

SAN JOSE APPEALS HEARING BOARD MINUTES
THURSDAY, MAY 14, 2009
6:30 P.M., COUNCIL CHAMBERS

1. The meeting of the San Jose Appeals Hearing Board convened this date at 6:30 p.m., Council Chambers, City Hall, with the following members in attendance: Chairperson Clark Williams, Commissioners Sonja Etienne, Jose Hernandez, Troy Overton, Karen Parsons and Susan Ruscigno. Commissioner Overton arrived at 6:45pm. Commissioner Judy Jones was 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
Al Morales, Acting Code Enforcement Supervisor
Susanne Cordova, Code Enforcement
William Gerry, Code Enforcement
Greg Peacock, 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 Ruscigno, seconded by Commissioner Etienne, to approve the minutes of April 9, 2009. Commissioner Hernandez abstained.

3. **Request for Excused Absence**

There was a unanimous vote to approve Commissioner Hernandez's absence of April 9, 2009.

4. **Public Hearings Consent Calendar**

- a. **1512 Midfield Avenue (486-07-013) Summary Abatement**
(William Gerry, Inspector / Bank of New York TR./CWALT Inc. Tr. Series 2006OA10, Property Owners)
- b. **1595 Havana Drive (486-01-001) Summary Abatement**
(Susanne Cordova, Inspector / Deutsche Bank Natl Tr Co Tr, Securitized Asset backed Recei, Property Owners)
- c. **1823 Walker Court (477-30-100) Summary Abatement**
(William Gerry, Inspector / American Home Mortgage SVCG Inc./Property Owners)

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

To uphold the abatement action taken by the City.

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

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

6. **Public Hearings**

b. **10200 Griffith Street (647-04-009) Proposed Abatement**
(Garry McLeod, Inspector / Estate of Iola Chapman, Property Owners)

Code Enforcement Inspector William Gerry testified in behalf of Code Enforcement Inspector Garry McLeod. The Property Owner was not present at the meeting.

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

To uphold the recommendations by the City.

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

c. **1023 S. 10th Street (472-13-029) Proposed Abatement**
(Garry McLeod, Inspector / Anson Poon Yu Lee & Susanna Lu, Property Owners)

Code Enforcement Inspector Garry McLeod testified and stated that the Property Owners are out of the country and request that the case be deferred to the next Appeals Hearing Board meeting of May 28, 2009.

The Commissioners unanimously agreed to defer the case to May 28, 2009.

d. **5597 Shadowcrest Way (464-47-018) Administrative Remedy**
(Greg Peacock, Inspector / Kagan Boaz, Property Owner)

Code Enforcement Inspector Greg Peacock testified and presented photos of the subject property.

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

To uphold the City's recommendation and to recommend the Order and changes by the City Code Enforcement Inspector to change the dates for Administrative Costs & Penalties and the Order to Correct to June 15, 2009.

AYES: Etienne, Hernandez, Overton, Parsons, Ruscigno, Williams

NAYS:

ABSENT: Jones

7. **Other Business**

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: 00 p.m. The next regular meeting will be held on Thursday, May 28, 2009 at 6:30 p.m., at the City Hall Council Chambers.