
DRAFT REGULAR MEETING MINUTES
OCTOBER 11, 2018

1. CALL TO ORDER & ORDERS OF THE DAY

ROLL CALL

PRESENT: Chair Robin Shearin, Commissioners Elizabeth Chien-Hale, Timothy Kenny, Karen Parsons, and Thomas Skinner.

ABSENT: Vice Chair Ron Cabanayan

STAFF: Board Secretary Karla Caceres, Code Enforcement Inspector Jerome Calubaquib, Code Enforcement Supervisors Oscar Carrillo, Jason Gibilisco and Senior Deputy City Attorney Jennifer Pousho.

CALL TO ORDER

Chair Shearin 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 July 26, 2018.

Action: Upon motion by Commissioner Kenny, seconded by Commissioner Parsons, and carried unanimously, the minutes for July 26, 2018 was approved. (5-0-1). Vice Chair Cabanayan was absent.

3. REQUEST FOR DEFERRALS

There was no request for deferrals.

4. CONSENT CALENDAR

There was no items on consent calendar.

5. DEFERRED AND/OR CONTINUED ITEMS

There was no deferred and/or continued items.

6. PUBLIC HEARINGS

Chair Shearin made a motion to move item 6b up to be heard first. It was approved unanimously.

- a. **2080 ALMADEN ROAD (455-31-018)– SUMMARY ABATEMENT/CONDEMNATION**
(Jerome Calubaquib, Code Enforcement Inspector/ William F. Buchser, Trustee or his
Successor in Trust, under the William F. Buchser Living Trust, Property Owner)

Documents Filed: Summary Abatement Order and Notice of Hearing dated September 26, 2018.

Action: Code Enforcement Inspector Calubaquib gave a summary of the inspection at the subject property. He stated that as of today, the property is inclosed with a chained linked fence. The Property Owner was not present at the Hearing.

Upon a motion by Commissioner Kenny, second by Commissioner Parsons and carried 5-0-1,(Vice Chair Cabanayan was absent), to approve staff recommendations.

- b. **3283 FRONDA DRIVE (649-14-025)– ADMINISTRATIVE REMEDY**
(Jason Gibilisco, Code Enforcement Inspector/ Gwendolyn Maxine Kyle, Property Owner)

Documents Filed: Notice of Hearing dated September 25, 2018.

Action: Code Enforcement Supervisor Gibilisco gave a summary of the inspection at the subject property. He stated that as of today, the property conditions still exist.

Gwendolyn Maxine Kyle, Property Owner, gave testimony that this happened after the neighbor had a fire. She stated that there were several acts of vandalism and she left her belongings in the front because her neighbors could keep an eye on her belongings. She stated that her belongings are not solid waste as Code Enforcement considers it That she has been cleaning a little at a time, but she needs more time.

Upon a motion by Commissioner Kenny, second by Commissioner Skinner and carried 4-1-1,(Vice Chair Cabanayan was absent), to approve staff recommendations.

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 Parsons, seconded by Commissioner Kenny, and carried 5-0-1, (Vice Chair Cabanayan was absent), the Hearing was adjourned at 7:23p.m.