



## REGULAR MEETING OF THE RENT BOARD OF THE CITY OF RICHMOND

**AGENDA**  
**Wednesday, April 21, 2021**

***Link to Rent Board Meeting Agendas and Accompanying Materials:***  
[www.ci.richmond.ca.us/3375/Rent-Board](http://www.ci.richmond.ca.us/3375/Rent-Board)

### **Boardmembers**

Alana Grice Conner  
Virginia Finlay  
Carole Johnson  
Shiva Mishek  
Michael Vasilas

## **ALL BOARDMEMBERS WILL PARTICIPATE VIA VIDEO OR TELECONFERENCE**

***REFER TO PAGE 2 FOR INSTRUCTIONS ON HOW TO PARTICIPATE  
BY COMPUTER, MOBILE DEVICE, OR PHONE AS A MEMBER OF THE PUBLIC***

### **CORONAVIRUS DISEASE (COVID-19) ADVISORY**

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.

Both <https://www.coronavirus.cchealth.org/> and  
<http://www.ci.richmond.ca.us/3914/Richmond-Coronavirus-Info>  
provide updated coronavirus information.

Public comment will be confined to items appearing on the agenda and will be limited to the methods provided below. DUE TO THE SHELTER IN PLACE ORDERS, and consistent with Executive Order N29-20, this meeting will utilize video/teleconferencing only. The following provides information on how the public can participate in this meeting.

**How to observe and/or participate in the meeting from home:**

***By Computer, Tablet, or Mobile Device:***

Step 1: Tune in to the videoconference at the following link:

<https://us02web.zoom.us/j/82085415783?pwd=eHFYZkJla2JUNzRxcTZvVnRqNlhPZz09>

Step 2: Enter the following password: rentboard

***By Telephone:***

Step 1: Dial (for higher quality, dial a number based on your current location):

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

Step 2: Webinar ID: 820 8541 5783

International numbers available: <https://us02web.zoom.us/j/82085415783>

**How to make a Public Comment during the meeting:**

Members of the public must submit a request to speak during the meeting by sending an email to Rent Board Clerk Cynthia Shaw at [cynthia\\_shaw@ci.richmond.ca.us](mailto:cynthia_shaw@ci.richmond.ca.us) by **3:00 PM on Wednesday, April 21, 2021**. The request must include the following:

- (a) Your Name
- (b) Your Phone Number
- (c) The Item for which you wish to make a Public Comment

Requests for comments received via email during the meeting and up until the public comment period on the relevant agenda item is closed, will be accommodated as is reasonably possible and will be limited to a maximum of one to two minutes, depending on the number of commenters, as more fully described in the Rent Board meeting procedures below. The City cannot guarantee that its network and/or the site will be uninterrupted.

**Accessibility for Individuals with Disabilities**

Upon request, the City will provide for written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services and sign language interpreters, to enable individuals with disabilities to participate in and provide comments at/related to public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, auxiliary aid, service or alternative format requested at least two days before the meeting. Requests should be emailed to [cynthia\\_shaw@ci.richmond.ca.us](mailto:cynthia_shaw@ci.richmond.ca.us) or submitted by phone at (510) 620-5552. Requests made by mail to the Rent Program Office, Rent Board meeting, 440 Civic Center Plaza, Suite 200, Richmond, CA 94804 must be received at least two days before the meeting. Requests will be granted whenever possible and resolved in favor of accessibility.

**Effect of Advisory on In-Person Public Participation**

During the pendency of the Executive Order N-29-20, the language in this Advisory portion of the agenda supersedes any language below in the meeting procedures contemplating in-person public comment.

**NOTICE TO PUBLIC**

The City of Richmond encourages community participation at public meetings and has established procedures that are intended to accommodate public input in a timely and time-sensitive way. As a courtesy to all members of the public who wish to participate in Rent Board meetings, please observe the following procedures:

**Public Comment on Agenda Items:** Persons wishing to speak on a particular item on the agenda shall file a speaker form with City staff PRIOR to the Rent Board's consideration of the item on the agenda. Once the clerk announces the item, only those persons who have previously submitted speaker forms shall be permitted to speak on the item. Each speaker will be allowed up to two minutes to address the Rent Board.

**Public Forum:** Individuals who would like to address the Rent Board on matters not listed on the agenda or on items remaining on the consent calendar may do so under Public Forum. All speakers must complete and file a speaker's card with City staff prior to the commencement of Public Forum. The amount of time allotted to individual speakers shall be determined based on the number of persons requesting to speak during this item. The time allocation for each speaker will be as follows: 15 or fewer speakers, a maximum of 2 minutes; 16 to 24 speakers, a maximum of 1 and one-half minutes; and 25 or more speakers, a maximum of 1 minute.

**Conduct at Meetings:** Richmond Rent Board meetings are limited public forums during which the City strives to provide an open, safe atmosphere and promote robust public debate. Members of the public, however, must comply with state law, as well as the City's laws and procedures and may not actually disrupt the orderly conduct of these meetings. The public, for example, may not shout or use amplifying devices, must submit comment cards and speak during their allotted time in order to provide public comment, may not create a physical disturbance, may not speak on matters unrelated to issues within the jurisdiction of the Rent Board or the agenda item at hand, and may not cause immediate threats to public safety.

**City Harassment Policy:** The City invites public comment and critique about its operations, including comment about the performance of its public officials and employees, at the public meetings of the City Council and boards and commissions. However, discriminatory or harassing comments about or in the presence of City employees, even comments by third parties, may create a hostile work environment, if severe or pervasive. The City prohibits harassment against an applicant, employee, or contractor on the basis of race, religious creed, color, national origin, ancestry, physical disability, medical condition, mental disability, marital status, sex (including pregnancy, childbirth, and related medical conditions), sexual orientation, gender identity, age or veteran status, or any other characteristic protected by federal, state or local law. In order to acknowledge the public's right to comment on City operations at public meetings, which could include comments that violate the City's harassment policy if such comments do not cause an actual disruption under the Council Rules and Procedures, while taking reasonable steps to protect City employees from discrimination and harassment, City Boards and Commissions shall adhere to the following procedures. If any person makes a harassing remark at a public meeting that violates the above City policy prohibiting harassment,

the presiding officer of the meeting may, at the conclusion of the speaker's remarks and allotted time: (a) remind the public that the City's Policy Regarding Harassment of its Employees is contained in the written posted agenda; and (b) state that comments in violation of City policy are not condoned by the City and will play no role in City decisions. If any person makes a harassing remark at a public meeting that violates the above City policy, any City employee in the room who is offended by remarks violating the City's policy is excused from attendance at the meeting. No City employee is compelled to remain in attendance where it appears likely that speakers will make further harassing comments. If an employee leaves a City meeting for this reason, the presiding officer may send a designee to notify any offended employee who has left the meeting when those comments are likely concluded so that the employee may return to the meeting. The presiding officer may remind an employee or any council or board or commission member that he or she may leave the meeting if a remark violating the City's harassment policy is made.

## REGULAR MEETING OF THE RICHMOND RENT BOARD

### AGENDA

5:00 PM

**A. PLEDGE TO THE FLAG**

**B. ROLL CALL**

**C. STATEMENT OF CONFLICT OF INTEREST**

**D. AGENDA REVIEW**

**E. WELCOME AND INTRODUCTIONS**

**F. SWEARING IN OF NEW BOARDMEMBERS**

**G. ELECT CHAIR AND VICE CHAIR**

**H. PUBLIC FORUM**

**I. BROWN ACT TRAINING**

**J. RENT BOARD CONSENT CALENDAR**

**J-1.** APPROVE the minutes of the February 17, 2021, Regular Meeting of the Richmond Rent Board. *Cynthia Shaw*

**J-2.** APPROVE the minutes of the March 9, 2021, Regular Meeting of the Richmond Rent Board. *Cynthia Shaw*

**K. RENT BOARD AS A WHOLE**

**K-1.** RECEIVE the Fiscal Year 2020-21 Monthly Activity Report through March 2021. *Paige Roosa*

**K-2.** RECEIVE the Rent Program FY 2020-21 Monthly Revenue and Expenditure Report through March 2021. *Paige Roosa*

**K-3.** RECEIVE the budgeted versus actual revenue and expenditures report for the third quarter ending March 31, 2021. *Paige Roosa*

**L. APPEALS TRAINING**

- L-1.** RECEIVE training on the Richmond Rent Board Appeals Process. *Charles Oshinuga*

**M. REPORTS OF OFFICERS**

**N. ADJOURNMENT**

***Any documents produced by the City and distributed to a majority of the Rent Board regarding any item on this agenda will be made available at the Rent Program Office located on the second floor of 440 Civic Center Plaza and will be posted at [www.richmondrent.org](http://www.richmondrent.org).***

# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: April 21, 2021

Final Decision Date Deadline: April 21, 2021

**STATEMENT OF THE ISSUE:** Legislative bodies in the State of California must adhere to the Ralph M. Brown Act, found in Section 54950-54963 of the California Government Code. Education regarding the Ralph M. Brown Act is necessary for all members of the Rent Board. Additionally, because the Rent Board is a legislative body, to conduct its business in a consistent and fair manner, it is important to be familiar with Rosenberg's Rules of Order. To ensure efficiency and compliance with the Brown Act, staff members intend to bi-annually provide Board members training in both the Brown Act and Rosenberg's Rules of Order.

## 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>Training</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:** RECEIVE training on the Brown Act and Rosenberg's Rules of Order – Rent Program (Nicolas Traylor/Charles Oshinuga 620-6564).

AGENDA ITEM NO:  
**I.**

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# AGENDA REPORT

**DATE:** April 21, 2021

**TO:** Members of the Rent Board

**FROM:** Nicolas Traylor, Executive Director  
Charles Oshinuga, Staff Attorney

**SUBJECT:** BROWN ACT AND RULES OF ROSENBERG TRAINING

**STATEMENT OF THE ISSUE:**

Legislative bodies in the State of California must adhere to the Ralph M. Brown Act, found in Section 54950-54963 of the California Government Code. Education regarding the Ralph M. Brown Act is necessary for all members of the Rent Board. Additionally, because the Rent Board is a legislative body, to conduct its business in a consistent and fair manner, it is important to be familiar with Rosenberg's Rules of Order. To ensure efficiency and compliance with the Brown Act, staff members intend to bi-annually provide Board members training in both the Brown Act and Rosenberg's Rules of Order.

**RECOMMENDED ACTION:**

RECEIVE training on the Brown Act and Rosenberg's Rules of Order (Nicolas Traylor/Charles Oshinuga 620-6564).

**FISCAL IMPACT:**

There is no fiscal impact related to this item.

**DISCUSSION:**

Receive a PowerPoint and oral presentation on the Brown Act and Rosenberg's Rules of Order.

**DOCUMENTS ATTACHED:**

Attachment 1 – Rosenberg Rules of Order simplified handout

Attachment 2 – Rosenberg Rules of Order materials.

Attachment 3 – Richmond Rent Board Regulation 313

**ROSENBERG'S RULES OF ORDER  
CHEAT SHEET**

**ITEM I  
ATTACHMENT 1**

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Adjourn	"I move that we adjourn" (Only needed prior to the end of the agenda)	No	Yes	No	No	Majority
Recess	"I move that we recess until..."	No	Yes	No	Yes	Majority
Complain about noise, room temp., etc.	"Point of privilege"	Yes	No	No	No	Chair Decides
Suspend further consideration of	"I move that we table it"	No	Yes	No	No	Majority
End debate	"I move the previous question" or "Call the question"	No	Yes	No	No	2/3
Postpone consideration of	"I move we postpone this matter until..."	No	Yes	Yes	Yes	Majority
Introduce a motion	"I move that..." or "I move to..."	No	Yes	Yes	Yes	Majority
Amend a motion	"I move that this motion be amended by..." (You can also ask for a friendly amendment, which is less formal; if mover and second concur, no vote needed)	No	Yes	Yes	Yes	Majority
Refer to a Committee	"I move that the question be referred to a committee for more study"	No	Yes	Yes	Yes	Majority

The above listed motions and points are listed in established order of precedence. When any one of them is pending, you may not introduce another that is listed below, but you may introduce another that is listed above it.

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Object to procedure or personal affront	"Point of order"	Yes	No	No	No	Chair decides
Request information	"Point of information"	Yes	No	No	No	None
Object to considering some undiplomatic or improper matter	"I object to consideration of this question" (This would generally just be used if something is not on the agenda)	Yes	No	No	No	2/3
Reconsider something already disposed of	"I move we now (or later) reconsider our action relative to..." (Only a member of the prevailing side can make a motion to reconsider)	Yes	Yes	Only if original motion	No	Majority
Vote on a ruling by the Chair	"I appeal the Chair's decision"	Yes	Yes	Yes	No	Majority

The motions, points and proposals listed above have no established order of preference; any of them may be introduced at any time except when meeting is considering one of the top three matters listed from the first chart (Motion to Adjourn, Recess or Point of Privilege).

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# Rosenberg's Rules of Order

REVISED 2011

*Simple Rules of Parliamentary Procedure for the 21st Century*

*By Judge Dave Rosenberg*



## MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

## VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

### About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes Western City magazine.

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### ABOUT THE AUTHOR

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.

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## INTRODUCTION

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The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

### Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

### The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

### The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:

**First**, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

**Second**, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

**Third**, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

**Fourth**, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

**Fifth**, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

**Sixth**, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

**Seventh**, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

**Eighth**, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

**Ninth**, the chair takes a vote. Simply asking for the “ayes” and then asking for the “nays” normally does this. If members of the body do not vote, then they “abstain.” Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

**Tenth**, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: “The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body.”

## Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member’s desired approach with the words “I move . . .”

A typical motion might be: “I move that we give a 10-day notice in the future for all our meetings.”

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion**, for example, “A motion at this time would be in order.”
2. **Suggesting a motion to the members of the body**, “A motion would be in order that we give a 10-day notice in the future for all our meetings.”
3. **Making the motion**. As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

## The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

**The basic motion.** The basic motion is the one that puts forward a decision for the body’s consideration. A basic motion might be: “I move that we create a five-member committee to plan and put on our annual fundraiser.”

**The motion to amend.** If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: “I move that we amend the motion to have a 10-member committee.” A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

**The substitute motion.** If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: “I move a substitute motion that we cancel the annual fundraiser this year.”

“Motions to amend” and “substitute motions” are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a “motion to amend” or a “substitute motion” is left to the chair. So if a member makes what that member calls a “motion to amend,” but the chair determines that it is really a “substitute motion,” then the chair’s designation governs.

A “friendly amendment” is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, “I want to suggest a friendly amendment to the motion.” The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

### Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic “motion to have a five-member committee to plan and put on our annual fundraiser.” During the discussion of this motion, a member might make a second motion to “amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser.” And perhaps, during that discussion, a member makes yet a third motion as a “substitute motion that we not have an annual fundraiser this year.” The proper procedure would be as follows:

**First**, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

**Second**, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed*, the chair would then move to consider the main motion (the first motion) in its original format, not amended.

**Third**, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

### To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

**Motion to adjourn.** This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

**Motion to recess.** This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

**Motion to fix the time to adjourn.** This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: “I move we adjourn this meeting at midnight.” It requires a simple majority vote.

**Motion to table.** This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific time in which the item can come back to the body. “I move we table this item until our regular meeting in October.” Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

**Motion to limit debate.** The most common form of this motion is to say, “I move the previous question” or “I move the question” or “I call the question” or sometimes someone simply shouts out “question.” As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a “request” rather than as a formal motion. The chair can simply inquire of the body, “any further discussion?” If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion, and proceed to it.

When a member of the body makes such a motion (“I move the previous question”), the member is really saying: “I’ve had enough debate. Let’s get on with the vote.” When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

**NOTE:** A motion to limit debate could include a time limit. For example: “I move we limit debate on this agenda item to 15 minutes.” Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

### Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

**Motion to limit debate.** Whether a member says, “I move the previous question,” or “I move the question,” or “I call the question,” or “I move to limit debate,” it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

**Motion to close nominations.** When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

**Motion to object to the consideration of a question.** Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

**Motion to suspend the rules.** This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

### Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it’s pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote “no” then the “yes” vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in

California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of “those present” then you treat abstentions one way. However, if the rules of the body say that you count the votes of those “present and voting,” then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are “present and voting.”

Accordingly, under the “present and voting” system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are “present”), but you treat the abstention votes on the motion as if they did not exist (they are not “voting”). On the other hand, if the rules of the body specifically say that you count votes of those “present” then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like “no” votes.

*How does this work in practice?  
Here are a few examples.*

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are “present and voting.” If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three “yes,” one “no” and one “abstain” also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members “present.” Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a “no” vote. Accordingly, if the votes were three “yes,” one “no” and one “abstain,” then the motion fails. The abstention in this case is treated like a “no” vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an “abstention” vote? Any time a member votes “abstain” or says, “I abstain,” that is an abstention. However, if a member votes “present” that is also treated as an abstention (the member is essentially saying, “Count me for purposes of a quorum, but my vote on the issue is abstain.”) In fact, any manifestation of intention not to vote either “yes” or “no” on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote “absent” or “count me as absent?” Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually “absent.” That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

### The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

## Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is “no.” There are, however, exceptions. A speaker may be interrupted for the following reasons:

**Privilege.** The proper interruption would be, “point of privilege.” The chair would then ask the interrupter to “state your point.” Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person’s ability to hear.

**Order.** The proper interruption would be, “point of order.” Again, the chair would ask the interrupter to “state your point.” Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

**Appeal.** If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

**Call for orders of the day.** This is simply another way of saying, “return to the agenda.” If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair’s determination may be appealed.

**Withdraw a motion.** During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

## Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

**Rule One:** Tell the public what the body will be doing.

**Rule Two:** Keep the public informed while the body is doing it.

**Rule Three:** When the body has acted, tell the public what the body did.



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**313. Rules of Debate**

- A. Getting the Floor. Every Rent Boardmember desiring to speak shall first address the Chair, gain recognition by the Presiding Officer, and shall confine their remarks to the question under debate.
  
- B. Questions to Staff. Every Rent Boardmember desiring to question Board staff shall, after recognition by the Presiding Officer, address his/her questions to the Executive Director, the Deputy Director, the Rent Board's counsel, or any staff member then present on the dais. If either the Executive Director or the Rent Board's counsel feels another staff member who is not located on the dais could best respond to the Boardmember's question, he or she may direct the question to a member of his/her staff in the audience for that purpose.
  
- C. Interruptions. A Boardmember, once recognized, shall not be interrupted when speaking unless:
  - 1. Called to order by the Presiding Officer;
  - 2. a point of order, point of information, or of personal privilege is raised by another Boardmember; or
  - 3. the speaker chooses to yield to a question by another Boardmember.
  
- D. Points of Order. The Presiding Officer shall determine all points of order subject to the right of any Rent Boardmember to appeal to the Board. Appropriate points of order relate to anything that would not be considered appropriate procedural conduct of a meeting. If an appeal is taken, the question shall be, "Shall the decision of the Presiding Officer be sustained?" A majority vote shall conclusively determine such question of order.
  
- E. Point of Personal Privilege. The right of a Rent Boardmember to address the Board on a question of personal privilege shall be limited to those issues that would interfere with the normal comfort of the meeting.
  
- F. Calling the Question. Rent Boardmembers may move to end debate on individual items. However, neither the moving party nor the party seconding any motion is permitted to call for the question.
  
- G. Motion to Reconsider. A motion to reconsider any action taken by the Board may be made only by a Rent Boardmember of the prevailing side and may be made only on the same day the action is taken and shall have precedence over all other motions or while a member has the floor and said motion shall be debatable.

# ITEM I

## ATTACHMENT 3

- H. Limitation of Debate. No Boardmember shall be allowed to speak more than once upon any particular subject until every other Boardmember desiring to do so shall have spoken. Each Boardmember speaking on any item on the agenda shall be limited to ten (10) minutes per item to state his/her opinion and his/her views.
- I. Continue or Table a Matter. Any Rent Boardmember may move to table or continue an agenda item that is currently being discussed. If a Rent Boardmember makes said motion, the motion must contain a specific reference as to when the agenda item will come back to the body.
- J. Recess. Any Rent Boardmember may move the Board to take a recess. If the motion passes, the chair shall determine the length of the recess.
- K. Adjourn. Any Rent Boardmember may move the Board to adjourn. If passed, the Board must immediately adjourn to the next regularly scheduled meeting.
- L. Close Nomination. When choosing a presiding officer, a Rent Boardmember may make a motion to close nomination. Where such a motion is passed, no further Rent Boardmembers may be nominated.
- M. Suspension of the Rules. Any Rent Boardmember may move to suspend the rules for a particular purpose. The suspensions of the rules permit Rent Boardmembers to deviate from the rules or regulations that guide particular procedures and conduct of Rent Board meetings.

# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: April 21, 2021

Final Decision Date Deadline: April 21, 2021

**STATEMENT OF THE ISSUE:** The minutes of the February 17, 2021, 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 February 17, 2021, Regular Meeting of the Richmond Rent Board – Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

**J-1.**

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**RICHMOND, CALIFORNIA, February 17, 2021**

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/87053071080?pwd=em1HQ1ZuZ20wOEpxKzlxUUEzRGFQdz09>

Password: rentboard

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

Step 2: Webinar ID: 870 5307 1080

International numbers available:

<https://us02web.zoom.us/j/kUWB3nRj1>

Community members who wished to make a public comment were required to submit their comments via email by 3:00 p.m. on Wednesday, February 17, 2021, 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**

**Boardmembers Present:** Finlay, Conner and Chair Maddock.

**Staff Present:** Staff Attorney Charles Oshinuga, Deputy Director Paige Roosa and Executive Director Nicolas Traylor.

**Absent:** Vice Chair Gerould.

**STATEMENT OF CONFLICT OF INTEREST**

None.

**AGENDA REVIEW**

A motion by Chair Maddock, seconded by Boardmember Conner, to move Item I-2 under Regulations, for discussion before Item H-1, under Rent Board as a Whole, passed by the following vote: **Ayes:** Boardmember 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 allowed to attend Rent Board meetings because the Board likes to hear from the public, to address their concerns. He also invited Boardmembers to attend the Contra Costa Mayors Conference held on March 4, 2021, at 6:30 PM.

Affordable housing developers Denise Carter and Alexis Gevorgian expressed concerns about their major housing development projects in progress or soon to begin. Gevorgian expressed that there is no rational nexus for the fees that the Rent Program charges their project. He feels that the fees are over the top and added that they are not saying that they should not pay any fees that a government agency may incur, or that they should get a free ride and not pay, but they feel they should be paying reasonable fees and they will adamantly object to unreasonable fees. He also feels that the Rental Housing Fees are not legal, justified or recoverable. Mr. Gevorgian's time expired at two minutes. Chair Maddock allowed him an additional two minutes to complete his comment. Mr. Gevorgian added that the vast majority of their tenants already have a public agency they can call for questions or complaints. He also mentioned that his project might have had only one or two complaints and for the agency to impose a \$40,000 per year fee resizes their loan into the millions, and it hinders the foundation of affordable housing. He also expressed that they are only going to pay their fair share and requested that the Board conduct a special study that has a sliding scale, based on critical mass, and they have the critical mass, wherein if anyone is calling from their project, all the agency needs is one person for a couple of hours per month to help with this study and that they will follow the government code. He also would like to know what the Rent Program is willing to do, to sit down in good faith to resolve

this, so that they could move on with their project because the Housing Fee is killing their project and it is not fair that the fee be imposed against them. He also added that their project is a good project and they do not have tenants calling the Rent Program all of the time. Denise Carter added that their project is 60% Project Based vouchers through the Housing Authority and that they will govern people moving in and they will be monitoring the development long-term to make sure that Tenants adhere to the requirements of those vouchers.

**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 January 20, 2021, Regular Meeting of the Richmond Rent Board.

\*F-2. Receive letters from community members regarding the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance, RMC 11.100.

\*F-3. Receive the January 2021 Rent Program Monthly Report.

\*F-4. Receive the Rent Program FY 2020-21 Monthly Revenue and Expenditure Report through January 2021.

\*F-5. Approve a contract for interpretation services with Interpreters Unlimited with a payment limit not to exceed \$3,000 for the term March 1, 2021, through June 30, 2021.

**CONSIDERATION OF APPEALS**

G-1. Staff Attorney Charles Oshinuga presented on the matter of Appeal regarding Petition numbers RC20-T093, T094, and T106. Appellant appeals a Hearing Examiner's Decision that awarded Respondents Excess Rent in the amount of \$13,248.01, based on the notion that the Appellant failed to remit full Relocation payments, failed to return a portion of the Security Deposit, and charged utilities despite the lack of submetering. On appeal, Appellant challenges whether the Record contained substantial evidence to warrant the Hearing Examiner's decision to grant an Excess Rent award based on a failure to return Respondents' Security Deposit and unlawfully charging utilities

despite the lack of submetering. Appellant does not appeal the Hearing Examiner's Relocation award of \$4,396 to Upper Unit Respondents; however, the Appellant does contest the Relocation award of \$6,486 given to the Lower Unit Respondents. There were no public comments on this item. All parties of the case were present. Appellant presented for 5 minutes, then both Respondents presented for 7 minutes each, and finally the Appellant closed for 2 minutes. The Appeal began and the following individuals presented their case: Naresh Sharma, Nischal Rajbhandari and Roshan KC. After hearing the issues brought on appeal and considering the arguments of all parties on appeal, a motion by Boardmember Finlay, seconded by Boardmember Conner, to adopt the Staff Attorney's recommendation unchanged and remand this matter back to the Hearing Examiner, passed by the following vote: **Ayes:** Boardmember Conner, Finlay and Chair Maddock. **Noes:** None. **Abstentions:** None. **Absent:** Vice Chair Gerould.

Rent Board Clerk Cynthia Shaw concluded and dismissed parties for appeal RC20-T093/T094/T106 and informed them that they will receive a decision within 30 days.

Before dismissing parties to the appeal, Staff Attorney Charles Oshinuga thanked the parties for their patience and briefly explained the Board's actions, informing them that the Hearing Examiner's decision is now void and that this case will go back to the Hearing Examiner, without a new hearing. He added that the Hearing Examiner has to look at all of the evidence again that was submitted during the petition and the hearing. In addition, the Hearing Examiner has to make certain findings and evaluate certain facts that were pointed out in the recommendation. After he does that, he has to reach certain conclusions that he deems reasonable, and then issue a new decision. He also added that after that decision is issued, any party of this case can appeal that decision. He also added that the only issue that will not be considered by the Hearing Examiner and that is final is that the Landlord failed to appeal the relocation benefits, only as it related to Nischal, the Upper unit Tenant. Because the Landlord failed to do that, that \$4,396 portion of the award is due. Mr. Oshinuga asked the Board to correct him if he was incorrect regarding the relocation award and that if they wish to address it, they should do that before concluding the hearing. The Boardmembers agreed that Mr. Oshinuga's statement was correct and that their vote remains. Mr. Oshinuga concluded and informed the parties that if they have any questions to reach out to Board Clerk Cynthia Shaw. Board Clerk Cynthia Shaw informed parties to be sure to keep their

mailing address up to date with the Board, in order to receive hearing correspondence related to the remanded decision.

**RENT BOARD AS A WHOLE**

I-2. The matter to adopt the revised Richmond Rent Board Special Revenue Fund Operating Reserve Policy was presented by Deputy Director Paige Roosa. The presentation included the reserve policy background, objectives of revised reserve policy, proposed reserve policy, status of existing fund balances, proposed next steps, and the recommended action. Discussion ensued. The following individual gave comment: Ilona Clark. A motion by Boardmember Finlay, seconded by Boardmember Conner, to adopt the revised Richmond Rent Board Special Revenue Fund Operating Reserve Policy, passed by the following vote: **Ayes:** Boardmember Conner, Finlay and Chair Maddock. **Noes:** None. **Abstentions:** None. **Absent:** Vice Chair Gerould.

H-1. The matter to (1) receive a draft Fiscal Year 2021-22 Rent Program budget, corresponding Rental Housing Fee study, and 10-year financial projection and provide direction to staff; and (2) determine the date and time of a public hearing concerning adoption of the Fiscal Year 2021-22 budget and approval of the fee study consistent with Sections 11.100.060(n) and (l) of the Rent Ordinance, was presented Deputy Director Paige Roosa. The presentation included the background, contents of the presentation, proposed Rent Program organizational chart, proposed General Counsel Classification, proposed Senior Analyst Classification, proposed Public Info & Enrollment Unit, proposed FY 2021-22 Budget that included salaries and wages, benefits, professional and administrative services, travel and training, dues and publications, advertising and promotion, administrative expenses, office expenses – postage and mailing, office expenses – printing and binding, equipment rental, office supplies, utilities and supplemental insurance, cost pool and noncapital assets; Financial status and 10-year projection included, expense and revenue summary, the background and the high-level summary; Proposed Rental Housing Fee Study included, introduction and background, proposed fee structure and example services, applicable unit counts, proposed budget and Rental Housing Fees, comparison of proposed FY 2021-22 Rental Housing Fee to prior years, the recommended action and possible dates for budget hearing. The following individual gave comment: Ilona Clark. Discussion ensued.

A motion by Boardmember Conner, seconded by Boardmember Finlay, to direct staff to move the Regular Rent

Board meeting scheduled for Wednesday, March 17, 2021, to Tuesday, March 9, 2021, at 5:00 PM and to include the budget review requested by staff, passed by the following vote: **Ayes:** Boardmember Conner, Finlay and Chair Maddock. **Noes:** None. **Abstentions:** None. **Absent:** Vice Chair Gerould.

A motion by Boardmember Finlay, seconded by Chair Maddock, to extend the meeting past the 3-hour time limit, to adjourn by 8:30 PM, for continued discussion on Item H-1 under Rent Board as a Whole and to receive Item I-1 under Regulations and Item J under Reports of Officers, passed by the following vote: **Ayes:** Boardmember Conner, Finlay and Chair Maddock. **Noes:** None. **Abstentions:** None. **Absent:** Vice Chair Gerould.

A motion by Boardmember Finlay, to receive a draft Fiscal Year 2021-22 Rent Program budget, corresponding Rental Housing Fee study, and 10-year financial projection, and direct staff to present the item at the meeting scheduled for Tuesday, March 9, 2021, failed for lack of a second motion.

A motion by Boardmember Conner, seconded by Chair Maddock, to receive a draft Fiscal Year 2021-22 Rent Program budget, corresponding Rental Housing Fee study, and 10-year financial projection, and direct staff to provide a revised, proposed 2021-22 budget that reduces the amount of the Rental Housing Fee in order to provide relief to property owners, with a friendly amendment by Chair Maddock, and accepted by Boardmember Conner, to also reduce the amount of the reserves, failed by the following vote: **Ayes:** Boardmember Conner, Finlay and Chair Maddock. **Noes:** None. **Abstentions:** None. **Absent:** Vice Chair Gerould

A motion by Boardmember Finlay, to receive a draft Fiscal Year 2021-22 Rent Program budget, corresponding Rental Housing Fee study, and 10-year financial projection, and direct staff to present the item at the meeting scheduled for Tuesday, March 9, 2021, failed for lack of a second motion.

A motion by Boardmember Finlay, seconded by Chair Maddock, to receive a draft Fiscal Year 2021-22 Rent Program budget, corresponding Rental Housing Fee study, and 10-year financial projection, and direct staff to present the item at the meeting scheduled for Tuesday, March 9, 2021, with a revised proposal reflecting a reduction of the projected reserves and revised budget resulting in a \$1.00 reduction of the Rental Housing Fee for Fully and Partially Covered Rental Units, passed by the

following vote: **Ayes:** Boardmember Conner, Finlay and Chair Maddock. **Noes:** None. **Abstentions:** None. **Absent:** Vice Chair Gerould.

**REGULATIONS**

I-1. The matter to adopt Regulation 301.5 to permit Boardmembers whose terms have expired to continue serving until they are replaced, was presented by Executive Director Nicolas Traylor. The presentation included the background, proposed policy and alignment with Measure L, the City Charter and relevant State law, next steps and the recommended action. Discussion ensued. There were no public comments on this item. A motion by Boardmember Finlay, seconded by Boardmember Conner, to adopt Regulation 301.5 to permit Boardmembers whose terms have expired to continue serving until they are replaced, passed by the following vote: **Ayes:** Boardmember Conner, Finlay and Chair Maddock. **Noes:** None. **Abstentions:** None. **Absent:** Vice Chair Gerould.

**REPORTS OF OFFICERS**

Executive Director Nicolas Traylor acknowledged Rent Board Chair Lauren Maddock and thanked her on the behalf of staff for her service to the community and leadership while serving as Chair of the Rent Board.

Staff Attorney Charles Oshinuga, Deputy Director Paige Roosa and Board Clerk Cynthia Shaw also acknowledged Chair Maddock for her service, thanked her for her work and for serving on the Ad Hoc Committee, acknowledged her dedication and fairness to the community, and expressed gratitude to her for laying a good financial foundation and bringing great financial expertise to the Rent Board.

Boardmembers Conner and Finlay also acknowledged Chair Maddock for her service, noting that they enjoyed working with her. They also mentioned that she brought a lot of knowledge, especially when it comes to fiscal matters, to the Rent Board and presented great passion for the City of Richmond community and that they appreciate all of the work she has done. They also mentioned that she would be missed and wished her and the family the best of luck.

Chair Maddock responded to staff and Boardmember comments, noting that she has been here since the beginning of the

program and agreed to serve until the maximum allowed time to serve. She also mentioned that she will be moving out of the City of Richmond for a new career position and will therefore not be able to serve. She also added that birthing a new program has truly been an eye-opening experience. She acknowledged staff and congratulated them for their hard work. She also acknowledged Boardmember Finlay for sharing her expertise about serving as a member of a board in the City of Richmond, and that she is grateful to have had her teachings and knowledge. She further acknowledged Boardmember Conner, thanking her for her expertise and encouraging her to hang in there. She noted that being a Boardmember is a lot of work, but is rewarding and that the City of Richmond deserves the best. She also added that she hopes that other boards and commissions can examine the work we have done, see how diligent we are, and observe how we interact with our staff appropriately and support open lines of communication.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 8:29 P.M.

Cynthia Shaw and Sarah Schaff  
Staff Clerks

(SEAL)

Approved:

\_\_\_\_\_  
Rent Board Chair

# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: April 21, 2021

Final Decision Date Deadline: April 21, 2021

**STATEMENT OF THE ISSUE:** The minutes of the March 9, 2021, 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 March 9, 2021, Regular Meeting of the Richmond Rent Board – Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

**J-2.**

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**RICHMOND, CALIFORNIA, March 9, 2021**

The Open Session to Hear Public Comment before Closed Session was called to order at 5:00 P.M.

**ROLL CALL**

**Boardmembers Present:** Conner, Finlay, and Vice Chair Gerould  
**Staff Present:** Staff Attorney Charles Oshinuga, Deputy Director Paige Roosa and Executive Director Nicolas Traylor.  
**Absent:** None.

**PUBLIC COMMENT BEFORE CLOSED SESSION**

None.

**ADJOURN TO CLOSED SESSION**

The Open Session to Hear Public Comment before Closed Session adjourned at 5:03 P.M.

**CLOSED SESSION – VIA VIDEOCONFERENCE**

The Regular Meeting of the Richmond Rent Board was called to order at 5:58 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/84217999244?pwd=enRrNzMvL0syeFdmUTZMeGNYeXhMUT09>

Password: rentboard

**Or By Telephone:**

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

International numbers available:

Webinar ID: 842 1799 9244

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

Community members who wished to make a public comment were required to submit their comments via email by 3:00 p.m. on Tuesday, March 9, 2021 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**

**Boardmembers Present:** Conner, Finlay, and Vice Chair Gerould

**Staff Present:** Staff Attorney Charles Oshinuga, Deputy Director Paige Roosa and Executive Director Nicolas Traylor.

**Absent:** None.

**STATEMENT OF CONFLICT OF INTEREST**

None.

**REPORT FROM LEGAL COUNSEL ON FINAL DECISIONS MADE IN CLOSED SESSION**

Staff Attorney Charles Oshinuga stated that the Rent Board met in closed session to discuss existing litigation. No final action was taken.

**AGENDA REVIEW**

None.

**PUBLIC FORUM**

Cordell Hindler commented by email that the Mayor mentioned at a previous City Council meeting that the Rent Boardmember vacancies would be filled soon. He also requested that the topic of stipends for Rent Boardmembers for their service to the community be considered as a future meeting agenda item.

**PUBLIC HEARING**

G-1. The matter to (1) adopt Revised Fiscal Year 2021-22 Rent Program budget and corresponding ten-year financial projection; (2) receive and approved Revised Fiscal Year 2021-22 Rental Housing Fee Study; and (3) direct staff to prepare a resolution, consistent with the Rent Board's approved Rental Housing Fee Study and budget, recommending to the City Council adoption of a two-tier fee structure for Fiscal Year 2021-22 of \$218 for Fully Covered Rental Units and \$123 for Partially Covered Rental Units, was presented by Executive Director Nicolas Traylor. The presentation included the background, Rent Program organizational chart, revised proposed FY 2021-22 Budget that included a breakdown of the salaries and wages, benefits, professional and administrative services, travel and training, dues and publications, advertising and promotions, administrative expenses, office expenses, including postage and mailing, equipment rental, miscellaneous contributions and expenses, office supplies, utilities and supplemental insurance, cost pool and noncapital assets, financial status and 10-year projection that included the expense and revenue summary, 10-year financial projection that included background and a high-level summary. The presentation also included the revised proposed Rental Housing Fee Study that included introduction and background, proposed fee structure and example services, applicable unit counts, proposed Budget and Rental Housing Fees, proposed FY 2021-22 Rental Housing Fees, comparison of proposed FY 2021-22 Rental Housing Fee to prior years, and the recommended action. Discussion ensued. There were no public comments on this item. A motion by Boardmember Finlay, seconded by Boardmember Conner, to adopt Revised Fiscal Year 2021-22 Rent Program budget and corresponding ten-year financial projection; receive and approve the Revised Fiscal Year 2021-22 Rental Housing Fee Study; and direct staff to prepare a resolution, consistent with the Rent Board's approved Rental Housing Fee Study and budget, recommending to the City Council adoption of a two-tier fee structure for Fiscal Year 2021-22 of \$218 for Fully Covered Rental Units and \$123 for Partially Covered Rental Units, passed by the following vote: **Ayes:** Boardmember Conner, Finlay and Vice Chair Gerould. **Noes:** None. **Abstentions:** None. **Absent:** None.

**REPORTS OF OFFICERS**

Executive Director Nicolas Traylor gave a brief report about the upcoming Community Workshop Webinar titled "Rights

and Responsibilities for Landlords & Tenants During the COVID-19 Pandemic (Spanish Only), to be held on Friday, March 26, 2021 from 4-6 pm. He also mentioned that we had a very successful workshop webinar held on Friday, February 26, 2021 titled “How to File a Rent Increase or Decrease Petition.”

Vice Chair Gerould expressed gratitude to the Boardmembers, staff, and the community for two terms of an engaging and interesting experience on the Rent Board. She added that she was one of the first Boardmembers appointed to the Rent Board when it first started. She also added that she had great experience working with fellow Boardmembers to put together Regulations and hire an Executive Director. She added that this would be her last meeting serving as a Rent Boardmember. She expressed sincere gratitude and thanked everyone for a positive experience and that she enjoyed working with everyone. She also added that she will still reside in Richmond and that she looks forward to seeing everyone around town once we are able to see each other in person. She added that she hopes the Rent Ordinance continues to be enforced, and that the economic issues will turn around in the Richmond community. She wished everyone the best, as well as the Rent Program.

Executive Director Nicolas Traylor acknowledged Vice Chair Gerould and thanked her on the behalf of staff as well as himself, for her service to the community.

Boardmembers Conner and Finlay also acknowledged Vice Chair Gerould for her service, noting that they enjoyed working with her. They also mentioned that she brought a lot of knowledge and passion about the City of Richmond and that they appreciate all the work she has done, especially her additional work on the Ad Hoc Committee representing the Board. They also mentioned that she will be missed and they wished her and the family the best of luck in their future endeavors.

Deputy Director Paige Roosa, Staff Attorney Charles Oshinuga, and Board Clerk Cynthia Shaw acknowledged Vice Chair Gerould for her service, knowledge, time, commitment and dedication to the community and the Board, noting that she will be truly missed. Deputy Director Paige Roosa acknowledged all of the Boardmembers for their time, commitment and service to the community and for passing a very strong foundation along to future Rent Boardmembers.

Boardmember Finlay acknowledged staff on the behalf the Boardmembers, expressing gratitude for their knowledge, patience, and support. She added that is has been a joy working with everyone these past four years and that the Board appreciates staff for what they bring to the game and for their commitment.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 6:40 P.M.

Cynthia Shaw  
Staff Clerk

(SEAL)

Approved:

\_\_\_\_\_  
Rent Board Chair

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# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: April 21, 2021

Final Decision Date Deadline: April 21, 2021

**STATEMENT OF THE ISSUE:** The Monthly Activity Report is designed to provide members of the Rent Board and Richmond community with a quantitative summary of the Rent Program's activities for the month and fiscal year-to-date.

## 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

- Presentation/Proclamation/Commendation (3-Minute Time Limit)
- Public Hearing                       Regulation                       Other:
- Contract/Agreement                       Rent Board As Whole
- Grant Application/Acceptance                       Claims Filed Against City of Richmond
- Resolution                       Video/PowerPoint Presentation (contact KCRT @ 620.6759)

**RECOMMENDED ACTION:** RECEIVE the Fiscal Year 2020-21 Monthly Activity Report through March 2021 - Rent Program (Paige Roosa 620-6537).

AGENDA ITEM NO:

**K-1.**

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**Rent Program  
FY2020-21 Monthly Activity Report**

**ITEM K-1**

	A	B	C	D	E	F	G	H	I	J	N
1		Jul-2020	Aug-2020	Sept-2020	Oct-2020	Nov-2020	Dec-2020	Jan-2021	Feb-2021	Mar-2021	
2		MTD ACTUAL	YTD TOTAL								
3	<b>Public Information &amp; Enrollment Unit</b>										
5	Rent/Eviction Counseling Appointments By Phone	197	195	224	249	191	176	218	185	221	1,856
6	Rent/Eviction Counseling Questions Addressed By Email	308	341	135	434	363	242	194	155	166	2,338
7	<b>TOTAL RENT/EVICTION COUNSELING APPOINTMENTS</b>	<b>505</b>	<b>536</b>	<b>359</b>	<b>683</b>	<b>554</b>	<b>418</b>	<b>412</b>	<b>340</b>	<b>387</b>	<b>4,194</b>
8	Rent/Eviction Counseling Sessions Conducted in Spanish	105	155	135	217	155	105	157	131	155	1,315
12	<b>TOTAL RENT/EVICTION COUNSELING APPOINTMENTS IN A LANGUAGE OTHER THAN ENGLISH</b>	<b>105</b>	<b>155</b>	<b>135</b>	<b>217</b>	<b>155</b>	<b>105</b>	<b>157</b>	<b>131</b>	<b>155</b>	<b>1,315</b>
13	Legal Service Referrals	9	5	15	26	13	7	9	11	9	104
14	Mediations Conducted	-	-	-	-	-	-	2	3	1	6
15	Assists from Front Office Staff	123	217	172	123	212	179	212	216	66	1,520
16	Courtesy Compliance Letters Sent	78	62	8	50	12	27	24	11	2	274
17	Community Workshop Attendees	38	40	11	12	39	-	-	127	1	268
18	Hard Copy Rent Increase Notices Processed	8	62	22	6	3	5	-	-	-	106
19	Hard Copy Termination of Tenancy Notices Processed	1	-	26	9	3	2	6	-	11	58
20	<b>TOTAL HARD COPY NOTICES PROCESSED</b>	<b>9</b>	<b>62</b>	<b>48</b>	<b>15</b>	<b>6</b>	<b>7</b>	<b>6</b>	<b>-</b>	<b>11</b>	<b>164</b>
22	Billing/Enrollment/Registration Counseling Appointments By Phone	19	119	76	41	22	32	15	14	44	382
23	Billing/Enrollment/Registration Counseling Questions Addressed By Email	62	152	73	28	20	71	81	27	25	539
24	<b>TOTAL BILLING/ENROLLMENT/REGISTRATION COUNSELING APPOINTMENTS</b>	<b>81</b>	<b>271</b>	<b>149</b>	<b>69</b>	<b>42</b>	<b>103</b>	<b>96</b>	<b>41</b>	<b>69</b>	<b>921</b>
25	Enrollment/Tenancy Registration Packets Mailed	13	108	4	21	-	4	4	55	120	329
26	Enrollment Forms Processed	16	19	9	5	1	8	13	12	15	98
27	Rental Housing Fee Invoices Generated	175	10,751	672	55	8	247	27	154	207	12,296
28	Checks Processed	8	148	1,084	142	46	8	21	20	20	1,497
29	Checks Returned	1	1	3	5	4	2	2	2	1	21
30	Rental Units Discovered Not in Database	3	-	-	1	-	-	-	18	-	22
31	Property Information Updated	20	6	55	13	9	9	-	40	8	160
32	Compliance Actions (Reviewing Records, Exemption Statuses, Addresses)	135	53	-	15	32	-	194	37	233	699
33	Applications for Administrative Determination of Exempt/Inapplicable Status Received	1	16	20	4	2	4	4	2	2	55
34	Administrative Determination of Exempt/Inapplicable Status Issued	-	-	4	2	1	4	2	-	3	16
35	Declarations of Exemption Processed	-	-	7	-	4	-	7	13	6	37
36	<b>LEGAL UNIT</b>										-
37	Public Records Act Requests Received	1	2	-	4	3	2	1	3	1	17
38	Owner Move-In Eviction Termination of Tenancy Notices Reviewed	1	-	-	2	1	2	1	2	1	10
39	Withdrawal from the Rental Market (Ellis Act) Termination of Tenancy Notices Reviewed	-	-	-	-	-	1	-	-	2	3
40	Substantial Repairs Termination of Tenancy Notices Reviewed	-	-	-	-	-	-	-	-	1	1
41	Appeal Hearings Held	-	-	-	-	1	-	-	1	-	2

**Rent Program  
FY2020-21 Monthly Activity Report**

**ITEM K-1**

	A	B	C	D	E	F	G	H	I	J	N
1		Jul-2020	Aug-2020	Sept-2020	Oct-2020	Nov-2020	Dec-2020	Jan-2021	Feb-2021	Mar-2021	
2		MTD ACTUAL	YTD TOTAL								
42	<b>HEARINGS UNIT</b>										-
43	Consultations with Hearings Unit Coordinator In Person	-	-	-	-	-	-	-	-	-	-
45	Consultations with Hearings Unit Coordinator By Phone	21	10	22	17	9	7	9	8	7	110
46	Hearings-Related Questions Addressed by Email	73	53	59	34	35	38	31	27	20	370
47	<b>TOTAL HEARINGS-RELATED CONSULTATIONS</b>	<b>94</b>	<b>63</b>	<b>81</b>	<b>51</b>	<b>44</b>	<b>45</b>	<b>40</b>	<b>35</b>	<b>27</b>	<b>480</b>
48	MNOI Petitions Received (Attachment A)	1	-	-	1	1	-	-	-	-	3
51	Restoration of Denied AGA Petitions Received (Attachment D)	1	-	-	-	-	-	-	-	-	1
53	Landlord Petition to Determine Exempt Status Received	-	-	1	1	-	2	1	-	-	5
54	<b>TOTAL LANDLORD PETITIONS RECEIVED</b>	<b>2</b>	<b>-</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>9</b>
55	Excess Rent or Failure to Return Sec Dep Petitions Received (Attachment A)	-	1	2	-	-	-	-	-	-	3
56	Decrease in Space/Services or Habitability Petitions Received (Attachment B)	1	-	-	-	1	1	-	-	-	3
58	Tenant Petition Based on Multiple Grounds	-	-	-	-	1	-	1	1	-	3
60	Tenant Petition for Failure to Pay Relocation Payment Petitions Received	1	1	-	-	2	-	1	1	-	6
61	<b>TOTAL TENANT PETITIONS RECEIVED</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>-</b>	<b>4</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>-</b>	<b>15</b>
65	Request for a Continuance of the Hearing Process	-	-	-	3	-	-	1	-	1	5
66	Subpoena(s)	-	-	1	-	-	-	-	-	2	3
67	<b>TOTAL OTHER PETITIONS RECEIVED</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>3</b>	<b>8</b>
68	Decisions Ordered	-	3	-	1	-	1	1	-	1	7
69	Cases Settled	2	4	1	1	1	1	4	1	-	15
70	Cases Dismissed	-	-	-	1	1	-	1	-	-	3
71	Petitions Withdrawn	-	1	-	-	-	-	2	-	1	4
72	<b>TOTAL CASES CLOSED</b>	<b>2</b>	<b>8</b>	<b>1</b>	<b>3</b>	<b>2</b>	<b>2</b>	<b>8</b>	<b>1</b>	<b>2</b>	<b>29</b>
73	Appeals Received	-	-	1	-	1	1	1	-	-	4
74	Total Open Cases (Tenant Petitions)	18	14	12	10	10	11	5	1	6	87
75	Total Open Cases (Landlord Petitions)	3	4	4	4	2	2	2	-	1	22
76	Total Open Cases (Other Petitions)	1	-	-	-	-	-	-	-	-	1
77	<b>TOTAL OPEN CASES</b>	<b>22</b>	<b>18</b>	<b>16</b>	<b>14</b>	<b>12</b>	<b>13</b>	<b>7</b>	<b>6</b>	<b>7</b>	<b>7</b>
78	<b>Form Submissions</b>										-
79	Agent Authorization	-	-	-	-	-	1	-	-	1	2
80	Proof of Excess Rent Refund	-	-	-	-	-	-	-	1	-	1
81	Proof of Permanent Relocation Payment	-	-	-	-	-	1	1	2	1	5
83	Change in Terms of Tenancy	-	2	25	39	-	-	1	2	2	71
84	<b>TOTAL RENT INCREASE NOTICES FILED</b>	<b>58</b>	<b>28</b>	<b>59</b>	<b>46</b>	<b>49</b>	<b>92</b>	<b>125</b>	<b>48</b>	<b>13</b>	<b>518</b>
85	Termination of Tenancy - Nonpayment of Rent	-	-	5	111	8	65	28	104	44	365
86	Termination of Tenancy - Breach of Lease	9	1	1	8	5	3	9	4	6	46
87	Termination of Tenancy - Failure to Give Access	-	-	2	-	-	-	-	-	-	2
88	Termination of Tenancy - Nuisance	8	1	-	6	3	1	10	-	5	34
89	Termination of Tenancy - Withdrawal from the Rental Market	-	-	-	-	-	-	1	-	-	1
90	Termination of Tenancy - Owner Move-In	1	-	-	3	1	1	2	3	2	13
91	Termination of Tenancy - Substantial Repairs	-	-	-	-	-	-	-	-	1	1
92	Termination of Tenancy - Temporary Tenancy	-	-	-	-	-	-	-	-	1	1
93	<b>TOTAL TERMINATION OF TENANCY NOTICES FILED</b>	<b>18</b>	<b>2</b>	<b>8</b>	<b>128</b>	<b>17</b>	<b>70</b>	<b>50</b>	<b>111</b>	<b>59</b>	<b>463</b>

# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: April 21, 2021

Final Decision Date Deadline: April 21, 2021

**STATEMENT OF THE ISSUE:** Utilizing the City's MUNIS software system, management staff are able to generate financial reports on a monthly basis detailing the Rent Program's revenues and expenditures. These reports allow management staff and the Rent Board to closely monitor the Program's financial circumstances.

## 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 type="checkbox"/> Other: |
| <input type="checkbox"/> Contract/Agreement   | <input checked="" 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:** RECEIVE the Rent Program FY 2020-21 Monthly Revenue and Expenditure Report through March 2021 – Rent Program (Paige Roosa 620-6537).

AGENDA ITEM NO:

**K-2.**

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**Rent Program**  
**FY2020-21 Monthly Revenue and Expenditure Report**

FUND	ORG	CHARACTER	OBJECT	ORIGINAL BUDGET	REVISED BUDGET	Per 1	Per 2	Per 3	Per 4	Per 5	Per 6	Per 7	Per 8	Per 9	ENCUMBRANCES	YTD TOTAL	AVAILABLE BUDGET	% USED		
						Jul-2020	Aug-2020	Sept-2020	Oct-2020	Nov-2020	Dec-2020	Jan-2021	Feb-2021	Mar-2021						
1018	11850065	34	LICENSES, PRMITS&FEES	340445	Rental Housing Fees	(2,609,056.00)	(2,609,056.00)	(210,035.00)	(715,808.00)	(932,667.60)	(234,276.50)	(32,757.95)	(61,464.90)	(64,051.25)	(18,393.00)	(43,908.90)	(2,313,363.10)	(295,692.90)	88.7%	
					<b>TOTAL LICENSES, PRMITS&amp;FEES</b>	<b>(2,609,056.00)</b>	<b>(2,609,056.00)</b>	<b>(210,035.00)</b>	<b>(715,808.00)</b>	<b>(932,667.60)</b>	<b>(234,276.50)</b>	<b>(32,757.95)</b>	<b>(61,464.90)</b>	<b>(64,051.25)</b>	<b>(18,393.00)</b>	<b>(43,908.90)</b>	<b>(2,313,363.10)</b>	<b>(295,692.90)</b>	<b>88.7%</b>	
		36	INTEREST INCOME	361701	Interest	-	-	(7,785.37)	-	-	(1,854.42)	-	-	(2,232.57)	-	-	(11,872.36)	11,872.36	100.0%	
					<b>TOTAL INTEREST INCOME</b>	<b>-</b>	<b>-</b>	<b>(7,785.37)</b>	<b>-</b>	<b>-</b>	<b>(1,854.42)</b>	<b>-</b>	<b>-</b>	<b>(2,232.57)</b>	<b>-</b>	<b>-</b>	<b>(11,872.36)</b>	<b>11,872.36</b>	<b>100.0%</b>	
			OTHER REV/Bad Debt Recovery	364867	Revenue from Collections Agency	-	-	-	(7,785.37)	(2,540.28)	(6,167.59)	-	(2,165.18)	-	(6,063.00)	-	(24,721.42)	10,325.65	100.0%	
					<b>TOTAL OTHER REVENUE</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(7,785.37)</b>	<b>(2,540.28)</b>	<b>(6,167.59)</b>	<b>-</b>	<b>(2,165.18)</b>	<b>-</b>	<b>(6,063.00)</b>	<b>-</b>	<b>(24,721.42)</b>	<b>10,325.65</b>	<b>100.0%</b>	
<b>TOTAL REVENUE</b>						<b>(2,609,056.00)</b>	<b>(2,609,056.00)</b>	<b>(217,820.37)</b>	<b>(723,593.37)</b>	<b>(935,207.88)</b>	<b>(242,298.51)</b>	<b>(32,757.95)</b>	<b>(63,630.08)</b>	<b>(66,283.82)</b>	<b>(24,456.00)</b>	<b>(43,908.90)</b>	<b>-</b>	<b>(2,349,956.88)</b>	<b>(273,494.89)</b>	<b>90.1%</b>
1018	11850065	40	SALARIES AND WAGES	400001	SALARIES & WAGES/Executive	667,048.00	667,048.00	55,587.34	55,587.34	55,587.34	55,587.34	55,587.34	55,587.34	55,587.34	55,587.34	55,587.34	500,286.06	166,761.94	75.0%	
1018	11850065	40	SALARIES AND WAGES	400002	SALARIES & WAGES/Mgmt-Local 21	303,316.00	303,316.00	15,501.88	13,501.88	13,501.88	16,821.77	17,159.39	6,186.86	13,501.88	20,858.99	19,769.72	136,804.25	166,511.75	45.1%	
1018	11850065	40	SALARIES AND WAGES	400003	SALARIES & WAGES/Local 1021	195,857.00	195,857.00	15,832.70	15,832.70	15,832.70	15,832.70	15,832.70	16,102.92	16,102.92	11,502.16	11,854.39	134,725.89	61,131.11	68.8%	
1018	11850065	40	SALARIES AND WAGES	400006	SALARIES & WAGES/PT- Temp	43,036.00	43,036.00	1,712.36	1,148.41	2,501.88	2,327.58	2,389.27	4,258.19	2,924.65	3,023.99	1,236.08	21,522.41	21,513.59	100.0%	
1018	11850065	40	SALARIES AND WAGES	400031	OVERTIME/General	6,000.00	6,000.00	-	-	264.88	36.12	-	108.36	168.56	50.46	297.85	926.23	5,073.77	100.0%	
1018	11850065	40	SALARIES AND WAGES	400048	OTHER PAY/Bilingual Pay	9,402.00	9,402.00	773.68	854.23	827.38	900.53	900.53	681.08	827.38	869.74	855.41	7,489.96	1,912.04	79.7%	
1018	11850065	40	SALARIES AND WAGES	400049	OTHER PAY/Auto Allowance	4,200.00	4,200.00	350.00	350.00	350.00	350.00	350.00	350.00	350.00	350.00	350.00	3,150.00	1,050.00	75.0%	
1018	11850065	40	SALARIES AND WAGES	400050	OTHER PAY/Medical- in Lieu of	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
1018	11850065	40	SALARIES AND WAGES	400079	COMP ABSENCES/WC-Prof-Mgt-Tec	-	-	-	-	-	-	-	-	-	-	-	-	-	100.0%	
<b>TOTAL SALARIES AND WAGES</b>						<b>1,228,859.00</b>	<b>1,228,859.00</b>	<b>89,757.96</b>	<b>87,274.56</b>	<b>88,866.06</b>	<b>91,856.04</b>	<b>92,219.23</b>	<b>83,274.75</b>	<b>89,462.73</b>	<b>92,242.68</b>	<b>89,950.79</b>	<b>-</b>	<b>804,904.80</b>	<b>423,954.20</b>	<b>65.5%</b>
1018	11850065	41	FRINGE BENEFITS	400103	P-ROLL BEN/Medicare Tax-ER Shr	16,122.00	16,122.00	1,304.81	1,268.80	1,313.62	1,340.12	1,340.49	1,213.12	1,309.14	1,340.99	1,323.78	11,754.87	4,367.13	72.9%	
1018	11850065	41	FRINGE BENEFITS	400105	P-ROLL BEN/Health Insurance Be	148,142.00	148,142.00	10,441.39	10,441.39	10,441.39	10,441.39	10,441.39	11,417.92	11,417.92	11,417.92	11,417.92	97,878.63	50,263.37	66.1%	
1018	11850065	41	FRINGE BENEFITS	400106	P-ROLL BEN/Dental Insurance	16,258.00	16,258.00	1,217.00	1,217.00	1,217.00	1,217.00	1,217.00	1,217.00	1,217.00	1,217.00	1,217.00	10,953.00	5,305.00	67.4%	
1018	11850065	41	FRINGE BENEFITS	400109	P-ROLL BEN/Employee Assistance	484.00	484.00	36.40	36.40	36.40	36.40	36.40	36.40	36.40	36.40	36.40	327.60	156.40	67.7%	
1018	11850065	41	FRINGE BENEFITS	400110	P-ROLL BEN/Professional Dev-Mg	6,000.00	6,000.00	-	-	-	-	-	159.36	590.64	-	750.00	1,500.00	4,500.00	25.0%	
1018	11850065	41	FRINGE BENEFITS	400111	P-ROLL BEN/Vision	2,123.00	2,123.00	161.00	161.00	161.00	161.00	161.00	161.00	161.00	161.00	161.00	1,449.00	674.00	68.3%	
1018	11850065	41	FRINGE BENEFITS	400112	P-ROLL BEN/Life Insurance	3,717.00	3,717.00	291.40	291.40	291.40	291.40	291.40	291.40	291.40	305.81	305.81	2,651.42	1,065.58	71.3%	
1018	11850065	41	FRINGE BENEFITS	400114	P-ROLL BEN/Long Term Disabilit	11,132.00	11,132.00	788.51	790.93	790.93	790.93	790.93	790.93	790.93	823.43	823.43	7,180.95	3,951.05	64.5%	
1018	11850065	41	FRINGE BENEFITS	400116	P-ROLL BEN/Unemployment Ins	5,016.00	5,016.00	456.00	456.00	418.00	456.00	418.00	456.00	418.00	456.00	380.00	3,914.00	1,102.00	78.0%	
1018	11850065	41	FRINGE BENEFITS	400117	P-ROLL BEN/Personal/Prof Dev	2,250.00	2,250.00	-	-	1,500.00	-	-	-	-	-	-	1,500.00	750.00	66.7%	
1018	11850065	41	FRINGE BENEFITS	400118	P-ROLL BEN/Worker Comp-Injury Appt	-	-	-	-	-	337.62	-	-	-	-	-	692.26	(692.26)	100.0%	
1018	11850065	41	FRINGE BENEFITS	400121	P-ROLL BEN/Worker Comp-Clerica	14,330.00	14,330.00	1,330.40	1,267.57	1,418.35	1,398.93	1,405.80	1,614.00	1,465.44	933.93	804.08	11,638.50	2,691.50	81.2%	
1018	11850065	41	FRINGE BENEFITS	400122	P-ROLL BEN/Worker Comp-Prof	80,557.00	80,557.00	6,224.94	6,224.94	6,224.94	6,194.52	6,224.94	6,224.94	6,224.94	6,887.83	6,789.68	57,221.67	23,335.33	71.0%	
1018	11850065	41	FRINGE BENEFITS	400124	P-ROLL BEN/CON-MEDICL EE Share	(10,500.00)	(10,500.00)	-	-	-	-	-	-	-	-	-	-	(10,500.00)	0.0%	
1018	11850065	41	FRINGE BENEFITS	400127	P-ROLL BEN/OPEB	44,703.00	44,703.00	3,550.81	3,527.68	3,584.03	3,563.89	3,580.26	3,630.19	3,604.18	3,711.79	3,627.70	32,380.53	12,322.47	72.4%	
1018	11850065	41	FRINGE BENEFITS	400130	P-ROLL BEN/PARS Benefits	-	-	0.80	0.80	0.53	0.27	0.27	12.24	3.16	6.17	-	24.24	(24.24)	100.0%	
1018	11850065	41	FRINGE BENEFITS	400131	P-ROLL BEN/CON-OPEB-EE Share	(9,600.00)	(9,600.00)	-	-	-	-	-	-	-	-	-	-	(9,600.00)	0.0%	
1018	11850065	41	FRINGE BENEFITS	400149	P-ROLL BEN/PERS-Misc	147,443.00	147,443.00	11,723.63	11,657.01	11,839.56	11,818.92	11,827.20	11,990.63	11,905.48	12,263.35	12,033.84	107,059.62	40,383.38	72.6%	
1018	11850065	41	FRINGE BENEFITS	400151	P-ROLL BEN/PERS-Misc (UAL)	223,322.00	223,322.00	21,460.45	19,509.50	21,460.45	21,460.45	21,460.45	21,460.45	21,460.45	21,460.45	21,460.45	191,193.10	32,128.90	85.6%	
<b>TOTAL FRINGE BENEFITS</b>						<b>701,499.00</b>	<b>701,499.00</b>	<b>58,987.54</b>	<b>56,850.42</b>	<b>60,697.60</b>	<b>59,508.84</b>	<b>59,195.53</b>	<b>60,896.08</b>	<b>61,022.07</b>	<b>61,485.73</b>	<b>539,319.39</b>	<b>162,179.61</b>	<b>76.9%</b>		
1018	11850065	42	PROF & ADMIN SERVICES	400201	PROF SVCS/Professional Svcs	17,500.00	17,500.00	50.63	762.75	899.63	1,573.08	589.40	1,104.54	995.07	595.99	832.86	10,598.88	18,002.83	(502.83)	102.9%
1018	11850065	42	PROF & ADMIN SERVICES	400206	PROF SVCS/Legal Serv Cost	210,000.00	210,000.00	-	-	-	-	10,416.00	22,916.00	6,250.00	14,582.00	16,666.00	139,578.00	210,408.00	(408.00)	100.2%
1018	11850065	42	PROF & ADMIN SERVICES	400242	TRAVEL & TRNG/Mileage	204.00	204.00	-	-	-	-	-	-	-	-	-	-	204.00	0.0%	
1018	11850065	42	PROF & ADMIN SERVICES	400243	TRAVEL & TRNG/Conf, Mtng Trng	1,224.00	1,224.00	-	-	-	-	-	-	-	-	-	-	1,224.00	0.0%	
1018	11850065	42	PROF & ADMIN SERVICES	400245	TRAVEL & TRNG/Tuition Rmb/Cer	1,500.00	1,500.00	-	-	-	-	-	-	-	-	-	-	1,500.00	100.0%	
1018	11850065	42	PROF & ADMIN SERVICES	400261	DUES & PUB/Memberships & Dues	800.00	800.00	-	-	-	-	-	-	-	1,452.58	-	1,452.58	(652.58)	181.6%	
1018	11850065	42	PROF & ADMIN SERVICES	400262	DUES & PUB/Books & Subs	1,650.00	1,650.00	-	-	-	-	-	-	-	-	-	-	1,650.00	0.0%	
1018	11850065	42	PROF & ADMIN SERVICES	400271	AD & PROMO/Advertising&Promo	200.00	200.00	-	279.66	-	143.59	-	113.39	-	178.00	-	1,091.64	(891.64)	545.8%	
1018	11850065	42	PROF & ADMIN SERVICES	400272	AD & PROMO/Community Events	3,513.00	3,513.00	-	-	-	-	-	-	-	-	-	-	3,513.00	0.0%	
1018	11850065	42	PROF & ADMIN SERVICES	400280	ADM EXP/Program Supplies	3,525.00	3,525.00	-	291.96	-	96.00	-	195.96	1,565.86	-	585.60	2,735.38	789.62	100.0%	
<b>TOTAL PROF &amp; ADMIN SERVICES</b>						<b>240,116.00</b>	<b>240,116.00</b>	<b>50.63</b>	<b>762.75</b>	<b>1,471.25</b>	<b>1,812.67</b>	<b>11,005.40</b>	<b>24,329.89</b>	<b>8,988.93</b>	<b>16,630.57</b>	<b>18,461.46</b>	<b>150,176.88</b>	<b>233,690.43</b>	<b>6,425.57</b>	<b>97.3%</b>
1018	11850065	43	OTHER OPERATING	400231	OFF EXP/Postage & Mailing	25,432.00	25,432.00	-	3,063.35	-	-	-	173.14	162.90	329.86	3,729.25	21,702.75	14.7%		
1018	11850065	43	OTHER OPERATING	400232	OFF EXP/Printing & Binding	27,181.00	27,181													

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# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: January 20, 2021

Final Decision Date Deadline: January 20, 2021

**STATEMENT OF THE ISSUE:** As part of the Fiscal Year 2020-21 budget development process, management staff consulted with Kevin Harper, CPA, to implement a series of budgetary best practices for the Rent Program and Rent Board. As Kevin Harper advised in his March 12, 2020, memorandum, "a key element of an effective budget process is monitoring actual results against the budget throughout the year. This is done on a quarterly basis to allow management time to make adjustments if necessary to expenditures, policies or operations." In accordance with Kevin Harper's advice, staff members have prepared the report for the third quarter ending in March 2021 for the Board's receipt.

## 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 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 type="checkbox"/> Other: |
| <input type="checkbox"/> Contract/Agreement   | <input checked="" 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:** RECEIVE the budgeted versus actual revenue and expenditures report for the third quarter ending March 31, 2021 – Rent Program (Paige Roosa 620-6537).

AGENDA ITEM NO:

**K-3.**

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RICHMOND RENT PROGRAM							
BUDGET VS ACTUAL REPORT - REVENUES AND EXPENDITURES							
QUARTER ENDED MARCH 31, 2021 (Q3)							
	QUARTER ENDED 3/31/2021 (Q3)			YEAR-TO-DATE 3/31/2021			VARIANCE EXPLANATION (a)
	BUDGET	ACTUAL	VARIANCE	BUDGET	ACTUAL	VARIANCE	
<b>REVENUES</b>							
Fees (includes revenue from collections agency)	\$ (521,811)	\$ (336,832)	\$ 184,979	\$ (2,478,603)	\$ (2,338,085)	\$ 140,519	Payment plans allow for later payment of fees; late fee invoices have yet to be sent
Investment Income	-	(1,854)	(1,854)	-	(11,872)	(11,872)	Budget did not account for interest income
<b>TOTAL REVENUES</b>	<b>(521,811)</b>	<b>(338,687)</b>	<b>183,125</b>	<b>(2,478,603)</b>	<b>(2,349,957)</b>	<b>128,646</b>	
<b>EXPENDITURES</b>							
<b>Salaries &amp; Wages</b>							
SALARIES & WAGES/Executive	168,096	166,762	1,334	504,288	500,286	4,002	
SALARIES & WAGES/Mgmt-Local 21	75,968	54,131	21,837	227,904	136,804	91,100	One vacant Rent Program Services Analyst position
SALARIES & WAGES/Local 1021	49,779	39,459	10,320	149,337	134,726	14,611	
SALARIES & WAGES/PT- Temp	10,759	7,185	3,574	32,277	21,522	10,755	Hours for one admin student intern significantly decreased
OVERTIME/General	1,500	517	983	4,500	926	3,574	Employees opted for comp time in lieu of OT pay
OTHER PAY/Bilingual Pay	3,060	2,553	507	9,179	7,490	1,689	
OTHER PAY/Auto Allowance	1,050	1,050	-	3,150	3,150	-	
OTHER PAY/Medical- in Lieu of	612	-	612	1,836	-	1,836	Category not included in budget
COMP ABSENCES/WC-Prof-Mgt-Tec	1,047	-	1,047	3,140	-	3,140	No expenditures this quarter
<b>Subtotal Salaries &amp; Wages</b>	<b>311,870</b>	<b>271,656</b>	<b>40,214</b>	<b>935,611</b>	<b>804,905</b>	<b>130,706</b>	
<b>Benefits</b>							
P-ROLL BEN/Medicare Tax-ER Shr	4,155	3,974	182	12,466	11,755	711	
P-ROLL BEN/Health Insurance Be	37,864	34,254	3,610	113,591	97,879	15,713	
P-ROLL BEN/Dental Insurance	4,196	3,651	545	12,589	10,953	1,636	
P-ROLL BEN/Employee Assistance	124	109	15	373	328	45	
P-ROLL BEN/Professional Dev-Mg	1,041	1,341	(300)	3,122	1,500	1,622	Budgeted estimate was conservative
P-ROLL BEN/Vision	548	483	65	1,645	1,449	196	
P-ROLL BEN/Life Insurance	1,113	903	210	3,340	2,651	689	Budgeted estimate was conservative
P-ROLL BEN/Long Term Disabilit	2,591	2,438	153	7,774	7,181	593	
P-ROLL BEN/Unemployment Ins	1,633	1,254	379	4,900	3,914	986	Budgeted estimate was conservative
P-ROLL BEN/Personal/Prof Dev	197	-	197	590	1,500	(910)	Increased professional development expenses due to remote work
P-ROLL BEN/Worker Comp-Injury Appt	-	355	(355)	-	692	(692)	Category not included in budget
P-ROLL BEN/Worker Comp-Clerica	2,569	3,203	(635)	7,706	11,639	(3,933)	Budgeted estimate underestimated WC costs
P-ROLL BEN/Worker Comp-Prof	15,937	19,902	(3,965)	47,811	57,222	(9,410)	
P-ROLL BEN/OPEB	11,036	10,944	92	33,107	32,381	727	
P-ROLL BEN/PARS Benefits	134	9	125	403	24	378	Budgeted estimate was conservative
P-ROLL BEN/PERS-Misc	35,487	36,203	(716)	106,461	107,060	(599)	
P-ROLL BEN/PERS-Misc (UAL)	60,098	64,381	(4,284)	180,293	191,193	(10,900)	
<b>Subtotal Benefits</b>	<b>178,724</b>	<b>183,404</b>	<b>(4,680)</b>	<b>749,571</b>	<b>539,319</b>	<b>210,252</b>	
<b>Professional &amp; Administrative Services</b>							
PROF SVCS/Professional Svcs (b)	4,375	2,424	1,951	13,125	7,404	5,721	Covid-19 pandemic delayed translation projects such as Guide to Rent Control
PROF SVCS/Legal Serv Cost (b)	52,500	37,498	15,002	157,500	70,830	86,670	Contracts with EDC and BayLegal commenced in October instead of July
DUES & PUB/Memberships & Dues	1,650	1,453	197	1,650	1,453		
AD & PROMO/Advertising&Promo	50	555	(505)	150	1,092	(942)	Funds spent on "boosting" social media posts as a means of outreach
AD & PROMO/Community Events	878	-	878	2,635	-	2,635	No community events held in person due to Covid-19
ADM EXP/Program Supplies	881	2,151	(1,270)	2,644	2,735	(92)	
<b>Subtotal Professional &amp; Admin Services</b>	<b>60,335</b>	<b>44,081</b>	<b>16,254</b>	<b>177,704</b>	<b>83,514</b>	<b>94,190</b>	
<b>Travel, Training &amp; Professional Dues</b>							
TRAVEL & TRNG/M Meal Allowance	51	-	51	153	-	153	No travel due to Covid-19
TRAVEL & TRNG/Mileage	306	-	306	918	-	918	No travel due to Covid-19
TRAVEL & TRNG/Conf, Mtng Trng	1,500	-	1,500	1,125	-	1,125	No attendance at conferences due to Covid-19
TRAVEL & TRNG/Tuition Rmb/Cer	-	-	-	600	-	600	
DUES & PUB/Subscription	-	-	-	-	-	-	
<b>Subtotal Travel, Training &amp; Professional Dues</b>	<b>1,857</b>	<b>-</b>	<b>1,857</b>	<b>2,796</b>	<b>-</b>	<b>2,796</b>	
<b>Other Operating Expenditures</b>							
OFF EXP/Postage & Mailing	6,358	666	5,692	19,074	3,729	15,345	Covid-19 pandemic delayed projects such as Guide to Rent Control
OFF EXP/Printing & Binding	6,795	79	6,716	20,386	1,894	18,492	Covid-19 pandemic delayed projects such as Guide to Rent Control
OFF EXP/Copying & Duplicating	-	-	-	-	236	(236)	Expenses erroneously applied to different account string
RENTAL EXP/Equipment Rental (b)	2,000	798	1,202	6,000	1,783	4,217	Remote work significantly decreased printing activity
MISC EXP/Misc Contrib	-	-	-	2,250	-	2,250	Invoice for PSI interns not yet received
MISC EXP/Misc Exp	731	-	731	2,194	-	2,194	Budgeted estimate was conservative
OFF SUPP/Office Supplies	1,699	637	1,062	5,096	1,891	3,205	Remote work significantly decreased use of office supplies
UTILITIES/Tel & Telegraph	71	92	(21)	213	321	(108)	Increased phone utility usage due to Covid-19
CONTRACT SVCS/Other Cntrctd Svc (b)	-	34	(34)	-	103	(103)	Category not included in budget - this is for in-office shredder services
PROV FR INS LOSS/Ins Gen Liab (b)	2,216	1,162	1,054	6,649	9,077	(2,428)	
COST POOL/(ISF)-Gen Liability	23,272	17,379	5,893	69,815	52,134	17,681	Budgeted estimate was conservative
COST POOL/(CAP)- Admin Charges	13,120	12,864	256	39,361	38,590	771	
COST POOL/(IND)Civic Ctr Alloc	11,991	12,573	(582)	35,973	37,716	(1,743)	
NONCAP ASST/Comp Hrdware<5K	-	-	-	-	-	-	
NONCAP ASST/Furniture <5k	-	-	-	-	-	-	
<b>Subtotal Other Operating Expenditures</b>	<b>68,254</b>	<b>46,285</b>	<b>21,969</b>	<b>207,011</b>	<b>147,475</b>	<b>59,536</b>	
<b>TOTAL EXPENDITURES (b)</b>	<b>621,039</b>	<b>545,426</b>	<b>75,613</b>	<b>2,072,693</b>	<b>1,575,213</b>	<b>497,480</b>	

(a) Variance explanations are provided where the actual figure varies from the budgeted figure by twenty five percent or more.

(b) Does not include contractual encumbrances through the end of the fiscal year

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# AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: April 21, 2021

Final Decision Date Deadline: April 21, 2021

**STATEMENT OF THE ISSUE:** The Richmond Rent Board is charged with holding hearings to adjudicate matters on appeal. Richmond Municipal Code Section 11.100.070(d) To ensure the Rent Board is able to effectively execute its duties under Richmond Municipal Code Section 11.100.070(d), it is imperative that each Board Member possess an intimate understanding of the Richmond Rent Board Regulations Chapter 8 as it relates to the Appeals process. Thus, education regarding the Richmond Rent Board Regulations Chapter 8, as it relates to the appeals process, is necessary for all members of the Rent Board. To ensure effective execution of its duties, and disposition of matters on appeal in a fair and efficient, staff members intend to bi-annually provide Board members training on the Richmond Rent Board appeals process.

## 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>Appeals Training</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:** RECEIVE training on the Richmond Rent Board Appeals Process (Nicolas Traylor/Charles Oshinuga 620-6564).

AGENDA ITEM NO:

**L-1.**

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# AGENDA REPORT

**DATE:** April 21, 2021

**TO:** Members of the Rent Board

**FROM:** Nicolas Traylor, Executive Director  
Charles Oshinuga, Staff Attorney

**SUBJECT:** RENT BOARD APPEALS PROCESS TRAINING

## **STATEMENT OF THE ISSUE:**

The Richmond Rent Board is charged with holding hearings to adjudicate matters on appeal. *Richmond Municipal Code Section 11.100.070(d)* To ensure the Rent Board is able to effectively execute its duties under Richmond Municipal Code Section 11.100.070(d), it is imperative that each Board Member possess an intimate understanding of the Richmond Rent Board Regulations Chapter 8 as it relates to the Appeals process. Thus, education regarding the Richmond Rent Board Regulations Chapter 8, as it relates to the appeals process, is necessary for all members of the Rent Board. To ensure effective execution of its duties, and disposition of matters on appeal in a fair and efficient, staff members intend to bi-annually provide Board members training on the Richmond Rent Board appeals process.

## **RECOMMENDED ACTION:**

RECEIVE training on the Richmond Rent Board Appeals Process (Nicolas Traylor/Charles Oshinuga 620-6564).

## **FISCAL IMPACT:**

There is no fiscal impact related to this item.

## **DISCUSSION:**

Receive a PowerPoint and oral presentation on the Richmond Rent Board Appeals Process.

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