

# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: December 21, 2022

Final Decision Date Deadline: December 21, 2022

**STATEMENT OF THE ISSUE:** The minutes of the October 19, 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 October 19, 2022, Regular Meeting of the Richmond Rent Board – Rent Program (Cynthia Shaw 620-5552). *This item was continued from the November 16, 2022, meeting.*

AGENDA ITEM NO:

**F-1.**

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**RICHMOND, CALIFORNIA**, October 19, 2022.

The Regular Meeting of the Richmond Rent Board was called to order at 5:01 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/81466237518?pwd=Y2RWc1ZBcDNDc21BR2hwWWpVQ3FqQT09>

Password: rentboard

**Or By Telephone:**

US: +1 669 444 9171 or +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 719 359 4580 or +1 646 931 3860 or +1 301 715 8592 or +1 309 205 3325 or +1 312 626 6799 or +1 386 347 5053 or +1 564 217 2000 or +1 646 558 8656

**Step 2:** Webinar ID: 814 6623 7518

International numbers available:

<https://us02web.zoom.us/u/kwmnkzueA>

Community members who wished to make a public comment were required to submit their comments via email by 3:00 p.m. on Wednesday, October 19, 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:** 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**

Mitch Rice commented on behalf of his real estate client who has owned property in Richmond since 2016. He mentioned that when the pandemic hit, he lowered the rent for his tenants to accommodate their needs and economic hardships. He said that his client is losing his job in a couple of weeks and would like to sell his property to improve his finances. He hopes the Rent Board could do everything possible to lift the Emergency Eviction Moratorium. He also mentioned that the Governor and President had lifted the emergency mandates because the pandemic is considered over. He feels that the Rent Board should do whatever possible to help Richmond Landlords. He also mentioned that he understands that Richmond tenants are important, but please consider landlords are important as well.

Cordell Hindler restated his comment from the September Rent Board Meeting on Item F-6 for the Consent Calendar regarding City legislative bodies continuing to meet via videoconference and teleconference. He mentioned that he looked into other cities within West County, and they have held hybrid meetings that have been very successful. He feels it's time for the Rent Board to return to the City Council Chambers at some point because it will allow the public to participate and see the Board as a whole. He feels if other cities are holding hybrid meetings, the

Richmond Rent Board should consider holding hybrid meetings as well. He also invited the Board to attend the Richmond Rotary Club Weekly Meeting on Friday, October 28th, held at the Richmond Country Club. He also mentioned that he would like to comment on Agenda Item G-3 with the Rent Board as a Whole. Rent Board Clerk acknowledged that she would add him to the list for public comment.

Zack Jenssen began his comment by saying that he appreciates the Rent Program and all the work done to educate landlords and protect tenants. He also mentioned that he is a Rent Control advocate, even though he is a landlord. Mr. Jenssen wanted to comment on the impact of the potential provision in the upcoming proposition that caps the rent at 60% of the CPI. He said that he understands the need to protect renters, and putting a 3% cap makes sense to him, especially considering the rent increases have been about 3% historically. That still puts a brunt on the landlords from inflation if it's higher than that, but it does protect the renters. He said that he is worried about the 60% cap on the CPI in the years ahead and how it would affect the property values. He also noted that property values differ from multi-family to single-family homes. He feels capping the CPI to 60% will also have an effect on the expenses and the property value. He is also concerned that this will lead to people who have large cash reserves, corporate buyers, or rich people, unlike himself to buy properties.

**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 September 21, 2022, Regular Meeting of the Richmond Rent Board.

\*F-2. Receive the Fiscal Year 2022-23 Monthly Activity Report through September 2022.

\*F-3. Receive the Rent Program FY 2022-23 Monthly Revenue and Expenditure Report through September 2022.

\*F-4. Receive the Budgeted versus Actual Revenue and Expenditures Report for the first quarter ending September 30, 2022.

\*F-5. Approve late fee waiver(s) for September 2022 pursuant for Regulation 425.

\*F-6. 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.

**RENT BOARD AS A WHOLE**

**G-1.** The matter to receive and approve the 2019-20/2020-21 Rent Program Annual Report infographic video and Direct staff to present the report to the City Council was presented by Executive Director Nicolas Traylor. Section of the infographic video report included a discussion of the Rent Program’s mission and the connection between health and housing, an overview of how the Rent Program enforces the Rent Ordinance, a profile of Richmond’s rental housing stock and landlords, an analysis of rent increase notices filed with the Rent Program, an analysis of termination of tenancy notices filed with the Rent Program and a financial summary of the 2019-20/2020-21 fiscal years. Discussion ensued. The following individual gave comment: Ilona Clark. A motion by Vice Chair Mishek, seconded by Board Member Johnson, to approve and direct staff to present the 2019-20/2020-21 Rent Program Annual Report infographic video to the City Council, passed by the following vote: **Ayes:** Board Members Conner, Johnson, Vice Chair Mishek and Chair Finlay. **Noes:** Board Member Vasilas **Abstentions:** None. **Absent:** None.

**G-2.** The matter to receive proposed options for utilizing the \$10,000 Rent Assistance Partner Grant and approve and authorize one of the three proposed options to spend the funds was presented by Executive Director Nicolas Traylor. The presentation included the statement of the issue, the background, proposed options: #1) Mediation Training for staff, #2) Outreach Campaign to Promote Rent Assistance Resources, and #3) Use the \$10,000 Grant for General Operating Purposes, the proposed timeline, and the recommended actions. Discussion ensued. The following individual gave comments: Ilona Clark. After hearing and discussing the proposed options for utilizing the \$10,000 grant, the Board voted on the following: A motion by Board Member Conner to approve Option #1 to utilize the \$10,000 grant for Mediation Training for 4 staff members instead of 6 staff members and to use

the remaining funds for general purposes for future development, failed due to lack of a seconded motion.

A new motion by Board Member Johnson, to approve Option #1 to utilize the \$10,000 grant to allow mediation training for staff and Option #2 outreach campaign to promote rent assistance resources and include a mass mailing, failed due to lack of a seconded motion.

A new motion by Vice Chair Mishek, seconded by Chair Finlay to approve Option #1 for Mediation Training for Rent Program staff, passed by the following: **Ayes:** Board Members Conner, Johnson, Vasilas, Vice Chair Mishek and Chair Finlay. **Noes:** None. **Abstentions:** None. **Absent:** None.

**G-3.** The matter to receive training on the Brown Act and Rosenberg's Rules of Order was presented by General Counsel Charles Oshinuga. The presentation included an overview about Government Transparency which provided the definition of the Brown Act, a meeting, unlawful meetings, types of serial meetings, posting the agenda, description of an agenda item, information about the public's place on the agenda, why does it matter what is listed on the agenda, very limited expectations, definition of Brown Act Closed Session, Penalties and Remedies, Public Records Act, Conflicts of Interest, Rosenberg's Rules of Order, the purpose of the rules, the role of the Chair, basic format for an agenda item, voting, counting Abstain votes, Motions, basic rules about Motions are subject to debate or discussion, Motion to Reconsider, and Courtesy and Decorum. Discussion ensued. The following individual gave comment: Cordell Hindler. No action taken on this item.

### **REPORTS OF OFFICERS**

**H-1.** Executive Director Nicolas Traylor gave a brief report about the upcoming pre-recorded workshop on October 28, 2022, titled "How to File a Rent Decrease Petition."

### **ADJOURNMENT**

There being no further business, the meeting adjourned at 6:50 P.M.

Cynthia Shaw  
Staff Clerk

(SEAL)

Approved:

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Virginia Finlay, Rent Board Chair