

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: August 21, 2019

Final Decision Date Deadline: August 21, 2019

STATEMENT OF THE ISSUE: The minutes of the July 17, 2019, 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 17, 2019 Regular Meeting of the Richmond Rent Board – Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

F-1.

RICHMOND, CALIFORNIA, July 17, 2019

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

PLEDGE TO THE FLAG

ROLL CALL

Present: Boardmembers Conner, Finlay, Duncan, and Maddock.

Absent: Vice Chair Gerould
(*Vice Chair Gerould present as of 5:32 P.M.*)

With consent from all present Boardmembers, Boardmember Finlay nominated Boardmember Maddock to act as the Chair until the arrival of Vice Chair Gerould.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

None.

SWEARING IN OF NEW BOARDMEMBERS

Rent Board Clerk Cynthia Shaw swore in new Boardmembers Alana Grice Conner and Commieolla Duncan.

ELECT CHAIR AND VICE CHAIR

A motion made by Boardmember Finlay to nominate and elect Boardmember Maddock as Rent Board Chair and Vice Chair Gerould to remain as Vice Chair, seconded by Boardmember Duncan, passed unanimously with Vice Chair Gerould absent.

A motion made by Boardmember Finlay to close nominations, seconded by Boardmember Conner, passed unanimously with Vice Chair Gerould absent.

PUBLIC FORUM

Cordell Hindler distributed a flyer inviting the Board to attend a community event held in the month of July. He also invited the Board to attend the Contra Costa County Mayors Conference in the City of Brentwood, held in the month of August. He also mentioned that he received great feedback from the North and East and Santa Fe Neighborhood Councils about the presentation on Rent Control by Executive Director, Nicolas Traylor at their meetings held in June. He also gave an update that he is still in conversation with the President of his Neighborhood Council regarding Executive Director, Nicolas Traylor presenting on Rent Control at their meeting and that he will provide more information at a later date. He also mentioned that the Richmond Neighborhood Coordinating Council is still intact and that he will contact the President of the North and East Neighborhood Council to coordinate a time for Executive Director, Nicolas Traylor to give an update on Rent Control at their meeting.

RENT BOARD CONSENT CALENDAR

On motion of Boardmember Duncan, seconded by Boardmember Finlay, the item(s) marked with an (*) were approved with Vice Chair Gerould absent.

*H-1. Approve the minutes of the June 19, 2019, Regular Meeting of the Richmond Rent Board.

*H-2. Receive the June 2019 Rent Program Monthly Report.

*H-3. Receive the Rent Program FY 2018-19 Monthly Revenue and Expenditure Report through June 2019.

RENT BOARD AS A WHOLE

I-1. The matter to receive training in the requirements of the Ralph M. Brown Act and the requirements of the Rosenberg Rules of Order was presented by Staff Attorney Charles Oshinuga. The presentation included an overview about meetings, which included the definition of a meeting, unlawful meetings, types of serial meetings, noticing requirements, public comments, closed session meetings, voting rules and courtesy decorum. Discussion ensued. The following individual gave comments: Cordell Hindler. No action was taken on this item.

REGULATIONS

J-1. The matter to amend Regulation 842 to do either of the following: Option A: Within 15 business days after the date to file an appeal has expired, allow the Executive Director or assigned Designee to treat appeals as requests for reconsideration, where there is a clear misapplication of the law, the law has changed, there is a problem with the Record, or any other matter where reconsideration would be appropriate considering administrative efficacy. This amendment would also clarify that the Executive Director or assigned Designee is the individual who grants a request for reconsideration and not the Hearing Examiner or Option B: to amend Regulation 842 to allow the Executive Director or assigned Designee to send a matter back to the Hearing Examiner within a reasonable period of time without the requirement of a Rent Board Order, where the issue involves a clear misapplication of the law, a problem with the Record, or a change in the law or any other matter appropriate for reconsideration. In such an event, the Executive Director or assigned Designee must submit a written Order of Reconsideration with specific instructions identifying the good cause underlying the granting of reconsideration and the parameters of the hearing on reconsideration, was presented by Staff Attorney Charles Oshinuga. The presentation included the statement of the issue, Board direction, an overview of the process, timing of reconsideration, and the recommended action. Discussion ensued. The following individual gave comments: Ilona Clark. A motion by Boardmember Finlay, seconded by Boardmember Duncan, to amend Regulation 842, to require that within 15 business days after the date to file an appeal has expired, the Executive Director or assigned Designee may treat appeals as requests for reconsideration, where there is a clear misapplication of the law, the law has changed, there is a problem with the Record, or any other matter where reconsideration would be appropriate considering administrative efficacy (this amendment also clarifies that the Executive Director or assigned Designee is the individual who grants a request for reconsideration and not the Hearing Examiner), passed by the following vote: **Ayes:** Boardmembers, Finlay, Duncan, Vice Chair Gerould and Chair Maddock. **Noes:** Boardmember Conner. **Abstentions:** None. **Absent:** None.

Boardmembers Finlay and Conner directed staff to provide an update to the Board as to whether Regulation 842B conflicts with the Rent Ordinance with regard to a hearing examiner's decision being stayed pending appeal.

J-2. The matter to receive a presentation on possible Rent Board governance regulations and provide direction to staff was presented by Deputy Director Paige Roosa. The presentation included the statement of the issue, the background, possible Rent Board Governance Policies, examples of established Regulations in peer jurisdictions that included Berkeley Rent Board Regulation 602 and 690, San Francisco Rent Board Regulation Section 2.13 and Section 2.17, and Santa Monica Rent Board Regulation 1009, direction requested from the Board, and the recommended action. Discussion ensued. The following individual gave comments: Cordell Hindler. The Board received the item and directed staff to research information from peer jurisdictions, including the purpose for the law and the reason why it was adopted, for the following topics: Boardmember vacancies, conflict of interest, second readings on Regulations and Ordinances, and when and where meetings should occur, and return to the Board with this information for discussion and direction in 3 months.

REPORTS OF OFFICERS

Chair Maddock commented on the financial variance report included in the packet, ending June 30, 2019. She mentioned that she is very pleased that we ended the fiscal year with a \$90,000 surplus. Executive Director Nicolas Traylor commented that the Rent Program was given praise at the Senior Management meeting for ending the fiscal year with a surplus and that City staff are impressed that that Rent Board will be contracting with a financial consulting firm to provide a 5-year projection to aid in future financial planning. He also mentioned that he is happy to announce that staff members are making progress with the contract for collection agency services and expects to begin collecting revenue from deficient accounts soon.

Deputy Director Paige Roosa gave a brief update about the Owner Move-In Workshops for Landlords and Tenants. She also mentioned that we hosted two Focus Groups, both entirely in Spanish to gather nuanced feedback from Spanish speakers in the community. She also mentioned that we launched an Owner Move-In survey, available in English and Spanish, and we have received about 150 responses so far. She also mentioned that NBC wrote a story about the survey to spread the word and included the link to the survey in their story.

Boardmember Duncan inquired about the monthly activity report for the month of June in regards to Landlords and Tenants assisted by the Public Information Unit. She wanted to know if we

maintain a record of who was assisted and the nature of the contact. Deputy Director Paige Roosa responded that notes are recorded in a Customer Relation Management (CRM) database. Executive Director Nicolas Traylor also added that we make note of what the issue is and what staff member assisted the community member, in the event the issue or case reemerges, a counselor or staff member can refer to that data to see what the issue was at that time.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:40 P.M.

Cynthia Shaw and Bailey Maher
Staff Clerks

(SEAL)

Approved:

Lauren Maddock, Chair