



Rent Stabilization Board

RENT STABILIZATION BOARD
Regular Meeting
Thursday, December 17, 2020 – 7:00 p.m.

Minutes - Approved

1. **Roll call** – Chair Laverde called the meeting to order at 7:00 p.m.
Aimee Mueller called roll.
Commissioners present: Alpert, Chang, Johnson, Kelley, Mendonca, Selawsky, Simon-Weisberg, Walker, Laverde.
Staff present: Arreguín, Brown, Law (in audience), Mueller, Siegel, Wu.

2. **SPECIAL ORDER OF BUSINESS**
 - a. Oath of Office of Commissioners-elect:

City Clerk Mark Numainville administered the Oath of Office to Commissioners-elect Johnson, Kelley, Mendonca, Simon-Weisberg, and Walker.

3. **Approval of Agenda** – M/S/C (Alpert/Mendonca) APPROVE THE AGENDA WITH THE FOLLOWING CHANGE: ADD COMMISSIONER CHANG AS A CO-SPONSOR OF ITEM 7.a.(3). Roll call vote. YES: Alpert, Chang, Johnson, Kelley, Mendonca, Selawsky, Simon-Weisberg, Walker, Laverde; NO: None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-1.

4. **Public Comment** – There were 10 speakers. Matthew Lewis thanked Rent Board staff for their work on the City’s eviction moratorium, and also spoke on items 7.a.(2) and 7.a.(3) when they were heard. Joel Chan spoke in support of re-electing Paola Laverde as Chair. Ruscal Cayangyang spoke in support of re-electing Paola Laverde as Chair. Frank Polizzi spoke in support of re-electing Paola Laverde as Chair. Nageene Mosaed spoke in support of re-electing Paola Laverde as Chair. Carole Marasovic spoke about the lack of an enforcement mechanism for the Source of Income Discrimination Ordinance, in support of electing Paola Laverde as Chair, and on items 7.a.(2) and 7.a.(3) when they were heard. Betsy Morris spoke in support of Paola Laverde as Chair and James Chang as Vice-Chair, and congratulated the newly elected commissioners. Julia Cato, Chair of the Berkeley Tenants Union, spoke in support of electing Paola Laverde as Chair. Mayor Jesse Arreguín congratulated the newly elected and re-elected commissioners. Moni Law congratulated the newly-elected and re-elected commissioners and spoke about the challenges that lie ahead.

5. SPECIAL ORDER OF BUSINESS

a. Election of Rent Board Chairperson:

Acting Executive Director Brown opened the floor for nominations for Board Chair. Mendonca nominated Laverde (accepted). Walker nominated Simon-Weisberg (accepted). Hearing no other nominations, Acting Executive Director Brown closed the nominations. A roll call vote was taken:

Alpert: Simon-Weisberg
Chang: Laverde
Johnson: Simon-Weisberg
Kelley: Simon-Weisberg
Mendonca: Laverde
Selawsky: Laverde
Simon-Weisberg: Simon-Weisberg
Walker: Simon-Weisberg
Laverde: Laverde.

Commissioner Simon Weisberg was elected Chair of the Rent Board by a 5:4 vote.

b. Election of Rent Board Vice-Chairperson:

Chair Simon-Weisberg opened the floor for nominations. Mendonca nominated Laverde (declined). Mendonca nominated Chang (accepted). Simon-Weisberg nominated Alpert (accepted). Hearing no other nominations, Chair Simon-Weisberg closed the nominations. A roll call vote was taken.

Alpert: Alpert
Chang: Chang
Johnson: Alpert
Kelley: Alpert
Mendonca: Chang
Selawsky: Chang
Simon-Weisberg: Alpert
Walker: Alpert
Laverde: Chang

Commissioner Alpert is elected Vice-Chair of the Rent Board by a 5:4 vote.

c. Comments from the newly-elected Chair, Vice-Chair and Commissioners. Newly-elected Chair Simon-Weisberg and Vice-Chair Alpert made comments, as did other members of the Board.

6. CONSENT ITEMS

- a. Approval of the November 19th regular meeting minutes

M/S/C (Alpert/Selawsky) APPROVE CONSENT ITEM AS WRITTEN. Roll call vote. YES: Alpert, Chang, Johnson, Kelley, Laverde, Mendonca, Selawsky, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0.

7. ACTION ITEMS

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

- (1) Update and possible action regarding Measure MM implementation (Acting Executive Director and Budget & Personnel Committee)

M/S/C (Selawsky/Laverde) ADOPT RESOLUTION 20-23 AS WRITTEN. Roll call vote. YES: Alpert, Chang, Johnson, Kelley, Laverde, Mendonca, Selawsky, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0.

- (2) Discussion and possible action to consider administering the Fair Chance Ordinance (Acting Executive Director)

M/S/C (Chang/Laverde) ADOPT AN AGREEMENT IN PRINCIPLE THAT THE RENT BOARD WILL ADMINISTER THE FAIR CHANCE ORDINANCE PENDING AGREEMENT ON APPROPRIATE FUNDING FROM THE CITY. Roll call vote. YES: Alpert, Chang, Johnson, Kelley, Laverde, Mendonca, Selawsky, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0.

- (3) Recommendation that the Board create an outreach/education campaign to ensure that Berkeley property owners and tenants of partially-exempt units are aware of and abiding by Assembly Bill 1482 and Penal Code 396 (Chair Laverde & Vice-Chair Simon-Weisberg)

M/S/C (Alpert/Laverde) MOVE THE ITEM AS WRITTEN. Roll call vote. YES: Alpert, Chang, Johnson, Kelley, Laverde, Mendonca, Selawsky, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0.

- (4) Discussion and recommendation to set the 2021 Regular Rent Board Meeting Schedule (Acting Executive Director)

M/S/C (Simon-Weisberg/Kelley) ADOPT THE PROPOSED 2021 REGULAR MEETING SCHEDULE AS WRITTEN. Roll call vote. YES: Alpert, Chang, Johnson, Kelley, Laverde, Mendonca, Selawsky, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0.

The commissioners stated their availability for the record as follows:

- Johnson: not sure of availability right now
- Laverde: not available for the August meeting
- Mendonca: not available for the July meeting
- Alpert: not sure of availability right now
- Selawsky: not available for the September meeting
- Simon-Weisberg: not available for the July meeting
- Walker: not sure of availability right now
- Chang: not available for the July and October meetings

8. INFORMATION, ANNOUNCEMENTS AND NEWS ARTICLES

THE ITEMS BELOW WERE EACH MENTIONED OR BRIEFLY DISCUSSED. UNDERLINED ITEMS HAVE ADDITIONAL COMMENTS.

a. Reports from Board Members/Staff

- (1) Update on Rent Board staff's support of those impacted by the fire at 2067 University Avenue (Acting Executive Director)
- (2) Summer 2020 report prepared by the Coalition for Humane Immigrant Rights (Chirla.org) titled, "Forgotten During Covid: An Assessment of Immigrant Needs in the Pandemic" (Chair Laverde)
<https://www.chirla.org/wp-content/uploads/2020/12/Forgotten-During-Covid-Report-FINAL.pdf>
- (3) December 1, 2020 *Joint Center for Housing Studies* (Harvard University) article by Chris Herbert, James Stockard and Ben Hecht titled, "In Pursuit of New Approaches to Solve the Rental Affordability Crisis in US Cities" (Chair Laverde)
<https://www.jchs.harvard.edu/blog/pursuit-new-approaches-solve-rental-affordability-crisis-us-cities>
- (4) December 7, 2020 *The Washington Post* article by Heather Long titled, "Millions of Americans are heading into the holidays unemployed and over \$5,000 behind on rent" (Chair Laverde)
<https://www.washingtonpost.com/business/2020/12/07/unemployed-debt-rent-utilities/>

9. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS

Each committee Chair provided a brief overview of their committee's work for the benefit of the newly-elected members. Additional comments, if any, are noted below.

- a. Budget and Personnel – Committee Chair Selawsky mentioned the item the Board voted on earlier, and that the Committee will next meet on January 28th to start the

- mid-year budget review process.
- (1) November 20th agenda
 - (2) December 10th agenda
- b. Eviction/Section 8/Foreclosure
 - c. Habitable & Sustainable Housing (HASH)
 - d. IRA, AGA and Registration
 - e. Outreach
 - f. 4 x 4 Joint Committee on Housing: City Council/Rent Board
 - (1) November 24th agenda packet
 - g. Ad Hoc Committee on Technology Issues
 - h. Updates and Announcements regarding future Special Meetings
 - i. Discussion of items for possible placement on future agenda – Commissioner Chang would like to discuss a Board retreat at a future meeting.

10. ADJOURNMENT – M/S/C (Alpert/Laverde) MOTION TO ADJOURN THE MEETING. Roll call vote. YES: Alpert, Chang, Johnson, Kelley, Laverde, Mendonca, Selawsky, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0. The meeting adjourned at 10:58 p.m.