



Rent Stabilization Board

**RENT STABILIZATION BOARD**  
**Regular 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, June 18, 2012**  
**7:00 p.m.**

1. **Roll call** – Chair Stephens called the meeting to order at 7:14 p.m.  
Aimee Mueller called roll.  
Commissioners present: Blake, Drake, Dodsworth, Harr, Shelton, Townley, Tregub, Webster, Stephens  
Commissioners absent: None  
Staff present: Barton, Brown, Bursell, Kelekian, Mueller

*Immediately following Roll call, Chair Stephens announced that the elevator in the Maudelle Shirek Building was not functioning. In order to remain in compliance with the Americans with Disabilities Act requirements for open and accessible public meetings, the Board moved to recess for approximately 30 minutes to allow time to repair the elevator.*

At 7:47 p.m., Chair Stephens called the meeting to order. She announced that because the building's elevator could not be repaired, this constituted an emergency and the Board would need to relocate the meeting to the Rent Board offices (2001 Center Street, 2<sup>nd</sup> Floor) in order to maintain compliance with ADA requirements.

**At 7:51 p.m., this portion of the Rent Stabilization Board Meeting was adjourned to reconvene at the Rent Board Law Library (2001 Center Street, 2<sup>nd</sup> Floor) in approximately 15 minutes.**

1. **Roll call** – Chair Stephens reconvened the meeting in the Rent Board Law Library at 8:11 p.m.  
Aimee Mueller called roll.  
Commissioners present: Blake, Drake, Dodsworth (arrived 8:15; left 10:12), Harr, Shelton, Townley, Tregub, Webster, Stephens  
Commissioners absent: None  
Staff present: Barton, Brown, Kelekian, Mueller
2. **Approval of Agenda** M/S/C (Townley/Drake) APPROVE AGENDA WITH ONE CHANGE: RE-ORDER ITEMS 4 AND 5. Voice vote. Carried: 8-0-0-1. ABSENT: Dodsworth.

3. **Public Forum** There were two speakers: Mr. Chuan Lee regarding his property at 1431 Dwight Way; and Matthew Calvert regarding Item 6.a.(6).
4. **Approval of prior meeting minutes:**
  - a. May 21, 2012 Regular Meeting minutes – M/S/C (Townley/Tregub) APPROVE MINUTES AS WRITTEN. Voice vote. Carried: 9-0-0-0.
  - b. June 13, 2012 Special Meeting minutes – M/S/C (Harr/Townley) APPROVE MINUTES AS WRITTEN. Voice vote. Carried: 9-0-0-0.
5. **Special Presentation by Rent Board Deputy Director Steve Barton on Rent Stabilization, Vacancy Decontrol and Reinvestment in Rental Property in Berkeley**

This item was postponed due to the emergency change of venue.

6. **Action Items**

a. From Board Members, Executive Director and Committees

- (1) Discussion and possible action regarding a recommendation to adopt the FY 2012/2013 line-item Budget and Staffing Model (Executive Director and Budget & Personnel Committee)

After the Executive Director gave an overview of this item and answered questions from Commissioners, the Board took the following action:

M/S/C (Townley/Shelton) ADOPT THE PROPOSED FISCAL YEAR 2012-2013 LINE-ITEM BUDGET AND STAFFING MODEL AS WRITTEN. Roll call vote. YES: Blake, Harr, Shelton, Townley, Tregub, Webster, Stephens; NO: None; ABSTAIN: Dodsworth, Drake; ABSENT: None. Carried: 7-0-0-2.

- (2) Discussion and possible action to adopt a resolution authorizing the Executive Director to negotiate and execute a contract modification with Software A.G. to continue with the replacement and upgrading of additional portions of the Board's Rent Tracking System (RTS) database (Executive Director and Budget & Personnel Committee)

After the Executive Director gave an overview of this item and answered questions from Commissioners, the Board took the following action:

M/S/C (Townley/Shelton) ADOPT RESOLUTION WITH THE FOLLOWING CHANGES: IN THE LAST PARAGRAPH OF PAGE 2, CHANGE THE WORD "executing" TO "negotiating"; AND, ON THE LAST LINE OF PAGE 2, ADD THE WORDS "or take other action" IMMEDIATELY AFTER THE WORD "work." Roll call vote. YES: Blake, Drake, Harr, Shelton, Townley, Tregub, Webster, Stephens; NO: Dodsworth; ABSTAIN: None; ABSENT: None. Carried: 8-1-0-0.

- (3) Discussion and possible action to adopt a resolution authorizing the Executive Director to transfer funds in the amount of \$47,000 to pay for the Rent Board's portion of the City's contract with Advantel Networks for the new Voice over Internet Protocol (VoIP) telephone system (Executive Director and Budget & Personnel Committee)

M/S/C (Tregub/Drake) ADOPT RESOLUTION AS WRITTEN. Voice vote.  
Carried: 9-0-0-0.

- (5) Discussion and possible action to adopt a resolution authorizing the Executive Director to modify the contract with Theresa B. Darrougue for captioning services of televised Rent Board meetings by extending the term through June 30, 2013 and increasing the contract by an amount not to exceed \$12,000 for Fiscal Year 2012-2013 (Executive Director)

M/S/C (Blake/Drake) ADOPT RESOLUTION AS WRITTEN. Voice vote.  
Carried: 9-0-0-0.

- (4) First reading of proposed Regulation 1282: Individual Rent Adjustments for Units in Properties Where No Units Have Received a Vacancy Increase (Executive Director and IRA/AGA/Habitability Committee)

M/S/C (Drake/Webster) ADOPT PROPOSED REGULATION 1282 ON FIRST READING AND THE PROPOSED RESOLUTION AS WRITTEN. **Friendly amendment by Blake:** TO SEVER ADOPTION OF THE RESOLUTION FROM THE MOTION. Roll call vote. YES: Blake, Dodsworth, Drake, Shelton, Townley, Tregub, Webster, Stephens; NO: Harr; ABSTAIN: None; ABSENT: None. Carried: 8-1-0-0.

- (6) Discussion and possible action regarding recommendation that the Executive Director send a letter to the University of California at Berkeley on the subject of affordable housing in student dormitories (Commissioner Tregub)

M/S/C (Drake/Townley) AUTHORIZE THE EXECUTIVE DIRECTOR TO COMPOSE AND TRANSMIT A LETTER TO THE UNIVERSITY OF CALIFORNIA AT BERKELEY ON THE SUBJECT OF AFFORDABLE HOUSING IN STUDENT DORMITORIES. Voice vote. Carried: 9-0-0-0.

- (7) Proposal to approve staff recommendation on the following requests for waiver of late registration penalties (Executive Director)

**Discretionary Waivers**

Waiver No.      Property Address

4098                      1109 Parker Street (*held over from April 2, 2012 meeting*)

Chair Stephens pulled Waiver No. 4098 for discussion.

M/S/C (Stephens/Townley) WAIVE ONE-HUNDRED PERCENT OF THE PENALTY FOR WAIVER NO. 4098. Voice vote. Carried: 7-1-0-1. NO: Blake; ABSENT: Dodsworth.

Commissioner Harr asked that staff follow up with the owners in an effort to further clarify the annual Registration fees and the waiver process.

*Chair Stephens then made a motion to hold over all Information Items so that discussion could be heard or viewed live by members of the public. Commissioner Townley asked that Information Item 7.a.(1) be on the next agenda. None of the following Information Items were discussed.*

## **7. Information and Announcements**

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

### **a. Reports from Board Members/Staff**

- (1) Customer Service Survey of Berkeley Rental Property Owners and Managers (Executive Director)
- (2) Report on the Rent Board's role in the Berkeley Housing Authority Public Housing Conversion (Executive Director)
- (3) 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)
- (4) Update on City Council item regarding an alternate location for City Council Meetings (Executive Director)
- (5) April 24, 2012 Measure "Y" Tracking Report to the Eviction/Section 8/Foreclosure Committee (Commissioner Harr)
- (6) Market Medians report for the 4<sup>th</sup> Quarter of 2011 (Executive Director)
- (7) May 2012 Rent Board Tenant Bulletin (Executive Director)
- (8) May 24, 2012 letter to City Council regarding the "Initiative Petition: Sunshine Ordinance" item (Chair Stephens)

### **b. Updates and Announcements regarding Committee/Board Meetings**

- (1) Budget and Personnel
  - a. June 17<sup>th</sup> agenda
- (2) Outreach

a. June 1<sup>st</sup> agenda

- (3) IRA/AGA and Habitability
- (4) Eviction/Section 8/Foreclosure
- (5) Safe & Sustainable Housing
- (6) Waivers Committee
- (7) Ad Hoc Committee on Smoke-Free Housing

a. April 27<sup>th</sup> minutes

b. June 1<sup>st</sup> agenda

- (8) 4 x 4 City Council/RSB Housing Committee
- (9) Future Special Meetings

c. Discussion of items for possible placement on future agenda

- 8. Adjournment** M/S/C (Shelton/Tregub) MOTION TO ADJOURN. Voice vote. Carried: 7-0-0-2.  
ABSENT: Blake, Dodsworth. The meeting was adjourned at 10:16 p.m.