

Chair: Karen Parsons
Vice Chair: Ron Cabanayan
Commissioner: Timothy Kenny

Commissioner: Jon Budas
Commissioner: David Hook
Commissioner: Brett Williamson

REGULAR MEETING AGENDA
July 11, 2024
6:30 p.m.
Council Chambers

How to observe the Meeting (no public comment):

1. Online at <https://sanjoseca.zoom.us/j/97315877399>; or
2. By Phone: (888) 475 4499. Webinar ID is 973 1587 7399. Alternative phone numbers are:
US: +1 (213) 338-8477 or +1 (408) 638-0968 or (877) 853-5257 (Toll Free).

1. CALL TO ORDER & ORDERS OF THE DAY

2. OPENING REMARKS AND APPROVAL OF MINUTES

- a. Recommendation: Approval of minutes for [April 25, 2024](#).

3. REQUEST FOR DEFERRALS

4. CONSENT CALENDAR

- a. [72 N BUENA VISTA \(APN # 274-422-04\) - SUMMARY ABATEMENT](#)
(Servando Perez, Code Enforcement Inspector/ Lam Cheryl, Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing to review the notice of summary abatement and condemnation, which was issued to restrict access to the subject property.

Recommendation: Affirm the summary abatement action and condemnation on **November 9, 2023**, restricting access to the unit as set forth in the Staff Report dated **June 25, 2024**.

5. DEFERRED AND/OR CONTINUED ITEMS

a. **701 KINGS ROW UNIT 61E (237-30-014 & 237-30-009) SUMMARY ABATEMENT**

(Manuel Duarte, Code Enforcement Inspector/Kings Row Properties LLC C/O Slobodan Galeb Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing to review the notice of summary abatement to condemn and restrict from occupancy of the property and to recover all administrative costs. Deferred from June 27, 2024, Agenda Item 5a.

Recommendation: Affirm the Summary abatement action on August 17, 2021, as set forth in the Staff Report dated June 11, 2024

b. **894 DRY CREEK RD (412-24-026 PROPOSED ABATEMENT**

(Greg Martinez, Code Enforcement Inspector/ Kenneth D. Feil Trustee Of The Kenneth D. Feil 2018 Revocable Trust Dated May 29, 2018 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 to abate severe blight and solid waste violations present in the front, side and rear yards including the dilapidated attached patio cover located at the rear of the home and the dead tree located in the rear yard of the single family residence and to recover all costs associated to City Contractor as well as all administrative costs. Deferred from June 27, 2024, Agenda Item 6a.

Recommendation: Adopt the proposed abatement order requiring the property owner to take abatement action as set forth in the Staff Report dated June 11, 2024.

6. PUBLIC HEARINGS

a. **SPECIAL ASSESSMENTS AND LIENS FOR DELINQUENT RESIDENTIAL SOLID WASTE COLLECTION SERVICE CHARGES**

Conduct a Public Hearing to consider the adoption of a resolution confirming the Special Assessment Report from the Director of Finance concerning the Recycle Plus Program accounts with bills in a delinquent status as of **May 30, 2024**, and direct the Director of Finance to place a special assessment against the property to be secured by a lien to be recorded with the Santa Clara County Recorder's Office.

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 Board. 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 Board.)*

10. ADJOURNMENT

The next regular meeting will be July 25, 2024, at 6:30 p.m. City Hall, Council Chambers.

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 LEVINE ACT

The Levine Act requires a Party in a Proceeding before the City of San José that involves any action related to their contract, license, permit, or use entitlement to disclose any campaign contributions to City elected or appointed officials totaling more than \$250 within the 12 months prior to the City decision. A Participant to a Proceeding may voluntarily report a campaign contribution. Please visit <https://www.sanjoseca.gov/your-government/appointees/city-clerk/levine-act> for updated forms and information.

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 Board 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 Board. Please be advised that, by law, the Board 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 Board 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 Board items may be viewed on the Internet at <http://sanjoseca.gov/index.aspx?nid=341>.

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 Board meeting may not be the final documents approved by the Board. Contact the Office of the City Clerk for the final document. On occasion the Board 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 Board 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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