

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: August 16, 2023

Final Decision Date Deadline: August 16, 2023

STATEMENT OF THE ISSUE: The minutes of the July 19, 2023, 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 19, 2023, Regular Meeting of the Richmond Rent Board – Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

F-3.

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RICHMOND, CALIFORNIA, July 19, 2023

The Open Session to Hear Public Comments before Closed Session was called to order at 5:08 PM.

ROLL CALL

Board Members Present: Dockens, Espinoza, Hite, and Chair Cantor.

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

Absent: Vice Chair Guadalupe.

PUBLIC COMMENT BEFORE CLOSED SESSION

None.

ADJOURN TO CLOSED SESSION

The Open Session to Hear Public Comments Before Closed Session adjourned at 5:10 PM.

CLOSED SESSION - Catalina Room of the Richmond Civic Center Auditorium

The Regular Meeting of the Richmond Rent Board was called to order at 6:32 PM.

PLEDGE TO THE FLAG

ROLL CALL

Board Members Present: Dockens, Espinoza, Hite, and Chair Cantor.

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

Absent: Vice Chair Guadalupe.

STATEMENT OF CONFLICT OF INTEREST

None.

REPORT FROM LEGAL COUNSEL OF FINAL DECISIONS MADE IN CLOSED SESSION

General Counsel Charles Oshinuga reported that there were no final decisions made during closed session.

AGENDA REVIEW

None.

PUBLIC FORUM

None.

RENT BOARD CONSENT CALENDAR

Board Member Dockens requested that the Consent Calendar titles be read individually before the vote. Chair Cantor approved the reading of the titles on the Consent Calendar. Rent Board Clerk Cynthia Shaw read the Consent Calendar items, and no formal action was taken.

On motion from Board Member Hite, seconded by Board Member Dockens, the item(s) marked with an (*) were approved with Vice Chair Guadalupe absent.

***G-1.** Approve the minutes of the May 17, 2023, Regular Meeting of the Richmond Rent Board.

***G-2.** Approve the minutes of the May 31, 2023, Special Meeting of the Richmond Rent Board.

***G-3.** Receive the Fiscal Year 2022-23 Monthly Activity Report through June 2023.

***G-4.** Receive the Rent Program FY 2022-23 Monthly Revenue and Expenditure Report through June 2023.

***G-5.** Receive the Budgeted versus Actual Revenue and Expenditures Report for the third quarter ending June 30, 2023.

***G-6.** Approval late fee waiver(s) for June 2023 pursuant to Regulation 425.

CONTRACTS

H-1. The matter to approve an amendment to the contract for translation services with The Spanish Group, LLC increasing the

contract amount by \$9,500 for Fiscal Year 2023-24, to a total not to exceed \$29,600 for the Fiscal Year 2023-24 (July 1, 2023-June 30, 2024) was presented by Executive Director Nicolas Traylor. The presentation included the statement of the issue, fiscal impact, the background, and the recommended action. Discussion ensued. There were no public comments on this item. A motion made by Board Member Hite, seconded by Board Member Espinoza, to approve an amendment to the contract for translation services with The Spanish Group, LLC increasing the contract amount by \$9,500 for Fiscal Year 2023-24, to a total not to exceed \$29,600 for the Fiscal Year 2023-24 (July 1, 2023- June 30, 2024), passed by the following vote: **Ayes:** Board Members Dockens, Espinoza, Hite, and Chair Cantor. **Noes:** None. **Abstentions:** None. **Absent:** Vice Chair Guadalupe.

REGULATIONS

I-1. The matter to adopt Regulation 842.25 to continue to: (1) Permit the conducting of hearing and appeals through telecommunications and/or videoconferencing; (2) Allow for service via email of any document tied to hearings and appeals; and (3) require that both parties agree in writing to a hearing by telecommunication and/or videoconferencing prior to such a hearing being conducted was presented by General Counsel Charles Oshinuga. The presentation included the statement of the issue, the fiscal impact, discussion and background, what would Regulation 842.25 permit, and the recommended action. Discussion ensued. There were no public comments on this time. A motion made by Board Member Hite, seconded by Board Member Dockens, to adopt Regulation 842.25 to continue to: (1) Permit the conducting of hearing and appeals through telecommunications and/or videoconferencing; (2) Allow for service via email of any document tied to hearings and appeals; and (3) require that both parties agree in writing to a hearing by telecommunication and/or videoconferencing prior to such a hearing being conducted, passed by the following vote: **Ayes:** Board Members Dockens, Espinoza, Hite, and Chair Cantor. **Noes:** None. **Abstentions:** None. **Absent:** Vice Chair Guadalupe.

RENT BOARD AS A WHOLE

J-1. The matter to consider approving the adjustment of the Executive Director’s salary from the Fiscal Year 2018-19 budgeted amount of \$148000 to the Fiscal Year 2023-24 budgeted amount of

\$188,080, in addition to any qualifying Executive Management MOU authorized salary adjustments, effective starting July 1, 2023, was presented by General Counsel Charles Oshinuga. General Counsel Oshinuga gave a report beginning with the closing session's purpose: the Executive Director undergoes an employee evaluation from the Rent Board to discuss the Executive Director's salary before receiving an adjustment to the budgeted amount. The discussions about how much the Executive Director should be paid typically happen before adopting the budget. General Counsel Oshinuga gave a brief overview of the FY2023-24 budget to show comparable salary levels of executive staff. He also informed the Board that the Executive Staff now has a union, and the significant increase in the Executive Director's salary was due to the MOU adjustment.

He also mentioned that the city conducted a Class and Compensation study that readjusted most employees' salaries, but he reintegrated that we are here to discuss the Executive Director's salary. Discussions ensued. The following individual requested to speak during public comment but was not present: Loraine Pitre.

A motion made by Board Member Hite, seconded by Board Member Dockens, to approve the adjustment of the Executive Director's salary from the Fiscal Year 2018-19 budgeted amount of \$148000 to the Fiscal Year 2023-24 budgeted amount of \$188,080, in addition to any qualifying Executive Management MOU authorized salary adjustments, effective starting July 1, 2023, passed by the following vote: **Ayes:** Board Members Dockens, Espinoza, Hite, and Chair Cantor. **Noes:** None. **Abstentions:** None. **Absent:** Vice Chair Guadalupe.

J-2. The matter to (1) discuss the pros and cons of increasing the time for each public speaker by two minutes, (2) approve the increase of time for each public speaker by two minutes, (3) direct staff to draft an amended Regulation 309(A)11 in accord with the Board's approval, (4) submit the amended Regulation 309(A)11 for the Board's consideration and adoption at the August 16, 2023, Regular Meeting of the Richmond Rent Board, and (5) direct staff to publicize the amended Regulation on the Board's website and any other appropriate medium prior to promulgation on September 15, 2023, was presented by Board Member Dockens. The oral presentation included the statement of the issue, fiscal impact, the background, proposed amendment to Regulation 309 (A) 11, the impact on length of meetings, the purpose and the

recommended action. Discussion ensued. There were no public comments on this item.

A motion made by Board Member Hite, seconded by Board Member Espinoza, to approve the increase of time for each public speaker by two minutes, direct staff to draft an amended Regulation 309(A)11 in accord with the Board's approval, submit the amended Regulation 309(A)11 for the Board's consideration and adoption at the August 16, 2023, Regular Meeting of the Richmond Rent Board, and direct staff to publicize the amended Regulation on the Board's website and any other appropriate medium prior to promulgation on September 15, 2023, passed by the following vote: **Ayes:** Board Members Dockens, Espinoza, Hite, and Chair Cantor. **Noes:** None. **Abstentions:** None. **Absent:** Vice Chair Guadalupe.

TRAINING

K-1. General Counsel Charles Oshinuga presented the matter of receiving training on the Richmond Rent Board Appeals Process. The oral presentation included a discussion/review of a prior appeal case, the General Counsel's corresponding recommendation, and Regulation 842. He began with a brief overview of Regulation 842. He also gave an overview of how the Appeal recommendation comes together step by step and notices to the parties and Board Members. He also described how the flow of the appeal hearing would go at a Rent Board meeting. He also went over the structure of an appeal recommendation which in a memorandum form that includes the date of the recommendation, addressed to, from (the attorney's name), subject, petition address, the parties listed, the appeal hearing date, summary of the appeal, petition history, statement of facts, issues, analysis which includes standard of review, is substantial evidence contained in the record supporting the hearing examiner's findings and does the record contain substantial evidence supporting the hearing examiners finding's, does the record contain substantial evidence support the hearing examiners findings, the conclusion and a list of attachments. Discussion ensued. There were no public comments on this item.

A motion by Board Member Hite, seconded by Board Member Dockens, to approve extending the meeting past the 3-hour time limit to adjourn by 8:30 PM to continue the Appeals training under Item K-1 and hear remaining items on the agenda, passed by the following vote: **Ayes:** Board Members Dockens, Espinoza, Hite, and Chair

Cantor. **Noes:** None. **Abstentions:** None. **Absent:** Vice Chair Guadalupe.

After approving the extension of time past the 3-hour mark, the Interpreter informed the Board that she could only stay up until 8:00 PM. General Counsel Oshinuga recommended that Chair Cantor continue the appeals training to the next Rent Board meeting. A motion by Chair Cantor, seconded by Board Member Dockens to continue Item K-1 under the Appeals Training to the August 16, 2023 meeting, passed by the following vote: **Ayes:** Board Members Dockens, Espinoza, Hite, and Chair Cantor. **Noes:** None. **Abstentions:** None. **Absent:** Vice Chair Guadalupe.

REPORTS OF OFFICERS/SCHEDULING

Executive Nicolas Traylor gave a brief report that he will be on vacation beginning July 24th until August 15th. He mentioned that Deputy Director Fred Tran will be acting as Executive Director in his absence.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:02 P.M.

Cynthia Shaw
Staff Clerk

(SEAL)

Approved:

Rent Board Chair