



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Toni J. Taber, CMC
City Clerk

SUBJECT: APPEALS HEARING BOARD
INTERVIEW

DATE: December 2, 2022

RECOMMENDATION

Interview applicant for appointment to the Appeals Hearing Board:

- (a) Appoint Karen Parsons to the Appeals Hearing Board for a full term from January 1, 2023 to December 31, 2026;
- (b) 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 the applicant to ensure six seated members on the 7-member Appeals Hearing Board.

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.

There are two vacancies on the Appeals Hearing Board.

ANALYSIS

As required by Council Policy 0-4, the appointment process for the Appeals Hearing Board includes the City Council holding a public interview of the applicants. The applicant has been invited to be interviewed by the City Council on December 13, 2022. Successful applicants must receive six (6) or more votes to be appointed to the Board. If the seat remains unfilled, it is recommended that the recruitment be referred to the City Clerk to ensure additional applications for consideration by Council in 90 days. After the interview, the Council may make an appointment for a term of January 1, 2023 through December 31, 2026. Karen Parsons is the only applicant seeking reappointment to the Board. Her application is attached to this memorandum. A memorandum from the Office of the City Attorney regarding their review for potential conflicts of interests is also included.

PUBLIC OUTREACH

This memorandum has been posted on the City Clerk's website as part of the December 13, 2022 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

Not a Project, File No. PP17-010, City Organizational & Administrative Activities resulting in no changes to the physical environment.



TONI J. TABER, CMC
City Clerk

For questions, please contact Toni J. Taber, Deputy City Clerk, at (408) 535-1260.