



REGULAR MEETING OF THE RENT BOARD OF THE CITY OF RICHMOND
CITY COUNCIL CHAMBERS, COMMUNITY SERVICES BUILDING
440 Civic Center Plaza, Richmond, CA 94804

Wednesday, September 20, 2017

COMMUNICATION ACCESS INFORMATION: This meeting is being held in a wheelchair accessible location. To request disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact Bruce Souble, ADA Coordinator, at (510) 620-6509 at least three business days before the meeting date.

Boardmembers

Nancy Combs
Virginia Finlay
Emma Gerould
David Gray
Lauren Maddock

NOTICE TO PUBLIC

The City of Richmond encourages community participation at public meetings and has established procedures that are intended to accommodate public input in a timely and time-sensitive way. As a courtesy to all members of the public who wish to participate in Rent Board meetings, please observe the following procedures:

Public Comment on Agenda Items: Persons wishing to speak on a particular item on the agenda shall file a speaker form with City staff PRIOR to the Rent Board's consideration of the item on the agenda. Once the clerk announces the item, only those persons who have previously submitted speaker forms shall be permitted to speak on the item. Each speaker will be allowed up to two minutes to address the Rent Board.

Public Forum: Individuals who would like to address the Rent Board on matters not listed on the agenda or on items remaining on the consent calendar may do so under Public Forum. All speakers must complete and file a speaker's card with City staff prior to the commencement of Public Forum. The amount of time allotted to individual speakers shall be determined based on the number of persons requesting to speak

during this item. The time allocation for each speaker will be as follows: 15 or fewer speakers, a maximum of 2 minutes; 16 to 24 speakers, a maximum of 1 and one-half minutes; and 25 or more speakers, a maximum of 1 minute.

Conduct at Meetings: Richmond Rent Board meetings are limited public forums during which the City strives to provide an open, safe atmosphere and promote robust public debate. Members of the public, however, must comply with state law, as well as the City's laws and procedures and may not actually disrupt the orderly conduct of these meetings. The public, for example, may not shout or use amplifying devices, must submit comment cards and speak during their allotted time in order to provide public comment, may not create a physical disturbance, may not speak on matters unrelated to issues within the jurisdiction of the Rent Board or the agenda item at hand, and may not cause immediate threats to public safety.

City Harassment Policy: The City invites public comment and critique about its operations, including comment about the performance of its public officials and employees, at the public meetings of the City Council and boards and commissions. However, discriminatory or harassing comments about or in the presence of City employees, even comments by third parties, may create a hostile work environment, if severe or pervasive. The City prohibits harassment against an applicant, employee, or contractor on the basis of race, religious creed, color, national origin, ancestry, physical disability, medical condition, mental disability, marital status, sex (including pregnancy, childbirth, and related medical conditions), sexual orientation, gender identity, age or veteran status, or any other characteristic protected by federal, state or local law. In order to acknowledge the public's right to comment on City operations at public meetings, which could include comments that violate the City's harassment policy if such comments do not cause an actual disruption under the Council Rules and Procedures, while taking reasonable steps to protect City employees from discrimination and harassment, City Boards and Commissions shall adhere to the following procedures. If any person makes a harassing remark at a public meeting that violates the above City policy prohibiting harassment, the presiding officer of the meeting may, at the conclusion of the speaker's remarks and allotted time: (a) remind the public that the City's Policy Regarding Harassment of its Employees is contained in the written posted agenda; and (b) state that comments in violation of City policy are not condoned by the City and will play no role in City decisions. If any person makes a harassing remark at a public meeting that violates the above City policy, any City employee in the room who is offended by remarks violating the City's policy is excused from attendance at the meeting. No City employee is compelled to remain in attendance where it appears likely that speakers will make further harassing comments. If an employee leaves a City meeting for this reason, the presiding officer may send a designee to notify any offended employee who has left the meeting when those comments are likely concluded so that the employee may return to the meeting. The presiding officer may remind an employee or any council or board or commission member that he or she may leave the meeting if a remark violating the City's harassment policy is made.

**OPEN SESSION TO HEAR PUBLIC COMMENT BEFORE CLOSED
SESSION**

4:00 PM

A. ROLL CALL

B. PUBLIC COMMENT BEFORE CLOSED SESSION

C. ADJOURN TO CLOSED SESSION

CLOSED SESSION

Shimada Room of the Community Services Building

RENT BOARD

EMPLOYEE PERFORMANCE EVALUATION (Government Code Section
54957(b)(1)):

Title: Executive Director – Fair Rent, Just Cause for Eviction and
Homeowner Protection Program

REGULAR MEETING OF THE RICHMOND RENT BOARD

AGENDA

NOT BEFORE 4:30 PM

- A. PLEDGE TO THE FLAG
- B. ROLL CALL
- C. STATEMENT OF CONFLICT OF INTEREST
- D. AGENDA REVIEW
- E. REPORT FROM LEGAL COUNSEL OF FINAL DECISIONS MADE DURING CLOSED SESSION
- F. PUBLIC FORUM
- G. RENT BOARD CONSENT CALENDAR

G-1. APPROVE the minutes of the August 23, 2017, Special Meeting of the Richmond Rent Board. *Paige Roosa*

G-2. APPROVE by motion a Reimbursement Agreement between the Rent Board and the City of Richmond. *Michael Roush*

H. PUBLIC HEARINGS

H-1. ADOPT an amended Fiscal Year 2017-18 Rent Program Budget. *Nicolas Traylor*

H-2. (1) ADOPT Regulation 17-07, regarding the Withdrawal of Rental Units from the Rental Market; and (2) DIRECT STAFF to prepare a fee study for administration of Regulation 17-07 for the Rent Board's consideration in 2018. *Michael Roush*
THIS ITEM WAS HELD OVER FROM THE AUGUST 23, 2017 SPECIAL MEETING

I. REGULATIONS

I-1. (1) RECEIVE a memorandum from Michael Roush, Legal Counsel, regarding the legal authority to establish “banking” rent increase provisions; (2) RECEIVE a presentation from Dr. Stephen Barton regarding the right to raise the Rent up to the Maximum Allowable Rent level, also known as “banking” rent increases; and (3) CONSIDER ADOPTION of Regulation 17-09, regarding the right to raise the Rent up to the Maximum Allowable Rent level, also known as “banking” rent increases, with limitations, such that the net rent increase in any one year as a result of the application of the current plus any deferred or “banked” AGAs does not exceed five percent (5.0%) plus the current AGA. This draft Regulation (17-09) would not become effective until September 1, 2018.

*Nicolas Traylor
Michael Roush
Dr. Stephen
Barton*

I-2. ADOPT Regulation 17-10, rescinding and replacing Regulation 17-04 regarding the filing with the Board of notice of rent increases and termination of tenancies and enrolling Rental Units with the Board.

Michael Roush

I-3. ADOPT Regulation 17-08, regarding Written Warning Notices to Cease before Terminating Tenancies due to a Breach of Lease or Creating Nuisance.

Michael Roush

J. RENT BOARD AS A WHOLE

J-1. RECEIVE a presentation from Rent Program staff members regarding enrollment and other compliance efforts related to the requirements of the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance.

Nicolas Traylor

J-2. RECEIVE a presentation from subsidized housing developers regarding their request for a waiver for payment of the FY 2016-17 and FY 2017-18 Residential Rental Housing Fee.

*Nicolas Traylor
Paige Roosa*

J-3. RECEIVE and APPROVE a project timeline for critical path items central to the development of the Rent Program.

*Nicolas Traylor
Paige Roosa*

K. ADJOURNMENT

Any documents produced by the City and distributed to a majority of the Rent Board regarding any item on this agenda will be made available at the Rent Program Office located on the second floor of 440 Civic Center Plaza and will be posted at www.richmondrent.org.