



Rent Stabilization Board

**RENT STABILIZATION BOARD**  
**Special Meeting Minutes**  
(Approved)

Maudelle Shirek Building  
2134 Martin Luther King Jr. Way  
Council Chambers, Second Floor  
Broadcast Live on KPFB – 89.3 and BTV Cable Channel 33  
Live Webcasting at [www.cityofberkeley.info/rent](http://www.cityofberkeley.info/rent)

**Monday, July 30, 2012**  
**7:00 p.m.**

**1. Roll call** – Chair Stephens called the meeting to order at 7:18 p.m.\*

Aimee Mueller called roll.

*Commissioners present:* Blake, Harr, Shelton (left 9:04), Townley, Tregub, Webster (arrived 7:19), Stephens

*Commissioners absent:* Dodsworth, Drake

*Staff present:* Barton, Bursell, Kelekian, Law, Mueller, Siegel

*\*The meeting start time was delayed to allow time to resolve technical issues that would have prevented proper broadcasting and Webcasting of the proceedings.*

**2. Approval of Agenda** M/S/C (Blake/Tregub) APPROVE AGENDA. Voice vote. Carried: 6-0-0-3.  
ABSENT: Dodsworth, Drake, Webster

**3. Public Forum** – There were no speakers.

**4. Special Presentations/Reports:**

- a. **Rent Stabilization, Vacancy Decontrol and Reinvestment in Rental Property in Berkeley**  
Deputy Director Stephen Barton and Rent Board Assistant Planner Lief Bursell conducted a PowerPoint presentation and took questions from Commissioners. NO ACTION TAKEN.
- b. **Customer Service Survey of Berkeley Rental Property Owners and Managers**  
Deputy Director Barton gave an overview of the Customer Service Survey and answered questions from Commissioners. NO ACTION TAKEN.

*Commissioner Townley requested that staff look into the suggestion that one person at the Rent Board be designated as an ombudsperson specifically for property owners/managers.*

- c. **Report on the Rent Board's role in the Berkeley Housing Authority Public Housing Conversion** Deputy Director Barton reported on this item and answered questions from Commissioners. NO ACTION TAKEN.

## 5. **Action Items**

### a. From Board Members, Executive Director and Committees

- (1) Second reading of proposed changes to Regulation 884 (B): To Use an Owner's Compliance with the City's Soft Story Ordinance as a Criterion for Discretionary Review of Waiver Requests (Waivers Committee and Executive Director)

M/S/C (Tregub/Blake) ADOPT PROPOSED CHANGES TO REGULATION 884(B) ON SECOND READING. Voice vote. Carried: 7-0-0-2. ABSENT: Dodsworth, Drake.

## 6. **Information and Announcements**

*Please Note: The Board may move Information Items to the Action Calendar.*

### a. Reports from Board Members/Staff

**\*\*For these items, please refer to material in the July 16<sup>th</sup> Board packet.**

- (1) July 25, 2012 Foreclosure Report to the Eviction/Section 8/Foreclosure Committee (Commissioner Harr) – *In packet and self-explanatory.*
- (2) Updated Commissioner Attendance Records for all Rent Board and Committee Meetings through June 2012 (Executive Director)\*\* – *In packet and self-explanatory*
- (3) Update on RTS database project (Executive Director) – The Executive Director gave a brief update on the status of this project.
- (4) July 16, 2012 e-mail from landlord Stephanie Thomas expressing her support for the Rent Board's work (Executive Director) – *In packet and self-explanatory*
- (5) July 13, 2012 e-mail from Marianne Robinson expressing her appreciation for the excellent work of the Rent Board and its staff (Executive Director) – *In packet and self-explanatory*
- (6) July 13, 2012 e-mail from landlord William Nasser expressing his gratitude for the valuable service provided by Rent Board staff members Nick Traylor and Moni Law (Executive Director)\*\* – *In packet and self-explanatory*

- (7) July 11, 2012 report titled, “Findings and Recommendations from the April 11, 2012 Seismic Day of Compliance” (Commissioner Tregub)\*\* Commissioner Tregub gave the Board an update on this item.
  - (8) July 10, 2012 City Council item titled, “Amendment to Soft Story Ordinance” (Executive Director)\*\* Commissioner Townley gave the Board an update on this item.
  - (9) Update on Board referral to staff and IRA/AGA/Habitability Committee regarding public speaker on profitability (Executive Director) – Deputy Director gave the Board an update on this item.
  - (10) Market Medians report for the 1<sup>st</sup> Quarter of 2012 (Executive Director)\*\* – *In packet and self-explanatory*
  - (11) June 6, 2012 East Bay Express article titled, “Renting: It’s Not For The Dogs” (Commissioner Harr)\*\* – *In packet and self-explanatory*
  - (12) Update on City Council item regarding the Responsible Banking Policy and results of research on possible moving Rent Board account holdings to an alternate financial institution (Executive Director) – Executive Director gave brief update on this item.
  - (13) Update on City Council item regarding an alternate location for City Council Meetings (Executive Director) – Briefly discussed
  - (14) May 2012 Rent Board Tenant Bulletin (Executive Director) – Briefly discussed.
  - (15) May 24, 2012 letter to City Council regarding the “Initiative Petition: Sunshine Ordinance” item (Chair Stephens) – Briefly mentioned.
  - (16) April 24, 2012 Measure “Y” Tracking Report to the Eviction/Section 8/Foreclosure Committee (Commissioner Harr) – *In packet and self-explanatory*
  - (17) April 2, 2012 letter from Commissioner Harr regarding moving the Rent Board’s account holdings from Wells Fargo Bank to an alternate financial institution, and a December 5, 2011 BeyondChron.org article titled, “Occupy San Francisco Targets Wells Fargo” – *In packet and self-explanatory*
- b. Updates and Announcements regarding Committee/Board Meetings
- (1) Budget and Personnel – The Committee hopes to meet soon to discuss the Executive Director’s evaluation process and any new information on the Rent Tracking System (RTS) project. The majority of the Committee’s work has already come before the full Board for discussion or action.
    - a. April 2<sup>nd</sup> agenda
    - b. May 12<sup>th</sup> agenda

- c. June 17<sup>th</sup> agenda
- (2) Outreach – Committee Chair Webster updated the Board on the Committee’s recent work and progress. She said their standard meeting date is the third Friday of each month at 1:30 p.m. in the Rent Board Law Library.
- a. March 16<sup>th</sup> agenda
  - b. April 27<sup>th</sup> agenda
  - c. June 1<sup>st</sup> minutes\*\*
  - d. June 29<sup>th</sup> agenda\*\*
  - e. July 20<sup>th</sup> agenda
- (3) IRA/AGA and Habitability – Committee Chair Stephens updated the Board on the Committee’s recent work and issues to be discussed going forward. Commissioner Tregub acknowledged the work of his interns who were in the audience.
- a. September 27, 2011 minutes
  - b. March 8<sup>th</sup> agenda
  - c. May 15<sup>th</sup> agenda
- (4) Eviction/Section 8/Foreclosure – Commissioner Tregub gave an overview of some of the Committee’s work and Committee Chair Harr gave the complement of the update.
- a. February 8<sup>th</sup> amended minutes
  - b. April 24<sup>th</sup> agenda
  - c. April 24<sup>th</sup> minutes
  - d. May 17<sup>th</sup> agenda
  - e. May 17<sup>th</sup> minutes\*\*
  - f. June 27<sup>th</sup> agenda\*\*
  - g. July 25<sup>th</sup> agenda
- (5) Safe & Sustainable Housing – Committee Chair Townley gave the Board an update on the Committee’s latest work.
- a. April 4<sup>th</sup> agenda
  - b. May 9<sup>th</sup> agenda

- (6) Waivers Committee – Commissioner Harr gave the Board an update on this Committee’s work due to Committee Chair Dodsworth’s absence.
  - a. November 8<sup>th</sup>, 2011 minutes
  - b. March 2<sup>nd</sup> minutes
  - c. April 20<sup>th</sup> agenda
  - d. April 20<sup>th</sup> revised minutes\*\*
  - e. July 11<sup>th</sup> agenda\*\*
- (7) Ad Hoc Committee on Smoke-Free Housing – Committee Chair Blake gave a brief update on the Committee’s latest progress and said they are planning to meet again on August 16<sup>th</sup>.
  - a. April 27<sup>th</sup> agenda
  - b. April 27<sup>th</sup> minutes
  - c. June 1<sup>st</sup> agenda
  - d. July 20<sup>th</sup> agenda
- (8) 4 x 4 City Council/RSB Housing Committee – Chair Stephens said this Committee had not met since February but she will try to work with Council to schedule another meeting.
- (9) Future Special Meetings
  - c. Discussion of items for possible placement on future agendas – Commissioner Townley asked that the issue of Commissioners having remote access to recordings of hearings be put on a future agenda. He also asked that a discussion of the Executive Director’s performance evaluation be agendized at the Board’s next meeting, including an historic overview and information on the current process.

Commissioner Tregub asked that, in the next packet, staff include a copy of the letter that the Board previously directed staff to compose and forward the U.C. Berkeley regarding the concern about the privatization of future student housing. The Executive Director said that this letter would be included as an Information Item in the next Board agenda packet.

*At 9:13 p.m., the Board recessed to convene in Closed Session.*

**7. CLOSED SESSION** The Board convened in closed session to meet concerning the following:

CONFERENCE WITH LABOR NEGOTIATOR (Government Code Section 54957.6)

**Negotiators:** Jay Kelekian, Rent Stabilization Board Executive Director; David W. Hodgkins, Director of Human Resources; Stephen Barton, Rent Board Deputy Director; Matthew Siegel, Rent Board Staff Attorney.

**Employee Organizations:** SEIU Local 1021, Community Services and Part-Time Recreation Leaders Association, Berkeley Police Association, Berkeley Fire Fighters Association

When the Board returned from Closed Session, Chair Stephens announced that no action had been taken.

8. **Adjournment** – ADJOURN MEETING AT 9:43 P.M. M/S/C (Harr/Tregub) Voice vote. Carried 5-0-0-4. ABSENT: Blake, Dodsworth, Drake, Shelton.