

DRAFT REGULAR MEETING MINUTES
JUNE 8, 2023

1. CALL TO ORDER & ORDERS OF THE DAY

ROLL CALL

PRESENT: Vice-Chair Ron Cabanayan, Commissioners Manish Bajpai, David Hook, Timothy Kenny and Brett Williamson.

ABSENT: Chair Parsons

STAFF: Board Secretary Regina Lizaola, Finance Department Investigator Collector II My Vuong, and Chief Deputy City Attorney Rosa Tsongtaarii.

CALL TO ORDER

Vice-Chair Cabanayan convened the Appeals Hearing Board at 6:38 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

Documents Filed: Draft Meeting Minutes from Appeals Hearing Board Regular Meeting on April 27, 2023.

Action: Upon motion to Approve Minutes by Commissioner Hook, seconded by Commissioner Kenny, the minutes for January 26, 2023 was approved (5-0-1).

3. REQUEST FOR DEFERRALS

There was no request for deferrals.

4. CONSENT CALENDAR

There are no items on Consent.

5. DEFERRED AND/OR CONTINUED ITEMS

There were no deferred and/or continued items.

6. PUBLIC HEARINGS

Documents Filed: Notice of Public Hearing and Special Assessment Report from the Director of Finance concerning the Recycle Plus Program Residential Solid Waste Collection Service Charges delinquent status as of May 9, 2023.

Action: (a) Conduct a Public Hearing on June 8, 2023, at 6:30 P.M., or when it is heard at that meeting confirming and authorizing the recording of special assessment liens on the Santa Clara County secured property tax roll for collection of delinquent solid waste collection service accounts; and

(b) Consider adoption of a resolution to:

1. 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 contained therein; and
2. 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.

My Vuong provided an updated spreadsheet of the outstanding delinquent accounts as of 5:00 p.m. June 8, 2023. The paid accounts were redlined, there were five partial payments in blue, and 90 outstanding with a total of 95 proposed delinquent accounts proposed to be liened.

Upon a motion by Commissioner Kenny, second by Commissioner Hook and carried unanimously, the Board approved the adoption of a resolution to reflect Staff's recommendation. (5-0-1)

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 one public comment from an individual regarding the enforcement of food truck permit.

10. ADJOURNMENT

Upon a motion by Commissioner Kenny, seconded by Commissioner Hook, and carried unanimously (5-0-1), the Hearing was adjourned at 6:53 p.m.