

SAN JOSE APPEALS HEARING BOARD MINUTES  
THURSDAY, OCTOBER 8, 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, Judy Jones, Troy Overton and Susan Ruscigno. Vice Chair Karen Parsons was absent.

Staff Present: Evet Loewen, Chief Deputy City Attorney  
Diane Buchanan, Code Enforcement Manager  
Sandy Bouja, Appeals Hearing Board Secretary  
Luis Arevalo, Code Enforcement  
Joseph Clarke, Code Enforcement  
William Gerry, Code Enforcement  
Pierre Schutz, 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 Ruscigno, seconded by Commissioner Hernandez, to approve the minutes of September 10, 2009. Chair Williams abstained.

3. **Request for Excused Absence**

4. **Public Hearings Consent Calendar**

- a. **1629 Scotty Street (486-09-079) Summary Abatement**  
(William Gerry, Inspector / Vail Ovidio, Property Owner)
- b. **1241 Summer Blossom Avenue (477-57-007) Summary Abatement**  
(Joseph Clarke, Inspector / Deutsche National Bank and NDEX West, LLC, Property Owners)
- c. **1853 Camacho Way (589-03-047) Summary Abatement**  
(William Gerry, Inspector / Richard Forrest, Property Owner)
- d. **750 Meridian Way (264-07-050) Summary Abatement**  
(William Gerry, Inspector / K & Z Homes, LLC, Property Owners)
- e. **2015 Tobago Avenue (477-42-103) Summary Abatement**  
(William Gerry, Inspector / Juventino Chavez, Property Owners)

- f. **1979 Bikini Avenue (477-43-056) Summary Abatement**  
(William Gerry, Inspector / GMAC Mortgage, LLC, Property Owners)
- g. **1151 Turtlerock Drive (477-42-041) Summary Abatement**  
(William Gerry, Inspector / Kyle T. To, Property Owner)

There were no separate discussions on hearing items regarding 1629 Scotty Street, 1241 Summer Blossom Avenue, 1853 Camacho Way, 750 Meridian Way, 2015 Tobago Avenue, 1979 Bikini Avenue and 1151 Turtlerock Drive. The hearing items were considered to be routine and were adopted in one motion.

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

To approve the Consent Calendar.

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

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

**6. Public Hearings**

- a. Public Hearing to adopt a resolution confirming the Director of Finance’s report concerning unpaid Abatement Costs for the accounts that have remained unpaid as of September 18, 2009, and directs the Director of Finance to place a Special Assessment against the property secured by a lien against the property with the Santa Clara County Recorder’s Office.

Alex Rojas from the Finance Department was present and requested that the Board adopt a resolution confirming the Director of Finance’s report and to remove Item #6, APN 484-40-013, Res. 09-56 from the report.

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

To adopt a resolution confirming the Director of Finance’s report concerning unpaid Abatement Costs for the accounts that have remained unpaid and to remove Item #6, APN 484-40-013, Res. 09-56 from the report.

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

- b. **6192 Calle del Conejo (575-30-060) Proposed Abatement**  
(Pierre Schutz, Inspector / Allan Zmyslowski, Property Owner)

Code Enforcement Inspector Pierre Schutz requested the Board continue the item to the Appeals Hearing Board meeting of November 12, 2009, because of a noticing issue.

7. **Other Business**

8. **Open Forum - Oral Communication from the Public**

Cathy Brandhorst addressed the Board on topics that were not on the agenda and voiced her opinion and thoughts.

9. **Adjournment**

There was a motion by Commissioner Etienne, seconded by Commissioner Ruscigno to adjourn the meeting. Chair Williams adjourned the meeting at 6:45 p.m. The next regular meeting will be held on Thursday, October 22, 2009, at 6:30 p.m., at the City Hall Council Chambers.