
FW: City Council Meeting 1/21/2025 Agenda Item 4.) and Public Comment

From City Clerk <city.clerk@sanjoseca.gov>
Date Tue 1/21/2025 7:30 AM
To Agendadesk <Agendadesk@sanjoseca.gov>

-----Original Message-----

From: Bill Baker [REDACTED]
Sent: Monday, January 20, 2025 2:57 PM
To: City Clerk <city.clerk@sanjoseca.gov>
Cc: Roberts, Rachel <Rachel.Roberts@sanjoseca.gov>
Subject: City Council Meeting 1/21/2025 Agenda Item 4.) and Public Comment

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I have reviewed the memorandum and presentation attachments for this City Council meeting and working session. I am a property owner in District 3. I am working through issues with Trees and Sidewalks dept. concerning street drainage in front of our property. As you know Code calls for property owner to be responsible to keep the sidewalk curb/gutter and trees maintained, And that much we have done and paid for , for our property. There remains a failure to drain surface storm water to a drainage inlet at the corner downstream from us. So a large puddle encompassing all of our curb frontage occurs when it rains. The blockage is due to tree roots that uplift the street surface adjacent to the curb on the downstream property. The specific codes covering this were not in the presentation so I asking:

- 1.) Is this the proper forum to address this?
- 2.) Who in CSJ can we talk to in order to work on resolution. We have a conversation going with Trees and Sidewalks but have only reached tentative resolution based on minor curb repairs that do not address gutter/street surface drainage. T&S tells me that this drainage issue is not in their criteria. We feel we have talked it out with T&S and we could use a liaison with CSJ to reach a mutually beneficial solution.
- 3.) How can CSJ and citizens work together to resolve issues such as this and do our best to maintain safe, clean streets. We are willing to work on solutions and pitch in more than our customary fair share. We currently clean tree debris and other debris from the street and sidewalk manually because street sweeper avoids this area because tree roots and uplifted pavement are in the way.

I would like to address the city council tomorrow at the meeting, see you there.

Thank you, Bill Baker [REDACTED]

Public Comment - Code Enforcement Operations Study Session - 1/21/2025 - File 25-065

From Jordan Moldow [REDACTED]

Date Mon 1/20/2025 11:04 PM

To Roberts, Rachel <Rachel.Roberts@sanjoseca.gov>; Burton, Chris <Christopher.Burton@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>; Agendadesk <Agendadesk@sanjoseca.gov>; Ristow, John <John.Ristow@sanjoseca.gov>

Cc Smith, Ryan <ryan.smith@sanjoseca.gov>; Karoly, Scott <Scott.Karoly@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>

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I would like to know what PBCE and DOT staff are empowered to do (or what Council could empower them to do) when a derelict building on private property is endangering safety along public transportation rights-of-way such as sidewalks, bike lanes, and transit stops.

This fall, city staff were finally able to re-open the sidewalk adjacent to the burned Lawrence Hotel, on the north side of E San Fernando St between S 3rd St and S 2nd St. I greatly appreciate that this was able to be done. What steps needed to be taken in order to get the scaffolding built and the sidewalk re-opened?

The sidewalk had been fenced off for nearly four years. What was the largest source of the long delay, and what could have been done to allow that to have happened in a period of weeks or months, rather than years? Is there a new process in place to allow this to happen quicker next time?

What are PBCE and DOT empowered to do (or what could Council empower them to do) to enhance safety and accessibility along public transportation rights-of-way in situations like this. For example:

- Does the city have authority to perform emergency work on the edge of the private property, with or without the permission of the property owner, if the property owner is refusing to do such work themselves in a timely manner? And if the city can do that, can it also sue the private property owner to recover the expenses of that work?
- Can DOT use temporary materials (eg. cones, plastic posts) to shift/reallocate space within the right-of-way, allowing pedestrians to have a safe path of travel around the obstruction? For example, can DOT use cones or plastic posts to temporarily remove some parking or remove/narrow some car travel lanes, in order to make room to shift the bikeways and "sidewalks"? And can DOT add temporary curb ramps (like those in San Pedro Square) to allow ADA access in and out of the impromptu walking path?
- Do DOT, Code Enforcement, or SJPd have any enhanced enforcement powers in cases where the public transportation right-of-way is impeded or endangered by a derelict building?
- Is there any action that Council can take to empower city staff in the above ways?

What actions can be taken, and by what department(s), when private property is being stored indefinitely in a transportation right-of-way? An example that comes to my mind is a business's dumpster that seems to be stored in a bike lane 24/7/365. Which department is responsible for addressing such an issue, and how quickly could such an issue be resolved?

Slides 6 indicates which departments are responsible for "Maintenance and Preservation of the Built Environment" on private vs. public property. But when private property creates a physical impact on public right-of-way, is there a straightforward, unambiguous, and timely procedure for ensuring that at least one department is actively working on resolving the incident? Or are there any difficulties with such incidents falling through the cracks, or bouncing back-and-forth between departments?

Thanks,
Jordan Moldow (speaking on my own behalf)
District 3, Japantown, 95112

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FW: City Council Meeting 01/21/2025 Agenda Item 4: Code Enforcement Operations Study Session

From City Clerk <city.clerk@sanjoseca.gov>
Date Tue 1/21/2025 11:13 AM
To Agendadesk <Agendadesk@sanjoseca.gov>

 1 attachment (152 KB)
012025-JBA-CSJCouncil.pdf;

From: Tamiko Rast [REDACTED]
Sent: Tuesday, January 21, 2025 11:06 AM
To: City Clerk <city.clerk@sanjoseca.gov>; Burton, Chris <Christopher.Burton@sanjoseca.gov>; Rachel Turkal [REDACTED]
Cc: The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Dominic Dursa <dominic.dursa@asm.ca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; Peak, Dana <Dana.Peak@sanjoseca.gov>
Subject: City Council Meeting 01/21/2025 Agenda Item 4: Code Enforcement Operations Study Session

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Hello,

Attached is the Japantown Business Association's comment concerning blighted buildings in our community, and its connection to the Code Enforcement Operations Study Session. Thank you!

Regards,
Tamiko Rast

President, Japantown Business Association (JBA)

[REDACTED]
JBA web: japantownsanjose.org
www.jtown.org



JAPANTOWN BUSINESS ASSOCIATION

January 20, 2025

City of San Jose City Council
Attn: Planning, Building & Code Enforcement
200 E. Santa Clara Street
San Jose, CA 95113

RE: Planning, Building, and Code Enforcement (PBCE) Code Enforcement Operations Study Session

Dear Mayor Mahan and Honorable Councilmembers,

Downtown is not the only San Jose district facing pervasive blight. "What's up with the busted buildings in Japantown," is a phrase I've been asked far too many times.

In just over two blocks of our Business Improvement District, we have ten boarded-up or vacant commercial and residential buildings. All but two are listed on the City of San Jose's Historic Resources Inventory and blighted in part due to restrictive historic mandates. There are over 125 Japantown parcels in the Historic Resources Inventory, and virtually none of our property owners are aware of it.

Complex dialogue between San Jose's Historic Landmarks Commission, Code Enforcement, Planning, and Building Departments, as well as unclear distinctions between local and state building regulations for historic properties compounds the issue.

The term "blighted" has historically been used to designate properties and land for government-backed seizure under eminent domain and has racist implications. I am using this language in its contemporary form to call out the results of prohibitive measures that prevented our community from maintaining its properties.

- Three buildings on Taylor Street have been boarded up for over 2 years and underwent a \$25K review by a City-approved Historic Resources Consultant and multiple checks by the aforementioned City departments. In that time, thieves have stripped one building entirely of its electrical wires, including the service panel, and squatters have attempted to set fire to it three times.
- One residential home on N. 5th Street has been vacant and condemned for over 20 years. I have personally boarded it up twice on behalf of its senior owners.
- Two other residential homes on N. 4th Street stand in the way of a new Dharma Center and preschool for the Buddhist Church. My great-uncle owned one home and has the family's blessing to be demolished. It's been boarded up for over 20 years.
- A two-story brick building on N. 6th Street requires more than \$1M in seismic retrofitting. It has changed ownership three times in fifteen years, has been vacant for over twenty, and recently had a piece of the structure fall from the second story onto the public sidewalk. The interior second floor has collapsed, and the building has also caught fire. Investors sell the building when they realize it is financially unsustainable to retrofit.
- The Kawakami House, moved to make room for the Japanese American Museum of San Jose in 2006, remains boarded up, frequently invaded by squatters, and without the substantial monetary investment – estimated to be \$2.5M – for renovation.
- The Mineta House, the former childhood home of Japantown's own Norman Mineta, has exceeded its renovation budget as its new owners, one of Japantown's leading churches, discovered that their plans needed to meet historic requirements.

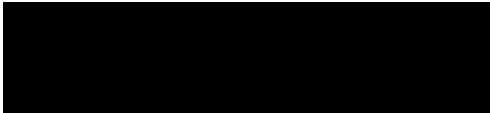
These parcels are not owned by irresponsible offshore entities but almost entirely by local families and nonprofits. The requirements meant to protect our history are causing the opposite – bankrupting our families, damaging our nonprofits, and exposing our community to theft, squatters, fire, physical harm, and vulnerability to corporate gentrification or eminent domain.

As someone who is 5th generation Japantown and whose grandparents and great-grandparents, aunts, and uncles were incarcerated during WWII, I understand the importance of our own history. Our family also moved and restored our historic 19th Century Italianate Victorian home and rebuilt our Grandfather's Japantown gas station as a coffee shop. We fully understand the financial and logistical challenges of landmark renovation.

We want to preserve our legacy, history, and places, but it's time for the City to allow us the permission, flexibility, and authority to determine our future. We need help to achieve a reasonable balance between preservation and growth that strengthens our historically marginalized, ethnic community.

We appreciate any and all consideration the City Council, Code Enforcement, Historic Landmarks Commission, and Historic Preservation Officer may provide us.

Best,



Tamiko Rast
President, Japantown Business Association