

SAN JOSE APPEALS HEARING BOARD MINUTES
THURSDAY, OCTOBER 22, 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, Vice Chair Karen Parsons, Commissioners Sonja Etienne, Judy Jones, Troy Overton. Commissioners Jose Hernandez and Susan Ruscigno were absent.

Staff Present: Evet Loewen, Chief Deputy City Attorney
Michael Hannon, Code Enforcement Officer
Sandy Bouja, Appeals Hearing Board Secretary
Luis Arevalo, Code Enforcement
Ed Callis, Code Enforcement
William Gerry, Code Enforcement
Todd Waltrip, Code Enforcement
Betty Mitre, Code Enforcement

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

Chair Clark Williams read a statement to the public requesting that speakers identify themselves and state their address. There was a motion by Commissioner Jones, seconded by Commissioner Overton, to approve the minutes of October 8, 2009. Commissioner Parsons abstained.

3. **Request for Excused Absence**

4. **Public Hearings Consent Calendar**

- a. **6085 Indian Avenue (687-11-014) Summary Abatement**
(William Gerry, Inspector / Aurora Loan Service, LLC, Property Owner)
- b. **1299 Erinwood Court (494-58-056) Summary Abatement**
(William Gerry, Inspector / Theavin Prom, Property Owner)
- c. **363 N. 8TH Street (249-50-006) Summary Abatement**
(William Gerry, Inspector / Hoang Chau L., Property Owner)
- d. **2535 Gimelli Court, Unit 52 (254-58-053) Summary Abatement**
(Ed Callis, Inspector / Calderon J. Ascencion Diaz, Property Owner)
- e. **3134 Andora Drive (649-06-019) Summary Abatement**
(William Gerry, Inspector / Dau Tran, Property Owner)

There were no separate discussions on hearing items regarding 6085 Indian Avenue, 1299 Erinwood Court, 363 N 8th Street, 2535 Gimelli Court and 3134 Andora Drive. The hearing items were considered to be routine and were adopted in one motion.

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

To approve the Consent Calendar.

AYES: Etienne, Jones, Overton, Parsons, Williams

NAYS:

ABSENT: Hernandez, Ruscigno

5. Deferred and/or Continued Items

6. Public Hearings

a. 1080 S. 8TH STREET (472-13-063) ADMINISTRATIVE REMEDY
(Todd Waltrip, Inspector / Juan A. Jimenez, Property Owner)

Code Enforcement Inspector Todd Waltrip testified and presented photos of the subject property.

Property Owner Juan Jimenez was present at the meeting and stated that he lives at the subject property and also rents the house to friends. Mr. Jimenez stated that he was fine with whatever was decided regarding this property.

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

To approve the Order as recommended by the City. The Administrative Costs in the amount of \$902.56 are due December 23, 2009. The Administrative Penalties in the amount of \$1,300.00, which would equal \$25.00 per day for 52 days are due on January 23, 2010.

AYES: Etienne, Jones, Overton, Parsons, Williams

NAYS:

ABSENT: Hernandez, Ruscigno

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 Williams adjourned the meeting at 7: 00 p.m. The next regular meeting will be held on Thursday, November 12, 2009, at 6:30 p.m., at the City Hall Council Chambers.