
DRAFT REGULAR MEETING MINUTES
JUNE 27, 2019

1. CALL TO ORDER & ORDERS OF THE DAY

ROLL CALL

PRESENT: Chair Karen Parsons, Vice Chair Ron Cabanayan, Commissioners Rajwant (Raji) Bains, Elizabeth Chien-Hale, and Timothy Kenny.

ABSENT: None.

STAFF: Board Secretary Karla Caceres, Code Enforcement Inspectors Hector Ortiz, Code Enforcement Supervisor Jason Gibilisco, Acting Deputy Director Rachel Roberts, and Senior Deputy City Attorney Jennifer Pousho.

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. Commissioner Bains arrived at 6:32 p.m.

2. OPENING REMARKS AND APPROVAL OF MINUTES

APPROVAL OF MINUTES

Documents Filed: Draft Meeting Minutes from Appeals Hearing Board Regular Meeting on June 13, 2019.

Action: Upon motion by Commissioner Kenny, seconded by Commissioner Cabanayan, and carried unanimously, the minutes for June 13, 2019 was approved. (5-0).

3. REQUEST FOR DEFERRALS

There was no request for deferrals.

4. CONSENT CALENDAR

There was no items on the Consent Calendar.

5. DEFERRED AND/OR CONTINUED ITEMS

There was no deferred and/or continued items.

6. PUBLIC HEARINGS

- a. **1175 CAMPBELL AVENUE (230-13-008)– ADMINISTRATIVE REMEDY**
(Hector Ortiz, Code Enforcement Inspector/ 1175 Campbell Avenue LLC c/o Richard Brown, Property Owner)

Documents Filed: Notice of Hearing dated June 12, 2019.

Action: Code Enforcement Inspector Hector Ortiz gave testimony. He stated that as of today Century Towing is still operating without a permit. They have applied for a Conditional Use Permit, but the permit has not been issued.

Andrew Brown, Property Owner gave testimony. He stated that on June 14, 2019 Century Towing was served with an eviction notice and they have 30 days to respond to the notice.

Robin Reynolds, John Urban, David Dyer, David Vandergrif, Scott Simpson, and Jennifer Le, all who live in the neighborhood, gave testimony. They all expressed their concerns with Century Towing being in a residential neighborhood. They expressed how it affects them and they want the Tow Company be shut down.

Upon a motion by Commissioner Bains, second by Commissioner Kenny and carried unanimously to adopt Code Enforcement's recommendation that the property owner take the required corrective actions that either the property owner cease use of the property as a tow yard by August 11, 2019, or if pursuing a condition use permit, to:

On or before July 31, 2019, contact Code Planner at 408-535-7770, to discuss permit obtain a Conditional Use Permit from the City of San Jose on or before November 30, 2019. (5-0)

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 Bains, seconded by Commissioner Kenny, and carried unanimously, the hearing was adjourned at 8:00 p.m.