

RICHMOND, CALIFORNIA, August 17, 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/88192228499?pwd=eVRjSHJqR3pRaFF2djU1NXF3NWRBdz09>
Password: rentboard

Or By Telephone:

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

Step 2: Webinar ID: 881 9222 8499

International numbers available:

<https://us02web.zoom.us/j/kX1zGQ9fe>

Community members who wished to make a public comment were required to submit their comments via email by 3:00 p.m. on Wednesday, August 17, 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 invited the Board to attend the Richmond Rotary Club Weekly Meeting on Friday, August 19th, held at the Richmond Country Club. He also restated his comments from the July meeting about Consent Calendar Item F-5 regarding City legislative bodies continuing to meet via videoconference and teleconference. He mentioned that he attended the City of El Cerrito's City Council meeting, which was held as a hybrid meeting. He feels holding hybrid meetings would be beneficial because it will allow the public to participate in the chambers virtually. He asks if the Rent Board would consider holding hybrid meetings soon.

Elsa Stevens submitted a request to speak but was not present when her name was called.

Elda Fontano, resident of Heritage Park at Hilltop Apartments, expressed concerns about the \$60.00 rent increase imposed on the Tenants. She mentioned that she is a disabled senior citizen who makes less than \$2,400.00 monthly. She expressed that it was difficult to pay \$1,203.00 rent per month and pay utilities and food, and now management is increasing the rent an additional \$60.00 to total \$1263.00. She mentioned that the rent would be too expensive, and the cap should never be over 3% for senior citizens. She said it would be too high and she could not afford it. She doesn't qualify for low-income housing, but many residents in the building are in the same situation as she. She asks the Board to work on the residents' behalf who are impacted by the

rent increase to keep the rents low and decrease the rent by less than 3% immediately.

Laureen Lober submitted her comment by email as well as commented by telephone. Laureen is a resident of Heritage Park Apartments at Hilltop. She expressed that the residents received a rent increase notice of 5.2%, effective on October 2022. She also said that the \$63.00 rent increase, which equals \$756.00 annually would burden seniors on fixed incomes with tight budgets. She also mentioned that routine maintenance, utilities, cable, and internet might not be possible because living expenses are a struggle. She feels USA Properties is profiting from the LITECH tax credit investment property. She also mentioned that rents are not affordable and fair market rent is not reasonable at Heritage Park. She also said that other LITECH properties are more affordable than Heritage Park. She also stated the amenities at Heritage Park had been reduced, and most of the dumpsters that residents were paying for have been removed causing an overflow of garbage, which is a public hazard. She asks the Board to help with this issue because the residents are out of options. She also asks the Board to listen to the comments and read her email regarding this issue.

Cashay Duncan commented by email about the rent increase imposed on the residents at Heritage Park Apartments at Hilltop. *The email will be included in the September 21, 2022, Rent Board Meeting Packet, under Item F-3 for Constituent Letters.*

RENT BOARD CONSENT CALENDAR

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

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

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

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

*F-4. Approve late fee waiver(s) for July 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 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.

CONTRACTS

G-1. The matter to approve amendments to the contract for community legal services with Bay Area Legal Aid, increasing the contract amount by \$62,500.00 for Fiscal Year 2022-23, modifying the term to commence on September 1, 2022, through June 30, 2023, and additions, clarifications, and corrections made to the contract Service Plan and Goals was presented by Adam Poe, Managing Attorney for Bay Area Legal Aid. The presentation included information about the scope of services they provided the Richmond Community during the Fiscal Year 2021-2022. Discussion ensued. There were no public comments on this item. A motion by Vice Chair Mishek, seconded by Board Member Johnson, to approve amendments to the contract for community legal services with Bay Area Legal Aid, increasing the contract amount by \$62,500.00 for Fiscal Year 2022-23, modifying the term to commence on September 1, 2022, through June 30, 2023, and additions, clarifications, and corrections made to the contract Service Plan and Goals, passed by the following vote: Ayes: Board Members Johnson, Vasilas, Vice Chair Mishek and Chair Finlay. Noes: Board Member Conner.

RENT BOARD AS A WHOLE

H-1. The matter to approve receipt of and authorize use of the \$10,000.00 Rent Relief Partner Grant for partnering in the establishment of Richmond's rent assistance program, was presented by Executive Director Nicolas Traylor. The presentation included the statement of the issue, background about the Richmond Rent Assistance Program, the purpose of the \$10,000.00 grant, information about the use of the funds, and the recommended action. Discussion Ensued. There were no public comments on this item. A motion by Board Member Johnson, seconded by Vice Chair Mishek to approve receipt of and authorize use of the \$10,000.00 Rent Relief Partner Grant for partnering in the establishment of Richmond's rent assistance program. Board Member Johnson withdrew her motion to include direction to staff.

A new motion by Board Member Johnson, seconded by Vice Chair Mishek, to approve receipt of and authorize use of the \$10,000.00 Rent Relief Partner Grant for partnering in the establishment of Richmond's rent assistance program and directed to staff to return to the Board with options for use of the funds, passed by the following vote: **Ayes:** Board Members Conner, Johnson, Vasilas, Vice Chair Mishek and Chair Finlay. **Noes:** None. **Abstentions:** None. **Absent:** None.

H-2. The matter to recommend the City Council consider the eviction moratorium and (1) terminate the moratorium, (2) amend the moratorium to allow a property owner to evict a tenant so that the owner may move into the property, or (3) make no changes was presented by Interim Assistant City Attorney Heather McLaughlin. The presentation included information about how a constituent brought the issue to the attention of Councilmember Bates, asking if the city could redo the Moratorium Eviction to allow an owner or owner's relative to move into a property. Before presenting this item to the City Council, Councilmember Bates is seeking the Rent Boards' consideration and recommendation to either keep the ordinance as is, change the ordinance to allow for Owner Move-Ins or continue the moratorium. Discussion Ensued. Due to the number of commenters, the Board allowed each speaker 1.30 minutes to address the Board and an additional minute for individuals who required interpretation. The following individuals gave comments: Suilma Navarrete, Ana Gonzalez, Juana Trejo, and Ilona Clark.

The following individuals requested to speak on this item but was not present when their name was called: Elsa Stevens, Rosa Villagrand, Asuncion Carmona, Irene Gonzalez, Maria Dias, Raul Vasquez, Elda Fontano, Sam Lewis, and Blanca Retano.

A motion by Board Member Johnson recommends the City Council consider option (3) to make no changes to the eviction moratorium. Motion failed due to lack of a second.

A new motion by Vice Chair Mishek recommends that the Rent Board make no recommendation on an action that the City Council should take; therefore, taking no action on this item, seconded by Chair Finlay, and failed due to the following lack of votes: **Ayes:** Vice Chair Mishek and Chair Finlay. **Noes:** Board Members Conner, Johnson, and Vasilas. **Abstentions:** None. **Absent:** None.

Due to failed motions and lack of votes, the Board decided to take no action on this item.

REPORTS OF OFFICERS

I-1. Executive Director Nicolas Traylor introduced Senior Management Analyst Mónica Bejarano to give a brief report on this item. Senior Management Analyst Mónica Bejarano introduced to the Board our new Rent Program Services Analysts, John Adams and Edward Argenal. They were hired at the beginning of August 2022 to assist with counseling the public regarding the ordinance.

Rent Program Services Analyst John Adams briefly introduced himself, working in the Library Department for seven years and transferring to the Rent Program. He also mentioned that he enjoys being a part of the team, and he enjoyed the Rent Board meeting discussions.

Rent Program Services Analyst Edward Argenal briefly introduced himself, saying that he is new to the City of Richmond, originally from Martinez, and currently pursuing his education at Cal State East Bay. He is also excited to be a part of the team.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:14 P.M.

Cynthia Shaw
Staff Clerk

(SEAL)

Approved:

VIRGINIA FINLAY
Virginia Finlay, Rent Board Chair