



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Richard Doyle  
City Attorney

**SUBJECT:** Appeals Hearing Board  
Applicants

**DATE:** October 7, 2008

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## **BACKGROUND**

This Office routinely reviews applications to City Boards, Commissions and Committees. The applications do not provide complete information; however, they do occasionally disclose potential conflicts of interest or incompatible offices. The purpose of this memorandum is to highlight major areas of potential conflict that are disclosed by the applications. In order to analyze potential conflicts it is necessary to consider the duties of the particular commission or committee to which the applicant is seeking appointment.

## **COMMISSION DUTIES**

The Appeals Hearing Board sits as a quasi-judicial Board which hears code enforcement appeals of blighted conditions; illegal building activity; unsafe and unsanitary living conditions; abandoned, dismantled and inoperative vehicles; neglected vacant houses; weed abatement liens; garbage liens; police permittee denials or revocations; sign removal fees; and utility billing and graffiti abatement fees. The Board has the authority to impose certain penalties in lieu of criminal and civil judicial enforcement.

At least one member of the Board must be an attorney licensed to practice law in the State of California.

## **APPLICANTS**

**Hernandez, Jose A.** – Mr. Hernandez is a caseworker in Sunnyvale Community Services. He is currently serving on the Appeals Hearing Board. His application reveals no apparent conflicts of interest or incompatible offices.

**Jones, Judy.** – Ms. Jones is retired and once worked for the City of San Jose as the administrator for the Appeals Hearing Board, as well as a code enforcement inspector and supervisor. Her application reveals no apparent conflicts of interest or incompatible offices.

**Khan, Hassan, Abdur Rahman.** Mr. Khan Hassan works for Cisco Systems as a customer support engineer. Her application reveals no apparent conflicts of interest or incompatible offices.

**Williams, Clark A.** – Mr. Williams is self-employed as a nonprofit management consultant. Mr. Williams is currently serving on the Appeals Hearing Board as the Chair of the Board. His application reveals no apparent conflicts of interest or incompatible offices.

None of the applicants appear to hold any incompatible offices or to have apparent conflicts of interest that would preclude them from serving on the Appeals Hearing Board. Each applicant states that he or she resides in San Jose. The Committee may wish to consider the above comments in making its recommendations regarding appointments to the Board.

RICHARD DOYLE  
City Attorney

By   
Evet Loewen  
Chief Deputy City Attorney

cc: Debra Figone, City Manager  
Lee Price, MMC, City Clerk

# Memorandum

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**TO:** Nora Pimentel

**FROM:** Michael Hannon

**SUBJECT: RESPONSE TO REQUEST FOR  
APPEALS HEARING BOARD  
APPLICANT CODE REVIEW**

**DATE:** October 7, 2008

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The Code Enforcement Division has completed its review of the list of Appeals Hearing Board applicants for any possible code violations, per your email request of October 7, 2008. Code Enforcement staff conducted a thorough search of our records, by applicant name, to determine whether any complaints had been reported involving any property that the applicant owned or was otherwise involved.

Our research revealed no past or current cases in our system for any applicant.

Should you have any questions or if I can be of any further assistance, please do not hesitate to contact me.



Michael Hannon, Deputy Director  
Planning, Building and Code Enforcement

MH:DB:sck