
REGULAR MEETING MINUTES
AUGUST 14, 2025

1. CALL TO ORDER & ORDERS OF THE DAY

ROLL CALL

PRESENT: Chair Karen Parsons, Vice Chair Ron Cabanayan, Commissioner Genevieve Altwer, Commissioner Jon Budas, Commissioner Timothy Kenny and Commissioner Brett Williamson.

ABSENT: Commissioner David Hook.

STAFF: Board Secretary Leslie Alvernaz, Code Enforcement Inspector Manuel Duarte, Code Enforcement Inspector Angel Esparza, Code Enforcement Inspector Brandon Riddle, Code Enforcement Supervisor Amber Zenk, Code Enforcement Supervisor Joe Celio, Division Manager Esebio Espitia, and Deputy City Attorney Wesley Klimczak.

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 José, 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 24, 2025.

Action: Upon motion by Commissioner Budas, seconded by Chair Parson, the minutes for July 24, 2025 were approved. (6-0-1).

3. REQUEST FOR DEFERRALS

There were no request for deferrals.

4. CONSENT CALENDAR

No items on the Consent Calendar.

5. DEFERRED AND/OR CONTINUED ITEMS

There were no deferred and/or continued items.

6. PUBLIC HEARINGS

- a. **995 E SANTA CLARA ST (467-12-002) APPEAL OF NOTICE TO REGISTER**
(Angel Esparza, Code Enforcement Inspector/ STONE NORTH, LLC C/O Michael Santero, Property Owner)

Documents Filed: Appeal Of Notice To Register dated June 20, 2025.

Action: Code Enforcement Inspector Angel Esparza gave testimony and summarized the case. He stated he conducted an Inspection on the date of the hearing on August 14, 2025 and provided updated photographs taken that day, to the Board to show current conditions and confirmed that the conditions still persisted. The Owners have placed the property for sale as of August 13, 2025. The property is vacant, no construction, and no active Building permits as of today.

A Property Owner representative Nathan Ho from First Community Housing testified regarding the referenced packet provided and that they were responsive to fixing the issues and have taken measures to fix.

Upon a motion by Commissioner Kenny, seconded by Commissioner Altwer and carried unanimously by the Board (6-0-1-0), the Board adopted staff's recommendations as written in it's entirety in the staff report dated June 20, 2025.

- b. **914 ALBA CT (599-11-014) PROPOSED ABATEMENT**
(Manuel Duarte, Code Enforcement Inspector/Rashel T Ross, Property Owner)

Documents Filed: Proposed Abatement Order and Notice of Public Hearing dated July 16, 2025.

Action: Code Enforcement Inspector Manuel Duarte provided a summary of the property He stated he conducted an Inspection on the date of the hearing, August 14, 2025, and provided updated photographs taken that day, to the Board to show current blighted conditions. Inspector Duarte also answered clarifying questions from the Commissioners.

Code Enforcements Supervisor Amber Zenk testified to explain when its appropriate for the City to offer a dumpster. A dumpster was offered in the past and there is no location for the bin to be delivered and normally the City would have the bin picked up in 3-5 days, not 30 days as requested.

The Property Owner's son, Nathan Ross, the current tenant of the home, testified at the hearing and requested that the Abatement Orde not be issued. He was present and testified that he has made improvements and would like more time to comply.

Upon motion by Commissioner Kenny, seconded by Commissioner Williamson and carried unanimously by the Board (6-0-1-0), the Board adopted Code Enforcements' recommendations as written in it's entirety in the staff report dated July 16, 2025.

- c. **000 ANNA DR (419-37-114) ADMINISTRATIVE REMEDY**
(Brandon Riddle, Code Enforcement Inspector / Venkata Sivananda Lakshmanarao Garlapati)

Documents Filed: Administrative Remedy and Notice of Public Hearing dated July 29, 2025.

Action: Code Enforcement Inspector Brandon Riddle provided a summary of the property. He stated he conducted an inspection on the date of the hearing, August 14, 2025, and the property remains in the same condition.

Inspector Riddle answered clarifying questions regarding Title 20.

Property Owner Venkata Sivananda Lakshmanarao Garlapati was present and testified at the hearing and requested that he be given additional time to remove the unpermitted storage container from the subject property.

Several neighbors spoke. Esther commented the property also has overgrown vegetation and has hired a gardener to trim their vegetation.

Aropitha Ravishankas spoke and indicated the container is huge and overgrown vegetation on the lot is not maintained and is unsafe for the neighborhood.

Arnold Gutierrez spoke and thanked staff for taking action as it's past due. They are in the process of selling their home and with this container it has been unsuccessful.

Upon motion by Commissioner Kenny, seconded by Commissioner Altwer and carried unanimously (6-0-1), the Board adopted Code Enforcement staff recommendations for the following Administrative Order:

1. **The Violation Occurred**

Pursuant to San Jose Municipal Code section 1.14.060(E), the Property Owner failed to timely request a hearing before the Director. Therefore, the basis for the Compliance Order is deemed admitted. Even if not deemed admitted, sufficient facts were presented to the Board to determine that the violations occurred.

2. **Order to Correct**

On or before **September 15, 2025**, the Property Owner shall remove the unpermitted storage container (accessory building) from the subject property.

3. **Administrative Costs**

On or before **September 15, 2025**, the Property Owner shall pay Administrative Costs to the City of San Jose in the amount of **\$2,575.00**.

4. **Administrative Penalties**

On or before **September 15, 2025**, the Property Owner shall pay Administrative Penalties to the City of San Jose, pursuant to San Jose Municipal Code Section 1.14.090, in the amount of **\$2,000.00**. If full compliance with the Board's Order is not achieved by **September 15, 2025** the Property Owner shall pay additional Administrative Penalties in the

amount of **\$200.00** per day, starting from **September 16, 2025** until the date of compliance with the Board's Order, **up to a maximum of \$100,000.00**. If the Administrative Penalties are not paid and are recorded as a lien on the real property pursuant to San Jose Municipal Code Sections 1.14.160 and 1.14.180, as may be amended, an interest rate of ten percent (10%) per annum shall be charged on the principal amount of the administrative lien, from the date the lien is first recorded until the date that payment is received by the City, consistent with California Code of Civil Procedure Section 685.010, as may be amended.

7. REQUEST FOR EXCUSED ABSENCE

The commission approved Commissioner Hook for an excused absence due to personal business.

There was a motion by Commissioner Kenny, seconded by Chair Parsons, to order as follows: To approve the excused absence for Commissioner Hook (6-0-1).

8. OTHER BUSINESS

There was no other business.

9. PUBLIC COMMENT

There was no public testimony on the floor.

10. ADJOURNMENT

Commissioner Kenny thanked Appeals Hearing Board Secretary Leslie Alvernaz for helping tonight.

Upon a motion by Commissioner Kenny, seconded by Chair Parsons, and carried unanimously, the Hearing was adjourned at 7:32 p.m.