

## ADVISORY COMMISSION ON RENTS (ACR)

MINUTES OF THE MEETING AT 5:35 PM

DECEMBER 4, 2008

<b>MEMBERS PRESENT:</b>	Steven Wincor	Commissioner
	James Bojorquez	Commissioner
	Sandra Adams	Commissioner
	Victoria Peters	Commissioner
<b>STAFF:</b>	Mark DeCastro	City Attorney's Office
	Shasta Greene	City Attorney's Office
	Vivian Frelix-Hart	Housing
	Ramo Pinjic	Housing
<b>MEMBERS ABSENT:</b>	None	
<b>GUESTS:</b>	Lauren Sutherland	Councilmember Nora Campos Office
	Michael Fitzgerrald	ACR - Applicant
	Hassan Khan	ACR - Applicant
	Larry Hull	Mobilehome Commission Member
	Martha O'Connell	Mobilehome Resident

**LOCATION:** City of San José HOUSING DEPARTMENT

### AGENDA ITEM

- (a) **Call to Order**  
The meeting was called to order at 5:35 p.m.
- (b) **Orders of the Day**  
Vivian Frelix-Hart on behalf of Leslye Krutko, Housing Department Director, said that the Department is grateful for the dedication and service of Commissioner Peters and Commissioner Wincor. Plaques and refreshments are given and served.
- (c) **Introduction**  
Commissioners, guests, and staff introduced themselves.
- (d) **Approval of the September 20, 2008 Retreat Minutes**  
A motion to approve the minutes was made by Adams. Peters seconded the motion. The motion passed (4-0).

**(e) Reports**

- (1) Quarterly Report** - The ACR reviewed the first quarterly report of FY 2008/09. Ramo Pinjic, Program staff describes how the City of San José's apartment rent ordinance Municipal Code-CHAPTER 17.23, allows the Department of Housing to collect mediation/arbitration fees.

Chair Wincor said that the RRRP should have available a website for individuals who needs rental assistance.

- (2) Real Facts Report** - The ACR reviewed the Real Facts Report. Pinjic mentioned that the current vacancy rate citywide is 3.8%. For tenants who have resided for one year or more, a property owner will issue a 90-day no cause notice.
- (3) Legislative Report** - Item Deferred
- (4) Litigation and Legal Report** - City Attorney, Shasta Greene, mentioned that a court case regarding 90-day no cause notice of termination of tenancy received an appeal.

**(f) Action / Discussion Items**

- (1) Green Building** - Jennifer Seguin, representative from Green Building and Climate Action Team of Environmental Services Department provided a high level of overview on Green Building in the City of San José. She said that the City's goal is to retrofit 50 million square feet of Green Building within the City limit by 2020/22.
- (2) Advisory Commission on Rents (ACR) Applicants and Vacancies** - Frelix-Hart provided information regarding the status of the ACR applicants. She mentioned that three new members would join the ACR on January 15, 2009 regular meeting.
- (3) Workplan Schedule for FY 2009/10** - Lauren Sutherland, liaison from Councilmember Nora Campos Office, introduced herself to the Commission. She said that the Mayor and City Council made recommendations to assign a new Councilmember liaison for the ACR.
- (4) Rental Market Update** - Item Deferred
- (5) Housing Update** - Item Deferred
- (6) ACR Annual Report** - Frelix-Hart said that the Commission has the power to prepare and submit annually to the City Manager a proposed budget covering the Commission's proposed activities for the following fiscal year.

Frelix-Hart mentioned that the ACR would need to provide an annual report to the Director of Housing before the end of the year.

- (7) **Nominations of two Representatives for Budget Subcommittee - Chair** Wincor nominated Commissioners Bojorquez and Adams to serve on the Budget Subcommittee. Chair made the motion, and Commissioner Peters seconded the motion. The motion was carried (4:0).
- (8) **Nominations and Elections for Chair and Vice Chair for 2009 -** Commissioner Adams made a motion to nominate Bojorquez as Chair of the Commission. Peters seconded the motion. Commissioner Peters nominated Adams for Vice Chair of the Commission, and Commissioner Bojorquez seconded the motion. The motions were carried (4:0).

(g) **Open Forum** - No public comment.

(h) **Adjournment** - The meeting was adjourned at 7:19 p.m.