

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: September 15, 2021

Final Decision Date Deadline: September 15, 2021

STATEMENT OF THE ISSUE: The minutes of the August 18, 2021, Regular Meeting of the Richmond Rent Board require approval.

INDICATE APPROPRIATE BODY

- | | | | | |
|---|---|--|--|---|
| <input type="checkbox"/> City Council | <input type="checkbox"/> Redevelopment Agency | <input type="checkbox"/> Housing Authority | <input type="checkbox"/> Surplus Property Authority | <input type="checkbox"/> Joint Powers Financing Authority |
| <input type="checkbox"/> Finance Standing Committee | <input type="checkbox"/> Public Safety Public Services Standing Committee | <input type="checkbox"/> Local Reuse Authority | <input checked="" type="checkbox"/> Other: <u>Rent Board</u> | |

ITEM

- | | | |
|---|--|--|
| <input type="checkbox"/> Presentation/Proclamation/Commendation (3-Minute Time Limit) | | |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> Regulation | <input checked="" type="checkbox"/> Other: <u>CONSENT CALENDAR</u> |
| <input type="checkbox"/> Contract/Agreement | <input type="checkbox"/> Rent Board As Whole | |
| <input type="checkbox"/> Grant Application/Acceptance | <input type="checkbox"/> Claims Filed Against City of Richmond | |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Video/PowerPoint Presentation (contact KCRT @ 620.6759) | |

RECOMMENDED ACTION: APPROVE the minutes of the August 18, 2021, Regular Meeting of the Richmond Rent Board – Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

F-1.

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RICHMOND, CALIFORNIA, August 18, 2021

The Regular Meeting of the Richmond Rent Board was called to order at 5:00 P.M.

Due to the coronavirus (Covid-19) pandemic, Contra Costa County and Governor Gavin Newsom have issued multiple orders requiring sheltering in place, social distancing, and reduction of person-to-person contact. Accordingly, Governor Gavin Newsom has issued executive orders that allow cities to hold public meetings via teleconferencing.

Public comments were confined to items appeared on the agenda and were limited to the methods provided below. DUE TO THE SHELTER IN PLACE ORDERS, and consistent with Executive Order N29-20, the meeting utilized video/teleconferencing only. The following provides information on how the public participated in this meeting.

The public was able to view the meeting using Zoom at the following link:

<https://us02web.zoom.us/j/85399913042?pwd=emh5VWY0dG1SWHE2eTc3bIR2QStHQT09>

Password: rentboard

Or By Telephone:

US: +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592

Webinar ID: 853 9991 3042

International numbers available:

<https://us02web.zoom.us/j/kczlDreMsH>

Community members who wished to make a public comment were required to submit their comments via email by 3:00 p.m. on Wednesday, August 18, 2021, to the Rent Board Clerk, Cynthia Shaw at cynthia_shaw@ci.richmond.ca.us, to be considered into the record.

PLEDGE TO THE FLAG

ROLL CALL

Boardmembers Present: Conner, Johnson, Vasilas, Vice Chair Mishek, and Chair Finlay.

Staff Present: Staff Attorney Charles Oshinuga, and Executive Director Nicolas Traylor.

Absent: None.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

None.

PUBLIC FORUM

Cordell Hindler commented by email and teleconference to invite the Board to attend the Council of Industries Shoreline Tour held on October 8, 2021, at 1:00 PM, located at the Harbormaster's Building. He also added RSVP due by September 9th. He also requested that the topic of stipends for Rent Boardmembers for their service to the community should be discussed and considered as future meeting agenda item. He also added that he hoped to be able to see the Boardmembers in person soon.

Iлона Clark commented that she noticed in the July 21, 2021 meeting minutes that Chair Finlay brought up concerns about the budget and increased costs for a couple of the staff's benefit items that included dental and UAL. She expressed that she hopes this matter would be addressed by staff since it was not mentioned for discussion in the packet before the approval of the Consent Calendar by the Board.

Chair Finlay recommended that Executive Director Nicolas Traylor provide an update and summary of the response provided to Boardmembers regarding the increased costs in staff's benefits during Item H under Reports of Officers since this matter was not formally agenzized.

RENT BOARD CONSENT CALENDAR

On motion of Boardmember Vasilas, seconded by Vice Chair Mishek, the item(s) marked with an (*) were approved unanimously:

*F-1. Approve the minutes of the July 21, 2021, Regular Meeting of the Richmond Rent Board.

*F-2. Receive letters from community members regarding the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance, RMC 11.100.

*F-3. Receive the Fiscal Year 2021-22 Monthly Activity Report through July 2021

* F-4. Receive the Rent Program FY 2021-22 Monthly Revenue and Expenditure Report through July 2021.

RENT BOARD AS A WHOLE

G-1. The matter to (1) receive presentation on proposed Rent Board Late Fee Waiver Policy and (2) direct staff to prepare proposed regulation(s) to clarify the policy for waiving late fees, including setting standards as to when late fees should be approved in whole or in part was presented by Executive Director Nicolas Traylor. The presentation included the statement of the issue, fiscal impact, background about the integrity and autonomy of the Rent Board, background about continued and current internal late fee policy, history and purpose of waiving late fees, the need for Rent Board oversight and public accountability, general late fee waiver policy, next steps, and the recommended action. There were no public comments on this item. Discussion ensued. A motion made by Boardmember Vasilas, to direct staff to return to the board with a separate discussion on a policy regarding a deferral of residential housing fees and to provide education to Landlords regarding state funding to assist Landlords who have not received rent during the pandemic. A friendly amendment made by Chair Finlay, to include that the Board receive the report on the proposed regulation to clarify the policy for waiving late fees and provide standards of when the late fee waivers should be approved in whole or in part, and direct staff to move forward with preparation of the next steps for Board review and to discuss separately a deferral of the fee and educational program related to possible funding for Landlords who have not been able to collect rent. Boardmember Vasilas accepted the friendly amendment made by Chair Finlay. A second friendly amendment made by Boardmember Conner to Boardmember Vasilas motion to include discussion of charging Tenants a portion of the Residential Housing Fee. Boardmember Vasilas and Chair Finlay accepted the second friendly amendment made by Boardmember Conner. A third friendly amendment made by Vice Chair Mishek, to separate the policy discussions into two parts. The first item would include both a discussion regarding late fee

waiver policies and charging Tenants a portion of the fee, and the second item would be solely a discussion on deferral of the housing fees and education related to Landlords financial relief where they are unable to receive rent. Boardmember Vasilas accepted the friendly amendment made by Vice Chair Mishek. Staff Attorney Charles Oshinuga clarified that the motion on the floor resulted in two separate items, as described above. A seconded motion made by Chair Finlay. The motion passed by the following vote: **Ayes:** Boardmembers Conner, Johnson, Vasilas, Vice Chair Mishek and Chair Finlay. **Noes:** None. **Abstentions:** None. **Absent:** None.

REPORTS OF OFFICERS

Executive Director Nicolas Traylor gave a brief report about the findings addressing concerns raised by Chair Finlay at the July Rent Board meeting regarding the increased expenditures of staff benefits, listed on the June 2021 Variance Report. Mr. Traylor mentioned he worked with Cynthia Shaw and our Budget Analyst in the Finance Department, to answer two questions asked by Chair Finlay. Question 1: why are the PERS/Misc./UAL fringe benefits, which were generally around \$21,000 per month increased in June to over \$37,000? Mr. Traylor added, after consulting with our Budget Analyst in the Finance Department, the PERS/Misc./UAL fringe benefits increased in June because those amounts are considered projected amounts throughout the year and at the end of the fiscal year (June 30), it must be adjusted to the actual costs the city is charged by PERS. He also described that the Finance Department considers this as a year-end adjustment. Mr. Traylor continued to mention that when the budget was adopted, fringe benefits are budgeted based on a recommended percentage provided by the Finance Department. He gave an example for 2019, the Rent Program was advised by the Finance Department to budget 57% of salaries as fringe benefits. In addition, in 2020, that amount was increased to 62%. He also added that the percentages are considered an estimate provided by the Finance Department, based on their understanding of anticipated PERS benefit increases. Mr. Traylor reported that at the end of each fiscal year, the Finance Department must charge city departments, Rent Program included, the difference between the anticipated or the budgeted amount and the actual amount is considered the annual accrual of unfunded liabilities. He added that this adjustment is

made for all city departments by the Finance Department at the end of each fiscal year. Discussion continued and Mr. Traylor mentioned that the answer to the first question is similar to the second question, which is: why have the dental insurance fringe benefits increased by approximately \$3,000 in the last month of the fiscal year? He added that the dental insurance increase was due to the same reason that the PERS/Misc./UAL costs increased in June 2021. Mr. Traylor added that this variance reflects the year end adjustment by the Finance Department of the projected dental insurance costs and the actual cost charged by dental insurance company to the city. He also added the increase in cost in the City's last month of the Fiscal Year, and our Fiscal Year is due to the Finance Department accounting and adjusting the difference between the projected and actual costs benefits to pay for any unfunded liabilities that may have accrued. Chair Finlay thanked Mr. Traylor for that information.

Executive Director Nicolas Traylor announced that our Administrative Student Aide, Sarah Schaff, who has been with the Rent Program for the past 2 years in assisting with documenting the minutes for the Rent Board meeting, will be resigning from the Rent Program to accept another career opportunity out of state. He also added that her last day of work will be Tuesday, August 24th. He acknowledged Sarah and thanked her for her service as she is the face and voice of the Rent Program. Mr. Traylor highlighted some of her accomplishments with the Rent Program; that she produced great work and her vital assistance with developing the program's the online appointment system on the Rent Program website. He also reported that the Rent Program received a \$5,000 grant check from the Richmond City Community Foundation. This grant is targeted towards emergency rent assistance program outreach. He also added that we could use the \$5,000 to provide additional outreach to Richmond Landlords and Tenants, to assist them with locating resources related to rent assistance. The funding from the Richmond City Community Foundation grant is the first time the Rent Program has received funding from another entity, aside from the Residential Housing Fee.. Mr. Traylor announced that the Rent Program has selected a new Deputy Director, named Fred Tran. Mr. Tran was in attendance of the meeting, so the public and Boardmembers could officially meet him. Mr. Traylor added that Fred comes from the San Jose Rent Program and served as the Division Manager for the Public Information and Enrollment units. He also highlighted that Mr. Tran assisted with the development of the budget and is a former CPA. He also

mentioned that he is a great guy and a proven manager and leader, and he is very excited that Fred has joined our team. Fred responded and thanked everyone for welcoming him and that he is excited to be a part of the team. He also added that he looks forward to meeting everyone eventually. He also added that he was sorry to hear that Sarah will be leaving the Rent Program and that he would've looked forward to have worked with her and wished her good luck in her future endeavors. He concluded that it was nice to meet everyone and looks forward to working with everyone. Executive Director Nicolas Traylor added that he will be scheduling individual meetings with Fred and each Boardmember, to answer any questions and to personally meet Fred. Chair Finlay welcomed Fred to the Rent Program and thanked Sarah for her service and assistance and wished her good luck in her new position.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:38 P.M.

Cynthia Shaw and Sarah Schaff
Staff Clerks

(SEAL)

Approved:

Virginia Finlay, Rent Board Chair