



4x4 Joint Task Force Committee on Housing
City Council and Rent Board

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

Wednesday, February 15, 2023 – 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 Task Force 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/83758415401?pwd=TVdxY2xwUkRnVHFzTIIXK21Yb3JPZz09>. 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: 837 5841 5401 and Passcode: 702926. 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 a written communication for the Committee's consideration and inclusion in the public record, email btran@cityofberkeley.info with the Subject line in this format: "PUBLIC COMMENT ITEM FOR 4 X 4 COMMITTEE." Please observe a 150-word limit. **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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Wednesday, February 15, 2023 – 3:00 p.m.

Approved Minutes

1. Roll call: Chair Simon-Weisberg called the meeting to order at 3:04 p.m.
Present: Mayor Arreguín, CM Hahn, CM Harrison, RBC Johnson, RBC Marrero, RB Chair Simon-Weisberg, RBC Walker.
Absent: CM Robinson.
Staff present: Matt Brown, Steve Buckley, Lief Bursell, Nate Dahl, Brendan Darrow, Ollie Ehlinger, Stefan Elgstrand, Margot Ernst, Jen Fabish, Andy Kelley, Jordan Klein, Chris Naso, Be Tran, Jennifer Vasquez, DéSeana Williams.
2. Land Acknowledgment Statement: *The Berkeley Rent Stabilization Board recognizes that the rental housing units we regulate are built on the territory of xučyun (Huchiuñ-(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 Land Acknowledgement Statement was played aloud.

3. Approval of the agenda: M/S/C (Johnson/Harrison) Approve the agenda as written. Roll call vote. YES: Arreguín, Hahn, Harrison, Johnson, Marrero, Simon-Weisberg, Walker; NO: None; ABSTAIN: None; ABSENT: Robinson. Carried: 7-0-0-1.
4. Public comment on non-agenda matters: There was one speaker.
5. Approval of February 1, 2023 Committee meeting minutes (see attachment): M/S/C (Arreguín/Johnson) Approve the minutes as written. Roll call vote. YES: Arreguín, Hahn, Harrison, Johnson, Marrero, Simon-Weisberg, Walker; NO: None; ABSTAIN: None; ABSENT: Robinson. Carried: 7-0-0-1.

6. Discussion and possible action regarding the expiration of the Eviction Moratorium and amendments to the COVID-19 Emergency Response Ordinance (requested by Mayor Arreguín, see attached BMC 13.110): The committee had an extensive discussion. There were six public speakers.

M/S/C (Arreguin/Harrison) Recommend that (1) Council consider at its February 28 meeting extending the covered period under the existing Emergency Ordinance for at least an additional 60 days to align with Alameda County; (2) Council consider additional legislation to extend the covered period until September 1, 2023, during which time: Owner Move-In evictions would be allowed in cases where the owner owns only one rental property in the City of Berkeley, and reflecting the language CM Harrison put into the record; other no-fault evictions would be prohibited; evictions in cases where the tenant is still impacted by a protected COVID-19 reason would be prohibited. **Friendly amendment by Hahn**

(accepted): Recommend that Council and the Rent Board make budget referrals to fund expanded outreach, increase counseling and legal aid, and increase housing retention funding. **Friendly amendment by Simon-Weisberg (accepted):** Tenants who can't pay rent due to rent increases will also be eligible for housing retention funds. Roll call vote. YES: Arreguín, Hahn, Harrison, Johnson, Marrero, Simon-Weisberg, Walker; NO: None; ABSTAIN: None; ABSENT: Robinson. Carried: 7-0-0-1.

7. Discussion and possible recommendations on a moratorium on rent increases (requested by Chair Simon-Weisberg): Chair Simon-Weisberg noted that her friendly amendment to the motion for item 6 addressed this issue, so the committee moved on to item 8 without discussing this item.
8. Discussion and possible recommendations to City Council regarding amendments to the Demolition Ordinance (Steve Buckley, Planning Department, see attached February 1, 2022 staff report to the Planning Commission): Chair Simon-Weisberg presented and answered questions from committee members. There were three public speakers.

M/S/C (Simon-Weisberg/Harrison) Recommend that Planning Department staff, Rent Board staff, the City Attorney's Office, and other necessary City staff review Chair Simon-Weisberg's proposal for a hybrid Below Market Rate/rent control model for replacement units as presented at the meeting, and report back to the committee with their analysis. Further recommend that review of proposed changes to the Demolition Ordinance not advance to other commissions/Council until the 4x4 has the opportunity to propose additional changes. Roll call vote. YES: Arreguín, Hahn, Harrison, Johnson, Marrero, Simon-Weisberg, Walker; NO: None; ABSTAIN: None; ABSENT: Robinson. Carried: 7-0-0-1.

9. Discussion of possible future agenda items: The Demolition Ordinance is a priority for the next meeting. Other items to discuss in the future include the Short-Term Rentals Ordinance, and the Elevator Ordinance.
10. Confirm next meeting date: The committee agreed to tentatively hold the 4th Thursday in March for the next meeting, but will work with committee staff to finalize a meeting date.
11. Adjournment: M/S/C (Johnson/Harrison) Adjourn the meeting. Roll call vote. YES: Arreguín, Hahn, Harrison, Johnson, Marrero, Simon-Weisberg, Walker; NO: None; ABSTAIN: None; ABSENT: Robinson. Carried: 7-0-0-1.

The meeting adjourned at 5:09 p.m.

COMMITTEE MEMBERS:

Mayor Jesse Arreguín
City Councilmember Sophie Hahn

Rent Board Chairperson Leah Simon-Weisberg
Rent Board Commissioner Xavier Johnson

City Councilmember Kate Harrison

City Councilmember Rigel Robinson

Rent Board Commissioner Vanessa Danielle Marrero

Rent Board Commissioner Dominique Walker