



4x4 Committee on Housing  
City Council and Rent Board

## **4 X 4 JOINT COMMITTEE ON HOUSING CITY COUNCIL/RENT STABILIZATION BOARD**

**Monday, April 18, 2022 – 3:00 p.m.**

### **PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE.**

Pursuant to Government Code Section 54953(e)(3), City Council Resolution 70,030-N.S., and Rent Board Resolution 21-29, this meeting of the City Council and Rent Stabilization Board's **4 x 4 Joint Committee on Housing** (Committee) will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Resolutions and the findings contained therein that the spread of COVID-19 continues to be a threat to the public health and that holding meetings of City legislative bodies in person would present imminent risks to the health and safety of the public and members of legislative bodies. Therefore, **there will not be a physical meeting location available.**

**To access this meeting remotely:** Join from a PC, Mac, iPad, iPhone, or Android device by clicking on this URL: <https://us06web.zoom.us/j/81166286812?pwd=SmM3Uk94L2dKTHA0T21lVWFBQTVPUT09>. If you do not wish for your name to appear on the screen, then use the drop-down menu and click on "Rename" to rename yourself to be anonymous. To request to speak, use the "Raise hand" icon by rolling over the bottom of the screen.

**To join by phone:** Dial 1-669-900-6833 and enter Webinar ID: 811 6628 6812 and Passcode: 458408. If you wish to comment during the public comment portion of the agenda, Press \*9 and wait to be recognized by the Committee Chair.

To submit an e-mail comment to be read aloud during Public Comment, email [btran@cityofberkeley.info](mailto:btran@cityofberkeley.info) with the Subject line in this format: "PUBLIC COMMENT ITEM FOR 4 X 4 COMMITTEE". Please observe a 150-word limit. Time limits on public comments will apply. Written comments will be entered into the public record. **Email comments must be submitted to the email address above by 1:00 p.m. on the day of the Committee meeting in order to be included.**

Please be mindful that this will be a public meeting and all rules of procedure and decorum will apply for meetings conducted by teleconference or videoconference.

This meeting will be conducted in accordance with Government Code Section 54953 and all current state and local requirements allowing public participation in meetings of legislative bodies. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to DéSeana Williams, Executive Director of the Rent Board, at (510) 981-7368 (981-RENT). The Committee may take action related to any subject listed on the Agenda.



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## 4 X 4 JOINT COMMITTEE ON HOUSING CITY COUNCIL/RENT STABILIZATION BOARD

Monday, April 18, 2022 – 3:00 p.m.

### Approved Minutes

- Roll call: Mayor Arreguín called the meeting to order at 3:04 p.m.  
Present: RBC Alpert, Mayor Arreguín, CM Harrison (logged in at 3:17 p.m., logged off at 4:52 p.m.), RBC Kelley, CM Robinson, RB Chair Simon-Weisberg, CM Taplin (logged in at 3:15 p.m., logged off at 4:59 p.m.)  
Absent: RBC Johnson  
Staff present: Matt Brown, Steven Buckley, Nate Dahl, Amy Davidson, Stefan Elgstrand, Margot Ernst, Jen Fabish, Matthew Siegel, Be Tran, and DéSeana Williams.

Land Acknowledgment Statement: *The Berkeley Rent Stabilization Board recognizes that the rental housing units we regulate are built on the territory of xučyun (Huchiun-(Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's landlords and tenants have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878 and since the Rent Stabilization Board's creation in 1980. As stewards of the laws regulating rental housing, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.*

The Committee acknowledged the statement.

- Approval of the agenda: M/S/C (Arreguín/Robinson) Approve the agenda with the following changes: Table item 8 to the next meeting and continue with the balance of the agenda. Roll call vote. YES: Alpert, Arreguín, Kelley, Robinson, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: Harrison, Johnson, Taplin. Carried: 5-0-0-3.

There were no public speakers.

- Public comment on non-agenda matters: There was one speaker.
- Approval of February 23, 2022 Committee meeting minutes: M/S/C (Robinson/Arreguín) Approve the minutes as written. Roll call vote. YES: Alpert, Arreguín, Kelley, Robinson, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: Harrison, Johnson, Taplin. Carried: 5-0-0-3.

6. Discussion and possible action on the proposed revisions to the Demolition Ordinance (Planning Department, see attachment): Steven Buckley of the Planning Department presented. Mayor Arreguín presented his proposed amendments.

M/S/C (Arreguín/Harrison) Recommend to the City Council and Planning Commission the proposed amendments to the Demolition Ordinance as proposed by the Mayor with the following additions:

1. Require that applicants must provide below market rate replacement units (Option A) and set the base rent and have further rent increases be regulated.
2. To recommend that a rent differential be modeled after the criteria in the City's Relocation Ordinance (Chapter 13.84).
3. That rent increases for new BMR units created and existing BMR units be tied to 65% of the increase in the CPI.
4. Recommend consideration of applying just cause eviction protections to BMR units in the future.
5. Refer to staff/Planning Commission to consider if there are situations where flexibility on rent replacement requirements and an option for rent controlled replacement units should be considered instead, for example in the Southside Plan Area or considerations based on the length of tenancies of current tenants.

Roll call vote. YES: Alpert, Arreguín, Harrison, Kelley, Robinson, Simon-Weisberg, Taplin; NO: None; ABSTAIN: None; ABSENT: Johnson. Carried: 7-0-0-1.

There was one public speaker.

7. Discussion and possible action on a memorandum regarding the potential for adding more rent controlled units under CA Civil Code Section 1954.52(b) (Vice-Chair Alpert, see attachment): The committee agreed to discuss this item with item 9.
8. Discussion and possible policy recommendation to Council regarding Relocation Ordinance and suggested additions from previous discussion regarding Tenant Habitability Plan Ordinance (requested by Mayor Arreguín and Chair Simon-Weisberg): Tabled to the next meeting by a prior vote of the committee.
9. Discussion and possible action to recommend various amendments to the Rent Stabilization and Eviction for Good Cause Ordinance to be placed on the November 2022 general election ballot (Rent Board staff, see attachment): The committee discussed items 7 and 9. Commissioner Alpert offered proposed Ordinance amendment language related to item 7, and Mayor Arreguín offered to share the language with the City Attorney for vetting. Due to time constraints and because some members of the committee had left the meeting, the committee agreed to take up these items again at a meeting tentatively scheduled for Thursday, May 5 at 3:00 p.m.

There were no public speakers on items 7 or 9.

10. Adjournment: M/S/C (Arreguín/Kelley) Motion to adjourn. Roll call vote. YES: Alpert, Arreguín, Kelley, Robinson, Simon-Weisberg; NO: None; ABSTAIN: None; Absent: Harrison, Johnson, Taplin. Carried: 5-0-0-3. The meeting adjourned at 5:26 p.m.

COMMITTEE MEMBERS:

Mayor Jesse Arreguín  
City Councilmember Kate Harrison  
City Councilmember Rigel Robinson  
City Councilmember Terry Taplin

Rent Board Chairperson Leah Simon-Weisberg  
Rent Board Vice-Chairperson Soli Alpert  
Rent Board Commissioner Xavier Johnson  
Rent Board Commissioner Andy Kelley