



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Toni J. Taber, CMC
City Clerk

SUBJECT: APPEALS HEARING BOARD
INTERVIEWS

DATE: June 25, 2021

RECOMMENDATION

Interview applicants for appointment to the Appeals Hearing Board:

- (a) Appoint one (1) applicant to the Public Member Seat on the Appeals Hearing Board for a term beginning July 7, 2021 and ending December 31, 2021;
- (b) Appoint applicant to the Public Member Seat on the Appeals Hearing Board for an additional term ending December 21, 2025, and
- (c) If any vacancy remains, direct the City Clerk to continue recruitment efforts and bring forward additional applicants for consideration within 90 days.

OUTCOME

Appointment of an applicants to the Public Member seat will ensure a full membership on the Appeals Hearing Board to continue with board business.

BACKGROUND

Under San José Municipal Code Section 2.08.620, the Appeals Hearing Board has the following functions, powers, and duties:

- A. Hear all administrative hearings and appeals authorized by this Code or by ordinance.
- B. Conduct all administrative abatement action hearings authorized by this Code or by ordinance.
- C. Perform the functions and duties within the jurisdiction of the code enforcement appeals commission and traffic appeals commission as set forth in other titles of this Code.
- D. Perform such other programs or functions related to administrative hearings and appeals that the city council or the city manager may, from time to time, authorize or request.
- E. Hear and determine, consistent with city policies, appeals from orders of the city traffic engineer pertaining to citizen requests for stop control devices.
- F. Issue decisions, consistent with city policies, to the city traffic engineer on the subject of installing stop signs at street intersections.

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Per Council Policy 0-4, Consolidated Policy Governing Boards and Commissions, applicants who were not appointed to a Board or Commission will have their applications maintained on file in the City Clerk's Office for a period of one year from the date of application. One application was received from Brett Williamson and the applicant was transmitted to the City Attorney for a conflict of interest review.

ANALYSIS

The one applicant, Brett Williamson, was invited to be interviewed by the City Council on June 29, 2021. As required by Council Policy 0-4, a successful applicant must receive six (6) or more votes to be appointed to the Appeals Hearing Board. If the seat remains unfilled, it is recommended that the recruitment be referred back to the City Clerk to secure additional applicants for consideration by Council in 90 days. After the interviews, the Council may make one appointment for a term ending December 31, 2021.

Candidate applications and any supporting documentation are attached to this memorandum. Memoranda from the Office of the City Attorney regarding their review for potential conflicts of interest are also included.

PUBLIC OUTREACH

This memorandum has been posted on the City Clerk's website as part of the June 29, 2021 City Council Meeting Agenda.

COORDINATION

This memorandum has been coordinated with the Office of the City Attorney.

COMMISSION RECOMMENDATION/INPUT

The recommended actions have no commission input or recommendation.

CEQA

CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities.



TONI J. TABER, CMC
City Clerk

For questions, please contact Elaine Trinh, Deputy City Clerk, at (408) 535-1260.