

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

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

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### REGULAR MEETING AGENDA March 13, 2025 6:30 p.m. Council Chambers

#### How to observe the Meeting (no public comment):

1. Online at <https://sanjoseca.zoom.us/j/94182330863>; or
2. By Phone: (888) 475 4499. Webinar ID is 941 8233 0863. 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 [February 13, 2025](#).

#### 3. REQUEST FOR DEFERRALS

#### 4. CONSENT CALENDAR

- a. [27 CLEAVES AVE \(APN # 261-32-025\) - SUMMARY ABATEMENT](#)  
(Wayne Cirone, Code Enforcement Inspector/ Tommy Eugene Pugh, Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing to review the notice of summary abatement order and notice of hearing to secure the structure at 27 Cleaves Ave with plywood over breached entry points on January 10, 2025.

Recommendation: Affirm the summary abatement action on **January 10, 2025**, as set forth in the Staff Report dated **February 24, 2025**.

- b. [236 E EMPIRE ST \(APN # 249-47-017\) - SUMMARY ABATEMENT](#)  
(Joseph Hatfield, Code Enforcement Inspector/ Jathinder Majjiga and Rohini Majjiga, Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing to review the notice of summary abatement order and notice of hearing to restrict occupancy by placing Condemnation signs on the accessible entrances to the property.

Recommendation: Affirm the summary abatement action on **May 29, 2019**, as set forth in the Staff Report dated **February 25, 2025**.

- c. [49 E SANTA CLARA ST \(APN # 467-21-045\) - SUMMARY ABATEMENT](#)  
(Wayne Cirone, Code Enforcement Inspector/ James K. Eu, Grace L. Eu, And David Eu, Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing to review the notice of summary abatement order and notice of hearing to secure the property with plywood boarding over a broken window on November 21, 2018, and to secure the property with plywood boarding over a broken door on May 25, 2022.

Recommendation: Affirm the summary abatement actions on **November 21, 2018 and May 25, 2022**, as set forth in the Staff Report dated **February 25, 2025**.

- d. [1360 LEXINGTON DR \(APN # 305-07-047\) - SUMMARY ABATEMENT](#)  
(My Vuong, Code Enforcement Inspector/ KDF REGENCY LP, Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing to review the notice of summary abatement order and notice of hearing to condemn unit E14 due to health safety concerns and to secure door from unauthorized entry directed by the County of Santa Clara's EHD.

Recommendation: Affirm the summary abatement actions on **March 30, 2023**, as set forth in the Staff Report dated **February 25, 2025**.

## 5. DEFERRED AND/OR CONTINUED ITEMS

## 6. PUBLIC HEARINGS

- a. [27 CLEAVES AVE \(APN # 261-32-025\) – ADMINISTRATIVE REMEDY](#)  
(Wayne Cirone, Code Enforcement Inspector/ Tommy Eugene Pugh, Property Owner)

The Director of Planning, Building and Code Enforcement requests a hearing on a proposed order to require the Property Owner to take the corrective actions to install responsible party signage; maintain minimum appearance and security standards per SJMC 17.38; cover with sufficient paint, siding or stucco any unfinished boarded openings; repair or replace any damaged sections of fencing to deter unauthorized access; properly store garbage and rubbish bins; maintain vegetation to acceptable lengths; demonstrate with evidence compliance with SJMC 17.38.200 by obtaining a valid, unexpired building permit towards the rehabilitation and repair of the property, or that the property no longer constitutes a public nuisance, or that the property has been rehabilitated and is actively being offered for sale, lease, or rent.

Recommendation: Issue an administrative order as set forth in the Staff Report dated **February 24, 2025**.

## 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 March 27, 2025, 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](#) 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 \$500 within the 12 months prior to the City decision. A Participant to a Proceeding may voluntarily report a campaign contribution on the form located on [the Levine Act webpage](#).

***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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