

## ADVISORY COMMISSION ON RENTS (ACR)

MINUTES OF THE RETREAT MEETING AT 9:07 AM

SEPTEMBER 26, 2009

**MEMBERS PRESENT:** Dan Wagner Commissioner  
James Bojorquez Commissioner  
Michael Fitzgerald Commissioner  
Naidu Ashok Commissioner  
Sandra Adams Commissioner

**STAFF:** Aaron Quigley Councilmember Rose Herrera's Office  
Leslye Krutko Director of Housing  
Shasta Greene City Attorney's Office  
Vivian Frelix-Hart Housing staff  
Ramo Pinjic Housing staff  
Theresa Ramos Housing staff  
Marlene Santiago Foreclosure Help Center Program Manager

**MEMBERS ABSENT:** Robert Bailey Commissioner

**GUESTS:** Joshua Howard Executive Director California Apartment Association (CAA) Tri-County Division  
Elizabeth Warren Homeowners Organized to Maintain Equity Home (HOME)  
Martha O'Connell President, Homeowners Organized to Maintain Equity Home (HOME)

**LOCATION:** ALMADEN COMMUNITY CENTER

### AGENDA ITEM

- (a) **Call to Order**  
The meeting was called to order at 9:07 a.m.
- (b) **Orders of the Day**  
Vivian Frelix-Hart said that Commissioner Robert Bailey has an excused absence from the retreat due to health reasons. Councilmember Rose Herrera will also be excused due to health reasons. The agenda item "Tour Affordable Housing" is cancelled due to the possibility of violating the Brown Act. City Attorney, Shasta Greene, gave more details, to the commission about how this tour would violate the Brown Act.

(c) **Introduction**

Commissioners, guests, and staff introduced themselves.

(d) **Approval of the July 16, 2009 Minutes**

A motion to approve the minutes was made by Adams. Ashok seconded the motion. The motion passed (5-1).

(e) **Reports**

- (1) **Litigation and Legal Report** - City Attorney, Shasta Greene, stated that there was nothing new to report on the City litigation.
- (2) **Quarterly Report** - Pinjic provided a summary of the staff reports (database, notice to vacate, case log, public outreach reports, average rental rates for units in San José, rental housing vacancies rates, and foreclosure issues) for the fourth quarter FY 08/09.

(f) **Action / Discussion Items**

- (1) **Update, Looking Forward** - Aaron Quigley, liaison from Councilmember Rose Herrera's Office, introduced himself to the Commission. He mentioned that on October 3, 2009, Councilmember Rose Herrera' Office will sponsor a community event at Lake Cunningham.
- (2) **Housing Department Update** - Leslye Krutko, Director of Housing, updated the Commission on the following: a) Housing Department's Budget; b) Development Programs; c) Tax Credit Equity; and the d) Fannie Mae and Freddie Mac Program.

She mentioned that the City of San José, Housing Department has six projects that are going forward in the next few months:

- Belovida at Newbury Park - Intersection King Road and Dobbin Drive
- Orvieto Family Apartments - Montecito Vista Drive
- Brookwood Terrace Family Apartments - 1338-1350 E. San Antonio Street
- Cornerstone at Japantown - 851 and 899 North Tenth Street
- North Fourth Street Apartments - 1460 N. Fourth Street
- Kings Crossing Family Apartments - 686 North Kings Road

Krutko spoke about tax increment, foreclosure issues, status of the non-profit agencies, and gave an update on the general plan process and economic development. She said that the Housing Department is finalizing the Inclusionary Ordinance which will go to the City Council on October 27, 2009.

- (3) **Foreclosure Update** - Marlene Santiago introduced herself to the Commission and announced that the Foreclosure Help Center opened on May 13, 2009. She said that initially the Program was supported by Housing Department staff. The Foreclosure Center helps people in the City of San José with the following services: 1) Foreclosure Prevention Counseling; 2) Information and Referral Services; 3) Legal Services; 4) Emergency Financial Assistance.
- (4) **Affordable Housing Video** - Ramo Pinjic narrated the video Faces and Places of Affordable Housing. He said that the City of San José's commitment to building affordable housing will decrease commute times, lessen our carbon footprint, and keep working families and communities together. Pinjic said that affordable housing is needed for seniors, families, and service providers, and it will benefit the economy.
- (5) **Local Market** - Joshua Howard, California Apartment Association (CAA) representative, introduced himself to the Commission and provided an update on the rental housing market for Santa Clara County. In addition, he talked about ongoing scams regarding ads for rental properties and differences in rent depending on where you live in the City.
- (6) **Workplan Schedule for FY 2009/10** - The Commission agreed that the work plan schedule should include the following:
- Councilmember Rose Herrera Presentation (**November**)
  - General Plan Presentation (**November**)
  - Envision 20/20 (**November**)
  - ACR Membership Q/A - Shasta Greene (**November**)
  - Advisory Commission on Rents (ACR) Vacancies (**January**)
  - Nominations of two Representatives for Budget Subcommittee - Commission (**January**)
  - Nominations and Elections for Chair and Vice Chair for 2010 - Commission (**January**)
  - Bay Area Legal Aid Presentation (**January**)
  - Update Foreclosure (**March**)
  - Code Enforcement Buildings Structure Presentation (**March**)
  - Tour Affordable Housing (**May**)
- (g) **Open Forum** - Martha O'Connell commented that there were flyers left on her mobilehome porch with language that could be considered a hate crime and horrible harassment and she called the City for help. She said that the City is willing to come out and investigate. Unfortunately, she didn't have any evidence about the individual who did this. She said that staff should bring in someone to provide information about harassment.
- (h) **Adjournment** - The meeting was adjourned at 12:17 p.m.