



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Toni J. Taber, MMC
City Clerk

**SUBJECT: APPEALS HEARING BOARD
INTERVIEW**

DATE: November 25, 2025

RECOMMENDATION

- (a) Interview applicants and consider appointment to fill three (3) Member-at-Large seats for terms beginning January 1, 2026 and ending December 31, 2029 on the Appeals Hearing Board.
- (b) If any vacancies remain, direct the City Clerk to continue recruitment efforts and bring forward additional applicants for consideration.

OUTCOME

Appointment of three applicants will ensure seven seated members on the seven-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.

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 three upcoming vacancies on the Appeals Hearing Board. The appointment is for up to three (3) Member-at-Large seats for full terms beginning January 1, 2026 and ending December 31, 2029 on the Appeals Hearing Board. Members-at-Large are eligible for reappointment to the Board to successive four-year terms under the San José Municipal Code Section 2.08.630. As required by Council Policy 0-4, three applicants received indications of interest from four or more Councilmembers and have been invited to be interviewed by the City Council on December 9, 2025. The three applicants received indications of interest from four or more Councilmembers are:

- Martin Nguyen
- Ronald Cabanayan (Attorney-at-Law) incumbent since 1/1/2014
- Genevieve Altwier, incumbent since 4/8/2025

One Appeals Hearing Board Member is required to be an attorney, pursuant to San José Municipal Code Section 2.08.615. Ronald Cabanayan has served on the Appeals Hearing Board fulfilling this requirement since 2014. Additionally, Martin Nguyen is a licensed California attorney and can serve in that capacity as well.

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 applicants have been invited to be interviewed by the City Council on December 9, 2025. Successful applicants must receive six (6) or more votes to be appointed to the Board. The Council may appoint up to three members for terms ending on December 31, 2029. Applications are attached to this memorandum. A memorandum from the Office of the City Attorney regarding their review for potential conflicts of interests is also included. If the seat(s) remain unfilled, it is recommended that the recruitment be referred to the City Clerk to ensure additional applications are received for consideration by Council.

PUBLIC OUTREACH

This memorandum has been posted on the City Clerk's website as part of the December 9, 2025 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.

HONORABLE MAYOR AND CITY COUNCIL

December 9, 2025

Subject: Appeals Hearing Board Interview

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CEQA

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



TONI J. TABER, MMC
City Clerk

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