

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: August 17, 2022

Final Decision Date Deadline: August 17, 2022

STATEMENT OF THE ISSUE: The minutes of the July 20, 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 July 20, 2022, Regular Meeting of the Richmond Rent Board – Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

F-1.

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RICHMOND, CALIFORNIA, July 20, 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/82418252159?pwd=Y0U4bkFjUFRmM0FOS05VU0RYWldlZz09>
Password: rentboard

Or By Telephone:

US: +1 669 900 9128 or +1 669 444 9171 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or +1 646 558 8656 or +1 646 931 3860 or +1 301 715 8592

Step 2: Webinar ID: 824 1825 2159

International numbers available:

<https://us02web.zoom.us/j/kd7z0TLTyn>

Community members who wished to make a public comment were required to submit their comments via email by 3:00 p.m. on Wednesday, July 20, 2022, 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

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

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

Absent: Staff Attorney Palomar Sanchez.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

None.

PUBLIC FORUM

Cordell Hindler restated his comments from the June meeting about Consent Calendar Item F-8 regarding City legislative bodies continuing to meet via videoconference and teleconference. He feels holding hybrid meetings would be beneficial because other cities have implemented and feel the Rent Board should do the same. He asks if the Rent Board would consider holding hybrid meetings soon. He also invited the Board to attend the Richmond Chamber of Commerce Mixer on July 21st held at Lara's Fine Dining in Richmond.

RENT BOARD CONSENT CALENDAR

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

*F-1. Approve the minutes of the June 15, 2022, Regular Meeting of the Richmond Rent Board.

*F-2. Approve the minutes of the June 23, 2022, Special Meeting of the Richmond Rent Board.

*F-3. Receive letters from community members regarding the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance, RMC 11.100.

*F-4. Receive the Fiscal Year 2021-22 Monthly Activity Report through June 2022.

*F-5. Receive the Rent Program FY 2021-22 Monthly Revenue and Expenditure Report through June 2022.

*F-6. Receive the Budgeted versus Actual Revenue and Expenditures Report for the fourth quarter ending June 30, 2022.

*F-7. Approve late fee waiver(s) for June 2022 pursuant for Regulation 425.

*F-8. 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.

RESOLUTIONS

G-1. The matter to discuss and adopt Emergency Regulation 22-07, which would permit a landlord who filed a Maintenance of Net Operating Income petition during the Richmond Local Emergency but failed to pursue their petition to request the Rent Board Order the Hearing Examiner to reconsider their previously filed petition was presented by Executive Director Nicolas Traylor. The presentation included a statement of the issue, the purpose of the proposed emergency regulation, and a recommended action. Discussion ensued. The following individual gave a comment: Jimmy Smith.

General Counsel Charles Oshinuga noted a typo in paragraph G under Decision and Order for the record. Should read: In either case, an Order shall issue to all parties within fourteen days (14) **after the Rent Board** has made its decision, instead of **the Rent** has made its decision.

Board Member Conner also noted a typo in section 6A of Attachment A of Emergency Regulation No. 22-07 for the record. Should read: Otherwise, the Landlord's request shall be agendized and heard at the **next month's** Rent Board regularly scheduled meeting instead of **next month** Rent Board regularly scheduled meeting. Staff agreed to correct the typos, and no formal action was taken.

A motion by Board Member Johnson, seconded by Board Member Conner, to adopt Emergency Regulation 22-07, which would permit a landlord who filed a Maintenance of Net Operating Income petition during the Richmond Local Emergency but failed to pursue their petition to request the Rent Board Order the Hearing Examiner to reconsider their previously filed petition,

passed by the following vote: **Ayes:** Board Members Conner, Johnson, Vasilas, and Chair Finlay. **Noes:** Vice Chair Mishek. **Abstentions:** None. **Absent:** None.

REPORTS OF OFFICERS

Executive Director Nicolas Traylor gave a brief report about the upcoming pre-recorded workshop on July 29, 2022, titled “How to Increase Rents Richmond.” He mentioned that this workshop is landlord oriented to include a discussion on the Annual General Adjustments and MNOI.

General Counsel Charles Oshinuga reported that he would provide training on the Brown Act and Conflicts of Interest in September. He mentioned that staff would contact Board Members to find out availability.

Board Member Johnson asked about the status of the City Council Item regarding the 30% Cap on rent increases discussed at the July 19 meeting. Executive Director Nicolas Traylor informed Board Members that he is happy to discuss this matter offline since it was not agendized for discussion.

Board Member Johnson also asked about Consent Calendar Item F-3 under Constituent Letters. She would like to know if any action on that item is required. Executive Director Nicolas Traylor responded that no action was needed since the Board Members received the constituent letter. General Counsel Charles Oshinuga replied that the Board could pull the item to discuss the issues raised in the letters and direct staff to address the matter. Board Member Johnson asked if it would be too late to re-agendize Item F-3 for the August meeting. General Counsel Charles Oshinuga responded that she could work with staff to address her concerns about the issues in the letter since the item was already agendized and approved at the meeting. Chair Finlay asked General Counsel Charles Oshinuga that she believed the Board had seen this letter before when there were discussions around MNOI issues. Mr. Oshinuga responded that the letter was from the same constituents but a different letter with similar issues. Rent Board Clerk Cynthia Shaw added that the constituent emailed the letter to all Rent Board Members before the Special Rent Board meeting held on June 23rd to be agendized at the July Rent Board meeting.

ADJOURNMENT

There being no further business, the meeting adjourned at
6:00 P.M.

Cynthia Shaw
Staff Clerk

(SEAL)

Approved:

Virginia Finlay, Rent Board Chair

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