

Chair: Karen Parsons
Vice Chair: Ron Cabanayan
Commissioner: David Hook

Commissioner: Manish Bajpai
Commissioner: Timothy Kenny
Commissioner: Brett Williamson

REGULAR MEETING AGENDA

6:30p.m.

December 8, 2022

**Virtual
Zoom Meeting**

Virtual Meeting Link: <https://sanjoseca.zoom.us/j/83037850181>

COVID-19 NOTICE

Consistent with AB 361 and City of San Jose Resolution Numbers 80628, 80659, 80685, 80724 and 80758, this meeting will not be physically open to the public and the Appeals Hearing Board Members will be teleconferencing from remote locations.

How to attend the APPEALS HEARING BOARD MEETING:

- 1) By phone Dial (for higher quality, dial a number based on your current location):
US: +1 408 638 0968 or +1 213 338 8477 or 888 475 4499 or 877 853 5257
Webinar ID: 810 9357 3046
Click *9 to raise a hand to speak.

- 2) By online: <https://sanjoseca.zoom.us/j/83037850181>
Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
 - a. Enter an email address and name. The name will be visible online and will be used to notify you that it is your turn to speak.

 - b. When the Chair calls for the item on which you wish to speak, click on “raise hand.” Speakers will be notified shortly before they are called to speak.

 - c. When called, please limit your remarks to the time limit allotted.

1. CALL TO ORDER & ORDERS OF THE DAY

2. OPENING REMARKS AND APPROVAL OF MINUTES

- a. Recommendation: Approval of minutes for [September 22, 2022](#)

3. REQUEST FOR DEFERRALS

4. CONSENT CALENDAR

5. 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”)

The Director of Planning, Building and Code Enforcement requests a hearing to consider the adoption of a proposed abatement order to require the property owner by the end of ten (10) calendar days of the date of service of the Board’s resolution in this matter to:

- 1) Remove all dried/dead overgrown grass and other vegetation in the front, side, and rear yards, creating a fire hazard and a harborage for vermin and vector; and
- 2) Remove the accumulation of solid waste in the front yard.

If the above-mentioned hazards and violations are not removed within ten (10) calendar days of the date of service of the Board’s resolution in this matter, the abatement shall be performed by a City approved contractor or service providers and the cost of removal charged to the property owner to be billed following the completion of the work and paid in full within thirty (30) days of the billing date.

Recommendation: Adopt the proposed abatement order requiring the property owner to complete the abatement actions as set forth in the Staff Report dated October 24, 2022.

7. REQUEST FOR EXCUSED ABSENCE

8. OTHER BUSINESS

- 9. PUBLIC COMMENT** *(Members of the Public are invited to speak on any item that does not appear on today’s Agenda and that is within the subject matter jurisdiction of the Commission. Meeting attendees are usually given two (2) minutes to speak on any discussion item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Speakers using a translator will be given twice the time allotted to ensure non-English speakers receive the same opportunity to directly address the Committee, Board or Commission .)*

10. ADJOURNMENT

The next meeting will be, January 26, 2023 at 6:30 p.m., location TBD.

The **[Code of Conduct](#)** is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.

You may speak to the Commission about any discussion item that is on the agenda, and you may also speak during Public Comments on items that are not on the agenda and are within the subject matter jurisdiction of the Commission. Please be advised that, by law, the Commission is unable to discuss or take action on issues presented during Public Comments. Pursuant to Government Code Section 54954.2, no matter shall be acted upon by the Commission unless listed on the agenda, which has been posted not less than 72 hours prior to meeting.

Agendas, Staff Reports and some associated documents for the Commission items may be viewed on the Internet at <http://sanjoseca.gov/index.aspx?nid=3970>.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Clerk, 200 East Santa Clara Street, 14th Floor, San José, California 95113, at the same time that the public records are distributed or made available to the legislative body. Any draft resolutions or other items posted on the Internet site or distributed in advance of the commission meeting may not be the final documents approved by the commission. Contact the Office of the City Clerk for the final document.

On occasion the Commission may consider agenda items out of order.

The **APPEALS HEARING BOARD** meets every Second (2nd) and Fourth (4th) Thursday of each month at 6:30 p.m. If you have any questions, please direct them to the Commission staff. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

To request an accommodation or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events or printed materials, please call (408) 535-1260 as soon as possible, but at least three business days before the meeting.

Please direct correspondence and questions to:

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