

SAN JOSE APPEALS HEARING BOARD MINUTES
THURSDAY, APRIL 9, 2009
6:45 P.M., COUNCIL CHAMBERS

1. The meeting of the San Jose Appeals Hearing Board convened this date at 6:45 p.m., Council Chambers, City Hall, with the following members in attendance: Chairperson Clark Williams, Commissioners Sonja Etienne, Judy Jones, Karen Parsons and Susan Ruscigno. Commissioner Jose Hernandez and Troy Overton were absent.

Staff Present: Evet Loewen, Chief Deputy City Attorney
Sandy Bouja, Appeals Hearing Board Secretary
Diane Buchanan, Code Enforcement Manager
Eusebio Espitia, Code Enforcement Supervisor
Garry McLeod, Code Enforcement
Maryellen Parra, Code Enforcement
Sharon Yamzon, Code Enforcement
Marcy Gentry, Code Enforcement

2. **Opening Remarks and Approval of Minutes**

Chairperson Clark Williams read a statement to the public requesting that speakers identify themselves and state their address. There was a motion by Commissioner Parsons, seconded by Commissioner Etienne, to approve the minutes of March 26, 2009.

3. **Request for Excused Absence**

4. **Public Hearings Consent Calendar**

- b. **1419 Hurlingham Way (488-11-066) Summary Abatement**
(Maryellen Parra, Inspector / Deutsche Bank Natl. Tr. Co. TTEE, Property Owners)

Real Estate Broker, Mr. Angelo Santa Ana, testified and stated that he took ownership of the property on March 19, 2009.

Code Enforcement Inspector Maryellen Parra testified and stated that the property was abated twice. The dates that the property was abated were on February 20, 2009 and March 18, 2009.

There was a motion by Commissioner Parsons, seconded by Commissioner Ruscigno, to order as follows:

To uphold the abatement action taken by the City.

AYES: Etienne, Jones, Parsons, Ruscigno, Williams
NAYS:
ABSENT: Hernandez, Overton

5. **Deferred and/or Continued Items**

6. **Public Hearings**

b. **2590 Poplarwood Way (092-05-062) Proposed Abatement**
(Garry McLeod, Inspector / Junior C. Quinn & Mary Torrey-Quinn Property Owners)

Code Enforcement Inspector Garry McLeod testified and stated that as of today, there has been no change to the property and the weeds are worse than before. Inspector McLeod provided recent photos of the subject property showing the current conditions.

There was a motion by Commissioner Parsons, seconded by Commissioner Ruscigno, to order as follows:

To uphold the abatement by the City.

AYES: Etienne, Jones, Parsons, Ruscigno, Williams
NAYS:
ABSENT: Hernandez, Overton

e. **415 Madison Drive (689-27-043) Proposed Abatement**
(Garry McLeod, Inspector / Mary Anne Foley, Property Owner)

Code Enforcement Inspector Garry McLeod testified and presented new photos of the subject property.

Property Owner, Mary Anne Foley, was not present.

There was a motion by Commissioner Etienne, seconded by Commissioner Ruscigno, to order as follows:

To uphold the proposed abatement.

AYES: Etienne, Jones, Parsons, Ruscigno, Williams
NAYS:
ABSENT: Hernandez, Overton

f. 108 McCreery Avenue (481-19-088) Administrative Remedy
(Sharon Yamzon, Inspector / Raul R. & Kathy L. Garcia, Property Owners)

Code Enforcement Inspector Sharon Yamzon testified and requested a change in the date on the Order to Correct, Administrative Costs and Administrative Penalties from December 19, 2008 to May 9, 2009. The Administrative Penalties are to be paid in the amount of \$3,045.00 at \$200.00 per day. The Administrative Costs is \$925.01

There was a motion by Chair Williams, seconded by Commissioner Parsons, to order as follows:

To recommend the Order and changes by the City Code Enforcement Inspector.

AYES: Etienne, Jones, Parsons, Ruscigno, Williams

NAYS:

ABSENT: Hernandez, Overton

7. Other Business

Appeals Hearing Board Secretary, Sandy Bouja, announced that the reception for Boards and Commissioners will be on April 14, 2009 from 5:30 to 6:30 p.m.

8. Open Forum - Oral Communication from the Public

9. Adjournment

There was a motion by Commissioner Parsons, seconded by Commissioner Etienne to adjourn the meeting. Chair Clark Williams adjourned the meeting at 7: 20 p.m. The next regular meeting will be held on Thursday, May 14, 2009 at 6:30 p.m., at the City Hall Council Chambers.