



REGULAR MEETING OF THE RENT BOARD OF THE CITY OF RICHMOND

AGENDA

Wednesday, November 17, 2021

Link to Rent Board Meeting Agendas and Accompanying Materials:
www.ci.richmond.ca.us/3375/Rent-Board

Board Chair
Virginia Finlay

Board Vice Chair
Shiva Mishek

Boardmembers
Alana Grice Conner
Carole Johnson
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

PURSUANT to the Governor of the State of California's Assembly Bill 361 and in the interest of the public health and safety, attendance at the City of Richmond Rent Board meeting will be conducted via videoconference and teleconference.

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. 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/85287276923?pwd=OWQxeld6U1BIOTNyWSs5MEowd2FUUT09>

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 +1 312 626 6799 or +1
646 558 8656 or +1 301 715 8592

Step 2: Webinar ID: 852 8727 6923

Step 3: Enter the following passcode: 663352519

International numbers available: <https://us02web.zoom.us/j/85287276923?pwd=OWQxeld6U1BIOTNyWSs5MEowd2FUUT09>

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 by **3:00 PM on Wednesday, November 17, 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 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 Assembly Bill 361, 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.

**OPEN SESSION TO HEAR PUBLIC COMMENT BEFORE CLOSED
SESSION**

5:00 PM

A. ROLL CALL

B. PUBLIC COMMENT BEFORE CLOSED SESSION

C. ADJOURN TO CLOSED SESSION

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION
(Significant exposure to litigation pursuant to paragraph (2) of Subdivision (d),
Subdivision (e)(5) of Government Code Section 54956.9, subject to Subdivision (f) of
Government Code Section 54956.9)
[Contemporaneous Record of Threat of Litigation](#)

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REGULAR MEETING OF THE RICHMOND RENT BOARD

AGENDA

5:30 PM

A. PLEDGE TO THE FLAG

B. ROLL CALL

C. STATEMENT OF CONFLICT OF INTEREST

D. REPORT FROM LEGAL COUNSEL OF FINAL DECISIONS MADE IN CLOSED SESSION

E. AGENDA REVIEW

F. PUBLIC FORUM

G. RENT BOARD CONSENT CALENDAR

- | | | |
|-------------|---|-------------------------|
| G-1. | APPROVE the minutes of the October 20, 2021, Regular Meeting of the Richmond Rent Board. | <i>Cynthia Shaw</i> |
| G-2. | RECEIVE the Fiscal Year 2021-22 Monthly Activity Report through October 2021. | <i>Cynthia Shaw</i> |
| G-3. | RECEIVE the Rent Program FY 2021-22 Monthly Revenue and Expenditure Report through October 2021. | <i>Fred Tran</i> |
| G-4. | ADOPT a Records Retention Schedule and DIRECT staff to work with the City Attorney's Office to have the Rent Board's Retention Schedule integrated into the City of Richmond' overall Record Retention Schedule. | <i>Charles Oshinuga</i> |
| G-5. | ADOPT a resolution making the required findings pursuant to Government Code Section 54953(e)(3) and determining that as a result of the continued threat to public health and safety posed by the spread of COVID-19, City legislative bodies shall | <i>Charles Oshinuga</i> |

continue to meet via videoconference and teleconference.

H. REGULATIONS

- H-1. (1) ADOPT proposed Rent Board Regulation 425, *Nicolas Traylor*
titled, "Waiver of Delinquent Residential Housing
Fee Assessment."

I. RENT BOARD AS A WHOLE

- I-1. RECEIVE AND APPROVE the Fiscal Years 2019- *Nicolas Traylor*
20/ 2020-21 Rent Program Annual Report and
DIRECT staff to present the report to the City
Council.

J. REPORTS OF OFFICERS

K. 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.

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: November 17, 2021

Final Decision Date Deadline: November 17, 2021

STATEMENT OF THE ISSUE: The minutes of the October 20, 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 October 20, 2021, Regular Meeting of the Richmond Rent Board – Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

G-1.

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RICHMOND, CALIFORNIA, October 20, 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/87969574460?pwd=QzU3L0UwU25nczQvZnFma2VyTGRzdz09>
Password: rentboard

Or By Telephone:

US: +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or
+1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592
Webinar ID: 879 6957 4460

International numbers available:

<https://us02web.zoom.us/j/87969574460?pwd=QzU3L0UwU25nczQvZnFma2VyTGRzdz09>

Community members who wished to make a public comment were required to submit their comments via email by 3:00 p.m. on Wednesday, October 20, 2021, to the Rent Board Clerk, Cynthia Shaw at cynthia_shaw@ci.richmond.ca.us, to be considered into the record.

PLEDGE TO THE FLAG

ROLL CALL

Boardmembers Present: Conner, Johnson, Vasilas, Vice Chair Mishek, and Chair Finlay.

Staff Present: Staff Attorney Charles Oshinuga, and Executive Director Nicolas Traylor.

Absent: None.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Executive Director Nicolas Traylor recommended removing Item F-3 from Consent Calendar to correct the spelling of the month September under Period 3 column on the FY 2021-22 Monthly Revenue and Expenditure Report through September 2021. Staff Attorney Charles Oshinuga responded that if it is a clerical error, staff can correct it after the meeting and the item is approved as long as the correction doesn't result in substitutive change. Executive Director Nicolas Traylor agreed to make the change and no formal action was taken on this item.

PUBLIC FORUM

Cordell Hindler emailed his request to speak under Public Forum but was not present.

RENT BOARD CONSENT CALENDAR

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

*F-1. Approve the minutes of the September 15, 2021, Regular Meeting of the Richmond Rent Board.

*F-2. Receive the Fiscal Year 2021-22 Monthly Activity Report through September 2021.

*F-3. Receive the Rent Program FY 2021-22 Monthly Revenue and Expenditure Report through September 2021.

*F-4. Receive the budgeted versus actual revenue and expenditures report for the first quarter ending September 30, 2021.

RENT BOARD AS A WHOLE

G-1. The matter to adopt a resolution making the required findings pursuant to Government Code Section 54953(e)(3) and determining that as a result of the continued threat to public health and safety posed by the spread of COVID-19, City legislative bodies shall continue to meet via videoconference and teleconference was presented by Staff Attorney Charles Oshinuga. The presentation included an overview about the Resolution, information about Assembly Bill 361, findings pursuant to the Government Code, and the recommended action. Discussion ensued. The following individual gave comment: Ilona Clark. A motion by Boardmember Conner, seconded by Boardmember Johnson, to adopt a resolution making findings to continue to provide via videoconference and teleconference meetings pursuant to Assembly Bill 361, passed by the following vote: **Ayes:** Boardmembers Conner, Johnson, Vasilas, Vice Chair Mishek and Chair Finlay. **Noes:** None. **Abstentions:** None. **Absent:** None.

G-2. The matter to adopt a Records Retention Schedule and direct staff to work with the City Attorney's Office to have the Rent Board's Retention Schedule integrated into the City of Richmond overall Record Retention Schedule was presented by Staff Attorney Charles Oshinuga. The presentation included an overview about records and the City of Richmond's Record Retention, the rationale about the retention schedule, and the recommended action. Discussion ensued. There were no public comments on this item. A motion by Boardmember Conner, seconded by Vice Chair Mishek, to direct staff to return to the Board with a modified Retention Schedule, to reflect the addition of the contact information that is required by Regulation 1010, passed by the following vote: **Ayes:** Boardmembers Conner, Johnson, Vasilas, Vice Chair Mishek and Chair Finlay. **Noes:** None. **Abstentions:** None. **Absent:** None.

REPORTS OF OFFICERS

Executive Director Nicolas Traylor gave a brief report about Rent Program activities, workshops, and webinars since the September Rent Board Meeting related to the expiration of the eviction moratorium on September 30, 2021. He reported about the pre-recorded workshop held on September 10, 2021, titled "Rent Assistance and Covid-19 Rental Related Laws", a webinar held on September 30, 2021, titled "Non-Payment of Rent Questions and Answers Session for Landlord and Tenants," and a webinar held on

October 15, 2021, titled "Information about California Emergency Rental Relief Program: Housing is Key." He also reported on the upcoming pre-recorded workshop held on October 29, 2021, titled "Handling Habitability Problems in Richmond." He also mentioned that Boardmembers should anticipate the November 17, 2021, Rent Board meeting to be a longer meeting time due to the presentation of the Annual Report, which will include two fiscal years and an appeal hearing on the agenda.

He also mentioned that staff could answer questions or concerns once the Annual Report and the appeal are published. He also mentioned that our Administrative Student Interns had gathered data about how community members heard about contacting the Rent Program. He mentioned that the data shows that 48% was Google Search, 18% was word of mouth, 12 ½% was from the Post Card mailing, and a smaller amount was from referrals, front door or building, and other department visits at city hall. He also mentioned that we would continue to track this type of information since it helps with outreach planning.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:52 P.M.

Cynthia Shaw
Staff Clerk

(SEAL)

Approved:

Virginia Finlay, Rent Board Chair

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: November 17, 2021

Final Decision Date Deadline: November 17, 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

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|---|--|--|
| <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: RECEIVE the Fiscal Year 2021-22 Monthly Activity Report through October 2021 - Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

G-2.

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RENT PROGRAM					
FY 2021 - 22					
MONTHLY ACTIVITY REPORT					
	Jul-21	Aug-21	Sep-21	Oct-21	
	MTD ACTUAL	MTD ACTUAL			YTD TOTAL
Public Information & Enrollment Unit					
Rent/Eviction Counseling Appointments In-Person					-
Rent/Eviction Counseling Appointments By Phone	209	208	160	168	745
Rent/Eviction Counseling Appointments By Walk-ins	71	102	65	68	306
Rent/Eviction Counseling Questions Addressed By Email	212	176	89	163	640
TOTAL RENT/EVICTION COUNSELING APPOINTMENTS	492	486	314	399	1,691
Rent/Eviction Counseling Sessions Conducted in Spanish			52	42	94
Rent/Eviction Counseling Sessions Conducted in Mandarin		-	-		-
Rent/Eviction Counseling Sessions Conducted in Cantonese			-		-
Rent/Eviction Counseling Sessions Conducted in Another Language	45	55	52	42	194
TOTAL RENT/EVICTION COUNSELING APPOINTMENTS IN A LANGUAGE OTHER THAN ENGLISH	45	55	104	42	246
Legal Service Referrals	15	18	8	4	45
Written Legal Referrals - Eviction Defense Center	-			8	8
Verbal Legal Referrals - Eviction Defense Center	-			1	1
Written Legal Referrals - Bay Area Legal Aid				8	8
Verbal Legal Referrals - Bay Area Legal Aid				4	4
Mediations Conducted	2				2
Assists from Front Office Staff	266	133		35	434
Courtesy Compliance Letters Sent	15		4	25	44
Community Workshop Attendees	1		32	37	70
Hard Copy Rent Increase Notices Processed	7	27	12	32	78
Hard Copy Termination of Tenancy Notices Processed	5	46	9	8	68
TOTAL HARD COPY NOTICES PROCESSED	12		57	40	109
Billing/Enrollment/Registration Counseling Appointments In-Person	7	4	-	2	13
Billing/Enrollment/Registration Counseling Appointments By Phone	83	68	51	24	226
Billing/Enrollment/Registration Counseling Questions Addressed By Email	131	49	29	14	223
TOTAL BILLING/ENROLLMENT/REGISTRATION COUNSELING APPOINTMENTS	214	117	80	40	451
Enrollment/Tenancy Registration Packets Mailed	77	5	32	1	115
Enrollment Forms Processed	31	12	10	44	97
Rental Housing Fee Invoices Generated	4,729	124	78	8	4,939
Checks Processed	881	650	29	39	1,599
Checks Returned	2	2	4	22	30
Rental Units Discovered Not in Database	1	3	2	3	9
Property Information Updated	153	58	21	14	246
Compliance Actions (Reviewing Records, Exemption Statuses, Addresses)	-			258	258
Applications for Administrative Determination of Exempt/Inapplicable Status Received	8	5		2	15
Administrative Determination of Exempt/Inapplicable Status Issued	-	1		6	7
Declarations of Exemption Processed	4	12		6	22
LEGAL UNIT					
Public Records Act Requests Received	1	1	2	4	8
Owner Move-In Eviction Termination of Tenancy Notices Reviewed	-	-	1	1	2
Withdrawal from the Rental Market (Ellis Act) Termination of Tenancy Notices Reviewed	2	-	1	-	3

Substantial Repairs Termination of Tenancy Notices Reviewed	-	-	-	-	-
Appeal Hearings Held	-	-	-	-	-
HEARINGS UNIT					
Consultations with Hearings Unit Coordinator In Person					-
DUES & PUB/Subscription	-	-			-
Consultations with Hearings Unit Coordinator By Phone	3	6	3	2	14
Hearings-Related Questions Addressed by Email	17	12	20	26	75
TOTAL HEARINGS-RELATED CONSULTATIONS	20	18	23	28	89
MNOI Petitions Received (Attachment A)					-
Increase in Occupants Petitions Received (Attachment B)					-
Increase in Space or Services Petitions Received (Attachment C)	-				-
Restoration of Denied AGA Petitions Received (Attachment D)					-
Landlord Individual Rent Adjustment Petitions Received	1	2			3
Landlord Petition to Determine Exempt Status Received	-				-
TOTAL LANDLORD PETITIONS RECEIVED	1	2			3
Excess Rent or Failure to Return Sec Dep Petitions Received (Attachment A)	-	2		1	3
Decrease in Space/Services or Habitability Petitions Received (Attachment B)		3		1	4
Reduction in Number of Tenants Petitions Received (Attachment C)	-				-
Tenant Petition Based on Multiple Grounds					-
Tenant Petition for Rent Withholding Petitions Received	-				-
Tenant Petition for Failure to Pay Relocation Payment Petitions Received	-			2	2
TOTAL TENANT PETITIONS RECEIVED	-	-	-	4	4
Petition for Determination of Occupancy Status					-
Petition for Initial Rent Determination					-
Request to Expedite Hearing Process	-				-
Request for a Continuance of the Hearing Process	-				-
Subpoena(s)	-				-
TOTAL OTHER PETITIONS RECEIVED	-	-	-	-	-
Decisions Ordered	1				1
Cases Settled	-				-
Cases Dismissed	1	2			3
Petitions Withdrawn	2	1	2	1	6
TOTAL CASES CLOSED	4	3	2	1	10
Appeals Received	-	1			1
Total Open Cases (Tenant Petitions)	2	3	6	10	21
Total Open Cases (Landlord Petitions)	2	3	1	1	7
Total Open Cases (Other Petitions)	-			2	2
TOTAL OPEN CASES	4	6	7	13	30
Form Submissions					
Agent Authorization		-	-		-
Proof of Excess Rent Refund	-	-	-	-	-
Proof of Permanent Relocation Payment			1	2	3
Proof of Temporary Relocation Payment	-	-	-	-	-
Change in Terms of Tenancy	1	-	2	2	5
TOTAL RENT INCREASE NOTICES FILED	69	69	79	4	221
Termination of Tenancy - Nonpayment of Rent	1	12	31	39	83
Termination of Tenancy - Breach of Lease	3	3	10	10	26
Termination of Tenancy - Failure to Give Access	-	-		-	-
Termination of Tenancy - Nuisance	-	2	2	1	5
Termination of Tenancy - Withdrawal from the Rental Market	2		1	-	3
Termination of Tenancy - Owner Move-In	-			4	4
Termination of Tenancy - Substantial Repairs	-			-	-
Termination of Tenancy - Temporary Tenancy	-		2	-	2
TOTAL TERMINATION OF TENANCY NOTICES FILED	6	17	46	54	123

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: November 17, 2021

Final Decision Date Deadline: November 17, 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

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|---|--|--|
| <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: RECEIVE the Rent Program FY 2021-22 Monthly Revenue and Expenditure Report through October 2021 – Rent Program (Fred Tran 620-6537).

AGENDA ITEM NO:

G-3.

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Rent Program
FY2021-22 Monthly Revenue and Expenditure Report

ITEM G-3

OBJECT	ADOPTED BUDGET	Period 1	Period 2	Period 3	Period 4	ENCUMBRANCES	YTD TOTAL	AVAILABLE BUDGET	% USED
		July	August	September	October				
340445 Rental Housing Fees	(2,893,854.00)	(691,167.85)	(662,750.30)	(536,446.55)	(86,825.20)	-	(1,977,189.90)	(916,664.10)	68.3%
TOTAL LICENSES, PRMITS&FEES	(2,893,854.00)	(691,167.85)	(662,750.30)	(536,446.55)	(86,825.20)	-	(1,977,189.90)	(916,664.10)	68.3%
361701 Interest	(14,460.00)	-	-	-	-	-	-	(14,460.00)	0.0%
TOTAL INTEREST INCOME	(14,460.00)	-	-	-	-	-	-	(14,460.00)	0.0%
364867 Revenue from Collections Agency	(30,000.00)	-	-	(2,220.00)	-	-	(2,220.00)	(27,780.00)	7.4%
TOTAL OTHER REVENUE	(30,000.00)	-	-	(2,220.00)	-	-	(2,220.00)	(27,780.00)	7.4%
TOTAL REVENUE	(2,938,314.00)	(691,167.85)	(662,750.30)	(538,666.55)	(86,825.20)	-	(1,979,409.90)	(958,904.10)	67.4%
400001 SALARIES & WAGES/Executive	677,048.00	45,587.34	49,595.08	57,704.02	57,704.02	-	210,590.46	466,457.54	31.1%
400002 SALARIES & WAGES/Mgmt-Local 21	323,312.00	11,836.06	11,836.06	11,836.06	11,836.06	-	47,344.24	275,967.76	14.6%
400003 SALARIES & WAGES/Local 1021	196,625.00	11,232.16	11,232.16	11,232.16	11,232.16	-	44,928.64	151,696.36	22.8%
400006 SALARIES & WAGES/PT- Temp	43,036.00	2,190.73	2,637.71	3,657.61	1,362.83	-	9,848.88	33,187.12	22.9%
400031 OVERTIME/General	-	642.96	708.11	(642.96)	-	-	708.11	(708.11)	100.0%
400048 OTHER PAY/Bilingual Pay	10,237.00	350.00	647.46	944.92	651.96	-	2,594.34	7,642.66	25.3%
400049 OTHER PAY/Auto Allowance	4,200.00	-	350.00	700.00	350.00	-	1,400.00	2,800.00	33.3%
400050 OTHER PAY/Medical- in Lieu of	2,400.00	-	-	-	-	-	-	2,400.00	0.0%
400058 OTHER PAY/Bonuses	-	-	-	-	15,200.00	-	15,200.00	(15,200.00)	100.0%
TOTAL SALARIES AND WAGES	1,256,858.00	71,839.25	77,006.58	85,431.81	98,337.03	-	332,614.67	924,243.33	26.5%
400103 P-ROLL BEN/Medicare Tax-ER Shr	16,440.00	1,044.80	1,120.22	1,242.38	1,429.52	-	4,836.92	11,603.08	29.4%
400105 P-ROLL BEN/Health Insurance Be	173,441.00	10,603.12	12,723.87	12,723.87	12,723.87	-	48,774.73	124,666.27	28.1%
400106 P-ROLL BEN/Dental Insurance	17,520.00	973.60	1,095.30	1,095.30	1,095.30	-	4,259.50	13,260.50	24.3%
400109 P-ROLL BEN/Employee Assistance	528.00	29.12	32.76	32.76	32.76	-	127.40	400.60	24.1%
400110 P-ROLL BEN/Professional Dev-Mg	6,750.00	-	-	-	-	-	-	6,750.00	0.0%
400111 P-ROLL BEN/Vision	2,316.00	114.48	128.79	128.79	128.79	-	500.85	1,815.15	21.6%
400112 P-ROLL BEN/Life Insurance	4,163.00	237.90	282.70	282.70	284.43	-	1,087.73	3,075.27	26.1%
400114 P-ROLL BEN/Long Term Disabilit	12,342.00	627.20	718.42	728.03	728.03	-	2,801.68	9,540.32	22.7%
400116 P-ROLL BEN/Unemployment Ins	5,472.00	342.00	380.00	418.00	418.00	-	1,558.00	3,914.00	28.5%
400117 P-ROLL BEN/Personal/Prof Dev	2,250.00	-	-	-	-	-	-	2,250.00	0.0%
400118 P-ROLL BEN/Worker Comp-Injury Appt	359.00	-	-	-	-	-	-	359.00	0.0%
400121 P-ROLL BEN/Worker Comp-Clerica	9,878.00	591.20	626.20	706.05	624.02	-	2,547.47	7,330.53	25.8%
400122 P-ROLL BEN/Worker Comp-Prof	58,021.00	3,330.60	3,563.05	4,033.36	4,033.36	-	14,960.37	43,060.63	25.8%
400127 P-ROLL BEN/OPEB	49,094.00	2,894.91	3,088.49	3,354.52	3,312.88	-	12,650.80	36,443.20	25.8%
400130 P-ROLL BEN/PARS Benefits	94.00	3.44	-	34.34	30.48	-	68.26	25.74	72.6%
400149 P-ROLL BEN/PERS-Misc	157,301.00	9,280.54	9,896.10	10,745.73	10,609.58	-	40,531.95	116,769.05	25.8%
400151 P-ROLL BEN/PERS-Misc (UAL)	327,048.00	20,862.27	20,862.27	23,180.30	20,862.27	-	85,767.11	241,280.89	26.2%
TOTAL FRINGE BENEFITS	843,017.00	50,935.18	54,518.17	58,706.13	56,313.29	-	220,472.77	622,544.23	26.2%
400201 PROF SVCS/Professional Svcs	21,350.00	217.00	567.29	217.00	755.79	16,012.92	1,757.08	3,580.00	83.2%
400206 PROF SVCS/Legal Serv Cost	210,000.00	-	22,916.00	4,166.00	16,666.00	150,002.00	43,748.00	16,250.00	92.3%
400245 TRAVEL & TRNG/Tuition Rmb/Cer	800.00	-	-	-	-	-	-	800.00	0.0%
400261 DUES & PUB/Memberships & Dues	1,650.00	-	-	-	-	-	-	1,650.00	0.0%
400271 AD & PROMO/Advertising&Promo	5,675.00	-	-	96.00	-	-	96.00	5,579.00	1.7%
400280 ADM EXP/Program Supplies	3,950.00	-	-	89.00	-	-	89.00	3,861.00	2.3%
TOTAL PROF & ADMIN SERVICES	243,425.00	217.00	23,483.29	4,568.00	17,421.79	166,014.92	45,690.08	31,720.00	87.0%
400231 OFF EXP/Postage & Mailing	22,647.00	892.42	100.34	9,258.27	79.61	5.06	10,330.64	12,311.30	45.6%
400232 OFF EXP/Printing & Binding	25,807.00	-	551.11	8.17	-	-	559.28	25,247.72	2.2%
400233 OFF EXP/Copying & Duplicating	500.00	-	-	-	-	-	-	500.00	0.0%
400304 RENTAL EXP/Equipment Rental	8,000.00	-	373.16	-	186.58	4,740.26	559.74	2,700.00	66.3%
400321 MISC EXP/Misc Contrib	3,000.00	-	-	-	-	3,000.00	-	-	100.0%
400322 MISC EXP/Misc Exp	2,925.00	-	-	-	-	-	-	2,925.00	0.0%
400341 OFF SUPP/Office Supplies	6,795.00	-	-	1,387.93	-	-	1,387.93	5,407.07	20.4%
TOTAL OTHER OPERATING	69,674.00	892.42	1,024.61	10,654.37	266.19	7,745.32	12,837.59	49,091.09	29.5%
400401 UTILITIES/Tel & Telegraph	500.00	-	90.56	-	45.28	-	135.84	364.16	27.2%
TOTAL UTILITIES	500.00	-	90.56	-	45.28	-	135.84	364.16	27.2%
400552 PROV FR INS LOSS/Ins Gen Liab	9,300.00	-	-	7,915.00	-	20.00	7,915.00	1,365.00	85.3%
TOTAL PROVISION FOR INS LOSS	9,300.00	-	-	7,915.00	-	20.00	7,915.00	1,365.00	85.3%
400574 COST POOL/(ISF)-Gen Liability	79,937.00	-	-	17,376.00	-	9,273.00	26,649.00	53,288.00	33.3%
400586 COST POOL/(CAP)- Admin Charges	52,481.00	-	-	-	-	-	-	52,481.00	0.0%
400591 COST POOL/(IND)Civic Ctr Alloc	50,286.00	-	-	-	-	16,758.00	16,758.00	33,528.00	33.3%
TOTAL COST POOL	182,704.00	-	-	17,376.00	-	26,031.00	43,407.00	139,297.00	23.8%
400601 NONCAP ASST/Comp Hrdware<5K	10,800.00	-	-	-	-	-	-	10,800.00	0.0%
TOTAL ASSET/CAPITAL OUTLAY	10,800.00	-	-	-	-	-	-	10,800.00	0.0%
TOTAL EXPENDITURES	2,616,278.00	123,883.85	156,123.21	184,651.31	198,414.58	173,780.24	663,072.95	1,779,424.81	32.0%
NET OPERATING (SURPLUS)/DEFICIT	(322,036.00)	(567,284.00)	(506,627.09)	(354,015.24)	111,589.38	173,780.24	(1,316,336.95)	820,520.71	

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AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: November 17, 2021

Final Decision Date Deadline: November 17, 2021

STATEMENT OF THE ISSUE: Records are a basic tool of government administration. They provide information for planning and decision making, serve as the foundation for government accountability, and are subject to direct legal requirements. It is essential that records be retained as long as needed to meet legal and informational needs, and then be disposed appropriately. Currently, the City of Richmond has a Record Retention Schedule that contains numerous requirements of how Records must be maintained. These requirements vary from department to department. As the City's Records Retention Schedule was adopted prior to the existence of the Rent Board, requirements governing how the Rent Board must maintain its Records are absent from the City's Schedule. This item requests that the Board adopt its own Record Retention Schedule and direct staff to work with the City Attorney's Office to integrate the Schedule into the City of Richmond's overall Record Retention Schedule.

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: ADOPT a Records Retention Schedule and DIRECT staff to work with the City Attorney's Office to have the Rent Board's Retention Schedule integrated into the City of Richmond' overall Record Retention Schedule - Rent Program (Charles Oshinuga 621-1202).

AGENDA ITEM NO:

G-4.

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AGENDA REPORT

DATE: November 17, 2021

TO: Chair Finlay and Members of the Rent Board

FROM: Charles Oshinuga, Staff Attorney

SUBJECT: Retention Schedule

STATEMENT OF THE ISSUE:

Records are a basic tool of government administration. They provide information for planning and decision making, serve as the foundation for government accountability, and are subject to direct legal requirements. It is essential that records be retained as long as needed to meet legal and informational needs, and then be disposed appropriately. Currently, the City of Richmond has a Record Retention Schedule that contains numerous requirements of how Records must be maintained. These requirements vary from department to department. As the City's Records Retention Schedule was adopted prior to the existence of the Rent Board, requirements governing how the Rent Board must maintain its Records are absent from the City's Schedule. This item requests that the Board adopt its own Record Retention Schedule and direct staff to work with the City Attorney's Office to integrate the Schedule into the City of Richmond's overall Record Retention Schedule.

RECOMMENDED ACTION:

ADOPT a Records Retention Schedule and DIRECT staff to work with the City Attorney's Office to have the Rent Board's Retention Schedule integrated into the City of Richmond' overall Record Retention Schedule.

FISCAL IMPACT:

There is no fiscal impact.

DISCUSSION:

Background

The City of Richmond has a Record Retention Schedule that governs the maintenance and destruction of records held by various departments. Currently, the Rent Board is not included in the City's Record Retention Schedule. This absence has led the Rent Program to hold on to its documents for an inordinate amount of time as the City's Retention policy explains that all City records are the property of the City and may not be destroyed, given away, sold, retained by officials and employees leaving City service, or otherwise disposed of in any way except in a manner consistent with a retention schedule approved by the City Attorney or other written documentation of approval by the City Attorney. To ensure compliance with the City's overall goal of Record maintenance and destruction, staff is seeking to establish its own Record Retention Schedule and integrate it into the City's overall policy framework.

Discussion

With the lack of a Retention Schedule governing how documents may be destroyed, Rent Program staff members have simply not destroyed any documents. As imagined this has had an impact on staff members' ability to efficiently locate, organize, and store documents. The Rent Board has the ability to adopt its own Retention Schedule to address these issues.

The Rent Board is a local governmental body that was established as an independent agency and vested with broad powers of administering and executing the provisions of the Fair Rent, Just Cause, and Homeowner Protection Ordinance. Pursuant to Richmond Municipal Code Section 11.100.060(m), to ensure the integrity and autonomy of the Rent Board, Measure L mandates the Rent Board "be an integral part of the government of the City [of Richmond]", and establishes that the Rent Board "shall exercise its powers and duties under [Chapter 11.100] independent from the City Council, City Manager, and City Attorney, except by request of the [Rent] Board". Consequently, the Rent Board functions as an independent agency, which operates independent from and is not subject to the City of Richmond City Council's Resolutions and policies governing boards, commissions, and other local policy bodies. As such, the Rent Board may adopt its own Retention Schedule consistent with the principles espoused in California's Government Code.

Despite being able to have its Retention Schedule stand alone, to avoid potential conflicts with existing schedules and to promote consistency within the City, it would be prudent for the Rent Board to exercise its power parallel to that of the City writ large and integrate its Retention Schedule within the City's overall Retention Schedule. Consequently, staff members seek to work with the City Attorney's Office to achieve full integration of any adopted Rent Board Retention Schedule with the City of Richmond's overall Retention Schedule and Policy framework.

Recommended Action

ADOPT a Records Retention Schedule and DIRECT staff to work with the City Attorney's Office to have the Rent Board's Retention Schedule be integrated into the City of Richmond' overall Record Retention Schedule.

DOCUMENTS ATTACHED:

Attachment 1 – Proposed Rent Board Retention Schedule

Attachment 2 – City of Richmond Retention Schedule

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City of Richmond Rent Board Retention Schedule

Rent Board	Section	Title and Description	Retention	Basis of Retention
Rent Board	Relocation	Permanent Relocation	Final Payment + 3 years	GC 34090; GC 34090.5; Rent Program Policy
Rent Board	Relocation	Temporary Relocation	Final Payment + 3 years	GC 34090; GC 34090.5; Rent Program Policy
Rent Board	Rent Program Hearings Unit	Hearing Petitions, Objections, Tapes, and Related Evidence	Case Closed + 5 years	GC 34090; GC 34090.5
Rent Board	Rent Program Hearings Unit	Settlements and Decisions	PERMANENT	GC 34090; GC 34090.5
Rent Board	Rent Program Hearings Unit	Non-email correspondence and Notification with Landlords and Tenants	Completion of the Matter + 2 Years	GC 34090; Rent Program Policy
Rent Board	Rent Program Public Information Unit	Notice of Termination of Tenancy (excluding Owner Move In Notices and Ellis Notices), Rent Increase Notices, Records documenting the notification of Tenants and/or Landlords compliance, termination of tenancies, and any other related documentations.	2 Years	GC 34090
Rent Board	Rent Program Public Information Unit	Invoices, Check Copies, Supporting Documents, and other Financial Related Documents	Audit + 4 Years	GC 34090, Finance Policy

**ITEM G-4
ATTACHMENT 1**

Rent Board	Rent Program Public Information Unit	Owner Move-In Notice of Termination of Tenancy	5 Years	GC 34090; Rent Board Regulation 1010
Rent Board	Rent Program Public Information Unit	First Right of Refusal, Request to Return, Contact information related to First Right of Refusal	The vesting of the Right to Return + 2 years	GC 34090; Rent Board Regulation 1010
Rent Board	Rent Program Public Information Unit	Ellis Act Notice of Termination of Tenancy	10 Years	GC 34090; Rent Board Regulation Chapter 5
Rent Board	Rent Program Legal Unit	Request for Qualifications, Request for Bids	Audit + 4 Years	GC 34090; CCP 337; Finance Department Policy
Rent Board	Rent Program Legal Unit	Contracts, Resolution, Confidential Memorandum, Legal Opinion, & Official Board Action	Permanent	GC 34090; GC 34090(d)
Rent Board	Rent Program Legal Unit	Official Minutes, Appeals Recommendation, and Appeal Proceedings of the Rent Board	Permanent	GC 34090(d); GC 36814; GC 40801; City Clerk Policy
Rent Board	Rent Program Legal Unit	Original Agendas and Special Meeting Notices, Public Records Request for Information and Documentation received, created and/or Submitted to Council	Completion + 2 Years	GC 34090; GC 34090(d)



RECORDS RETENTION SCHEDULE

Prepared by the City Clerk's Office
March 25, 2008

RECORDS RETENTION CLASSIFICATIONS

ADMINISTRATION	PUBLIC SAFETY
Audit Community Services Elections General Subject Grants Human Resources Information Services Legal/Legislative Municipal clerk Policies & Procedures Public Information Public Financing Authority Risk Management	Emergency Management Fire Safety Administration Personnel Property Reports Hazardous Materials Health & Welfare Law Enforcement Administration Investigations Patrol Services
DEVELOPMENT	PUBLIC WORKS
Administration Building Code Enforcement Engineering Environmental quality Housing Municipal Facilities Planning Property Redevelopment	Parks Sanitation/Solid Waste/Wastewater Water
FINANCE	TRANSPORTATION
Accounting Administrative Services Fixed Assets License Payroll Purchasing Reports Treasurer	Administration Ground Transportation

LEGEND

Record Retention

AC = Active
AU = Audit
CU = Current Year
E = Election
P = Permanent
T = Termination

AD = Adoption
CL = Closed/Completion
DOB= Date of Birth
L = Life
S = Supersede

CITATIONS

B&P – Business and Professions

H&S – Health & Safety

CAC – California Administrative Code

HUD – Housing and Urban Development

CCP – Code of Civil Procedure

OSHA – Occupational Safety & Health Act

CCR – Code of California Regulations

PC – Penal Code

CEQA – California Environmental Quality Act

POST – Police Officers Standards Training

CFR – Code of Federal Regulations

UFC – Uniform Fire Code

EC – Election Code

USC – United States Code

FMLA – Family & medical Leave Act, 1993

WIC – Welfare & Institutions Code

GC – Government Code

**ITEM G-4
ATTACHMENT 2**

ADMINISTRATION

Document	Retention	Citation	Description	Department/Division Of Record
AUDIT				
Annual Financial Report	CL + 5 years	GC34090	Independent auditor analysis	Finance
Bonds	CL + 10	GC34090; CCP 337.5	Final bond documentation	Finance
Budget	P	GC34090	Annual operating budget approved by Legislative Body	Finance City Clerk
Budget Operating (copies)	S	GC34090	Departmental Reference	
Hearing or Review	AU + 5	GC34090; OMB A-128	Documentation created and or received in connection with an audit hearing or review	Finance City Clerk
Reports	AU + 5	GC34090; OMB A-128	Internal and/or external	Finance
Reviews, Internal/External Periodic	CU	GC34090; GC6250	Daily, weekly, monthly, quarterly or other summary, review, evaluation, log, list, statistics, except a report	Finance
COMMUNITY SERVICES				
Libraries	CU + 2	GC 34090	Books, art, gifts, donations, exhibits, theatre, music, special events, etc.	Library Services
Plaques	P		Historic value	City Clerk
Sports Organization	S + 2			Recreation and Parks
ELECTIONS				
Ballots Prop. 218 (Assessment Districts)	P	California Constitution Art. XIII	Property related fees (Assessment Ballot proceeding)	Finance City Clerk

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
ADMINISTRATION (CONTINUED)				
Calendar, Council Meetings	E + 2	GC 34090		City Clerk
Canvass	P	GC 22932; EC 17130; EC 2653	Notifications and Publication of Election; special election results	City Clerk
Certificates of Election	T + 4	GC 81009(a) (d)	Certificates of election;	City Clerk
Charter Amendments/Measures	P	GC34458-60; GC34090	Following adoption of voters	City Clerk
Fair Political Practices				
Administration/ Campaign Statements and Conflict of Interest	CU + 5		FPPC Opinions, Form 410 (copy), Form 460, Form 470, Form 700	City Clerk
Campaign disclosure, Elected	P	GC81009(b) (g)	Form 460	City Clerk
Campaign disclosure, Not Elected	E + 5	GC81009(b)	Form 460	City Clerk
Candidate Statements, elected	T + 4	GC81009	Includes Candidate's Statement filed With City Clerk	City Clerk
Candidate Statements, not elected	E + 4		Includes Candidate's Statement filed with City Clerk	
History	P	GC 34090	History of elections, sample ballots, certificates of election, canvass, resolutions re: elections	City Clerk
Statement of economic interest – Elected Officials	T + 7	GC 81009(e)	Form 700	City Clerk
Statement of economic interest – Not Elected	E + 5	GC 81009(b)	Form 700	City Clerk

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
ADMINISTRATION (CONTINUED)				
Lobbyist Registration	P	EC 81009(b)	Statements, quarterly reports	City Clerk
Maps, Precincts/Voter Information	E + 2	GC 34090; EC 17501; EC 17301		City Clerk
Nomination Papers Successful Unsuccessful	E + 4 E + 2	EC 17100 GC 81009(b)	Signature petitions, ballot designations	City Clerk
Notification and Publications	E + 2	GC 34090	Proof of publication or posting, certification and listing of notice of posting; copy of newspaper notice and certification of offices to be voted for at forthcoming election	Clerk
Oaths of Office	T + 6	GC34090; 29 USC 1113	Elected Officials	City Clerk
Petitions	E + 2	EC17200; 17400; GC 7253.5; EC 14700 + GC 3756:8	From date of filing or election; Initiative, referendum, recall, Chapter Amendments	City Clerk
Precinct Records	E + .5	EC 17503	From date of election	City Clerk
GENERAL SUBJECT				
Administration	P	GC 34090		
Biographies	CU + 2	GC34090	City Council, City Manager, City Attorney, City Clerk, Department/Division Heads	City Clerk

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
ADMINISTRATION (CONTINUED)				
Classifications and Appointments	P	GC 34090; GC 12946; 29 CFR 516.6(2); 29 CFR 1602.4	Includes supplemental Personnel records. Wage rate tables 2 years.	Human Resources
Correspondence/Originating Department	CU + 2	GC34090(d)	If not attached to agreement or project file	Originating Department
Goals & Objectives	CU + 2	GC34090	Departmental goals & objectives	Originating Department
Policies & Procedures, Departmental	S + 5	GC34090(d)	Retain while current	Originating Department
Promotional Marketing				Originating Department
External	CU + 7			Originating Department
Internal	2			Originating Department
Reports				
Departmental	CU + 4	GC34090	Special/or final summary, review or evaluation	Originating Department
Staff	CU + 4	GC34090	Non-agenda related, includes supporting documentation	Originating Department
Special Projects	CU + 2	GC34090	All departments	Originating Department
Support Services	CU + 2	GC34090	Reproduction; printing; postal/ mailing services, other internal resources	
Travel Records	CU + 2	GC34090		Originating Department

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
ADMINISTRATION (CONTINUED)				
GRANTS				
Community Development Block Grant and Urban Development	T + 4	GC34090; 24 CFR 570.502 24 CFR85.42*	Applications, reports, contracts, supporting documents; *OMB Cir. A- 102, A-110, A-128	Redevelopment
Federal and State	CL + 5	GC34090	Refer to grant application close-out procedure	Originating Department
Financial Records	CL + 5	GC34090	Refer to grant application close-out procedure	Finance, Originating Department
Unsuccessful	CL + 2	GC34090	Applications not entitled	Originating Department
HUMAN RESOURCES				
Benefit Plan Claims	P	GC6250 et seq; OMB A- 129 CFR 1602.30; 32; Lab Rel Sec 1174*	May include dental, disability, education, health, life and vision including dependent care and Employee Assistance *29 CFR 1637.3; 29 USC 1027; 29 CFR 1627.3; 29 USC 1113	Human Resources
Benefit Plan Enrollment, Denied	CL + 4	GC34090; OMB A-128		Human Resources
Bond, Personnel Fidelity	T+2	GC34090	Employee Fidelity Bonds	Human Resources
Employee Handbook	S + 2	GC 34090	General employee information including benefit plans	Human Resources
Employee Programs	CL + 2	GC 34090; GC 12946	Includes EAP and Recognition	Human Resources

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
ADMINISTRATION (CONTINUED)				
Employee Rights General Employees Safety (Police)	T + 2 T + 5	GC12946; 29 CFR 1602; 29 USC 211 (e); 203(m); 207(g)	May include Arbitration, grievances, union requests, sexual harassment and Civil Rights, complaints, disciplinary actions	Human Resources
Hourly Employees	T + 6	GC12946; GC34090*	*29 CFR 1627.3, Labor Relations Section 1174	Human Resources
Medical Leave	CL + 30	FMLA 1993 US OSHA; 29 CFR; 1910.20*	May include Family leave; certifications; tests; W-4's; *29 CFR 1602.30.32; 49 CFR 193-9; CL + 7	Human Resources
Motor Vehicle Pulls (DMV)	CL + 7	GC12946, *	*CA 91009; 8 USC 1324 (a)	
Negotiation	P	29 USC Sections 211(c), 203(m), 207(g)	Notes, notebooks, correspondence, contracts, and Memorandums of Agreements	Human Resources

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
ADMINISTRATION (CONTINUED)				
Non-Safety Employees	T + 3	Reference: 29 CFR 1627.3; CCR Sec 1174; 29 CFR 1602.30.32; GC6250 et seq; 29 CFR; GC12946, 34090*	Non-safety employees may include: Release Authorizations; Certifications; Reassignments; outside employment; commendations disciplinary actions; terminations; Oaths of Office; evaluations-pre-employee medicals; fingerprints; identification cards (ID=s) *1607.4; 29 CFR 655.202; 29 CFR 516.6 et seq; 45 CFR 1068.6(a)	Human Resources
Personnel Records (copies)	CU + 2	GC34090; GC6250	Attendance; evaluations; drafts; worksheets; postings	Human Resources
PERS, Social Security, SSI	P	29 CFR 1627.3(2); GC12946; 34090	EEOC/ADEA	Human Resources
Recruitment	CL + 3	Reference: GC12946; GC6250 et seq; 29 CFR 1602 et seq 29 CFR 1607; 29 CFR 1627.3	Applications, resumes, alternate lists/logs, indices; ethnicity disclosures; examination materials; examination answer sheets, job bulletins; eligibility; electronic database	Human Resources
Reports	CU + 2	GC34090	Employee statistics, benefit activity; liability loss	Human Resources

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
ADMINISTRATION (CONTINUED)				
Safety Employees	T + 5	Reference: 29 CFR 16273; CCR Sec 1174; 29 CFR 1607.4;*	Police, fire, emergency employees may include; Release Authorizations; Certifications Reassignments; outside employment; commendations disciplinary actions; terminations; Oaths of Office; evaluations-pre employee medicals *29 CFR 1602.30.32; 29 CFR 655.202; 29 CFR 516.6 et seq; 45 CFR 1068.6(a)	Human Resources
Surveys and Studies	CU + 2	GC 12946, 34090; 29 CFR 516.6(2); 29 CFR 1602.14	Includes classification, wage rates	Human Resources
Training Records Non-Safety	CU + 7	GC6250 et seq	Employee applications, volunteer program training, class training materials, internships;	Human Resources
Personnel (by name)	T + 7	GC34090	Paperwork documenting officers internal and external training	Human Resources
Safety	CU + 2	GC34090	Certifications/designations	
Vehicle Mileage Reimbursement Rates	S + 2	GC34090	Annual mileage reimbursement rates	
INFORMATION SERVICES				
Internet, World Wide Web	S + 2	GC34090	Management/Policies and supporting documentation	Information Technology

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
ADMINISTRATION (CONTINUED)				
Inventory, Information Systems	S + 2	GC34090	Hardware/Software Inventory logs; systems manuals	Information Technology
Network Information Systems (LAN/WAN)	CU + 4	GC34090; CCP 337.2; 343	Configurations maps and plans	Information Technology
Program Files and Directories	CU + 2 CU + 2 (2 mos.) CU + 1 CU + .5	GC34090; GC34090.7	Annual backup Daily backup Monthly backup Weekly backup	Information Technology
Tapes Information Systems	CU + 2	GC34090	System Generation	Information Technology
LEGAL/LEGISLATIVE				
Agendas	CU + 2	GC34090	Original agendas and special meeting notices, including certificates of posting, original summaries, original communications and action agendas for Council, Boards and Commissions	City Clerk
Agenda Reports (Master, Subject Files)	CU + 2	GC34090 (d)	Documentation received, created and/or submitted to Council	City Clerk
Appeals, Civil	CU + 3	CCP 583.320(a) (3); GC34090		City Clerk
Applications, Boards, Commissions, Committees	CU + 2	GC34090	Not selected	City Clerk
Applications, Boards, Commissions, Committees	T + 5	GC34090; GC40801	Selected	City Clerk

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
ADMINISTRATION (CONTINUED)				
Articles of Incorporation	P	GC34090; CCP 337.2		City Clerk
Case Log	CL + 7	CCP 337.2; 343	From Close of cases listed; Chronological listing of cases	City Attorney
Case Records – (High Profile)	P	GC6254	Significant cases which have important/or set legal precedence. Includes logs, complaints, police reports, court orders, motions, notes, briefs	City Attorney
Case records	CO + 7	42 USC S1983	Includes logs, complaints, police Reports, court orders, motions, notes, Briefs, closing statements (unless Minors – 3yers after attaining 18)	City Attorney
Contracts and Agreements Excl. Capital Improvements	T + 5	CCP 337.2, 343; B&P7042.5;*	Includes leases, equipment, services or supplies *PU7685; 48 CFR:2; GC53066	City Clerk, Originating Department
Incl. Capital Improvements	P	2.08.110;*	Construction *GC37090a; 4004; H&S 19850	City Clerk, Engineering
Index, Attorney Case	L	GC6254	Including notations on activities related to case	City Attorney
Legal Advertising	CU + 4	CCP 343, 349 et seq.; GC 911.2; GC 34090	Includes public notices, legal publications	City Clerk
Logs, Attorney Service Request	CU + 2	GC34090	Service request, summaries of monthly requests	City Attorney

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
ADMINISTRATION (CONTINUED)				
Minutes	P	GC34090(d); GC36814; GC40801	Official minutes and hearing proceedings of governing body or board, commission or committee	City Clerk
Notices, Meeting	CU + 2	GC 34090.7, 54960.1 (1)	Special meetings	City Clerk
Opinions	S + 2	GC34090; GC6254	Confidential	City Attorney
Ordinances	P	GC34090(d) 40806	Charter amendments; municipal code	City Clerk
Petitions	CU + 1	GC50115; GC6253	Submitted to legislative bodies	City Clerk
Resolutions	P	GC34090(d) 40801	Legislative actions	City Clerk
Tapes, Audio/Video	CU + 3 mos.	GC34090.7	When used for minute preparation and may have historical value	City Clerk
CITY CLERK				
Assessment Districts	P	GC34090	Original documentation	City Clerk
Inventory, Records	CU + 2	GC34090; 80 OPS Atty. Gen. 106	Inventory of non-current inactive records holding and location, indices. Tapes may be recycled	City Clerk
Municipal Code	P	GC34090	Supplements included	City Clerk
Public Records Request	CL + 2	GC34090		City Clerk
Records Management	CL + 2	GC34090	Document includes retrieval, transfers – inactive	City Clerk Originating Department
Records Management Disposition Certification	P	GC34090	Documentation of final disposition or records	City Clerk

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
ADMINISTRATION (CONTINUED)				
Records Retention Schedules	S + 4	CCP 343		City Clerk
POLICIES/ PROCEDURES				
General Administrative	S + 2	GC34090; 40801	All city policies and procedures	City Manager
Policy, Council/Proclamations	S + 2	GC34090	Policies, directives rendered by Council not assigned a resolution or ordinance number	City Manager City Clerk
JOINT POWER FINANCING AUTHORITY				
Administration	P	GC34090		Finance
Financial Records	P	GC34090, 40802, 53901		Finance
Management Reports	5	GC34090		Finance
PUBLIC INFORMATION				
Brochures, publications, newsletter, bulletins	S + 2	GC34090		Originating Department

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
ADMINISTRATION (CONTINUED)				
RISK MANAGEMENT				
Accident Reports – City Assets	CL + 7	29 CFR 1904.2; 29;*	Reports and related records *CFR 1904.6	Risk Management
Bonds, Insurance	P	CCP 337.2; 343	Bonds and insurance policies insuring city property and other assets	City Clerk
Claims, Damage	CL + 5	GC34090; GC25105.5	Paid/Denied	Risk Management City Clerk
Incident Reports	CL + 7	29 CFR .2; 29 CFR 1904.6	Theft, arson, vandalism, property damage or similar occurrence (excluding fire/law enforcement)	Police Department
Insurance, ACCEL JT Powers Agreement	P	GC34090	(Authority California Cities Excess Liability Insurance) B Accreditation/MOU=s/agreement/ agendas	City Clerk
Insurance, Certificates	P	GC34090	Insurance certifications filed separately from contracts, includes insurance filed by licensees	City Clerk
Insurance Liability/Property	P	GC34090	May include liability, property, Certificates of Participation, deferred, use of facilities	
Insurance, Workers Compensation	P	GC6410; 29 CFR 1910.20	Indemnity; PERS – working files – originals with Administrator	Human Resources
Photographs, Negatives, Film	CL + 2	GC34090		

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
ADMINISTRATION (CONTINUED)				
Risk Management Reports	CL + 5	OMB 1200 – 0029; 29 CFR1904.4; GC34090	Federal OSHA Forms; Loss Analysis Report; Safety Reports; Actuarial Studies	Risk Management
Workers Compensation	P	CCR 14311; 154000.2; CA Labor Code 110- 139.6	Claim Files, Reports, Incidents (working files) originals filed with Administrator	Human Resources Risk Management

**ITEM G-4
ATTACHMENT 2**

DEVELOPMENT

Document	Retention	Citation	Description	Department/Division Of Record
ADMINISTRATION				
Bids & Proposals (Unsuccessful)	CL + 2	GC34090d		Originating Department City Clerk
Bonds Development	CL + 10	CCP 337.5	Housing; Industrial Development	Finance Originating Department
Security	CL + 2	GC34090	Documentation created and or received in connection with the performance of work/services for the city, or for parcel maps and subdivision work	Originating Department
Code Books	P	GC34090e	National Electrical Code, Uniform Building, Fire, Mechanical, Plumbing & Supplements	Department City Clerk
Contractor	CU + 2	GC34090d	Current listing	Department
Correspondence	CU + 2	GC34090d	Working documentation	Originating Department
Development Conditions	L	GC34090	Mitigation measures; filed with case files	Originating Department
Development Agreements	P	CCP337, 337.1(a), 337.15; GC34090; 4 8 CFR 4.703	Infrastructure contracts, franchises. Original maintained for 7 years	Originating Department City Clerk
Development Standards	P	GC34090a	Landscape mediums, parkway landscape development, public works construction	Originating Department
Drawings, Project Plan	CU + 2	GC34090d	Does not include those usually filed with case or project	Originating Department

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
DEVELOPMENT (CONTINUED)				
Franchises	P	GC65864, 65869.5, 34090*	Including subdivision agreements, contracts for sale or purchase of property, cable, grant of easements and/pr involving construction of improvements *CCP 337.2, 343; AC 16023	City Clerk
General Subject Files	CU + 2	GC34090d	Internal working files including correspondence	Department
Grants, Community/Urban Development (includes CDBG)	CL + 4	24CFR 570.502(b) (3); 241CFR 85.42 & OMB Cir. A-110, Attach. C; *	Project files, contracts, proposals, statements, reports, sub-recipient docket, Environmental review, grant documents, applications, inventory, consolidated plan, etc. Includes Section 108 loan guarantee *OMB Cir. A-102 & 128, HUD regulations	Originating Department, Redevelopment for CDBG
Historic Preservation Inventory	2	GC34090d	Historic structures & landmarks	Planning City Clerk
Incident Files	2	GC34090d	Emergency Call Outs	Police Department
Land Uses, nonconforming	P	GC34090a	Building or site usage which does not conform to current standards	Planning
Logs	CU + 5		Logs, registers or similar records listing permits, certificates of occupancy issued; may include inspection, building activity, daily, plan check, utility	Planning

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
DEVELOPMENT (CONTINUED)				
Maps & Plats	P	GC34090a	Engineering & field notes and profiles; cross-section of roads, streets, right-of-way, bridges; may include annexations, parks, tracts, block, storm drains, water easements, bench marks, trees, grading, landfill, fire hydrants, base maps, etc.	Engineering
Master Plans, Annual	S + 2	GC34090	Special or long range program plan for municipalities – coordination of services; strategic planning	Planning
Permits, Construction	P	GC34090a; H&S19850; 4003; 4004	Plans, building, signs, grading, encroachment, including blueprints and specifications	Planning
Permits, Other	CL + 2	GC34090d	Alterations, encroachment, excavations, road, street sidewalks & curb alterations, transportation, swimming pool drainage, temporary uses, etc.	Planning, Engineering
Photographs	S + 2	GC34090d	Aerial photographs	Police Department, Planning, Engineering
Projects, Not Completed or Denied	CL + 2	GC34090d	Building, engineering, planning	Originating Department
Reports	CU + 2	GC34090	Activity, periodic	Originating Department
Seismic Retrofit Program	P	GC34090a	Includes Certificates of Compliance	Planning
Street Names and House Numbers	P	GC34090a	Street dedications, closing, address assignment/changes	Building Regulations
Surveys	P	GC34090a	Recording data and maps	Planning, Engineering

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
DEVELOPMENT (CONTINUED)				
BUILDING				
Blueprints, Specifications	CL + 2	GC34090d	Submitted by contractors with application for permit and builds for Certificate of Occupancy	Planning, Building Regulations
Certificates	L	GC34090a	Compliance, elevation, occupancy which affect real property	Planning
Construction (Approved)	P	GC34090a; 4003; 4004; H&S 19850, 19853	New commercial and residential construction, tenant improvements room additions, spa, signs, block wall, remodel including security bonds	Planning
Inspection	CL + 2	GC34090d	Correspondence, fees, appeal requests, reports	Building Regulations
Permits	P	GC34909a; H&S 19850; 4003; 4004	Plans, building, signs, grading, encroachment permits	Planning
Signs (Temporary)	S + 2	GC34090d	Home occupations, off-premise signs	Public Works
CODE ENFORCEMENT				
Abandoned Vehicles	CL + 2	GC34090d		Police Department/Code Enforcement
Case Files	CL + 2	GC34090d	Building, housing and mobile home code violation records including inspections; public nuisance rubbish and weed abatement, vehicle abatement, citations, massage parlor permits, general	Code Enforcement
Liens & Releases, Supporting Recorded	CL + 2 P	GC34090	Utilities, abatement, licenses	Finance, Code Enforcement

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
DEVELOPMENT (CONTINUED)				
Logs	CU + 2	GC34090d	Lien Recovery, citations, complaints	Finance, Code Enforcement
Regulations	S + 2	GC34090d	Includes rules	Originating Department
Reports, Federal and State	P	GC34090a	Code enforcement statistics; may contain records affecting title to real property or liens thereon	Originating Department
Violations, Building, Property & Zoning	CL + 2	GC34090d	Supporting code enforcement activity	Planning
ENGINEERING				
Capital Improvement Projects	CL + 10	CC337.15	Supporting documents including bidders list, specifications, reports, plans, work orders, schedules, etc.	Engineering
Construction Tracking, Daily	P	CC337.15	Assesses value of real property	Engineering
Drawings, Traffic Control Plan	P	GC34090a	Signs, signing & striping, road construction	Engineering, Public Works
Flood Control	CL + 2	GC34090d	Storm Drains	Engineering, Public Works
Special Districts	P	GC34090a	Supporting documents re: improvement, lighting, underground utility; bonds, taxes & construction	Finance Engineering
Street/Alley (Abandonment/Vacation)	CL + 2	GC34090d	Relinquishment of rights and fee title	Planning
Traffic Signals	CL + 2	GC34090d	Counts, collisions, accidents	Public Works

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
DEVELOPMENT (CONTINUED)				
ENVIRONMENTAL QUALITY				
Asbestos	P	GC34090a	Documents abatement projects, public buildings	City Manager's Office
California Environmental Quality Act (CEQA)	P	GC34090a	Exemptions, Environmental Impact Report, Mitigation monitoring, negative declaration, notices of completion and determination, comments, statements of overriding considerations	Planning, Redevelopment
Environmental Review	CL + 2	GC34090d	Correspondence, consultants, issues, conservation	City Manager's Office
Pest Control	CU + 2	GC34090d	Pesticide applications, inspections & sampling, documents	City Manager's Office
Soil	CL + 2	GC34090d	Analysis, construction recommendations	Planning
Soil Reports	P	GC34090d	Final Reports	Planning
HOUSING				
Bonds	CL + 4	CCP 337	Revenue Bond Documentation	Finance

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
DEVELOPMENT (CONTINUED)				
Programs	CL + 3	24 CFR 570.502(b) (3); 24 CFR 85.42 & OMB Cir. A- 110, #C	Includes comprehensive Housing Authority Strategy, Meeting Credit Certificate, Housing bond advisory, HOME, In-Lieu Housing Mitigation, Low/Moderate Housing, Rental Housing Assistance	Housing Authority Redevelopment
Development Budgets	P	GC34090, 40802, 53901	Includes annual audit	Originating Department
Bond Issues	P	GC43900 et seq.		Finance
MUNICIPAL FACILITY				
Capital Improvements, Construction	P	2.083110; GC34090a; 4004; H&S 19850; GC34090a	Contains records re: Planning, design, construction, conversion or modification of local government- owned facilities, structures & system	Planning
Facility Rentals/Use	CU + 2	GC34090	Permits, contracts, diagrams, schedules, insurance binders	Community Services
Maintenance & Operations	CU + 2	GC34090d	Service requests, invoices, supporting documentation; buildings, equipment, field engineering, public facilities including work orders and graffiti removal	Public Works

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
DEVELOPMENT (CONTINUED)				
PLANNING				
Case fields, Planning and Zoning	P	GC34909a	Pertains to real property. May include blueprints, drawings, maps, plans, reports, evaluations, correspondence, uses, permits, variances, studies, appeals, compliance certificates, lot line adjustments or other planning-related matters brought before legislative body	Planning
Certificates	L	GC34090	Retain during life of structure	Planning
Flood Records	CU + 2	GC34090		Engineering
General Plan and Elements	P	GC34090	Includes sphere of influence	Planning
General Plan Amendments Approved Denied	CL + 2 CU + 3	GC34090 GC65103;*	*GC50110	Planning
Interpretations	CU + 2	GC34090		
Maps, Plans, Drawings, Exhibits, Photos	P	GC34090; H&S 19850; GC34090.7	Zoning, tentative subdivision, parcel, land use map, aerial photos, specific plans	Planning, City Clerk
PROPERTY				
Abandonment	P	GC34090a	Buildings, Condemnation, Demolition	Code Enforcement
Acquisition/Disposition Disposition	CL + 10	GC34090a; GC6254	Supporting documents re: sale, purchase, exchange, lease or rental of property by City	Originating Department
Annexation Case Files	P	GC34090a	Reports, agreements, public notices	Planning

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
DEVELOPMENT (CONTINUED)				
Appraisals	CL + 2	GC34090; GC6254(h)	Exempt until final acquisition or contract agreement obtained	Planning, Redevelopment
Deeds & Promissory Notes	P	GC34090a*	*24 CFR 570.502(b)(3); 24 CFR 8.42 & OMB Circ. SA -110	Originating Department City Clerk
Maps, City Boundary	P	GC34090d	Recorded maps, surveys, monuments	Planning, Engineering
Lot Split Cases	P	GC34090		Planning
Relocation Files	CL + 2	GC34090	e.g., Redevelopment	Redevelopment

FINANCE

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
ACCOUNTING				
Accounts Payable	AU + 4	GC34090	Invoices, check copies, supporting documents	Finance
Accounts Receivable	AU + 4	GC34090		Finance
Assessment Districts	P	GC34090	Collection information; Original documentation files with municipal clerk	Finance
Bank Reconciliation	AU + 5	GC34090; 26 CFR 16001-1	Statements, summaries for receipts, disbursements & reconciliation	Finance
Billing Records	AU + 2	GC34090	Customer name, service address, meter reading, usage, payments, applications/cancellations	Finance
Budget	AU + 2	GC34090		Finance
Budget adjustments, journal entries	AU + 2	GC34090	Account transfers	Finance
Checks	AU + 5	GC34090; CCP337	Includes payroll, canceled & voided checks	Finance, Payroll
Deposits, Receipts	AU + 4	GC34090; CCP337	Checks, coins, currency	Finance
Invoices	AU + 2	GC34090	Copies sent for fees owed, billing, related documents	Finance
Journals				Finance
Ledger, General	P	GC34090; *	*CCP 337	
Voucher	AU + 4	GC34090; CCP337	Account postings with supporting documents	Finance
Taxes, Receivable	AU + 3	CCP338		Finance
Warrant Register	AU + 2	GC34090.7		Finance

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
FINANCE (CONTINUED)				
ADMINISTRATIVE SERVICES				
Budget Operating (copies)	S	GC34090	Departmental Reference	Department
Budget, Proposed	CU + 2	GC34090	Presented to Council	Finance, City Clerk
Adopted	P	GC34090		Finance, City Clerk
FIXED ASSETS				
Inventory	AU + 4	GC34090; 26 CFR 301 65- 1(F)	Reflects purchase date, cost, account number	Finance
Surplus Property				
Disposal	AU + 4	GC34090; CCP337	Sealed bid sales of equipment	Public Works
Vehicle Ownership & Title	L	VC9900 et seq.	Title transfer when vehicle sold	Finance
LICENSE				
Business	T + 4	GC34090; CCP 337	Paid & reports	Finance

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
FINANCE (CONTINUED)				
PAYROLL				
Adjustments	AU + 4	GC34090 29 CFR 516.5 – 516.6	Audit purposes	Payroll
Employee Time Sheets	AU + 6	GC34090; 29 CFR 516.2*	Signed by employee for audit & FEMA Reports *20 CFR 516.6(1); IRS Reg. 31.6001-1(e)(z); R&T 19530; LC 1174(d)	Department Payroll
PERS Employee Deduction Reports	T + 4	GC34090; CAC 22- 1085-2	Record of deductions (PERS Public Employee Retirement System) *26CFR 31.6001-1;29 CFR 516.5, 516.6, LC 1174(d)	Payroll
Register	P	GC34090; GC37207	Labor costs by employee & program	Finance
Salary Records	T + 3	GC34090; 29 CFR 516.2	Deduction authorization, beneficiary designations, unemployment claims, garnishments	Payroll
PURCHASING				
Bids, RFQ's, RFP's Successful Unsuccessful	AU + 4	GC34090; CCP337;*	Requests for Qualifications; Requests for Proposals regarding goods and services * GC 25105-1; GC34090	Originating Department
Requisitions				
Purchase Orders	AU + 4	GC34090; CCP337	Original documents	Purchasing
Stores	CU + 2	GC34090	Completed forms for ordering	Purchasing

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
FINANCE (CONTINUED)				
Vendor Register	P	GC34090	Alpha vendor listing of purchase orders, invoices, account numbers and check date	Purchasing
REPORTS				
Audits	P	GC34090		Department
Deferred Compensation	T + 5	GC34090; 26 CFR 16001-1*	Records of employee contributions and city payments *29 CFR 1627.3(2)	Finance
Federal and State Tax	AU + 4	GC34090; 29USC 436 *	Forms 1096, 1099, W-4's and W-2's *26 CFR 31.6001.1-4; IRS REG 31.6001-1(e)(2);R&T 19530;29 CFR 516.5-516.6	Payroll
Financial, Annual	AU + 7	GC34090.7		Finance
Investment Transactions	P	GC34090; CCP337; GC53607	Summary of transactions, inventory & earnings reports	Finance
Labor Distribution	AU + 2	GC34090	Costs by employee & program	Finance
TREASURER				
Bank Statements	AU + 2	FC 3368, 30210; GC 43900 et seq.	Financing authority	Finance

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
FINANCE (CONTINUED)				
Bonds				
Account Statements	CL + 10	GC34090; CCP 337.5	Monthly statement of transactions	Finance
Administration	CL + 10	GC34090; CCP 337.5	Supporting documents	Finance
Bonds and Coupons	CL + 2	GC34090; 53921	Paid/canceled	Finance

PUBLIC SAFETY

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
EMERGENCY MANAGEMENT				
Mutual Aid, Strategic Plans	S + 2	GC34090		Fire
FIRE SAFETY				
ADMINISTRATION				
Books, Fire Code	S + 3	GC34090.7	Include OPS manuals	Fire
General Orders, Policies/Procedures	S + 2			Fire
Inspections, Fire Prevention	CL + 3	UFC 103.34	Alarm/sprinkler systems, prevention efforts	Fire
Investigations, Evidence Arson	P	PC 799	Support prosecution resulting in homicide	Fire
Investigations, Evidence Arson	CL + 6	PC 800	Great bodily harm, inhabited structure or property	Fire
Journals, Fire Station	CU + 2	GC34090	Activities, personnel, engine company	Fire
Permits, Uniform Fire Code	CL + 2	GC34090		Fire
PERSONNEL				
Exposure	T + 30	29 CFR	Sampling results, collection methodology, background	Fire
Exposure	T + 1	29 CFR 1910.1020	Laboratory reports and worksheets	Fire
Medical	T + 30	29 CFR 1910.1020		Fire, Human Resources
Medical	T + 2	29 CFR 1910.1020;*	Employees less than one year *GC34090	Fire, Human Resources
Training	T + 2	GC34090	Certifications/designations	Fire

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
PUBLIC SAFETY (CONTINUED)				
PROPERTY				
Apparatus/Vehicle	CU + 2	GC34090 CFP 340.5*	Repair and Maintenance *8 CAL Code Reg. 3203 (b) (1)	Fire
Inventory, Equipment & Supplies	CU + 2	GC34090		Fire
Logs, Fire Equipment/Gear	CU + 2	GC34090		Fire
REPORTS				
Incident	CL + 3	GC34090 CCP338 *	Dispatch and daily logs *CCP 340.5	Fire
Field, Non-fire and Logs	CU + 2	GC34090		Fire
Fire, Non-arson and Logs	CU + 2	GC34090		Fire
Investigations, Evidence Arson	CL + 3	PC 801; UFC 104.32	Structure	Fire
Weed Abatement	CL + 2	GC34090	Reports, assessments, resolutions, documentation	Fire Code Enforcement
HAZARDOUS MATERIALS				
Hazardous Waste Disposal	CU + 10	CAL OSHA; 40 CFR 122.21	Documentation re handling and disposal of hazardous waste	Fire
Permits, Hazardous Materials Storage	CU + 2	GC34090	Departments consistently recommend permanent retention of environmentally sensitive materials.	Fire
Programs, Household Hazardous Waste	S + 2	GC34090		Fire

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
PUBLIC SAFETY(CONTINUED)				
Training Materials	S + 2	Cal Code *	Standards and Administration *Reg. 3204(d), et seq.	Fire
Underground Storage Tank Compliance Maintenance & Operation.	P CU + 2	GC34090a GC34090	Documents re: storage Location, installation, removal, remediation	Fire
LAW ENFORCEMENT				
ADMINISTRATION				
Accounting/Cash Reconciliation	CU + 2	GC34090		Police
Alarm Records	CU + 2	GC34090		Police
Claim Files	CL + 6	PC 832.5	Claim copy, correspondence, photographs supporting documents relative to incidents involving the Police Department filed by citizens	City Clerk
Department Manual	S		Changes to manual are recorded in the General Orders (permanent)	Police
Equipment Communication	T + 2	GC34090	Retained until termination of equipment use; Manuals, instructions, procedures	Police
Inventory	S + 2	GC34090	Listing of equipment assigned to division, to whom it is assigned	Police, Public Works
Reports Activity	CU + 2	GC34090	Weekly/monthly/quarterly/annual activity/statistical reports by division. Retain only one form for retention period	Police

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
PUBLIC SAFETY (CONTINUED)				
Chemical Emmissions	CU + 2	GC34090		Fire
Survey Response Files	CU + 2	GC34090	Surveys, responses, correspondence with other agencies requesting statistical data	Fire
INVESTIGATIONS				
Administrative/Internal	CL + 5	PC 832.5 EVE 1045 GC 12946 PC 801.5; 803(c) VC 2547	Initiated by citizens complaints or internally initiated; includes complaints, reports, findings	Police Investigative Officer
Assest Forfieture Investigations/ Proceedings Case File	CL + 2	GC34090		Police
Notifications	CU + 2	GC34090	To legal property owner prior to case filing that property is subject to asset forfeiture proceedings. If case is filed, notification becomes part of forfeiture case file.	Police City Attorney
Case Books, Investigative	CL + 2	GC34090	Retained by division until a case is suspended/closed; transfer to Records Division to be filed with associated Daily Report (DR) file	Police
Case Files Homicide Investigator's File	P	PC 799		Police

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
PUBLIC SAFETY (CONTINUED)				
Narcotics (No arrest, Narcotics Cases)	CL + 2	GC34090	Retained by division until no longer useful for investigative purposes	Police
Officer Involved Shootings	CL + 25	GC34090		Police
Court Daily Schedule	CU + 1	GC34090.7	Printouts of daily court scheduling	Police
Sign-In Logs	CU + 2	GC34090	Logs officers' names, time in/out for court appearances	Police
Tracking System Records	CU + 2	GC34090	Database records subpoena number, officer name, case number, defendant name, district attorney name, court information disposition	Police
Evidence, Disposition Forms			Attach to duplicate Property Report, file w/DR in Records Division	Police
Fingerprint Applicants Files	T + 2	GC34090	Paperwork authorizing fingerprinting and background checks for city employment applicants and business license applicants	Police
Inked/Palm Cards	AC + 20		Persons booked into detention facility; (Copies distributed to county, state, federal agencies)	Police
Records Latents		Approp. PC Section	1) Retain for applicable case statute of limitation; 2) or until evidence in case is destroyed; Hard copy and digitized	Police

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
PUBLIC SAFETY(CONTINUED)				
Suspect, Adult/Juvenile	CL	Law Enforcement Management Guide by POST	Adults/juveniles suspected of a crime, taken for comparison, Destroy after original purpose achieved	Police
Guns, Dealers Record of Sale	CU + 6	PC 12070	Applicants, Monthly Gun Audits, Applications Denied, Stolen (DOJ File)	Police
Informant Files	T + 10		Legal notifications, identification information, payment information, activities information	Police
Jail Daily Logs	CU + 6	GC34090	Daily report of staffing, bookings/releases, transfers, transportation	Police
Inmate Record			Dependent on facility's classification; see Laws and Guidelines for Local Detention Facilities by Board of Corrections (State of California)	Police
Inspection Files	CL + 6		Inspections by various agencies	Police
Surveys	CL + 2	GC34090	Prepared quarterly, forwarded to State Board of Corrections	Police
Licenses Bicycle	CU + 2	GC34090		Police
Mace	CU + 2	GC34090		Police

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
PUBLIC SAFETY (CONTINUED)				
Logs Auto Theft	S			Police
Case Assignment	CU + 1			Police
Daily Activity	CU + 2	GC34090		Police
Officer	CU + 2	GC34090	Daily activity of incidents not reported by use of official report	Police
Report Summary	CU + 2	GC34090	Report numbers, type, names, dates retained for research value	Police
Investigative (Pre-Arrest)	CL + 10	GC34090	Retained by division until cases are suspended and closed	Police
Juvenile Detention	CU + 2	GC34090	Logs document juvenile processing per CYA	Police
Property Control	CU + 2	GC34090	Logs items coming into and going out of property room	Police
Rap Sheet	CL + 2	GC34090	Requests for criminal history	Police
Subpoena	CU + 2	GC34090	Subpoenas received/served daily	City Clerk, City Attorney, Police
Photographs			Crime Scene, Registrant/Applicant, Photo file, Accident. Retain according to practical and functional association.	Police

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
PUBLIC SAFETY (CONTINUED)				
Daily Report (Negatives)	T	GC34090	Assigned DR number, retained as form of evidence, destroyed at same time evidence for associated case is destroyed	Police
Inmates (Negatives)	CU + 20		By Prisoner number	Police
Registration Files, Arson, Sex Narcotics	Life of registrant within jurisdiction		Fingerprint Card, photo, information also forwarded to DOJ	Police
Arrest/Conviction H&S Section 11357 (b), (c), (d), (e) or H&S Section 11360 (b) violations (Occurring after January 1, 1996)	2 (Mandatory destruction from date of conviction or date of arrest with no conviction)	H&S 11361.5	Applicable to convictions occurring after January 1, 1996 or arrests not followed by a conviction occurring after January 1, 1996; Exception: H&S 11357(e), the record shall be retained until a juvenile offender attains the age of 18 years, then destroyed pursuant to 11361.5	Police
Arrest/Conviction H&S Section 11357(b), (c), (d), (e) or H&S Section 11360 (b) violations (Occurring before January 1, 1996)	Mandatory Destruction (Upon notice from Depart of Justice)	H&S 11361.5 (c)	Applicable to convictions occurring prior to January 1, 1996 or arrests not followed be a conviction occurring prior to January 1, 1996 for violations of H&S Code 11357, 11364, 11365, and 11550	Police

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
PUBLIC SAFETY (CONTINUED)				
Crime Felony Crimes With Or Without Arrests	See descriptor	PC 800 PC 801	Prosecution for an offense punishable by imprisonment in state prison for eight years or more must commence within 6 years after offense commission. Commencement of prosecution defined in PC 804. Exception: See PC 803 – Tolling/Extension of time periods; Appeals process and “Three Strikes” also considerations in assignment retention.	Police
Misdemeanor/ Infractions	CL + 2	GC34090	No arrests, identifiable property or missing persons (See: Note 1)	Police
Supplemental Felony Capital Crimes, Crimes Punishable by Death, Life Imprisonment	P	PC 799	No statutory limitation for prosecution. Includes murder, kidnapping for ransom, treason, procuring execution by perjury, train wrecking, assault with a deadly weapon by a life-term prisoner, bombing resulting in death or bodily injury, making defective war materials that cause death	Police
Destruction Guns	P			Police
Narcotics	P			
Disposition of Arrest/Court Action			Retention determined by action taken; i.e., recordable arrest or detention (released no arrest)	Police
False Alarm (Duplicate)	CU + 2	GC34090		Police

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
PUBLIC SAFETY (CONTINUED)				
Non-Criminal Occurrences	CU + 2	GC34090	Injured or sick persons; missing persons where person has been returned; traffic collision reports not used as the basis for criminal charges	Police
Property Original	Until case is adjudicated/disposition determined		Copy retained in records case file; Refer to Managing Property in Law Enforcement Agencies (By POST)	Police
Range Inventory	S + 2	GC34090	Quarterly reports of inventories of weapons and ammunition held by Department Range	Police
Reports	CU + 2	GC34090	Arrest & Citation Register; Arson Offenses; Crimes Against Senior Citizens; Death in Custody; Domestic Violence; FBI Include Return A/Supp; Hate Crime Incidents; Homicide Reports, Supp.; Officers Killed or Assaulted; Original to FBI – DOJ; Uniform Crime Reports	Police

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
PUBLIC SAFETY (CONTINUED)				
Statistical (Crime Analysis)	CU + 2	GC34090	Internally generated information using activity logs, citizen calls, current and past crime statistic reports, finance dept expenditure and budget records; citations, crime reports, accident reports, permits, receipts. Reports created for variety of purposes including increases/decreases in criminal activity; officer workload, deployment, time usage	Police
Statistical (UCR), Uniform Crime Reports Mandatory to DOJ (LEIC); FBI Include Return A/Supplement; Supplementary Homicide Report; Law Enforcement Officers Killed or Assaulted; Monthly Return of Arson Offenses Know to Law Enforcement; Number of violent Crimes Committed Against Senior Citizens; Monthly Report of Domestic violence Related Calls for Assistance; Monthly Arrest and Citation Register; Monthly Hate Crimes Incidents; Death In Custody Reporting.				Police

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
PUBLIC SAFETY (CONTINUED)				
Research Project Files	CL + 2	GC34090	May include request forms, background materials, staff reports, final project reports and supporting data	Police
Sealed Adult Found Factually Innocent	Mandatory Destruction Upon and Pursuant to Court Order	PC 851.8	General provision: Upon petition, records of agency must be sealed and destroyed in accordance with the provisions set by court record; exceptions.	Police
Juvenile	Mandatory Destruction upon and pursuant to court order	WIC 826 (a) & (b) WIC 781 (a)	Upon petition, local laws enforcement records within WIC 826(b) may be destroyed as ordered by the court, if related probation and juvenile court records have been destroyed by the probation officer. Records involving arrests, detention and/or petitioning juvenile before juvenile court	Police
Subpoenas (Duplicate)	CU + 2	GC34090		Police
Tapes Audio, Telephone and Radio Cummunications	CU + 180 Days	GC34090.6	Exception: recordings used as evidence in a criminal prosecution or claim filed or litigation or potential claims and litigation shall be preserved for 100 days after conclusion of the court action	Police
Surveillance/Security Video (Jail)		CU + 13	CG34090.6	Police

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
PUBLIC SAFETY (CONTINUED)				
Use of Force Supervisory Review Files	CU + 2	GC34090	Includes review forms, arrest report copies, logs	Police
<u>Warrants</u> Felony	Recall after 10 years. Exception: Murder/ Escape		Recommended by the California Law Enforcement Warrant Officer's Association	Police
Misdemeanor Criminal	Recall after 5 years		Recommended by the California Law Enforcement Warrant Officer's Association	Police
Served	CU		Includes Warrant Service Information Card, alpha index card	Police
Unserved (Local)	Until served, recalled or purged			Police
PATROL				
Cards	CU + 2	GC34090		
Dispatch				Police
Field Interview	CL + 2	GC34090		Police
Citations 11357(e), Juvenile	CL + 2	11361.5 H&S		Police
11357b H&S, 11357c H&S, 11360b H&S Violations	CL + 2	11361.5 H&S*	*CA Admin Code, Chapter 1, Title II, Sec. 708	Police
Cite and Release	CL + 2	GC34090		Police

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
PUBLIC SAFETY (CONTINUED)				
California Vehicle Code Infractions (Duplicates)	CU + 90 days	CG34090	Original is forwarded to court	Police
Parking/Traffic, Duplicates	CU + 2	GC34090.7	Originals are forwarded to court after agency processing; includes citations electronically created	Police
Transmittals	CU + 2	GC34090	Listing of citations forwarded to court, filed for reference	Police
Equipment Radio Logs (Communication)	CU + 2	GC34090	Documents problems, malfunctions, resolution to provide equipment performance history	Police
General Orders	P			Police
Patrol Requests (Correspondence)	CU + 2	GC34090	From citizens for patrol presence	Police
Radar Calibration Records	T + 2	GC34090	Documentation of Radar instruments retained during use/ownership	Police
Reports Accident	CL + 2	GC34090	Non-jury	Police
Traffic Collision Fatalities	P			Police
Vehicle Assignment Reports	S		Record of assignments	Police
Down Reports	CU + 1		Printouts reporting which vehicles are down for repair, maintenance	Police
Repossession/Private Impounds	CU + 2	GC34090		

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
PUBLIC SAFETY (CONTINUED)				
Service Schedules	S	GC34090		Police
Vests, Bulletproof Letters	CU + 2	GC34090	Authorization to purchase	Police
Warrants Parking	Recall after 1 year		Recommended by the California Law Enforcement Warrant Officer's Association	Police
Traffic	Recall after 5 years		Recommended by the California Law Enforcement Warrant Officer's Association	
Weapons, Database	P		Departmentally-owned weapons, personal weapons, alternate weapons, secondary handguns; produces inventory reports	Police
SERVICES				
Chemicals/Film Inventories	S			
Equipment Inventory/Signout Cards- Photo Lab	T			
Operations Files Photo Lab	T		Retain until equipment no longer owned/used by department; Manuals, instructions, procedures for use/operations of photographic equipment	Police
Grievance Files	CL + 2	GC34090	Grievance filed by employees, supporting documentation	Police, Fire, Human Resources
Investigations, Background Background Hired	CL + 2 P	GC34090	Non-hired Include original reports re: PC 832.5 investigations	Police, Human resources Police, Human Resources

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
PUBLIC SAFETY (CONTINUED)				
Parades & Special Events File	CL + 2	GC34090	Reports, memos, correspondence, scripts, supplier information, assignments, deployments, supporting documentation	Police
Permits Alcoholic Beverage Control License	L + 2	GC34090	Approval process	Police
Concealed Weapons	CL + 2	GC34090		Police
Photographs Personnel	S + 2	GC34090		Police
Negative Log	CU + 2	GC34090		Police
Negatives, Misc.	CU + 2	GC34090	Not case-related (Public relations, promotions, events, ceremonies, staff photos)	Police
Press Releases	CU + 2	GC34090		Police
Press, Video Programs (Community Relations)	CU + 2	GC34090	Collection of videos of programs and events; outside press coverage of department	Police
Property Files	CU + 2	GC34090	Original reports and supplemental documentation (Lost, Found, Safekeeping)	
Reports Dealer of Gun Sales, Duplicate	CU + 6 Mos.	GC34090.7	Original maintained by DOJ. Dealer required to file duplicate with agency	Police

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
PUBLIC SAFETY (CONTINUED)				
Restraining Orders, Emergency Protective Orders, Temporary Restraining Orders, Legal Stipulations, Orders After Hearing	CU (See description)		Destroy after law enforcement actions described in PC 273.5, 273.6, 646.9, 12028.5, 13700 and Family Code Sections 6380-6383 are fulfilled and effective date of restraining order has expired	Police
Roster (Divisional)	S + 2	GC34090	Personnel assigned to division	Police
Schedules Daily	CU + 2	GC34090	Schedules of Officers on duty	Police
Watch Assignment/ Timekeeping Records	CU + 2	GC34090		Police
Speaker Requests	CU + 2	GC34090	Community and business requests for public appearances, speakers	Police
Tests, Desitometer Results (Photo Lab)	T + 2	GC34090	Daily tests of development chemicals/processes for quality control	
Training Bulletins	P			Police
Event Files	CU + 2	GC34090	Correspondence, brochures, promotional materials, info on speakers, guests, supporting documents	Police
Lesson Plans, Range	CL + 15		Scope, content, time period of courses	Police
Personnel (By name)	T + 7	GC34090	Paperwork documenting officers' internal and external training	Police, Human Resources
Schedules, Range	CU + 2	GC34090	Daily, weekly, monthly schedules of training events at range	Police
Volunteer Card Files	T + 2	GC34090	Volunteers' identification, contact information	Police

PUBLIC WORKS

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
PARKS				
	CU + 2	GC34090		
Grants (refer to Admin.)				
Inventory, Equipment	AU + 2	GC34090	Warranties, purchase orders	Public Works
Landscape	CU + 2	GC34090	Drawings, contracts, complaints, specifications, photos, reports	Parks and Landscaping
Maintenance/Operations	C + 2	GC34090	Includes work orders, inspection, repairs, cleaning, reports, complaints	Public Works
Maps	P	GC34090	Irrigation, plot plans	Parks and Landscaping
Photographs	S + 2	GC34090		Parks and Landscaping
Plans, Proposed	CU + 2	GC34090	Future plans, new sites, expansions	Parks and Landscaping
Policies and Procedures	S + 2	GC34090	Includes rules and regulations	Public Works
Railroad Right-of-way	CL + 3	36 CFR 64.11	Land acquisitions, correspondence, improvements, statutory records	
Reports				
Accident	CL + 2	GC34090	Patrons, employees	Public Works
Others	CL + 2	GC34090		Public Works
Studies	CL + 2	GC34090	Future sites, expansions	Parks and Landscaping
Resolutions	P	GC34090		Public Works, City Clerk
Schedules, Class & Events	CU + 2	GC34090	Enrollment, liability releases, evaluations, attendance, flyers	Public Works
SANITATION/SOLID WASTE/WASTEWATER				
Collections/Landfill	CU + 2	GC34090	Daily records, usage	Wastewater
Facilities	CU + 2	GC34090	Correspondence, maps, patron list	Wastewater
History, Sanitation	P	GC34090	Where City-owned	Wastewater
Sludge	CU + 2	40 CFR 61.54	Sludge, sampling, charging rate to measure mercury content	Public Works Wastewater

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
PUBLIC WORKS (CONTINUED)				
Incinerator Operations, Treatment Plant	CU + 2	40 CFR 60.153	Gas flow through wet scrubbing, oxygen content of exhaust gas, sludge rate, temperatures, fuel flow, total solids and volatile solids	
Maintenance and Operations	CU + 2	GC34090	Includes work orders, inspection, repairs, cleaning, reports, complaints	Wastewater
Maps,	P	GC34090	Location maps	Wastewater
Rates	CU + 2	GC34090		Public Works
Recycling Programs	S + 2	GC34090		Public Works
Regulations	S + 2	GC34090	Includes legislation	Public Works, Wastewater
Reports				
Studies	CL + 2	GC34090		Wastewater
Tonnage	CU + 2	GC34090		Wastewater
STREETS/ALLEYS				
Abandonment/Vacations	P	GC34090		Planning
Closures	P	GC34090		Planning
Easements, Dedications, Right-of-Way	P	GC34090		Planning
Field Books	P	GC34090		Planning
Grants (see Admin.)				
Intersection Records	CU + 2	GC34090	Includes correspondence, volume counts, accident history	Engineering
Inventory, Traffic Control Device	S + 2	GC34090	Signs, lights	Public Works
Landscaping	CU + 2	GC34090	Plans, tree maintenance, work orders	Parks and Landscaping
Lighting	CU + 2	GC34090	Maintenance, work orders	Public Works

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
PUBLIC WORKS (CONTINUED)				
Maintenance/Operations	CU + 2	GC34090	Includes work orders, inspection, repairs, cleaning, reports, complaints, signals, striping	Public Works
Maps	P	GC34090	Fire hydrants, lighting districts, wheel chair ramps, storm drains, streets, sidewalks, sewers	Engineering
Master Plans	CU + 2	GC34090	Copies	Public Works, Engineering
Parking				
Lots	CU + 2	GC34090		
Regulations	S + 2	GC34090		
Reports/Studies	CL + 2	GC34090		
Permits				
Encroachment	P	GC34090		Engineering
Improvement	CL + 2	GC34090	May include curbs, sidewalks; Applications for excavation, fill, alterations	
Overside Load	CL + 2	GC34090		
Parking	CL + 2	GC34090	Residential	Public Works, Engineering
Paving	CL + 2	GC34090		Engineering, Public Works
Use (Temporary)	CU + 2	GC34090	Includes Special Events	
Photographs	S + 2	GC34090	Includes aerials	
Plans, Capital Improvement, Projects	P	GC34090	Streets, curbs, gutters, sidewalks, storm drains	Engineering
Policies and Procedures	S + 2	GC34090	Includes rules, regulations, standards	Public Works
Naming and numbering	P	GC34090		Building Regulations
Speed Limits	S + 2	GC34090		Public Works, Engineering

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
PUBLIC WORKS (CONTINUED)				
Programs				
Federal Aid Urban	CL +	23 CFR 633 (a) & (c)		
Traffic Safety	S + 2	GC34090	Pedestrian Safety, Bicycle Lanes	Engineering, Public Works
Reports				
Overpasses	L	GC34090	Life of structure	
Inspection	CU + 2	GC34090	Includes intersection, sidewalks. Bridges and Overpasses, keep life of structure	
Studies	CL + 2	GC34090	Traffic volume, accident history, requests, statistics, drawings supporting traffic devices	Engineering
Traffic Count	CL + 2	GC34090	Evaluation of traffic volume	Engineering
Vehicle Accident	CL + 2	GC34090		Engineering, Police
Routes, School Bus & Truck	S + 2	GC34090	Truck routes, access ramps, rest areas	Engineering
Signage	L + 2	GC34090	Log books, index register cards, inventory lists, records of traffic signs	Public Works
Traffic Signals	L		Logs, drawings, wiring diagrams, codes, circuit numbers, installation records, testing and maintenance	Public Works
Weigh Scales	S + 2	GC34090		
UTILITIES				
Facilities	T + 2	GC34090	If city owned	Engineering
Underground	P	GC34090	Gc4003, GC4004; H&S 19850	Engineering

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
PUBLIC WORKS (CONTINUED)				
WATER				
Connection Records	P	GC34090	Maps, water line connections	Engineering
Flood Control				
Drainage Facilities	P	GC34090	Includes dams, lakes, basins, creeks	Engineering
Flood Zones	P	GC34090	Includes flood maps	Engineering
Insurance Programs	S + 2	GC34090	Includes copies of policies, rules, programs	
Policies/Procedures	S + 2	GC34090	Rules and Regulations	Engineering
Reports/Studies	CL + 2	GC34090		Engineering
Grants (see Admin.)				
Inventory, Equipment	CU + 2	GC34090		Public Works
Locations	P	GC34090	Mains, valves, hydrants, wells	Engineering
Maintenance and Operations	CU + 2	GC34090	Includes work orders, inspection, repairs, cleaning, reports, complaints	Public Works
Service	CU + 2	GC34090	Includes work orders, entry cards, manholes, service to property owners	Public Works
Well & Pumping	CU + 2	GC34090	Times operational, power used and quantity	
Maps	P	GC34090	Line location; easements	
Master Plans	CU + 2	GC34090	Copies	
Permits				
National Pollutant Discharge Elimination System NPDES)	P	40 CFR 122.28	Municipalities of 100,000/more, compliance with Clean Water Act re: pollutants	Wastewater

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
PUBLIC WORKS (CONTINUED)				
Others	CU + 2	GC34090	May depend on terms of state or federal agency	Wastewater
Policies and Procedures	S + 2	GC34090	Includes rules and regulations	Wastewater
Rates	S + 2	GC34090		
Reclamation	CU + 5	40 CFR 122.41	Daily operations including sewage flow, grit removal, chlorine usage, lab analysis results, etc.	
Reports				
Conservation	CU + 2	GC34090		
Consumption	CU + 2	GC34090		
Corrosion Control	CU + 12	40 CFR 141.91	Compliance documentation	
Discharge Monitoring	CU + 5	40 CFR 122.91	Average amount of pollution discharged into waters of municipality	
Hydrograph	P	GC34090	Daily flow of streams	
Lead Service Line	CU + 12	40 CFR 141.91	Compliance documentation	
Public Education	CU + 12	40 CFR 141.91	Compliance documentation	
Sanitary Surveys	CU + 10	40 CFR 141.33	Statistics, reports, correspondence	
Source Water	CU + 12	40 CFR 141.91	Compliance documentation, e.g. lead & copper	

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
PUBLIC WORKS (CONTINUED)				
State Certification	CU + 12	40 CFR 141.91	Compliance documentation	Wastewater
Variances, Water System	CU + 5	40 CFR 141.33		
Well Level	CU + 2	GC34090		
Tests				
Bacteriological Analysis	CU + 5	40 CFR 141.33	Compliance records include location, date, method and results; corrections, analysis of bacterial content	Wastewater
Chemical Analysis	CU + 10	40 CFR 141.33	Compliance records include location, date, method used and results; corrections, analysis of chemical content	Wastewater
Quality	CU + 12	40 CFR 141.91	Compliance documentation including sampling data, analysis, reports, surveys, documents, evaluation, schedules, valves, etc.	Wastewater
Valve Main Records	P	GC34090		Engineering

TRANSPORTATION

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
ADMINISTRATION				
Agreements	T + 4	CCP 337	Including facility storage	City Clerk
Special Events	CU + 2	GC34090	Permits, correspondence, related documents re use of rights of way	City Manager's Office
Fueling	AU + 3	CCP 337	Meter readings, fuel consumption reports, invoices, receipts and records pertaining to refueling operations	Public Works
Hazardous Waste Disposal	CU + 10	CAL OSHA; 40 CFR 122.21	Documentation re: the handling and disposal of hazardous waste	Fire
Inventory, Equipment Parts & Supplies	L + 2		Includes vehicles and related documents repairs	Public Works
Inventory, Vehicle Ownership and Title	L + 2		Owners manual, warranty documents, Department of Motor Vehicle title and registration, and related documents	Finance
Licenses, Permits	CU + 2		Forms, related documentation re: licenses and permits required by federal and state agencies	Department
Maintenance/Operations	L + 2	GC34090	Related to requests for service and work orders for fuel, vehicle and equipment maintenance and repairs	Public Works
Report, Accident (Copies)	CU + 2	GC34090	Log books, request forms, lists	Public Works
TRANSPORTATION				
GROUND TRANSPORTATION				
Auto for Hire, Taxi, Paratransit	T + 4	GC34090	License, permits for Taxicabs, shuttles, etc	Police
E-MAIL				
			E-mails regarding projects, documents, etc. that are	

**ITEM G-4
ATTACHMENT 2**

Document	Retention	Citation	Description	Department/Division Of Record
			public records shall be retained for the same time period as the public record information. A copy shall be retained in an electronic format and one hard copy shall be retained with the public records documents.	

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AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: November 17, 2021

Final Decision Date Deadline: November 17, 2021

STATEMENT OF THE ISSUE: On March 17, 2020, Governor Newsom signed Executive Order N-29-20, which suspended certain portions of the Ralph M. Brown Act (Cal. Gov. Code § 54950 et seq.) related to the holding of teleconferenced meetings by City legislative bodies. Among other things, Executive Order N-29-20 suspended requirements that each location from which an official accesses a teleconferenced meeting be accessible to the public. These changes were necessary to allow teleconferencing to be used as a tool for ensuring social distancing. City legislative bodies have held public meetings via videoconference and teleconference pursuant to these provisions since March 2020. These provisions of Executive Order N-29-20 expired on September 30, 2021. Prior to its expiration, California legislators passed Assembly Bill 361 (Rivas), which, among other things, continues to permit public meetings via videoconference and teleconference, where the Board makes findings of the circumstances justifying the continuing need to meet via videoconference and Teleconference. This item requests that the Board review the circumstances of the continued state of emergency posed by the spread of COVID-19, and find that the state of emergency continues to directly impact the ability of the public and members of Board to meet safely in person, that holding public meetings in person would present imminent risks to the health and safety of attendees, and that state and local officials continue to promote social distancing, mask wearing and vaccination.

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: ADOPT a resolution making the required findings pursuant to Government Code Section 54953(e)(3) and determining that as a result of the continued threat to public health and safety posed by the spread of COVID-19, City legislative bodies shall continue to meet via videoconference and teleconference – Rent Program (Charles Oshinuga 621-1202).

AGENDA ITEM NO:

G-5.

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AGENDA REPORT

DATE: November 17, 2021

TO: Chair Finlay and Members of the Rent Board

FROM: Charles Oshinuga, Staff Attorney

SUBJECT: Resolution Making Required Findings Pursuant to the Government Code and Directing the Rent Board to Continue to Meet Via Videoconference and Teleconference

STATEMENT OF THE ISSUE:

On March 17, 2020, Governor Newsom signed Executive Order N-29-20, which suspended certain portions of the Ralph M. Brown Act (Cal. Gov. Code § 54950 et seq.) related to the holding of teleconferenced meetings by City legislative bodies. Among other things, Executive Order N-29-20 suspended requirements that each location from which an official accesses a teleconferenced meeting be accessible to the public. These changes were necessary to allow teleconferencing to be used as a tool for ensuring social distancing. City legislative bodies have held public meetings via videoconference and teleconference pursuant to these provisions since March 2020. These provisions of Executive Order N-29-20 expired on September 30, 2021. Prior to its expiration, California legislators passed Assembly Bill 361 (Rivas), which, among other things, continues to permit public meetings via videoconference and teleconference, where the Board makes findings of the circumstances justifying the continuing need to meet via videoconference and Teleconference. This item requests that the Board review the circumstances of the continued state of emergency posed by the spread of COVID-19, and find that the state of emergency continues to directly impact the ability of the public and members of Board to meet safely in person, that holding public meetings in person would present imminent risks to the health and safety of attendees, and that state and local officials continue to promote social distancing, mask wearing and vaccination.

RECOMMENDED ACTION:

ADOPT a resolution making the required findings pursuant to Government Code Section 54953(e)(3) and determining that as a result of the continued threat to public health and safety posed by the spread of COVID-19, City legislative bodies shall continue to meet via videoconference and teleconference.

FISCAL IMPACT:

There is no fiscal impact.

DISCUSSION:

Background

On March 17, 2020, Governor Newsom signed Executive Order N-29-20, which suspended certain portions of the Ralph M. Brown Act (Cal. Gov. Code § 54950 et seq.) related to the holding of teleconferenced meetings by City legislative bodies. Among other things, Executive Order N-29-20 suspended requirements that each location from which an official accesses a teleconferenced meeting be accessible to the public. These changes were necessary to allow teleconferencing to be used as a tool for ensuring social distancing. City legislative bodies have held public meetings via videoconference and teleconference pursuant to these provisions since March 2020. These provisions of Executive Order N-29-20 expired on September 30, 2021.

Prior to the Expiration of Executive Order N-29-20, on September 16, 2021, Assembly Bill 361 (Rivas), was signed into law by Governor Newsom, amending a portion of the Brown Act (Government Code Section 54953) to authorize the Board, during the state of emergency, to determine that, due to the spread of COVID-19, holding in-person public meetings would present an imminent risk to the health or safety of attendees, and therefore the Board must continue to meet via videoconference and teleconference. Assembly Bill 361 requires that the Board must review and ratify such a determination every thirty (30) days. Therefore, if the Board passes this resolution on October 20, 2021, the Board will need to review and ratify the resolution by November 20, 2021, and every Board meeting thereafter.

Discussion

COVID-19 continues to pose a serious threat to public health and safety. There are now approximately 15,102 confirmed cases of COVID-19 and at least 137 deaths in the City of Richmond. That is an increase of 137 confirmed Covid cases over the last 14 days and 25 deaths in approximately 30 days. Additionally, the SARS-CoV-2 B.1.617.2 (“Delta”) variant of COVID-19 that is currently circulating nationally and within the City is contributing to a substantial increase in transmissibility and more severe disease. As a result of the continued threat to public health posed by the spread of COVID-19, state and local officials continue to impose or recommend measures to promote social distancing, mask wearing and vaccination. Holding Board meetings in person would present imminent risks to the health and safety of the public and members of Board, and therefore public meetings cannot safely be held in person at this time.

The attached Resolution would enable the Board to continue to hold public meetings via videoconference and teleconference in order to continue to socially distance and limit the spread of COVID-19.

Recommended Action

Given the continual presence and impact of Covid-19, the need to take adequate precautions to limit the spread of the virus and subsequent death, is greater now more than ever. As such, staff members recommend that the Board adopt a resolution making the required findings pursuant to Government Code Section 54953(e)(3) and determining that as a result of the continued threat to public health and safety posed by the spread of COVID-19, City policy bodies shall continue to meet via videoconference and teleconference.

DOCUMENTS ATTACHED:

Attachment 1 – Resolution 21-04

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RESOLUTION NO. 21-04

**MAKING FINDINGS TO ALLOW CONTINUED USE OF TELECONFERENCING FOR
MEETINGS OF THE RICHMOND RENT BOARD PURSUANT TO THE PROVISIONS OF AB
361**

WHEREAS, in response to the COVID-19 pandemic, the Governor adopted a series of Executive Orders allowing the legislative bodies of local governments to meet remotely via teleconference through September 30, 2021 so long as other provisions of the Ralph M. Brown Act were followed; and

WHEREAS, on September 16, 2021, the Governor signed into law as an urgency measure, AB 361 a bill that amends the Brown Act to allow local policy bodies to continue to meet by teleconferencing during a state of emergency without complying with restrictions in state law that would otherwise apply, provided that the policy bodies make certain findings at least once every 30 days; and

WHEREAS, the Richmond Rent Board is a local governmental body that was established as an independent agency and vested with broad powers of administering and executing the provisions of the Fair Rent, Just Cause, and Homeowner Protection Ordinance; and

WHEREAS, pursuant to Richmond Municipal Code Section 11.100.060(m), to ensure the integrity and autonomy of the Rent Board, Measure L mandates the Rent Board “be an integral part of the government of the City [of Richmond]”, and establishes that the Rent Board “shall exercise its powers and duties under [Chapter 11.100] independent from the City Council, City Manager, and City Attorney, except by request of the [Rent] Board”; and

WHEREAS, as an independent agency, the Richmond Rent Board operates independent from and is not subject the City of Richmond City Council’s Resolutions governing boards, commissions, and other local policy bodies; and

WHEREAS, given its degree of independence and autonomy from City Council, the City of Richmond Rent Board has separately considered the current state of health guidance related to public meetings in Contra Costa County and finds it necessary to continue with remote meetings for the next 30 days to promote public health and safety; and

WHEREAS, in its future considerations of whether remote meetings are still necessary, the City of Richmond Rent Board shall consider and take into account the City of Richmond City Council’s decision on whether to continue remotely, prior to reaching its ultimate findings on the issue; and

WHEREAS, the entire State of California remains under a proclaimed state of emergency as declared by the Governor of the state of California related to the COVID-19 pandemic; and

WHEREAS, the California Department of Public Health continues to require the use of face coverings in indoor settings in order to help stop the spread of the virus. The Health Officer for Contra Costa County published “Recommendations for Safely Holding Public Meetings” on September 20, 2021. Those recommendations “strongly recommend” on-online meetings, that local agencies should provide

ITEM G-5 ATTACHMENT 1

options for the public to participate without having to attend meetings in person, and that social distancing should be used, including six feet of spacing between all in attendance; and

WHEREAS, without limiting any requirements under applicable federal, state or local pandemic-related rules, orders or directives of the Health Officer of Contra Costa County, who has advised that for group gatherings indoors, such as meetings of city council's, boards and commissions, people can increase safety and greatly reduce risks to health and safety of attendees from COVID-19 by maximizing ventilation, wearing well-fitting masks, using physical distancing where the vaccination status of attendees is not known, and considering holding the meeting remotely if feasible, especially for long meetings, with many attendees with unknown vaccination status and where ventilation may not be optimal; and

WHEREAS, the City of Richmond Rent Board has met remotely during the COVID-19 pandemic and can continue to do so in a manner that allows public participation and transparency while minimizing health risks to members, staff, and the public who would be present with in-person meetings while this emergency continues.

NOW, THEREFORE, BE IT RESOLVED, That the City of Richmond Rent Board finds as follows:

1. As described above, the State of California, the County of Contra Costa and the City of Richmond remain in a state of emergency due to the COVI-19 pandemic. At this meeting the City of Richmond Rent Board has considered the circumstances of the state of emergency; and
2. As described above State and County officials continue to recommend measures to promote physical distancing and other social distancing measures, in some settings; and
3. As described above meetings of this body in person would present imminent risks to the safety of attendees, and the state of emergency continues to directly impact the ability of members to meet safely in public; and:

BE IT FURTHER RESOLVED That the City of Richmond Rent Board approves the continued use of teleconferencing for public meetings of City legislative bodies for the next 30 days based on the findings required by Government Code Section 549539(e), as amended by AB 361; and

BE IT FURTHER RESOLVED, That at least for the next 30 days, meetings of the City of Richmond Rent Board will continue to occur exclusively by teleconferencing technology (and not by any in-person meetings or any other meetings with public access to the places where any policy body member is present for the meeting). Such meeting of the City of Richmond Rent Board that occur by teleconferencing technology will provide an opportunity for members of the public to address the body and will otherwise occur in a manner that protects the statutory and constitutional rights of the public attending the meeting via teleconferencing, and;

BE IT FURTHER RESOLVED That the Executive Director of the Rent Program is directed to place a resolution substantially similar to this resolution on the agenda of a future meeting of the City of Richmond Rent Board within the next 30 days.

**ITEM G-5
ATTACHMENT 1**

APPROVED by the City of Richmond Rent Board at a regular meeting on November 17, 2021 by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

RENT BOARD CHAIR

APPROVED AS TO FORM:

ATTEST:

STAFF ATTORNEY

RENT BOARD CLERK

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AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: November 17, 2021

Final Decision Date Deadline: November 17, 2021

STATEMENT OF THE ISSUE: At the September 15, 2021 Regular Meeting of the Richmond Rent Board, Rent Program staff presented an overview of the existing internal late fee waiver policy, seeking feedback from the Board regarding the creation of a Board approved late fee waiver Regulation. After receiving feedback from the Rent Board, staff members are now presenting Rent Board Regulation 425 to the Rent Board for adoption. Regulation 425 is aimed at clarifying and simplifying the current Late Fee waiver process, while simultaneously ensuring proper levels of Rent Board transparency and oversight.

INDICATE APPROPRIATE BODY

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|---|---|--|--|---|
| <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> | |

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|---|--|---------------------------------|
| <input type="checkbox"/> Presentation/Proclamation/Commendation (3-Minute Time Limit) | | |
| <input type="checkbox"/> Public Hearing | <input checked="" type="checkbox"/> Regulation | <input type="checkbox"/> Other: |
| <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: (1) ADOPT proposed Rent Board Regulation 425, titled, "Waiver of Delinquent Residential Housing Fee Assessment"– Rent Program (Nicolas Traylor/510-620-6564).

AGENDA ITEM NO:

H-1.

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AGENDA REPORT

DATE: November 17, 2021

TO: Chair Finlay and Members of the Rent Board

FROM: Nicolas Traylor, Executive Director

SUBJECT: PROPOSED RENT BOARD REGULATION 425 WAIVER OF DELINQUENT RESIDENTIAL HOUSING FEE ASSESSMENT

STATEMENT OF THE ISSUE:

At the September 15, 2021 Regular Meeting of the Richmond Rent Board, Rent Program staff presented an overview of the existing internal late fee waiver policy, seeking feedback from the Board regarding the creation of a Board approved late fee waiver Regulation. After receiving feedback from the Rent Board, staff members are now presenting Rent Board Regulation 425 to the Rent Board for adoption. Regulation 425 is aimed at clarifying and simplifying the current Late Fee waiver process, while simultaneously ensuring proper levels of Rent Board transparency and oversight.

RECOMMENDED ACTION:

(1) ADOPT proposed Rent Board Regulation 425, titled, "Waiver of Delinquent Residential Housing Fee Assessment" – Rent Program (Nicolas Traylor/510-620-6564).

FISCAL IMPACT:

There may be an impact related to staff time in adding an additional layered process to the waiver of Late Fees. Additionally, as Late Fee payments are reported in the Rent Board's overall revenue, waiver of any assessed Late Fee would necessarily have an impact on overall revenue.

DISCUSSION:

Background

Section 11.100.060(m) of the Rent Ordinance establishes both the integrity and autonomy of the Rent Board by mandating that the Rent Board "be an integral part of the government of the City [of Richmond]," and "exercise its powers and duties under [Chapter 11.100]

ITEM H-1

independent from the City Council, City Manager, and City Attorney, except by request of the [Rent] Board.” The Rent Ordinance further vests the Rent Board with the sole power to oversee and adopt its own budget, while establishing that “the City Council and the City Manager shall have no authority to oversee, supervise, or approve this budget.” The Rent Program budget is comprised only of reasonable and necessary expenses to achieve the purpose of the Rent Ordinance and is currently funded in whole by the Rental Housing Fee charged to all Landlords in an amount deemed necessary and reasonable by the Rent Board and approved by the City Council.

Since its inception the Rent Program has waived \$142,644.40 in late fees through its administrative waiver process. \$25,682 in late fees were waived prior to the pandemic and \$116,962 in late fees were waived during the COVID-19 pandemic. In light of the fact that the Rent Board has full authority over the Rent Program budget/spending (fees collected and/or waived), and in the interest of public transparency, staff recommend that all late waive approvals and/or denials be subject to Rent Board approval.

Since 2017, the Rent Program has sent out Rental Housing Fee invoices to all Richmond Landlords on an annual basis. In its efforts to collect the fees, staff members have encountered various issues concerning Landlords’ nonpayment of the fees. For instance, while in the continuous process of refining Richmond’s rental housing database, the Rent Program regularly discovers Rental Units that have not been enrolled since the inception of the Program or that have changed status from non-rented to rented over the years, without informing the Rent Program. In other cases, some Landlords claim to not have received an invoice because of a billing, mailing or clerical error. In those cases, late fees were either waved in full or in part. Finally, some owners assert a financial hardship, health issues, or other reasonable basis for not paying the Rental Housing Fee on time. There have only been a few circumstances where Landlords were late for more than one fiscal year and requested a late fee waiver.

Given these various circumstances surrounding nonpayment of the fees, the Rent Program adopted an internal policy regarding assessing late fees. Under the current internal policy, the Executive Director or his/her designee may waive all or some of the late fees based on the criteria described above and listed in Request for Late Fee Waiver form (Attachment 1).

To be clear, every Landlord who has requested a late fee waiver has either received a partial or full granting of their request. However, the current Rent Program internal policy lacks a requirement of Rent Board approval, and/or Rent Board oversight. To ensure the appropriate level of Rent Board oversight and public accountability, staff members are seeking direction and feedback from the Rent Board with regard to drafting a proposed Rent Board late fee waiver regulation that would achieve the proper degree of oversight and accountability. Upon direction from the Rent Board, Rent Program staff would draft a proposed regulation that not only sets forth the Rent Board approved criteria for granting a waiver, but also standards for when fees should be approved in full or in part.

Overview of Proposed Regulation 425

Proposed Regulation 425 formalizes the Rent Program's internal policy and practices related to Late Fees and establish a Rent Board presence that is needed to provide oversight and transparency. It would keep in place the Official Rent Program form needed to request a late fee waiver (Attachment 1), while at the same time limit the Executive Director's discretion to waive late fees. Moreover, Regulation 425 creates a requirement that the Executive Director find Good Cause prior to waiving any Fees, and any finding of Good Cause must consider a set of factors as described in the Regulation. Finally, Regulation 425, requires that the Executive Director provide the Rent Board with a written recommendation and a summary spreadsheet that describes the date of request, the reason for the request, a recommendation to either approve or deny the request, and the total amount waived.

Rent Program Form and Executive Director Discretion

Under Regulation 425, any Landlord requesting the waiver of late fees must make said request on an Official Rent Program Form. The Form, attached herein, has been presented at the two prior Rent Board meetings and has garnered Rent Board approval. Additionally, the Form is the same Form used in the prior fiscal years when the Executive Director was considering Landlord request to waive late fees. Finally, the Form has been shown to be a simple and effective way of evaluating Landlord request for late fee waivers.

As it relates to Executive Director discretion, Regulation 425 limits it in two ways: 1) it transfers the final approval or denial of most late fee waiver request from the Executive Director to the Rent Board and 2) it requires that where a Landlord demonstrates a Rent Program billing error, their assessed late fees be waived in its entirety. Such limitation on the Executive Director's discretion is warranted as it would help to improve transparency in the late fee waiver process, while simultaneously provide Rent Board oversight.

Good Cause Standard

Regulation 425 would require a showing of Good Cause prior to waiving any late fee assessment. Good Cause is defined as the taking of reasonable efforts, while acting with due diligence to remit timely payment of the Residential Rental Housing Fee. In other words, it is an evaluation of whether the Landlord took reasonable efforts and acted with due diligence in their attempt to pay the Residential Rental Housing Fee. Regulation 425 would guide this inquiry by requiring the Executive Director evaluate applicable enumerated factors prior to making a determination of whether there exist Good Cause to grant the request. Finally, Regulation 425 would establish that a Rent Program billing error would always constitute Good Cause to waive the late fee assessment.

Process and Procedure

Regulation 425 would create process and procedure consistent with the one outlined in the prior two presentations on this item. The proposed process includes the following:

ITEM H-1

- 1) Rent Program staff receives a request for a late fee waiver from Landlord.
- 2) The Executive Director or his or her designee reviews the late fee waiver requests and issue a recommendation for Rent Board to approve the waiver, in full or in part, or deny the waiver, based on the Landlords reason for requesting the waiver and their payment history.
- 3) Rent Program staff compiles the late fee waiver requests for each month and places that list on the consent calendar for the following month's Rent Board meeting.
- 4) Rent Board members review a spreadsheet with details on each request (date of request, the reason(s) for request, a recommendation to the Board to approve or deny the request, and total amount waived). Each Late Fee Waiver Request form would be included as attachments for the Board's review.
- 5) Rent Board members vote to approve recommended waivers or may pull individual Request from the consent calendar for further discussion.

Staff anticipates that the majority of the Late Fee waiver request will be solely the subject of the consent calendar. Where there is a dispute regarding the Executive Director's written recommendation, the Rent Board may pull the item for further discussion. Additionally, where the requestor has received two separate Late Fee waiver grants in the prior three fiscal years, the request cannot go on the consent calendar, but rather must be agendized as a "Rent Board as a whole" agenda item.

Late Fee Waiver Amounts

Finally, the Regulation 425 clarifies that the Rent Board may waive the late fees in any amount except where certain factors are present. Where the late fee assessment was due to a billing error, 100 percent of the late fee must be waived. Likewise, where the Landlord has made timely payments in the two prior fiscal years, all of their late fee assessment must be waived. Conversely, where the Board or the Rent Program has granted Late Fee waiver requests in the prior three fiscal years, the Board's discretion of waived amounts is limited to a tier scaled as described in Rent Board Regulation(G).

Conclusion

As directed by the Rent Board, staff members have prepared for the Board's consideration proposed Regulation 425.

Recommendation

Staff recommend that the Rent Board Upon direction provided by the Rent Board ADOPT proposed Rent Board Regulation 425, titled, "Waiver of Delinquent Residential Housing Fee Assessment

ATTACHMENT(S):

Attachment 1 – Late Fee Waiver Form

Attachment 2 – Proposed Regulation 425

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ITEM H-1

**November 17, 2021
RENT BOARD MEETING**

ATTACHMENT 1

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Request to Remove Late Fees

Property Owner Name: _____

FRJC #: _____

Property Owner Phone Number or Email: _____

The Property Owner has requested the removal of late fees on their account totaling \$ _____ for the following reason:

- New Owner, did not receive invoice
- Wrong Mailing Address
- Owner believed property was exempt from the Rent Ordinance
- Financial hardship, caused by circumstances beyond the Landlord’s control, such as natural disaster, destruction or major damage to the Rental Property not due to the Landlords actions, bankruptcies and disputes over ownership of the property.
- Hospitalizations or medical treatments of the Landlord or Landlord’s family during the fee billing period, or a death in the family within the fee billing period
- The landlord was billed for a fewer number of units because of errors in property records maintained by the Rent Program where the error was not attributable to information supplied by the Landlord. The penalties are waived only for unbilled units; the billed units should be paid on time.
- A previously enrolled property was not billed as a result of staff error.
- An invalid or erroneous account number was assigned, which resulted in billing errors or improper crediting of payments by the landlord.
- The determination of whether or not the property was subject to the Ordinance required an analysis through the existing Administrative Determination of Exempt Status process. Penalties will be waived only while the determinations pending. If the Landlord raised the issue requiring administrative determination, penalties will be waived only from the date of the first written contact with the Board in which the issue was raised. Waiver of penalties will not be granted if the staff determines that the issue raised is already settled and/or has no substantial merit. If the issue was raised by Rent Board staff, the waiver period commences on the date on which the administrative determination was requested by the staff. In all situations in which a determination was requested, the waiver period terminates when the Landlord is notified of the determination regarding the status of his/her property.
- The property owner was unable to collect some or all of the rent due to the COVID-19 pandemic and the resulting hardship led to non-payment of the Rental Housing Fee. In this case, the property owner must declare under penalty of perjury, in detail, how COVID-19 has impacted their business (i.e. how many month’s tenants didn’t pay rent, illness in the family or self, etc.)
- Other: _____

This request has been conditionally granted by the Rent Program, provided the owner pays the Rental Housing Fee before _____.
(10 business days unless new owner or incorrect mailing address - then 30 days)

Executive/Deputy Director Signature / Staff Initials

Date

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425. Waiver of Delinquent Residential Housing Fee Assessment

A. Purpose of Regulation.

Pursuant to Richmond City Council Ordinance NO. 16-17 N.S., Section 3, “any Landlord as defined in Section 11.100.030(f) of the Municipal Code of the City of Richmond who fails to file any required statement and pay the amount of the Residential Rental Housing Fee prescribed by City Council resolution within thirty (30) days after it becomes due shall be deemed delinquent and shall be assessed the following late payment fee:

- (1) Ten percent of the Residential Housing Fee if the payment is made within one to thirty days after it became delinquent;
- (2) Twenty-five percent of the Residential Rental Housing Fee if the payment is made within thirty-one to sixty days after it became delinquent; and
- (3) Fifty percent of the Residential Rental Housing Fee if the payment is made more than sixty days after it became delinquent.”

The purpose of Regulation 425 is to both clarify and simplify the Late Fee waiver process, while simultaneously providing for adequate Rent Board transparency and oversight.

B. Scope and Applicability.

Any Landlord that is subject to an imposition of Late Fees assessed in a manner consistent with Richmond City Council Ordinance 16-17 N.S., as amended, may request the waiver of such Late Fees assessments. However, Regulation 425 does not apply to the waiver of the Residential Rental Housing Fee as the Residential Rental Housing Fee must be assessed in accordance with Richmond Municipal Code Section 11.100.060(l) and shall not be waived.

C. Required Forms.

The Rent Program shall make available on its website and at its office, a Late Fee waiver form. All Late Fee waiver requests shall be made on this Official Rent Program form. At a minimum, the form shall contain the requestors name, contact information, amount sought to be waived, and stated basis for the waiver.

D. Process and Procedures of Late Fee Waiver Request.

1. Where a Landlord has submitted a completed Official Rent Program form for a Late Fee waiver, the Executive Director shall, within thirty (30) calendar days, review the request in a manner consistent with Regulation 425(E). After making the necessary findings, the Executive Director shall, except where otherwise specified, prepare a written recommendation to the Rent Board to either grant or deny the Late Fee waiver request. The written recommendation must contain a

brief statement either granting or denying, in part or in whole, the Late Fee Waiver request, and a stated basis for the decision.

2. At the end of each month, Rent Program staff members shall compile the Late Fee waiver requests and accompanying written recommendations into a spreadsheet to be agendaized for the following Regular Rent Board meeting. At a minimum, the spreadsheet shall contain sections describing the date of request, the reason for the request, a recommendation to either approve or deny the request, and the total amount waived. Landlord's personal information shall be redacted from the spreadsheet and any other attached documents that are presented to the Rent Board.
3. Rent Program staff members shall ensure that the Executive Director's written recommendation and accompanying spreadsheet is placed on the Consent Calendar of the Rent Board agenda. Upon a majority vote, Rent Boardmembers may pull the item from the Consent Calendar for further discussion related to the Executive Director's written recommendation.

E. Standard for Consideration and Approval of Late Fee Waiver.

No Late Fee waiver request shall be granted unless there is a sufficient demonstration of Good Cause. The Executive Director shall be responsible for evaluating whether a properly submitted Late Fee waiver request contains enough facts to establish that Good Cause exist to grant the waiver request. For the purposes of this Regulation, Good Cause shall mean the taking of reasonable efforts and acting with due diligence to remit timely payment of the Residential Rental Housing Fee. In their consideration, the Executive Director must evaluate the following factors, whenever present, when making a determination of Good Cause:

1. Whether the failure to remit timely payment was due to a Rent Program billing error, such as an incorrect address, an incomplete invoice, or an invoice sent to the wrong owner;
2. Whether the requestor is a successor in interest who has not received an invoice.
3. Whether the requestor is experiencing a financial hardship that is caused by circumstances beyond the Landlord's control;
4. Whether the requestor experienced a medical emergency, medical treatment, hospitalization, or death in the family within the billing period;
5. Whether the requestor had submitted a request for an Administrative Determination of Exempt/Applicability Status within the billing period;
6. Whether the requestor's Tenant(s) have experienced a COVID-19 related financial hardship that has impacted the Tenant's ability to pay Rent;
7. Late payment History
8. Any other circumstances relevant to the inquiry of Good Cause.

Where the Executive Director determines that failure to remit timely Residential Rental Housing Fee payment was due in part to a Rent Program billing error as described in Regulation 425(E)(1) & Regulation 425(E)(2), such a determination shall constitute Good Cause and the requestor's Late Fees assessment must be waived. Late Fee waivers granted on the basis of a Rent Program billing error shall not be subjected to the provisions of Regulation 425(D).

F. Good Cause and Late Payment History.

Notwithstanding Regulation 425(D) and Regulation 425(E), where a requestor has made timely payments in the prior two (2) fiscal years, their request shall be ministerially granted. Such requests do not require a showing of Good Cause and shall not be subjected to the provisions of Regulation 425(D) and Regulation 425(E). Conversely, requestors who have received at least two (2) Late Fee waiver request grants in the prior three (3) fiscal years, shall have their current fiscal year Late Fee waiver request and accompanying Executive Director's written recommendation reviewed by the Rent Board, under the "Rent Board as a Whole" agenda item.

G. Late Fee Waiver Amounts.

In the event that the Late Fee waiver request is granted, the Late Fee shall be waived in a discretionary amount that is subject to the following:

1. Rent Program billing error- 100% of the assessed Late Fee shall be waived.
2. Timely payments in the two (2) prior fiscal years- 100% of the assessed Late Fee shall be waived.
3. One (1) Late Fee waiver request granted in the prior three (3) fiscal years- Late Fee assessment shall be reduced to at least a 10% percent assessment as described in Richmond City Council Ordinance NO. 16-17 N.S., Section 3, paragraph (1).
4. Two (2) Late Fee waiver requests granted in the prior three (3) fiscal years- Late Fee assessment shall be reduced to at least a 25% percent assessment as described in Richmond City Council Ordinance NO. 16-17 N.S., Section 3, paragraph (2).
5. Three (3) Late Fee waiver requests granted in the prior three (3) fiscal years- Late Fee assessment shall not be reduced.

For purposes of this section, a grant of a Late Fee waiver request based on a Rent Program billing error shall not count towards a "Late Fee waiver request grant" as described in Regulation 425(G)(1), (G)(2) & (G)(3).

H. Construction.

Regulation 425 shall be liberally construed as to achieve its stated purpose. Rent Program staff members may take reasonable steps to expedite a Landlord's Late Fee waiver request where appropriate. In no event shall a Landlord's Late Fee waiver request be

**ITEM H-1
ATTACHMENT 2**

granted until they have remitted full payment of the underlying Residential Rental Housing Fee.

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: November 17, 2021

Final Decision Date Deadline: November 17, 2021

STATEMENT OF THE ISSUE: Section 11.100.060(e)(6) of the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance (Rent Board Powers and Duties) requires the Rent Program (on behalf of the Rent Board) to report annually to the City Council on the status of rental housing covered by the Rent Ordinance. Staff members are seeking approval of the Fiscal Years 2019-20/ 2020-21 Annual Report prior to its presentation to the City Council.

INDICATE APPROPRIATE BODY

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| <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> | |

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| <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 AND APPROVE the Fiscal Years 2019-20/ 2020-21 Rent Program Annual Report and DIRECT staff to present the report to the City Council – Rent Program (Nicolas Traylor/510-620-6564).

AGENDA ITEM NO:

I-1.

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AGENDA REPORT

DATE: November 17, 2021

TO: Chair Finlay and Members of the Rent Board

FROM: Nicolas Traylor, Executive Director

SUBJECT: RENT PROGRAM ANNUAL REPORT FOR FISCAL YEARS 2019-20 and 2020-21

STATEMENT OF THE ISSUE:

Section 11.100.060(e)(6) of the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance (Rent Board Powers and Duties) requires the Rent Program (on behalf of the Rent Board) to report annually to the City Council on the status of rental housing covered by the Rent Ordinance. Staff members are seeking approval of the Fiscal Years 2019-20/ 2020-21 Annual Report prior to its presentation to the City Council.

RECOMMENDED ACTION:

RECEIVE AND APPROVE the Fiscal Years 2019-20/ 2020-21 Rent Program Annual Report and DIRECT staff to present the report to the City Council.

FISCAL IMPACT:

There is no fiscal impact related to this item.

DISCUSSION:

Background

Section 11.100.060(e)(6) of the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance (Rent Board Powers and Duties) requires the Rent Program (on behalf of the Rent Board) to report annually to the City Council on the status of rental housing covered by the Rent Ordinance. Due to the COVID-19 pandemic and the impact it has had on staff resources, both fiscal years 2019-20 and 2020-21 have been combined into one report.

Contents of the 2019-20 and 2020-21 Annual Report

The Fiscal Years 2019-20/ 2020-21 Annual Report achieves its mandate of providing the City Council with an update on Richmond's rental housing stock, while providing additional contextual information about the Rent Program and its activities during the 2019-20 and 2020-21 fiscal years.

More specifically, the report includes the following sections:

- Acknowledgments of the Rent Board, staff members and volunteers
- A letter from the Executive Director
- A discussion of the Rent Program's mission and the connection between health and housing
- An overview of how the Rent Program enforces the Rent Ordinance
- A profile of Richmond's rental housing stock
- An analysis of rent increase notices filed with the Rent Program
- An analysis of termination of tenancy notices filed with the Rent Program
- A financial summary of the 2019-20 and 2020-21 Fiscal Years

Next Steps

If approved by the Rent Board at its November 17, 2021, Regular Meeting of the Rent Board, staff members anticipate presenting the FY 2019-20/ 2020-21 Rent Program Annual Report to the Richmond City Council in December 2021 or January 2022.

DOCUMENTS ATTACHED:

Attachment 1 – FY2019-20/ 2020-21 Rent Program Annual Report

ITEM I-1

**November 17, 2021
RENT BOARD MEETING**

ATTACHMENT 1

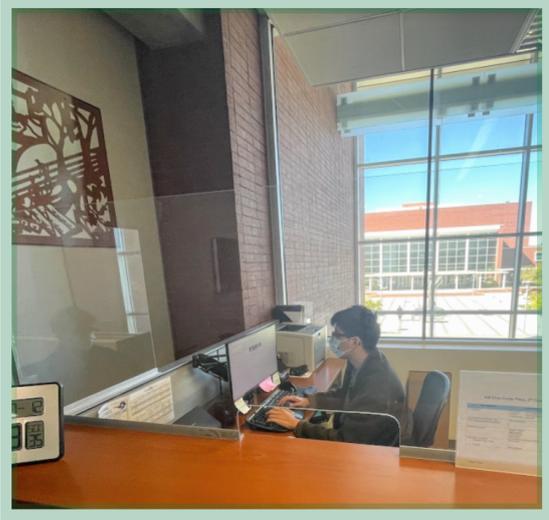


CITY OF RICHMOND RENT PROGRAM

FISCAL YEARS
2019-2020 & 2020-2021
ANNUAL REPORT

Community Stability Healthy Housing Housing Affordability

Edited by Monica Bejarano-
Rent Program Services Analyst



"From the initial conversation onward, every team member (Rent Program staff) was knowledgeable and empathetic. I didn't feel like just a number in their system; I was treated with kindness and respect.

...yet your team has empowered me, and most importantly, had my back and made me feel supported.

Without a doubt, I would have been homeless 18 months ago if not for this program (Rent Program) and the incredible folks who run it!"

- Richmond Tenant

Follow us online:

Facebook: @richmondrentprogram

Instagram: richmond_rent_program

www.richmondrent.org

"This program (Rent Program) not only has helped several families facing financial hardship, but our property as well... We are now confident that our residents' concerns of losing their home have ceased."

- Richmond Property Manager





STAFF, INTERNS & BOARDMEMBERS ACKNOWLEDGMENTS

Rent Program Staff

Nicolas Traylor, Executive Director
Fred Tran, Deputy Director
Charles Oshinuga, Staff Attorney
Palomar Sanchez, Staff Attorney
Paul Cohen, Hearing Examiner
Monica Bejarano, Services Analyst
Cynthia Shaw, Administrative Analyst
Ramona Howell, Administrative Aide
Moises Serrano, Administrative Aide
Christopher Villalta, Administrative Student Intern
Abraham Gonzalez, Administrative Student Intern

Rent Board

Virginia Finlay, Chair
Shiva Mishek, Vice Chair
Alana Grice Conner, Boardmember
Michael Vasilas, Boardmember
Carol Johnson, Boardmember

Former Staff *(during 2019-2021)*

Paige Roosa, Deputy Director
Magaly Chavez, Rent Program Services Analyst
Philip Verma, Rent Program Services Analyst
Vickie Medina, Rent Program Services Analyst
Sarah Schaff, Administrative Student Intern
Erika Foster, UC Berkeley PSI Intern
Johana Gurdian, UC Berkeley PSI Intern
Madeline Rivas, UC Berkeley PSI Intern
Raghavendra Gupta, UC Berkeley PSI Intern
Han Chang, UC Berkeley PSI Intern
Gabby Arreola, UC Berkeley PSI Intern



Rent Program staff members

LETTER FROM THE DIRECTOR



My name is Nicolas Traylor and I am the Executive Director of the Richmond Rent Program. I am also a long-time Richmond resident and community member. I report to the 5 member Richmond Rent Board, who are appointed by the Mayor and City Council. The Rent Board governs and oversees the Rent Program, its budget and the promulgating of Rent Board policy through regulations and resolutions. Since the inception of the Rent Program in 2017, the 5 member Rent Board has adopted 148 regulations and 4 resolutions to clarify the intent of the Fair Rent, Just Cause for Eviction and Homeowner Protection Ordinance (hereafter "Rent Ordinance"). The Rent Board has also successfully adopted 4 annual Rent Program budgets, establishing and overseeing an agency that has reached high levels of compliance, while balancing each year's budget with modest reserves. Little did we know that soon after finding stability as an agency, the COVID-19 pandemic hit.

The COVID-19 pandemic has demonstrated the intrinsic connection between housing stability, financial stability, community stability and health. In the best of times, housing stability is tenuous in our beautiful Bay Area. Numerous scientific studies have linked negative health effects with housing insecurity. These turbulent times have stressed our system, making a structure of support for those affected by unstable housing all the more prescient.

During the COVID-19 pandemic the Rent Program has been the hub of vital information for the community, empowering landlords and tenants to know their rights by disseminating up-to-date information on the unprecedented changes in various local and state eviction and rent increase moratoria.

This annual report sheds light on an important fact: housing stability is a public health issue. By actively enforcing the Rent Ordinance, the Rent Program plays a vital role in the community in protecting the physical and mental health of Richmond residents.

Finally, this annual report disseminates useful information about the Rent Ordinance, Richmond's rental housing stock, rent increase and eviction data, and Rent Program finances.

A handwritten signature in blue ink, appearing to read "Nicolas Traylor". The signature is fluid and cursive.

Nicolas Traylor
Executive Director

WHAT THE COVID-19 PANDEMIC HAS REVEALED: HOUSING STABILITY IS A PUBLIC HEALTH ISSUE



Our mission

The mission of the Rent Ordinance is to promote neighborhood and community stability, healthy housing, and affordability for Richmond tenants through the regulating of those landlord/tenant matters that reasonably relate to rents and evictions, while maintaining a landlord's right to a fair return.

Housing instability is bad for your health

Since the spring of 2020, the COVID-19 pandemic has had a significant impact on the financial, physical, and mental well-being of everyone around the world. Millions of renters have struggled and continue to struggle to pay rent due to loss of income caused by the pandemic, increased out-of-pocket expenses, lost childcare, among a multitude of other reasons directly related to the pandemic (Airgood-Obrycki, W. et al., 2021). In an effort to slow the spread of the COVID-19 virus and therefore save lives, governments at all levels have instituted policies to stabilize housing and stem displacement.

Studies have shown that housing instability is detrimental to one's health. People who face housing instability are more likely to experience poor health in comparison to those who have housing stability (Taylor, 2018). Housing stability is a cross-sector force that links financial security, academic performance, job performance, and psychological and physiological well-being.

Laws such as the Richmond Rent Ordinance, the City of Richmond's eviction moratorium (Urgency Ordinance), Contra Costa County's rent increase and eviction moratorium and the state's eviction moratorium (COVID-19 Tenant Relief Act of 2020) have all played a role in slowing the potential spread of the COVID-19 virus. These protections have been especially important in Richmond, which historically has had higher rates of eviction compared to surrounding cities.



WHAT THE COVID-19 PANDEMIC HAS REVEALED: HOUSING STABILITY IS A PUBLIC HEALTH ISSUE (CONTINUED)



Outside of the immediate health benefits associated with staying housed, there are many other societal benefits to stable, healthy and affordable housing. Among those benefits are:

- **Reduced homelessness and overcrowding** which lead to negative health outcomes for individuals and the community, including the spread of the COVID-19 virus (Ehran, D et al., 2016).
- **Financial predictability** for tenants, similar to the financial predictability experienced by homeowners on fixed-term mortgages, allowing tenants to better plan financially for the future.
- **Higher academic performance for children:** Studies have shown that housing stability leads to higher academic performance (Currier, E et al., 2018).
- **Reduced psychological and physiological stress:** Studies have shown that housing insecurity leads to higher levels of psychological and physiological stress, increasing cortisol levels in the body weakening the immune system (David et al., 2014).
- **Tenants who have housing stability are more likely to assert their right to fit and habitable housing** because they know they cannot be legally evicted for complaining about habitability problems. Tenants are also aware they have recourse to compel the landlord to make repairs by filing a Rent Adjustment Petition to reduce their rent until habitability problems are corrected.

Housing Stability is good for your health

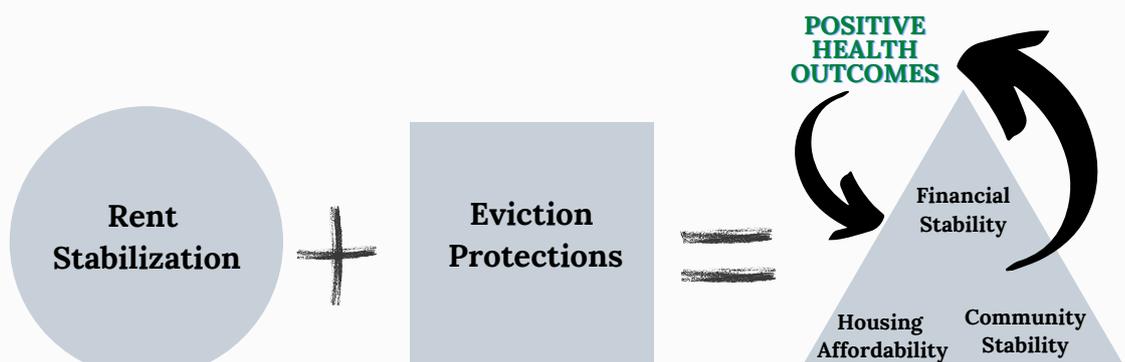
A safer and healthier community

More financial security for Tenants

Better academic performance, less delinquency and improved mental and physical health

Healthier and more habitable rental housing stock

The positive impact of housing stability on health outcomes visualized



RENT ORDINANCE ENFORCEMENT

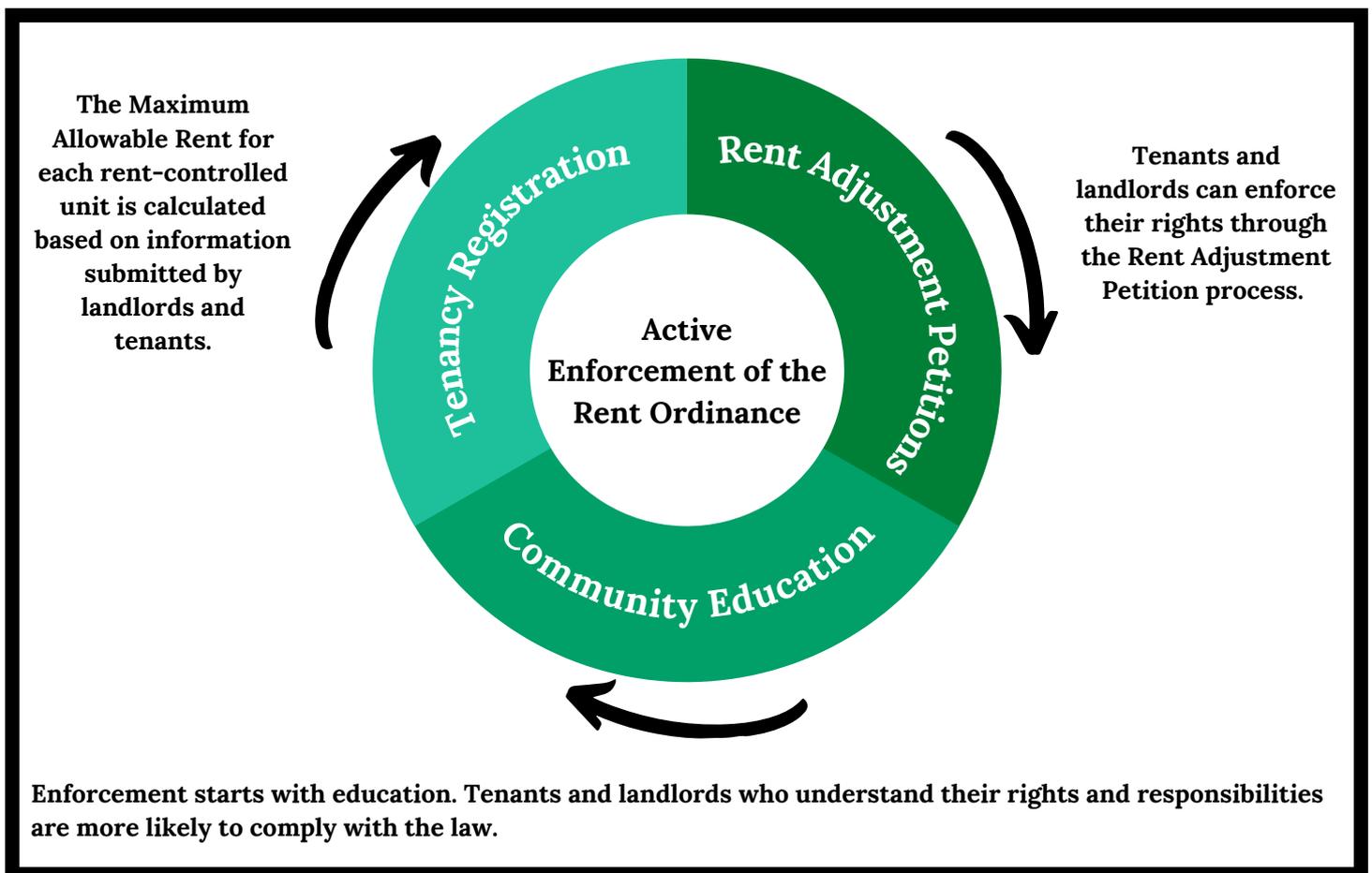


What does active enforcement mean?

One of the Rent Program's primary goals is to protect the health of our community by actively enforcing the Rent Ordinance. Active enforcement means actively reaching out to and educating both landlords and tenants regarding their respective rights and responsibilities under the Rent Ordinance. Getting the landlord and tenant on the same page about their rent-control and eviction protection rights, is the most effective way to enforce the Rent Ordinance.

Active enforcement of the Rent Ordinance has three major components:

- (1) Property Enrollment and Tenancy Registration
- (2) Counseling, Mediation, and Community Education
- (3) Rent Adjustment Petition Process



PROTECTING THE HEALTH OF OUR COMMUNITY THROUGH ACTIVE ENFORCEMENT OF THE RENT ORDINANCE



Property Enrollment & Tenancy Registration

To ensure that both landlords and tenants are on the same page regarding how much rent can be charged, the Rent Program maintains a database of rent-controlled tenancies and the Maximum Allowable Rent associated with those tenancies.

Outreach and education starts with gathering accurate data on rental properties, tenancies and lawful rent levels in Richmond. Having worked diligently the past four years to gather data on rental properties and rents, Rent Program staff are able to better track lawful rent levels and inform both landlords and tenants of the maximum rent that could be charged for that rent-controlled unit.

Counseling, Mediation & Community Education

Rent Program Services Analysts ("Housing Counselors") assist community members with a wide range of issues pertaining to the Rent Ordinance. During the pandemic, our services have never been more vital.

Housing Counseling: Rent Program Services Analysts provide community members with individualized counseling sessions on issues related to the Rent Ordinance and associated state laws.

Mediation: Often landlord and tenant disputes are complex and may benefit from the assistance of mediation. This option presents a great opportunity to avoid tenant and landlord legal disputes and reach a compromise and/or negotiate a resolution to their issues.

Legal Services: As part of our community education and outreach, the Rent Program contracts with the Eviction Defense Center and Bay Area Legal Aid to refer community members to legal assistance and representation necessary to assert their rights.



Rent Program Webinar by Services Analyst, Monica Bejarano

The Rent Adjustment Petition Process

Landlords and tenants can actively assert and enforce their rights through the rent adjustment petition process.

The Rent Ordinance provides recourse to compel habitable, healthy housing, and an incentive to invest in maintaining rental properties. This is achieved through the Rent Adjustment Petition process. Landlords who invest in maintaining or improving their properties can elect to file a "Fair Return" petition to increase the rent beyond the annual cost-of-living increase. Tenants, on the other hand, who are living with substandard conditions or who experience a decrease in habitability, usable space, or housing services can file a petition to decrease rent until repairs are made or services restored. A rent reduction petition is an effective means to compel timely repairs.



Property Enrollment & Tenancy Registration

FY 2019-2020: 723
FY 2020-2021: 388
For a total:

1,111

Property Enrollment packets mailed

FY 2019-2020: 552
FY 2020-2021: 121
For a total:

673

Properties Enrolled

FY 2019-2020: 1,040
FY 2020-2021: 1,454
For a total:

2,494

Consultations with Billing & Registration staff

Counseling, Mediation, & Community Outreach

FY 2019-2020: 4,369
FY 2020-2021: 5,301
For a total:

9,670

Counseling sessions conducted

FY 2019-2020: 258
FY 2020-2021: 316
For a total:

574

Community Workshop participants

FY 2019-2020: 95
FY 2020-2021: 123
For a total:

218

Households referred to legal services

FY 2019-2020: 11
FY 2020-2021: 9
For a total:

20

Mediations held between tenants and landlords

The Rent Adjustment Petition Process

FY 2019-2020: 457
FY 2020-2021: 480
For a total:

937

Consultations with the Hearings Unit Coordinator

FY 2019-2020: 24
FY 2020-2021: 17
For a total:

41

Settlement Agreements reached

FY 2019-2020: 6
FY 2020-2021: 7
For a total:

13

Individual rent decreases ordered

FY 2019-2020: 4
FY 2020-2021: 3
For a total:

7

Individual rent increases ordered

ENFORCEMENT THROUGH OUTREACH: THE RENT PROGRAM'S RESPONSE TO THE COVID-19 PANDEMIC"



During the COVID-19 pandemic, the Rent Program has been the hub of information for landlords and tenants who want to understand their rights under local, state and federal moratoria. With many tenants and landlords experiencing financial distress caused by the pandemic, the need for Rent Program services, especially around evictions and non-payment of rent, has never been more important.

The Rent Program has adopted internal policies to assist landlords facing financial hardship due to the COVID-19 Pandemic

Landlords facing financial hardship due to the pandemic may request a deferral of the Rental Housing Fee or request a payment plan. Over \$142,644 dollars in late fees were waived since the inception of the Rent Program. During the pandemic, \$116,962 of late fees were waived including situations where the landlord was facing financial hardship because their tenants were not paying rent.

The Rent Program spearheaded the development of the first rent assistance program dedicated solely to Richmond landlords and tenants

Prior to the COVID-19 pandemic, the Rent Program met with City officials and began discussions about the potential creation of a rent assistance program for Richmond residents. Those discussions led to the creation of a rent assistance program. Launched after the shelter-in-place took effect, the coalition engages over 90 cross-sector stakeholders, including community partners, non-profits, and the City of Richmond. This coalition has raised and disbursed over \$150,000 dollars to Richmond landlords and tenants.

The Rent Program is the hub of information for Richmond landlords and tenants regarding pandemic related laws and rent assistance

Rent Program efforts to educate and serve the community during the pandemic include (but are not limited to):

- 20 online educational webinars
- Rent Program staff developed a comprehensive fact sheet on state and local rental laws
- Continue to provide housing counseling remotely, in-person (starting June 21, 2021), and via Zoom
- Development of an online appointment system making it easier to secure a counseling appointment with Rent Program staff
- Instructional webinar on how to apply for rent assistance through the California Rent Relief Program
- Creation of the "Rent Assistance Resources" web page
- A post card sent to all Richmond residents informing them of rent assistance resources and eviction moratoria
- Over 800 courtesy compliance letters were sent to landlords and tenants regarding eviction moratoria, which was triggered by each termination of tenancy notice filed with the Rent Program (as required by the Rent Ordinance)

FACTS ABOUT RICHMOND'S RENTAL HOUSING STOCK:



COUNTERING THE FALSE NARRATIVE THAT THE RENT ORDINANCE HAS LED TO A LOSS OF RENTAL UNITS

The Fiscal Year 2017–2018 Rental Housing Fee Study and the Rent Program first fee study indicate that there were **24,797** Rental Units in Richmond based on data from the County Assessor's Office in 2017. In comparison, the Fiscal Year 2020–21 Fee Study reports that there were as of the date of May 2020, **17,684** Rental Units in Richmond based on the Rent Program's database.

Does this mean Richmond lost 7,113 Rental Units between 2017–2020?

In short, no. Richmond did not lose over 7,000 Rental Units between 2017–2020. Instead, between 2017 and 2020, staff members investigated and refined the database of **suspected** Rental Units to identify only those units that are truly rented. The Fiscal Year 2016–17 and Fiscal Year 2017–18 Fee Studies utilized data provided by the Contra Costa County Assessor's Office to identify suspected Rental Units. While County Assessor data may be used to arrive at an estimated number of total rental units, it cannot produce an exact figure. Nevertheless, County Assessor data was the best and most readily available data at the time of the Fiscal Year 2016–17 and Fiscal Year 2017–18 Fee Study. One assumption used to identify suspected Rental Units included that all housing units in the City for which there were no Homeowner's Tax Exemption on file were rentals. This assumption substantially overestimated the number of Rental Units in Richmond. Staff members heard from community members that there are a number of reasons why an owner might not have claimed the Homeowner's Tax Exemption, but not used their property as a rental. These reasons include:

- The owner didn't know about the Homeowners Tax Exemption
- The owner doesn't qualify for the Homeowner Tax Exemption because they don't live in the property as their primary residence, but they use the property for another purpose besides renting it for residential purposes (i.e. Second/Vacation home, storage, work studio, etc.)

So then what is the reason for the discrepancy? How did the estimate of close to 25,000 Rental Units in 2017 decrease to less than 18,000 in 2020?

County Assessor data was used to create a very rough estimate of suspected Rental Units. In 2017, staff members collaborated with the City's IT Department to construct the Program's (and City's) first comprehensive database of Rental Units. Using the County Assessor data, cross-checked against data from the City's Rental Inspection Program, showed many units as Homeowner Exempt. Approximately 23,500 units were estimated to have been rented.

In late 2017, staff members mailed invoices to owners of these 23,500 suspected Rental Units. Approximately 4,087 suspected Rental Units were determined to be exempt based on feedback from owners. They explained that their units were either owner occupied or used for some other purpose. This left approximately 19,413 suspected Rental Units.

Between 2018 and 2020, owners of more than 1,500 units in the Rent Program's database of suspected Rental Units contacted the Rent Program upon receipt of a Rental Housing Fee Invoice to claim their unit(s) as inapplicable to the Rent Ordinance. Reasons included (a) owner occupancy or rental by a non-paying family member, (b) properties not offered for rent or used for another purpose, (c) otherwise not applicable due to location outside City boundaries or property comprised by a vacant lot erroneously added to the initial database.

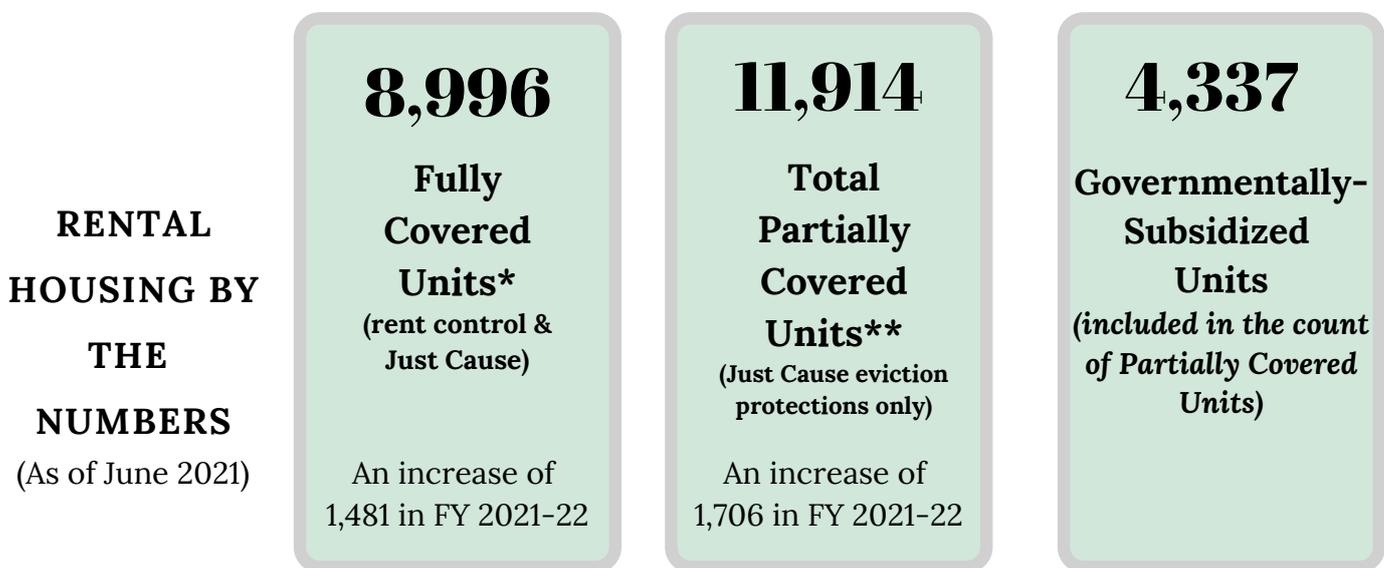
THE FACTS ABOUT RICHMOND'S RENTAL HOUSING STOCK:

COUNTERING THE FALSE NARRATIVE THAT THE RENT ORDINANCE HAS LED TO A LOSS OF RENTAL UNITS (CONTINUED)

As of May 2020, the latest estimate of Rental Units in the City totaled 17,684. As of June 2021, approximately 3,200 new Rental Units were discovered and added to the Rent Program's database, bring the total number of rental units to approximately 20,910. This number will continue to fluctuate as properties (single family homes and condominiums in particular) are bought and sold, rented by one owner, or owner-occupied.

How many Rental Units in Richmond are estimated to have actually been removed from the rental market between 2017-2021?

Rent Program records indicate that between the Rent Program's establishment in 2017 and the end of the 2020-2021 Fiscal Year in June 2021, **190** units have been withdrawn from the rental market pursuant to the Ellis Act and **51** units have been removed from the rental market due to Owner Move-In, for a total of **241** units removed from Richmond's rental market.



*Fully covered units are those Rental Units that are subject to both Rent Control and Just Cause for Eviction Protections. Multi-unit properties constructed with permits on or before February 1, 1995.

**Partially covered units are those Rental Units are subject to Just Cause for Eviction Protections only. Subsidized Units, including Section 8 Tenancies; Properties with one dwelling unit on one parcel; Condominiums; Post February 1, 1995 new construction with permits and certificate of occupancy (i.e., permits are final and unit is fit for residential habitation).



IMPORTANT FACTS ABOUT THE RENT PROGRAM AND RENT ORDINANCE



▶ **The Rent Program is an agency independent from the City of Richmond**

In accordance with Section 11.100.060(m) of the Rent Ordinance, the Rent Board and Rent Program function as integral parts of the City of Richmond, but exercise powers and duties under the Ordinance independent from the City Council, City Manager, and City Attorney, except by request of the Rent Board. To illustrate this concept, the Board, for example, adopts its own annual operating budget and hires an Executive Director who reports to the Board and not the City Manager.

▶ **Funding for the Rent Program is independent from and not tied to the General Fund**

Section 11.100.060(l) of the Rent Ordinance provides that the Rent Board shall finance its reasonable and necessary expenses by charging Landlords annual registration fees in amounts deemed reasonable by the Rent Board. Under Section 50076 of the California Government Code, fees charged for any service or regulatory activity must not exceed the reasonable cost of providing the service. To ensure this requirement is satisfied, the Rent Board conducts an annual fee study. The Rental Housing Fee is adopted by the City Council and paid by Landlords to finance the Program's reasonable and necessary expenses.

▶ **The Rent Ordinance provides protections for homeowners**

The Rent Ordinance carves out protections for single family homeowners who rent out rooms in their house or rent out permitted Accessory Dwelling Units. If a homeowner shares a kitchen and or bath with a tenant, they are not subject to rent control or the requirement to have Just Cause to evict. This protection was put in the law as an incentive for single family homeowners to construct newly permitted rental units and to encourage the legalization of the many un-permitted backyard and in-law dwelling units.

▶ **Landlords have a constitutionally protected right to a Fair Return.**

The Maintenance of Net Operating Income Petition process evaluates a Landlord's assertion that they are not receiving a Fair Return and if so demonstrated, grants a Landlord a rent increase in an amount determined necessary to provide that Landlord a Fair Return. The courts have consistently upheld the constitutionality of the Maintenance of Net Operating Income process.

▶ **Landlords who are not in compliance with the Rent Ordinance may be prohibited from raising rents (for Controlled Rental Units only) or terminating tenancies**

Tenants may use a Landlord's non-compliance with the Rent Ordinance as a defense to an eviction lawsuit. To be in compliance with the Rent Ordinance and Rent Board Regulations, landlords must enroll their rental properties with the Rent Program, pay the Rental Housing Fee, and follow the eviction and rent increase noticing requirements. Landlords of rent controlled properties may be prohibited from raising the rent if they are not in compliance with the Rent Ordinance.

▶ **There are special noticing requirements for Landlords**

One of the key ways that the Rent Program monitors rents and evictions and enforces the Rent Ordinance is through special noticing requirements. Landlords of Controlled Rental Units must submit to the Rent Program copies of rent increase notices within 10 business days upon service of the tenant. Landlords of rental units that are covered by the requirement to have Just Cause to evict, must submit copies of any notice of termination of tenancy to the Rent Program within 2 business days of having served the tenant. Rent increases that are above the Maximum Allowable Rent (rent ceiling) and termination of tenancy notices that are not in compliance with the requirement to have "Just Cause" to evict, result in the landlord and tenant receiving a special mailing providing information to them of their rights and responsibilities under applicable local and state law. Failure on the part of the Landlord to adhere to the noticing requirements can be used by a Tenant as a defense to an eviction lawsuit.

RENTAL HOUSING PROFILE

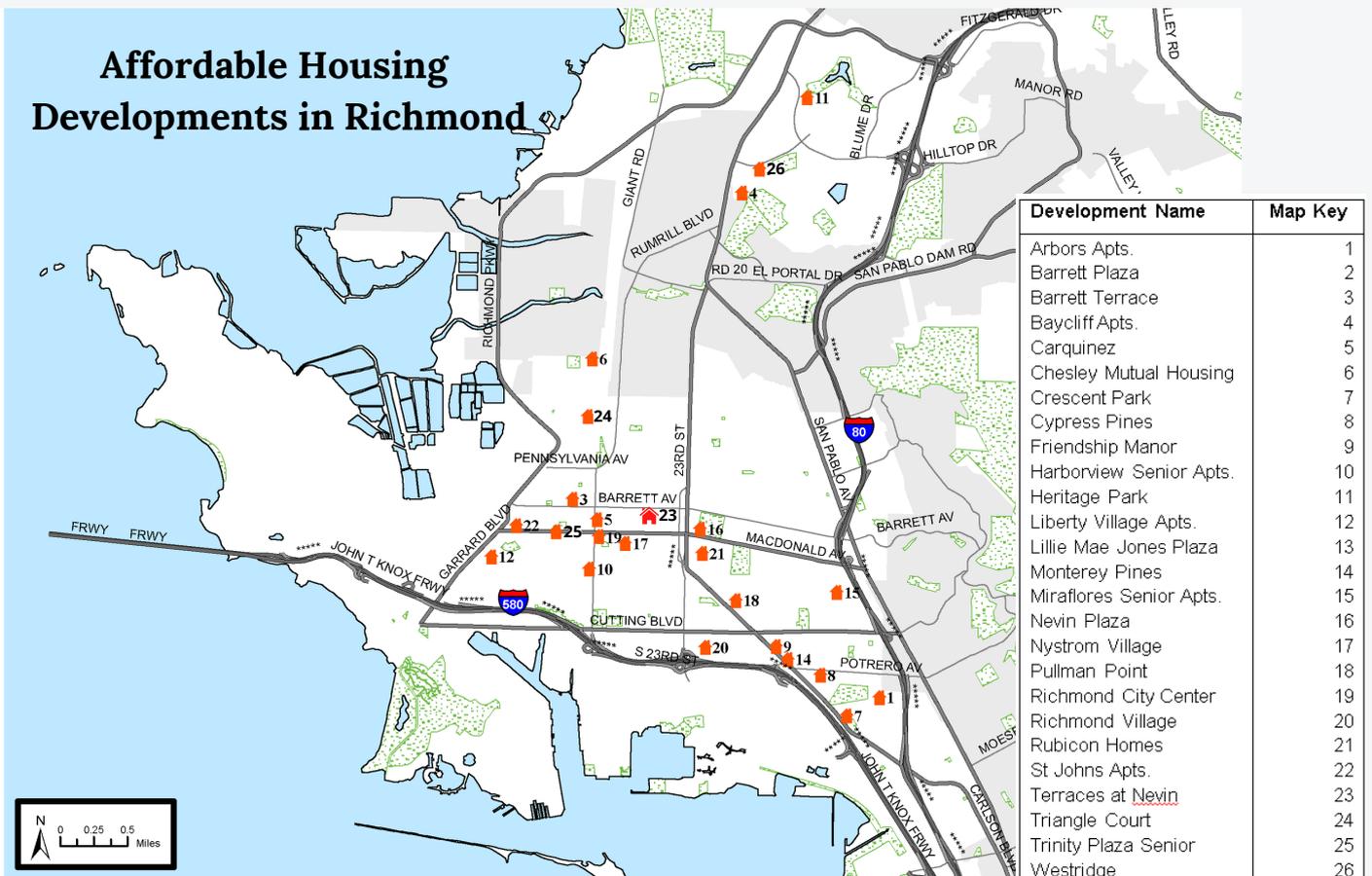
AFFORDABLE HOUSING



Over 20% of Richmond’s rental housing stock is considered “affordable housing.” This includes approximately **2,925** units built with Low-Income Housing Tax Credits (LIHTC), **789** units that receive HUD Project-Based Rental Assistance, and **1,215** with Housing Choice Vouchers from the local Housing Authority. Many units are under multiple affordable housing programs. For example, over half the city's LIHTC units also receive HUD subsidies.

In accordance with Rent Board Regulation 202, affordable housing is exempt from rent control but subject to Just Cause for eviction protections, and associated relocation payment requirements. Tenants and landlords of affordable housing can seek assistance from the Rent Program with eviction issues, receive Rent Program referrals for legal assistance from the Eviction Defense Center and Bay Area Legal Aid, and request mediation to resolve conflicts. In February 2019, the Rent Board reached an agreement with affordable housing providers and adopted a resolution limiting rent increases in certain LIHTC units to 5% annually to better protect low-income residents in these developments.

There are 26 affordable housing developments in Richmond. The map and key below show the names and locations of these developments. They are clustered in the south and west of the city, as well as in the Hilltop area to the north.



Data source: Richmond Rent Program, 2021; City of Richmond, 2021

NOTICES OF RENT INCREASE FISCAL YEARS 2019-2020 & 2020-2021 ANALYSIS



12

Authorized rent increases for 2019 is 3.5% and for 2020 is 2.9%

The median rent increase for rent-controlled units decreased between Fiscal Years 2019-2020 and 2020-2021

The median new rent for rent-controlled units also decreased in both Fiscal Year 2019-2020 and 2020-2021

Between March 2020–September 2020, pursuant to the City of Richmond Emergency Order, owners of properties with more than one dwelling unit built before February 1, 1995, (including LIHTC properties) could not increase the rent on residential rental units. Thereafter, between October 2020–September 2021, landlords of rent-controlled properties were prohibited from increasing rents pursuant to the Contra Costa County Urgency Ordinance. These moratoriums on rent increases significantly reduced the number of rent increase notices filed with the Rent Program.

Prior to the pandemic, in Fiscal Year 2018-19 (July 1, 2018- June 30, 2019) there were 2,476 rent increase notices filed with the Rent Program. Both Fiscal Year 2019-20 (July 1, 2019 –June 30, 2020) and Fiscal Year 2020-21 we saw significant decreases in notices filed. In 2019-20, there were 939 rent increase notices filed (a 62% decrease compared to the prior fiscal year). In Fiscal Year 2020-21, only 233 rent increase notices were filed (a 90.5% decrease compared to the prior fiscal year). This precipitous drop in rent increase notices submitted to the Rent Program is a direct result of local and county wide moratoriums on rent increases. After the rent increase moratorium went into effect, any notice of rent increase filed with the Rent Program resulted in both the landlord and tenant receiving a courtesy compliance letter informing both parties of the prohibition on increasing the rent.

The economic impact of the COVID-19 pandemic, experienced in both Fiscal Years 2019-20 and 2020-21, resulted in a small drop in the Consumer Price Index (cost-of-living). The median rent increase for rent controlled units in fiscal year 2019-20 dropped by \$6 compared to the Fiscal Year 2018-19 and in 2020-21, a decrease of \$16 compared to Fiscal Year 2018-19. Despite both of these decreases in median rent increases, many households still struggled to pay rent due to the negative financial impact of the COVID-19 pandemic.

Based on the information submitted to the Rent Program, the median new rent for rent controlled units was \$1,550 in fiscal year 2019-20 (a \$6 decrease compared to the previous fiscal year) and \$1,400 for Fiscal Year 2020-21 (a \$119 decrease compared to Fiscal Year 2019-20). This amount reflects data for rent-controlled units only.

Rent Increase Notices Filed with the Rent Program

FY 2019-2020: 939

FY 2020-2021: 233

For a total:

1,172

Median rent increase for rent-controlled units

FY 2019-2020: \$50

FY 2020-2021: \$39

Median new rent for rent-controlled units

FY 2019-2020: \$1,550

FY 2020-2021: \$1,400

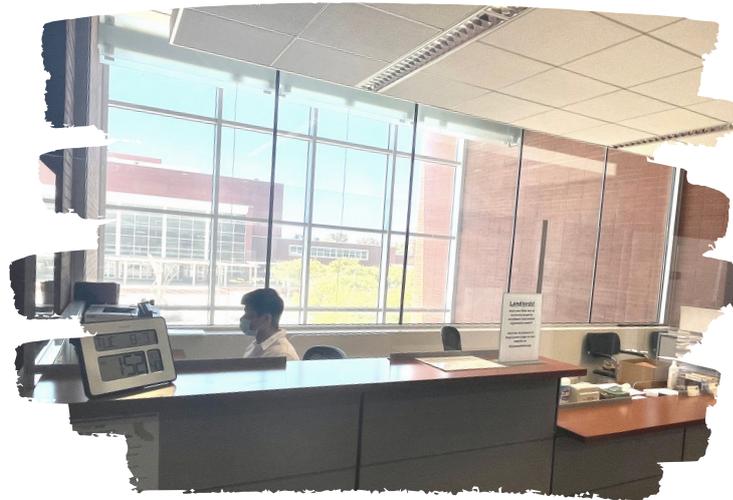


NOTICES OF TERMINATION OF TENANCY FISCAL YEARS 2019-2020 & 2020-2021 ANALYSIS

Richmond's Moratorium on Certain Types of Terminations of Tenancies Led to a Decrease in Certain Types of Just Cause Terminations of Tenancies

In March of 2021, the Richmond City Council adopted Urgency Ordinance 02-21, establishing a temporary moratorium on certain evictions of residential tenants in Richmond through the state of local emergency and sixty (60) days thereafter. The Urgency Ordinance prohibits evicting a tenant or requiring a tenant to vacate or representing to a tenant that the tenant is required to move out by law, notwithstanding a landlord's right to evict for: (1) nuisance that poses an imminent health or safety threat; (2) failure to pay rent that came due between March 1, 2020 and September 30, 2021, pursuant the COVID-19 Tenant Relief Act and; (3) for withdrawal of the rental unit from the rental market pursuant the Ellis Act.

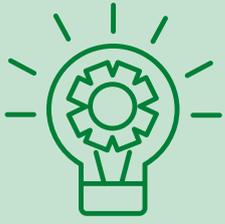
The City of Richmond Urgency Ordinance led to a decrease in the number of certain Just Cause evictions other than non-payment of rent, such as Owner Move-In evictions and an overall decrease of all termination of tenancy notices filed that were other than non-payment of rent. In the year prior to the pandemic (FY 2018-2019), there were 148 Just Cause termination of tenancies notices filed other than non-payment of rent. In 2019-20 there were 94 Just Cause notices of termination of tenancy filed other than non-payment of rent with the Rent Program, a 36.5% decrease (data referenced on page 14). In Fiscal Year 2020-21 there were 97 Just Cause notices of termination of tenancy other than non-payment of rent filed with the Rent Program. There was a notable increase in nuisance and breach of lease notices of termination of tenancy filed during Fiscal Year 2020-21 compared to Fiscal Year 2019-20.



Administrative Student Intern, Abraham Gonzales, processing Termination of Tenancy Notices submitted to the Rent Program.

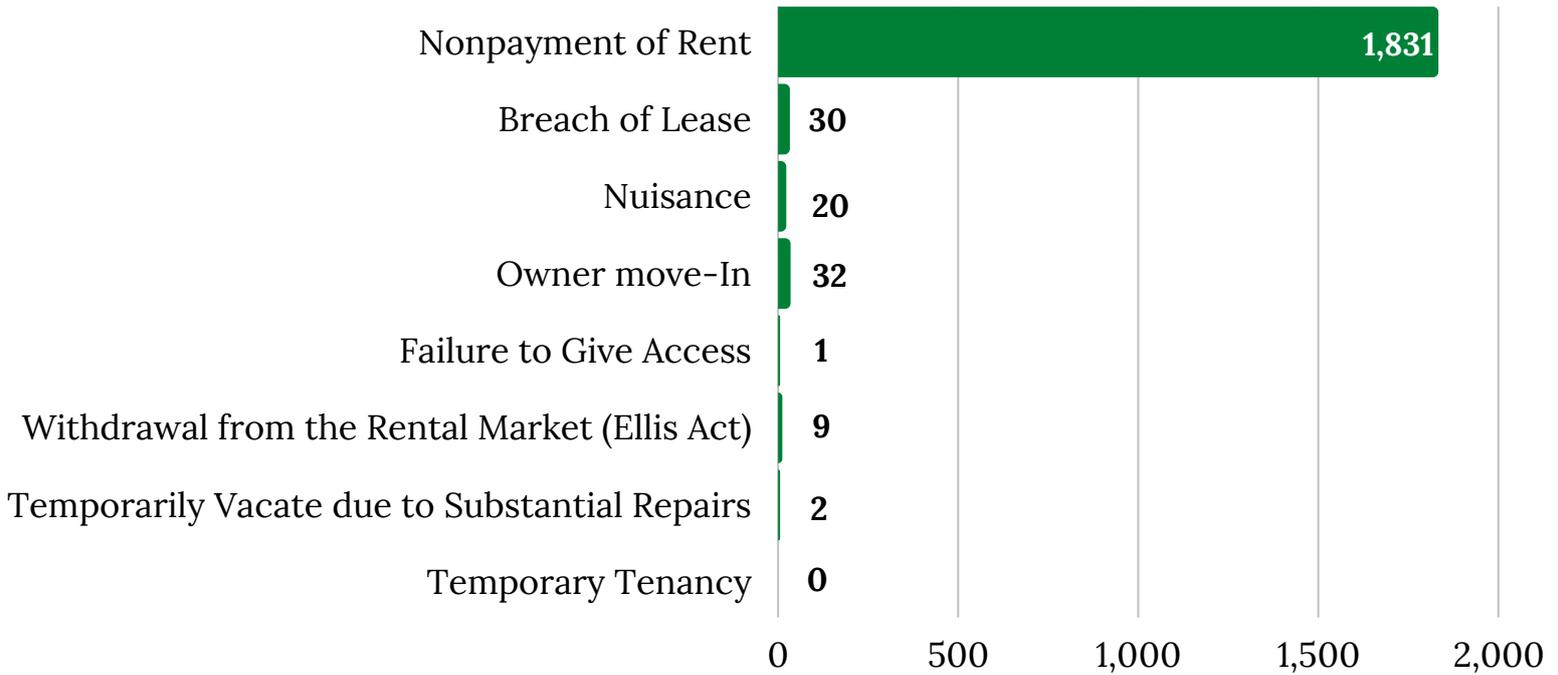
Appendix 1- Map of Termination of Tenancy Notices Filed FY 2019-2020 on page 18

Appendix 2- Map of Termination of Tenancy Notices Filed FY 2020-2021 on page 19

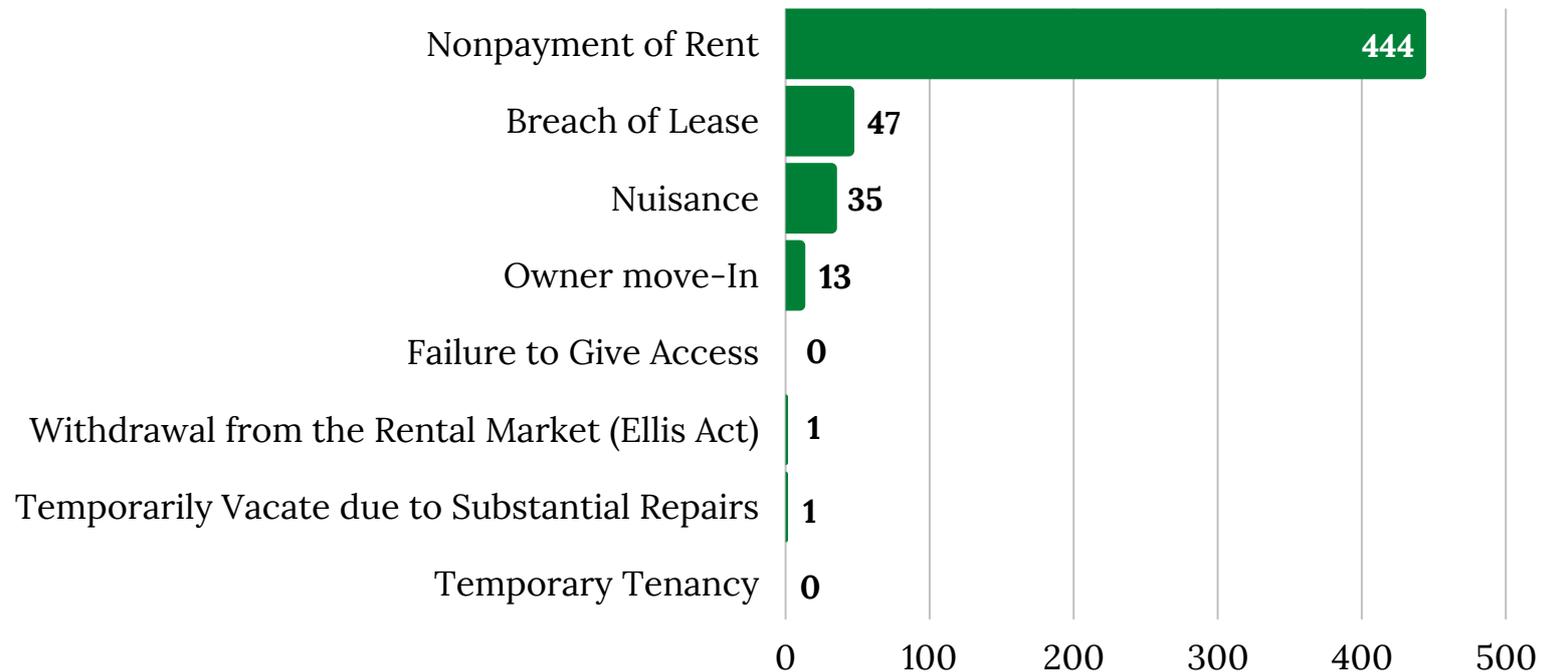


NOTICES OF TERMINATION OF TENANCY FISCAL YEARS 2019-2020 & 2020-2021 BY THE NUMBERS

**Total of Termination of Tenancy Notices Filed with the
Rent Program in FY 2019-2020**



**Total of Termination of Tenancy Notices Filed with the
Rent Program in FY 2020-2021**





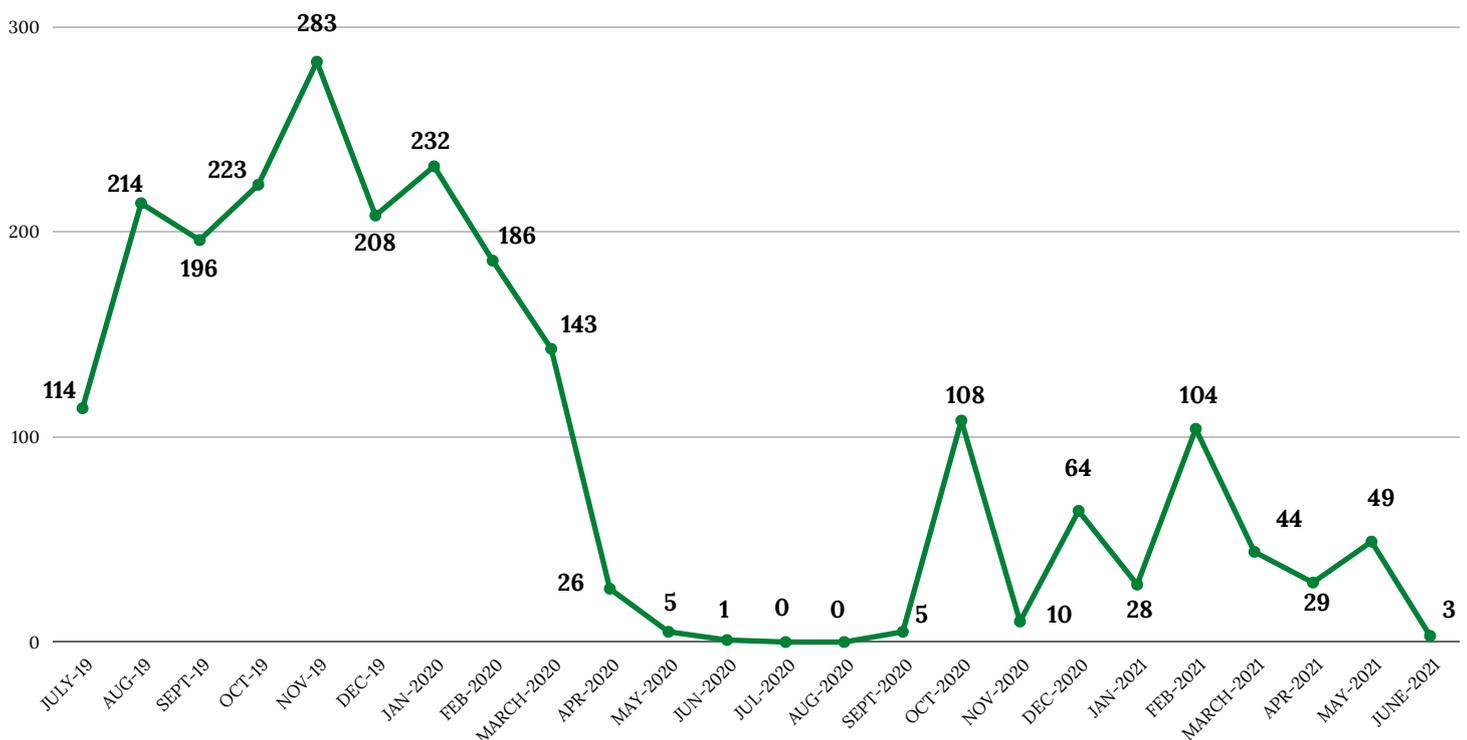
NOTICES OF TERMINATION OF TENANCY NON-PAYMENT OF RENT 2019-2021 ANALYSIS

Local and State Eviction Moratoriums resulted in a significant drop of termination of tenancy notices concerning nonpayment of rent

In both Fiscal Years 2019-20 and 2020-21, approximately 92% of notices of termination of tenancy filed with the Rent Program were for nonpayment of rent. While this percentage trends similar to past fiscal years, the overall number of non-payment termination of tenancy notices submitted decreased significantly. In fact, between June of 2019 and February 2020 (pre-pandemic), the total number of non-payment of rent termination of tenancy notices filed was 1,656. During the COVID-19 pandemic (between March 2020 and June of 2021), 619 non-payment of rent termination of tenancy notices were filed, which is a total decrease of 62.62%.

The significant decrease in termination of tenancy for nonpayment of rent was clearly the connected to the COVID-19 Tenant Relief Act, which prohibited evictions for non-payment of rent for tenants who have experienced financial hardship due to the COVID-19 pandemic (with the caveat that the tenant pays 25% of any rent due between September 1, 2020-September 30, 2021).

Non-payment of Rent Termination of Tenancy Noticed Filed FY 2019-2021



Data source: Richmond Rent Program, 2021; City of Richmond, 2021

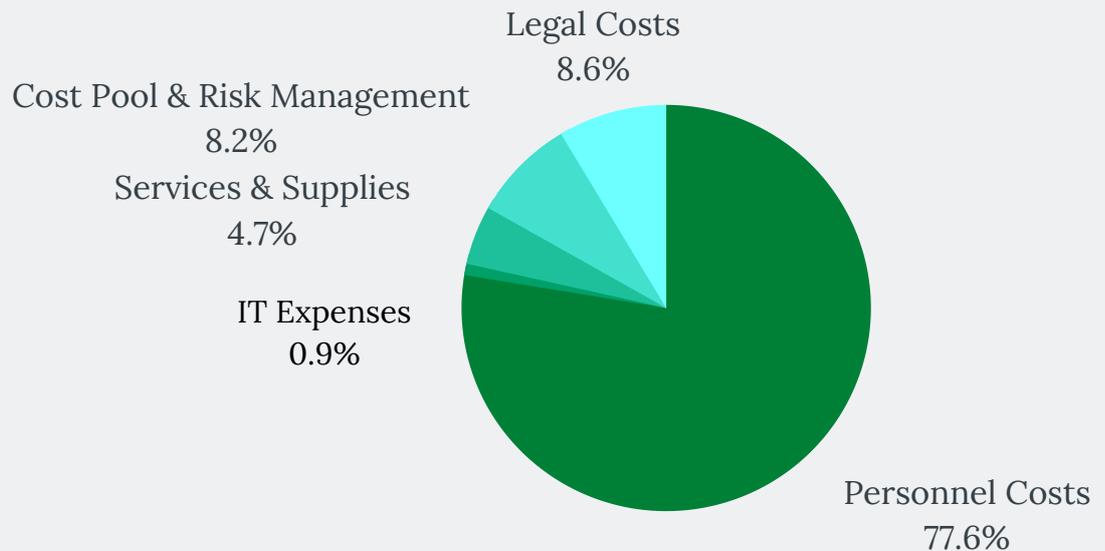


FISCAL YEAR
2019-2020
**FINANCIAL
SUMMARY**

\$2.50 million in budgeted expenses

\$425 thousand in budgeted reserves (17% per GFOA)

\$2.92 million total budget revenue



\$2.26 million in actual expenses

\$2.71 million in Rental Housing Fee revenue collected
92.6% compliance rate

\$441 thousand contributed to the Agency's operating reserves*

*At fiscal year-end the Program maintains a net surplus of operating reserve in the fund balance primarily due to staff vacancies. The reserve will remain to accommodate for potential deficits in future years from reduced compliance and collections. The Program will continue to monitor the rental market and adjust staffing and non-personal expenses accordingly.

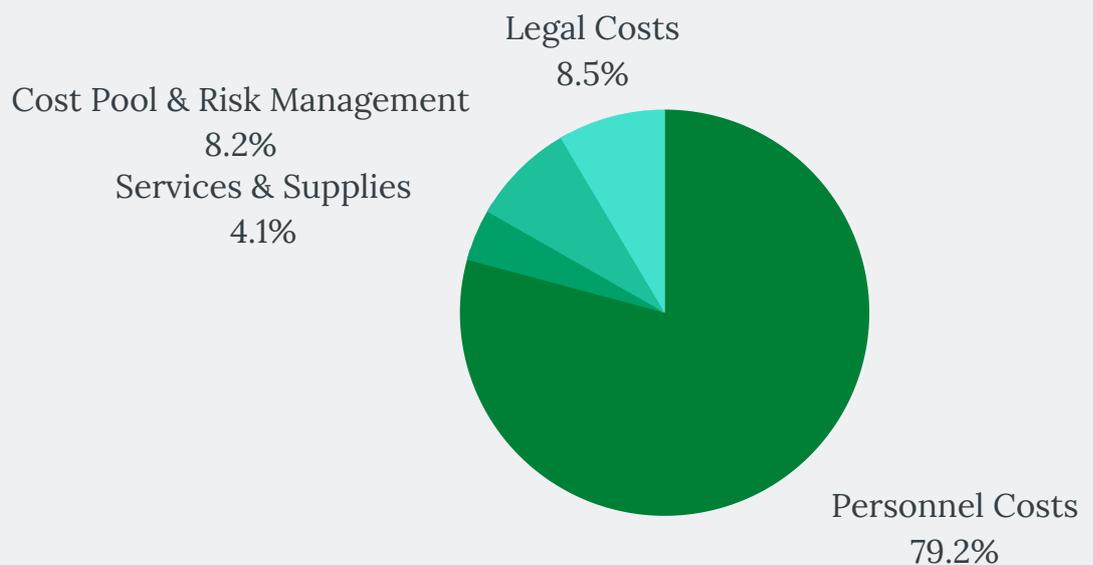


FISCAL YEAR 2020-2021 FINANCIAL SUMMARY

\$2.48 million in budgeted expenses

\$421 thousand in budgeted reserves (17% per GFOA)

\$2.90 million total budget revenue



\$2.14 million in actual expenses

\$2.80 million in Rental Housing Fee revenue collected
96.5% compliance rate

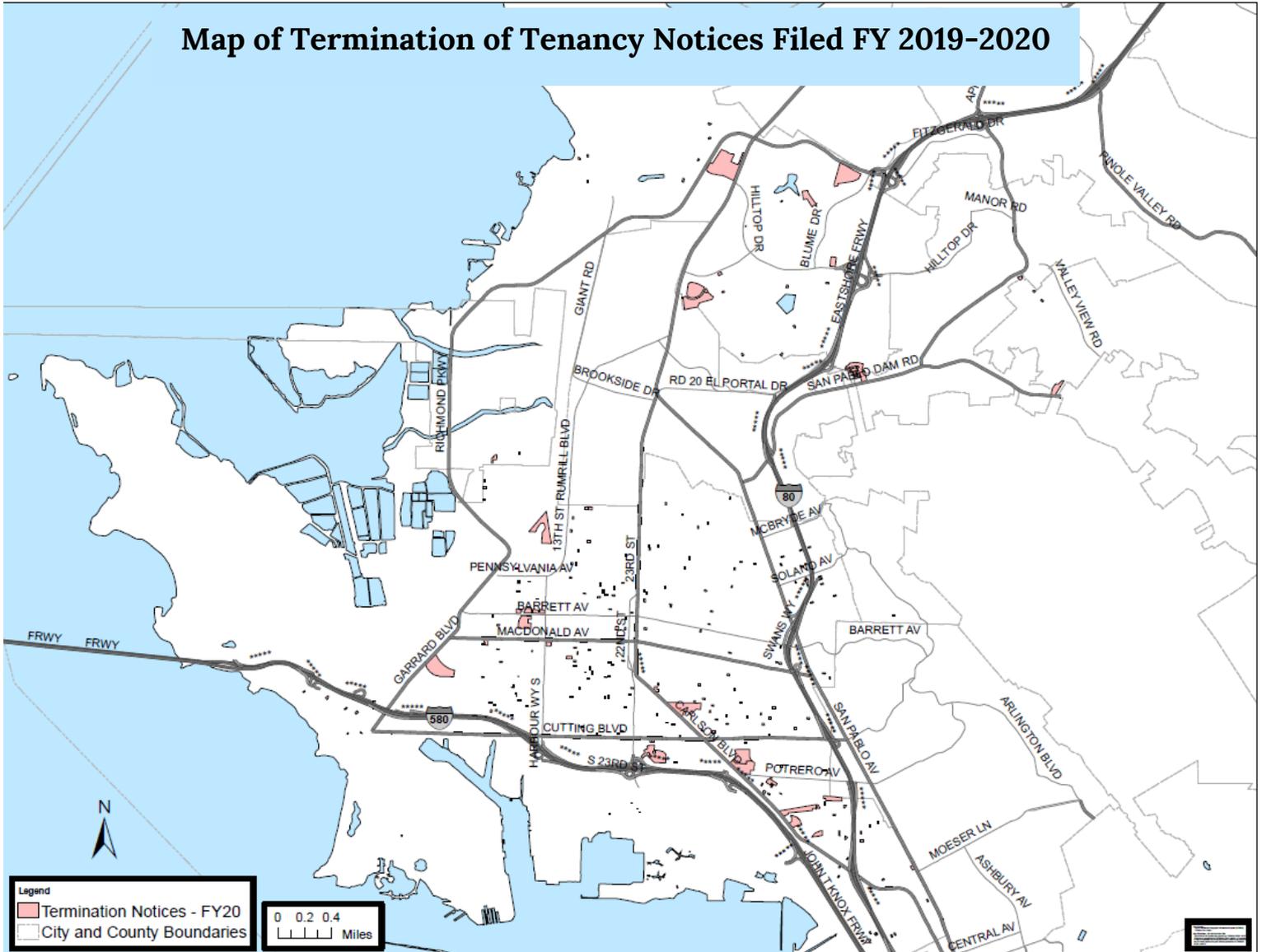
\$653 thousand contributed to the Agency's operating reserves*

*At fiscal year-end the Program maintains a net surplus of operating reserve in the fund balance primarily due to staff vacancies. The reserve will remain to accommodate for potential deficits in future years from reduce compliance and collections. The Program will continue to monitor the rental market and adjust staffing and non-personal expenses accordingly.



APPENDIX 1

Map of Termination of Tenancy Notices Filed FY 2019-2020

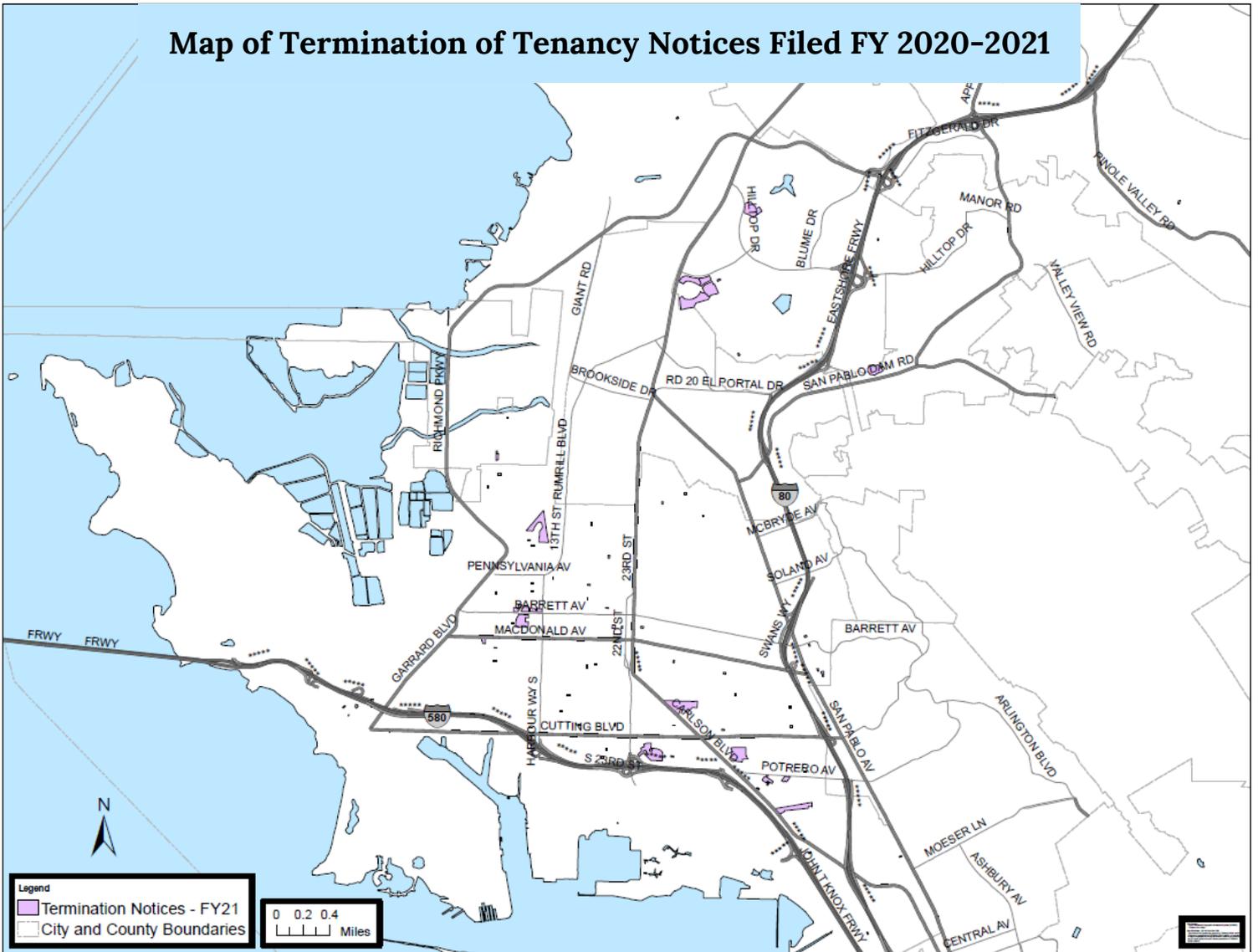


Data source: Richmond Rent Program, 2021; City of Richmond, 2021



APPENDIX 2

Map of Termination of Tenancy Notices Filed FY 2020-2021



Data source: Richmond Rent Program, 2021; City of Richmond, 2021

“ REFERENCES ”

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Healthy Housing Community Stability Housing Affordability

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This report was created in accordance with Section 11.100.060(e)(6) of the Richmond Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance, which requires the Rent Board to report annually to the City Council of the City of Richmond on the status of rental housing covered by the Ordinance.

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