle Plus bills for accounts in a delinquent status as of May 20, 2009, and directing the Director of Finance to place a Lien against related properties secured by a lien with the Santa Clara County Recorder's Office.

Jeff Rhoads from the Utility Billing Group was present and stated that the Finance Department is requesting to seek liens against the listed properties.

There was a motion by Commissioner Hernandez, seconded by Commissioner Parsons, to order as follows:

To uphold the recommendation of the Finance Department and adopt a resolution confirming the report of unpaid Recycle Plus bills and place an assessment against the properties secured by a lien.

AYES: Hernandez, Jones, Overton, Parsons, Ruscigno, Williams
NAYS:
ABSENT: Etienne

b. 1253 Fleming Avenue (612-47-028) Administrative Remedy

Code Enforcement Inspector Sharon Yamzon gave testimony and presented photos of the subject property. The property owners were not present at the meeting.

There was a motion by Commissioner Williams, seconded by Commissioner Overton, to order as follows:

To approve the City's recommendation

AYES: Hernandez, Jones, Overton, Parsons, Ruscigno, Williams
NAYS:
ABSENT: Etienne

7. Other Business

8. Open Forum - Oral Communication from the Public

9. Adjournment

There was a motion by Commissioner Parsons, seconded by Commissioner Ruscigno to adjourn the meeting. Chair Clark Williams adjourned the meeting at 6: 50 p.m. The next regular meeting will be held on Thursday, June 25, 2009 at 6:30 p.m., at the City Hall Council Chambers.