

# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: June 15, 2022

Final Decision Date Deadline: June 15, 2022

**STATEMENT OF THE ISSUE:** The minutes of the May 18, 2022, 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 May 18, 2022, Regular Meeting of the Richmond Rent Board – Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

**F-1.**

***This page intentionally left blank***

**RICHMOND, CALIFORNIA, May 18, 2022**

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/86795770395?pwd=S01RWWRwVzdOL1RQZkt5c1JOVXVCQT09>

Password: rentboard

**Or By Telephone:**

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

Webinar ID: 867 9577 0395

International numbers available:

<https://us02web.zoom.us/j/86795770395?pwd=S01RWWRwVzdOL1RQZkt5c1JOVXVCQT09>

Community members who wished to make a public comment were required to submit their comments via email by 3:00 p.m. on Wednesday, May 18, 2022, to the Rent Board Clerk, Cynthia Shaw at [cynthia\\_shaw@ci.richmond.ca.us](mailto:cynthia_shaw@ci.richmond.ca.us), to be considered into the record.

**PLEDGE TO THE FLAG**

**ROLL CALL**

**Board Members Present:** Conner, Johnson, Vasilas, Vice Chair Mishek, and Chair Finlay.

**Staff Present:** Staff Attorney Palomar Sanchez, General Counsel Charles Oshinuga, Deputy Director Fred Tran, and Executive Director Nicolas Traylor.

**Absent:** None.

**STATEMENT OF CONFLICT OF INTEREST**

None.

**AGENDA REVIEW**

Executive Director Nicolas Traylor noted for the record the following minor changes to Item F-1, April 20, 2022, Minutes under Consent Calendar: to correct page numbering on the bottom last pages of Item F-1, April 20, 2022, Minutes, that should be pages 1 of 5 instead of pages 1 of 7, to change the wording of commutation to communication on page 4, line 5, under Public Forum in the first paragraph and to add a comma after Option B in the second paragraph of page 4, line 10, Item H-1, under Study and Action Session, to read “Option B, at 78% and 62% Fringe Benefits”. Executive Director Nicolas Traylor acknowledged that the corrections would be made. A motion by Chair Finlay, seconded by Vice Chair Mishek, to accept the agenda how it’s written with minor changes to Item F-1, April 20, 2022, meeting minutes, passed by the following vote: **Ayes:** Board Members Conner, Johnson, Vasilas, Vice Chair Mishek, and Chair Finlay. **Noes:** None. **Abstentions:** None. **Absent:** None.

**PUBLIC FORUM**

Cordell Hindler invited the Board to attend the El Cerrito Chamber of Commerce Mixer on May 19th, held at the Berkeley Country Club. He also expressed that he approves of Consent Calendar Items F-1 through F-4. However, about Item F-5 regarding City legislative bodies continuing to meet via videoconference and teleconference, he would like to restate his comments from last month. He mentioned that he looked into other cities that conduct hybrid meetings, and he spoke to the City of Pinole City Clerk. He was told that the Boards and Commissions are conducting some hybrid function to allow the public to attend the meeting in person or by phone. He requests that the Rent Board consider discussing this matter as a future agenda item and possibly holding a test run for a Hybrid meeting. He also believes

that a Hybrid meeting would be well attended since they are in other cities. He expressed that he hopes that the Board would consider it and agendaize it for next month.

Jimmy Smith expressed concerns regarding the property 420 Golden Gate Ave., Point Richmond. He mentioned that he put in half a million dollars in capital improvements into the property and was seeking a fair return of investment from the Landlord Petition for Rent Increase under the Fair Return Standard: Maintenance of Net Operating Income. He said there seems to be a question about handling this petition and the administrative part of the Rent Board, and he is seeking direction on how to deal with it. He also said that due to the pandemic, there were federal and state moratoriums that blocked rent increases, which this type of petition would fall under. He is seeking advice and guidance on how to have this petition received and reviewed so that they can move forward with a fair return on investment. He also added if this matter could be added to the agenda for this meeting for the Board to vote on it or calendar it for the next Rent Board meeting.

**RENT BOARD CONSENT CALENDAR**

On motion of Board Member Johnson, seconded by Board Member Vasilas, the item(s) marked with an (\*) were approved unanimously with the approved changes under Item D for Agenda Review:

\*F-1. Approve the minutes of the April 20, 2022, Regular Meeting of the Richmond Rent Board.

\*F-2. Receive the Fiscal Year 2021-22 Monthly Activity Report through April.

\*F-3. Receive the Rent Program FY 2021-22 Monthly Revenue and Expenditure Report through April.

\*F-4. Approve late fee waiver(s) for April 2022 pursuant for Regulation 425.

\*F-5. Adopt a resolution making the required findings pursuant to Government Code Section 54953(e)(3) and determining that as a result of the continued threat to public health and safety posed by the spread of COVID-19, City legislative bodies shall continue to meet via videoconference and teleconference.

**STUDY AND ACTION SESSION**

G-1. The matter to receive updated Fiscal Year 2022-23 Rent Program operating budget and fees, discuss, and schedule a Special Meeting, and provide direction to staff was presented by Deputy Director Fred Tran. The presentation included an update on the budget and fees, updates regarding Fringe Benefits, and Cost Pool – Admin. Charges, a proposal for development of the Resolution for City Council, budget options, and recommendation which included scenarios for Budget Option B, at 62% with a new database, budget schedule next steps, and the recommended action. There were no public comments on this item. Discussion ensued. Rent Board Clerk polled Board members to find out their availability for a Special Rent Board Meeting to be held either Tuesday, May 31, 2022, or Wednesday, June 1, 2022. After polling each Board Member, Deputy Director Fred Tran proposed to schedule the Special Rent Board on Tuesday, May 31, 2022, at 5:00 PM, to present the proposed the Fiscal Year 2022-23 Rent Program Operating Budget and Fees.

A motion by Chair Finlay that on May 31, 2022, there will be a Special Meeting of the Richmond Rent Board, and at that meeting, the Board will receive an updated Fiscal Year 2022-23 Rent Program Operation Budget and Fees that will incorporate a cap for Fringe Benefits of 62%, and at that meeting, the Board will provide direction to staff on the creation of an actual budget. A friendly amendment recommendation by General Counsel Charles Oshinuga to Chair Finlay’s motion to include that staff will come back to the Board with the Actual Fiscal Year 2022-23 Rent Program Operating Budget and Fees. Chair Finlay accepted the friendly amendment and amended the motion to receive the updated Fiscal Year 2022-23 Rent Program Operation Budget and Fees.

Board Member Conner commented that the recommended action is to receive the updated Fiscal Year 2022-23 Rent Program Budget and Fee and schedule a Special Meeting. She asked General Counsel Charles Oshinuga if a motion on this item was needed since there was no direction to staff. General Counsel Charles Oshinuga responded no need for a motion. Chair Finlay rescinded her motion, and no formal action was taken on this item.

**REPORTS OF OFFICERS**

Executive Director Nicolas Traylor gave a brief report about the upcoming pre-recorded workshop titled “How to Assert Your Rights as A Tenant” to be posted on the website by 4:00 PM on Friday, May 27, 2022.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 5:38 P.M.

Cynthia Shaw  
Staff Clerk

(SEAL)

Approved:

---

Virginia Finlay, Rent Board Chair

***This page intentionally left blank***