

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: September 16, 2020

Final Decision Date Deadline: September 16, 2020

STATEMENT OF THE ISSUE: The minutes of the August 19, 2020, 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 August 19, 2020, Regular Meeting of the Richmond Rent Board – Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

F-1.

RICHMOND, CALIFORNIA, August 19, 2020

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

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/88065974646?pwd=WmpLNHJNVmNXMEdpNTU5bi9BM1lQUT09>

Password: rentboard

Or By Telephone:

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

Webinar ID: 880 6597 4646

International numbers available:

<https://us02web.zoom.us/j/88065974646>

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 19, 2020, 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

Boardmembers Present: Conner, Finlay, and Chair Maddock.

Staff Present: Staff Attorney Charles Oshinuga and Deputy Director Paige Roosa.

Absent: Vice Chair Gerould.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

On a motion of Boardmember Conner, seconded by Boardmember Finlay, a recommendation to move Item F-6 from the Consent Calendar for discussion before Item G-1 under Study and Action Session, passed by the following vote: **Ayes:** Boardmembers Conner, Finlay and Chair Maddock. **Noes:** None. **Abstentions:** None. Absent: Vice Chair Gerould.

PUBLIC FORUM

Cordell Hindler commented by email, expressing that he feels that the public should be able to return to the Rent Board meetings because the community has suffered through this shelter in place order. He also invited the Rent Board to the Contra Costa Mayors Conference on December third, hosted by the City of Lafayette in-person or virtual, depending on the COVID situation.

Jerry expressed concerns about the unfairness of raising the Rental Housing Fee this Fiscal Year. He feels that the Board needs to make better decisions to help Landlords. He also feels that Landlords need to keep their fees and rent high in order to protect their investments. He also feels that in some cases, the Board might think it is better to allow a lazy family member to move in rather than to go to market. He also encouraged Landlords to take extreme caution before renting their units. He also feels it is very important to be cautious, especially during this time, because of the lack of support from the Rent Board for Landlords. Lastly, he mentioned that the Rent Board should consider supporting Landlords because we are not sure of how the outcome will be after COVID.

RENT BOARD CONSENT CALENDAR

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

*F-1. Approve the minutes of the June 17, 2020, Regular Meeting of the Richmond Rent Board. *This item was continued from the July 15, 2020, meeting.*

*F-2. Approve the minutes of the July 15, 2020, Regular 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 July 2020 Rent Program Monthly Report.

*F-5. Received the Rent Program FY 2019-20 Monthly Revenue and Expenditure Report through July 2020.

STUDY AND ACTION SESSION

F-6. The matter to approve amendments to the contract for community legal services with Bay Area Legal Aid, increasing the contract amount by \$56,250 for Fiscal Year 2020-21, modifying the term to commence on October 1, 2020, through June 30, 2021, and revising the service plan in consideration of the ongoing COVID-19 pandemic and condensed contract term, was presented by Boardmember Conner. Boardmember Conner requested to remove this item from the Consent Calendar because she wanted clarification from staff on what the Board was being asked to approve. She mentioned that the Board had voted and approved extending this contract at the previous meeting and wanted to know if the contract terms were changing and if the contract amount was staying the same or if other changes had been made. Deputy Director Paige Roosa responded and confirmed that the Board had approved amendments to the contract term, specifically modifying the contract term to start in October through the Fiscal Year June 2021 and to add funds to the contract to allow Bay Area Legal Aid to be paid for the services rendered between October 2020 through June 2021. She also added that after the contract was approved, in communications with the contractor, it became apparent that the service plan performance metrics did not account for the condensed term of the contract. She also added that the

contractor also wanted to make additional amendments to the contract service plan in consideration of the COVID pandemic, to clarify in the contract that counseling sessions may be conducted remotely. She also added that rather than presenting these amendments as a separate item, staff combined all amendments at once to avoid confusion. She also added that what staff is requesting from the Board for this item is to acknowledge the changes to the service plan that the contractor requested. Boardmember Connor asked if the contract amount had been decreased in accordance with the modified service plan. Deputy Director Paige Roosa confirmed that since the contract has been shortened, the amount of the contract has been decreased proportionally to \$56,250. Boardmember Connor asked if Bay Area Legal Aid would be able to track the number of Landlords and Tenants assisted at the Bay Area Legal Aid clinics. Deputy Director Paige Roosa responded that at this time, they do not currently provide that information in their monthly reports, explaining that the service plan with Bay Area Legal Aid does not require them to provide that information. Boardmember Connor requested that staff include in future contracts the requirement for Bay Area Legal Aid to track the demographic information of people assisted at the clinics to ensure that they do provide services to low income Landlords as well, instead of it appearing as though assistance is only being provided to low income Tenants. Deputy Director Paige Roosa responded that she would reach out to the contractor and ask them to add demographic information to the reports moving forward. A motion by Boardmember Conner, seconded by Boardmember Finlay, to approve amendments to the contract for community legal services with Bay Area Legal Aid, increasing the contract amount by \$56,250 for Fiscal Year 2020-21, modifying the term to commence on October 1, 2020, through June 30, 2021, and revising the service plan in consideration of the ongoing COVID-19 pandemic and condensed contract term meeting, passed by the following vote: **Ayes:** Boardmembers Conner, Finlay, and Chair Maddock. **Noes:** None. **Abstentions:** None. **Absent:** Vice Chair Gerould.

G-1. The matter to receive a presentation containing an alternative proposal to revised Chapter 2 Regulations, concerning the process whereby property owners may seek an exemption or determination of inapplicability of a dwelling unit from the provisions of the Richmond Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance and provide direction to staff, was presented by Deputy Director Paige Roosa. The presentation included a summary of alternative proposal, current Regulations 205 and 206, historic process for claims of exemption or

inapplicability, previously proposed process for claims of exemption or inapplicability, alternative proposed process for claims of exemption or inapplicability, proposed methods of investigation, and the recommended action. Discussion ensued. There were no public comments on this item. A motion by Chair Maddock, seconded by Boardmember Finlay, to receive a presentation containing an alternative proposal to revised Chapter 2 Regulations, concerning the process whereby property owners may seek an exemption or determination of inapplicability of a dwelling unit from the provisions of the Richmond Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance and direct staff to prepare the Regulations as described in the alternative proposal, incorporating findings that staff would be required to make to approve claims of exemption or inapplicability, for the Board's review passed by the following vote: **Ayes:** Boardmembers Conner, Finlay and Chair Maddock. **Noes:** None. **Abstentions:** None. **Absent:** Vice Chair Gerould.

REGULATIONS

H-1. The matter to adopt revised Chapter 2 Regulations, concerning the process whereby property owners may seek an exemption or determination of inapplicability of a dwelling unit from the provisions of the Richmond Fair Rent, Just Cause for Eviction and Homeowner Protection was presented by Deputy Director Paige Roosa. The following individual requested to speak during public comment, but was not present: Jerry. Discussion ensued. A motion by Boardmember Conner, seconded by Boardmember Finlay, to not adopt the revised Chapter 2 Regulations as presented in this item, and instead direct staff to revise the Chapter 2 regulations in accordance with the alternative proposals discussed in Item G-1, passed by the following vote: **Ayes:** Boardmembers Conner, Finlay and Chair Maddock. **Noes:** None. **Abstentions:** None. **Absent:** Vice Chair Gerould.

REPORTS OF OFFICERS

Deputy Director Paige Roosa gave a brief report that the City Council voted to extend their eviction and rent increase moratorium through September 30, 2020. She also gave a brief update about the upcoming Community Workshop Webinar titled "Navigating the Eviction Process in Richmond" that will be held on August 29, 2020. She also mentioned that members of the public could visit our website at www.richmondrent.org for more information about the current eviction and rent increase

moratorium as well as the schedule of Community Workshop Webinars.

Staff Attorney Charles Oshinuga notified the Board that in the future he will provide a summary to the Board of the California Legislative Bills and Policies that impact evictions and rent increases, especially during the COVID era, which are relevant to the services that the Rent Program provides. He added that this summary will be agendized and possibly placed on the Consent Calendar. He also mentioned that the Judicial Council had previously suspended the issuance of summons and complaints to Landlords to proceed with evictions to Tenants during COVID, but that they are now lifting that suspension as of September 1, 2020. Starting September 2, 2020, unless changed, Landlords will be able to obtain summons and complaints for an unlawful detainer for non-payment of rent and other causes for eviction in California, unless the City has a moratorium, like Richmond.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:47 P.M.

Cynthia Shaw and Mónica Bejarano
Staff Clerks

(SEAL)

Approved:

Lauren Maddock, Chair