

DRAFT REGULAR MEETING MINUTES
DECEMBER 8, 2022

1. CALL TO ORDER & ORDERS OF THE DAY

ROLL CALL

PRESENT: Chair Karen Parsons, Vice Chair Ron Cabanayan, Commissioners Manish Bajpai, Timothy Kenny and Brett Williamson.

ABSENT: David Hook.

STAFF: Board Secretary Regina Lizaola, Code Enforcement Inspector Brigitte Villagomez, Code Enforcement Supervisor Jason Gibilisco, and Chief Deputy City Attorney Rosa Tsongtaatarii.

CALL TO ORDER

Chair Parsons convened the Appeals Hearing Board at 6:30 p.m. in the City Council Chambers of City Hall, 200 E. Santa Clara Street, San Jose, CA 95113.

2. OPENING REMARKS AND APPROVAL OF MINUTES

APPROVAL OF MINUTES

Documents Filed: Draft Meeting Minutes from Appeals Hearing Board Regular Meeting on September 22, 2022.

Action: Upon motion by Commissioner Kenny, seconded by Chair Parsons the minutes for September 22, 2022 was approved. (5-1-0).

3. REQUEST FOR DEFERRALS

There was no request for deferrals.

4. CONSENT CALENDAR

No items on the Consent Calendar.

5. DEFERRED AND/OR CONTINUED ITEMS

There was no deferred and/or continued items.

6. PUBLIC HEARINGS

- a. **41 WIGWAM CT (685-01-007) PROPOSED ABATEMENT**
(Brigitte Villagomez, Inspector/ Phuoc Vinh Phan, "Property Owner")

Documents Filed: Proposed Abatement Order and Notice of Public Hearing dated October 24, 2022

Action: Code Enforcement Inspector Brigitte Villagomez gave testimony. She provided a summary of the inspections and violations at the subject property. The Property Owner failed to meet the requirements of the Compliance Order and continued to be unresponsive to the many attempts to contact by the inspector to discuss the property violations.

Property owner: No Show

Upon a motion by Commissioner Kenny, second by Commissioner Williamson and carried (5-1-0) unanimously to adopt a resolution confirming the report from the Director

Motion the city has very clearly demonstrated that violations occurred as enumerated in our report and the chronology shows that we can't really expect anything from the Owner given that there are multiple warning letters, seven citation and inspections notices that have gone ignored. I would move that we adopt the staff recommendations in their entirety including that if the above mention hazards and violations are not removed within 10 calendar days of the date of service of the board resolutions in this matter, the abatement shall be performed by a city approved contractor or service providers and cost of removal charged to the property owner should be billed following the completion of the work and paid in full within (30) days of the billing date.

7. REQUEST FOR EXCUSED ABSENCE

There was no request for excused absence.

8. OTHER BUSINESS

There was no other business.

9. PUBLIC COMMENT

There was no public testimony on the floor.

10. ADJOURNMENT

Upon a motion by Commissioner Williamson, seconded by Vice Chair Cabanayan, and carried unanimously (5-1-0), the Hearing was adjourned at 6:53 p.m.