



Rent Stabilization Board

RENT STABILIZATION BOARD Regular Meeting – *Unapproved Minutes*

NEW Location:

Berkeley Unified School District Board Room

1231 Addison Street

Broadcast Live on KPFB – 89.3 and BTV Cable Channel 33

Live Webcasting at www.cityofberkeley.info/rent

Thursday, April 18, 2019

7:00 p.m

1. **Roll call** – Chair Laverde called the meeting to order at 7:30 p.m.
Aimee Mueller called roll.
Present: Alpert, Chang, Murphy, Poblet, Selawsky, Simon-Weisberg, Soto-Vigil, Tregub, Laverde.
Staff present: Brown, Kelekian, Mueller.
2. **Approval of Agenda** – M/S/C (Soto-Vigil/Murphy) APPROVE AGENDA WITH THE FOLLOWING CHANGES: MOVE ITEM 6.a.(5) TO BE THE FIRST ACTION ITEM HEARD, REMOVE ITEM 6.a.(4) FROM THE AGENDA. *Friendly amendment by Chang (accepted)*: MOVE ITEM 6.a.(2) TO CONSENT. Voice Vote. Carried: 9-0-0-0.
3. **Public Forum** – There were nine speakers. Some spoke before the item they were present to comment about was heard. Steve Martinot spoke about the RV Ordinance, and requested that items that draw numerous public speakers be heard first. Mayor Jesse Arreguín, Kimberly Magit, Margy Wilkinson, Diana Bohn, Eva Chrysanthe, Negeene Mosued, Amber Whitson, and Willie Philips each spoke about the RV Ordinance.
4. **CONSENT ITEMS**

Action item 6.a.(2) was moved to consent by a prior vote of the Board.

- a. Approval of the March 21st regular meeting minutes
- b. Request to reimburse Commissioner Soto-Vigil for the stipend deduction due to his absence from the March 5, 2019 Habitable & Sustainable Housing Committee meeting (Commissioners Chang and Soto-Vigil)
- c. Recommendation to adopt Resolution 19-05 authorizing the Executive Director to allocate an additional \$2,500 in AEPHI funds to fully reimburse the current \$10 per month AGA pass-through to income-eligible long-term tenants (Executive Director)

- d. Recommendation to adopt Resolution 19-06 authorizing the Executive Director to issue a Request for Proposal (RFP) for a New Integrated Database System for the Rent Stabilization Board (Budget & Personnel Committee and Executive Director)
- e. Recommendation to adopt Resolution 19-07 authorizing the Executive Director to issue a Request for Proposal (RFP) for the Scanning of Rent Stabilization Program Files (Budget & Personnel Committee and Executive Director)

M/S/C (Selawsky/Tregub) APPROVE ALL CONSENT ITEMS, INCLUDING ITEM 6.a.(2), AS WRITTEN. Voice vote. Carried: 9-0-0-0.

5. APPEAL – Case No. E-92 (2504 Dana Street, Units A, B and C)

Appearances: Scott Freedman, attorney for Appellant.

M/S/C (Alpert/Murphy) APPROVE THE STAFF RECOMMENDATION AS WRITTEN. Roll call vote. YES: Alpert, Chang, Murphy, Poblet, Selawsky, Simon-Weisberg, Soto-Vigil, Tregub, Laverde; NO: None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0.

6. ACTION ITEMS

Item 6.a.(5) was heard first, item 6.a.(2) was moved to consent, and item 6.a.(4) was removed from the agenda by a prior vote of the Board.

a. From Board Members, Executive Director and Committees

- (1) Recommendation to adopt Resolution 19-08 Setting the Fiscal Year (FY) 2019/20 Annual Registration Fee (due July 1, 2019) and Resolution 19-09 Authorizing the Pass-Through of a Portion of the Registration Fee to Certain Tenants (Budget & Personnel Committee and Executive Director)

M/S/C (Laverde/Tregub) APPROVE THE ITEM AS WRITTEN. Roll call vote. YES: Alpert, Chang, Murphy, Poblet, Selawsky, Simon-Weisberg, Soto-Vigil, Tregub, Laverde; NO: None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0.

- (2) Recommendation to adopt Resolution 19-10 Establishing the FY 2019/20 Summer Rental Registration Fee for Qualifying Fraternities and Sororities (Budget & Personnel Committee and Executive Director)

MOVED TO CONSENT BY A PRIOR VOTE OF THE BOARD.

- (3) Recommended revisions to the Rent Board Meeting Procedures (Commissioners Tregub, Alpert and Chair Laverde)

M/S/C (Tregub/Simon-Weisberg) APPROVE THE PROPOSED REVISIONS TO THE RENT BOARD'S MEETING PROCEDURES AS WRITTEN. Roll call vote. YES: Alpert, Poblet, Simon-Weisberg, Tregub, Laverde; NO: Chang, Murphy, Selawsky, Soto-Vigil; ABSTAIN: None; ABSENT: None. Carried: 5-4-0-0.

- (4) Discussion and possible action to change the membership of the 4x4 Joint Committee on Housing (Commissioners Selawsky and Soto-Vigil)

REMOVED FROM THE AGENDA BY A PRIOR VOTE OF THE BOARD.

- (5) Recommendation regarding Ordinance No. 7,643-N.S. (BMC Section 14.20.120 C.) pertaining to parking of recreational vehicles (RVs) or campers (Commissioners Soto-Vigil, Murphy, and Chair Laverde)

After extensive discussion and multiple proposed modifications to the substitute recommendation for this item, the Board took the following action:

M/S/C (Tregub/Alpert) ADOPT THE SUBSTITUTE RECOMMENDATION AND DRAFT LETTER AS MODIFIED THIS EVENING, AND SEND TO COUNCIL AND THE CITY MANAGER WITH COURTESY COPIES TO LT. GOVERNER ELENI KOUNALAKIS, SENATOR NANCY SKINNER, ASSEMBLYMEMBER BUFFY WICKS, CONGRESSWOMAN BARBARA LEE, CONTROLLER BETTY YEE, SUPERVISOR KEITH CARSON, AND THE BERKELEY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION. Roll call vote. YES: Alpert, Murphy, Poblet, Selawsky, Simon-Weisberg, Soto-Vigil, Tregub, Laverde; NO: Chang; ABSTAIN: None; ABSENT: None. Carried: 8-1-0-0.

7. INFORMATION, ANNOUNCEMENTS AND NEWS ARTICLES

ALL ITEMS BELOW WERE MENTIONED AND/OR BRIEFLY DISCUSSED. UNDERLINED ITEMS HAVE ADDITIONAL COMMENTS OR INFORMATION.

a. Reports from Board Members/Staff

- (1) Two-thirds-year Budget Update (Executive Director)
- (2) Deputy Director recruitment and update on Rent Board Staffing Model (Executive Director) – The Executive Director informed the Board that the Deputy Director job brochure has been emailed/mailed to over 150 organizations, and the agency’s two new Office Specialist II’s began on April 1st.
- (3) Commissioner attendance at Board & Committee meetings for the 1st Quarter of 2019 (Executive Director)
- (4) Update on recent and upcoming Rent Board outreach events (Executive Director)
- (5) March 13, 2019 *East Bay Express* article by Steven Tavares titled, “Housing Crisis Averted in San Leandro?” (Commissioner Tregub)
<https://www.eastbayexpress.com/oakland/housing-crisis-averted-in-san-leandro/Content?oid=25397143>
- (6) March 13, 2019 *Fortune.com* article by Bloomberg titled, “Airbnb Loses Major Fight Over California City’s Rental Law” (Vice-Chair Simon-Weisberg)

http://fortune.com/2019/03/13/airbnb-loses-fight-california-citys-rental-law/?utm_source=emailshare&utm_medium=email&utm_campaign=email-share-article&utm_content=2019031

- (7) April 3, 2019 *East Bay Citizen* (ebcitizen.com) article by Steven Tavares titled, “Sweeping protections for Alameda renters coming soon” (Commissioner Tregub)
<https://ebcitizen.com/2019/04/03/sweeping-protections-for-alameda-renters-is-coming-soon/>
- (8) April 4, 2019 *The Mercury News* article by Angela Ruggiero titled, “Ghost Ship owners plead the Fifth in trial over deadly warehouse fire” (Commissioner Tregub)
<https://www.mercurynews.com/2019/04/04/ng-family-owners-of-the-ghost-ship-warehouse-appear-in-court-for-first-time/>
- (9) April 7, 2019 *Santa Cruz Sentinel* article by Marisa Kendall titled, “The kids aren’t alright: How the housing crisis hurts the Bay Area’s youngest residents” (Executive Director)
<https://www.santacruzsentinel.com/2019/04/07/the-kids-arent-all-right-how-the-housing-crisis-impacts-the-bay-areas-youngest-residents/>
- (10) April 8, 2019 *PRNewswire.com* article by Columbia Business School titled, “Return of Rent Control: New Research Shows Benefit of Decades-Old Affordable Housing Approach” (Executive Director)
<https://www.prnewswire.com/news-releases/return-of-rent-control-new-research-shows-benefit-of-decades-old-affordable-housing-approach-300826319.html>

8. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS

- a. Budget and Personnel – Committee Chair Tregub reported that the Committee will be meeting in the next few weeks to finalize the budget, and asked that Commissioners alert staff if they have any proposals that would have a budgetary impact.
 - (1) March 12th minutes
 - (2) April 11th agenda
- b. Eviction/Section 8/Foreclosure – Committee Chair Poblet reported that the Committee will be meeting in May to review legal service provider proposals.
- c. Habitable & Sustainable Housing (HASH) – Committee Chair Chang said the Committee is discussing ways to increase resiliency before a disaster strikes, and setting their work plan.
 - (1) March 5th minutes
 - (2) April 2nd agenda

- d. IRA, AGA and Registration – Committee Chair Simon-Weisberg reported that the Committee is looking at staff proposals to streamline regulations, and how the Tenant Protection Ordinance may interplay with the Rent Ordinance.
 - (1) April 9th agenda
- e. Outreach – Committee Chair Chang reported that the Committee’s next meeting will focus on the tenant survey.
 - (1) March 7th minutes
 - (2) April 4th agenda
- f. 4 x 4 Joint Committee on Housing: City Council/Rent Board – the Executive Director mentioned that the Mayor’s Office has proposed a meeting date in May and that staff will work on scheduling.
- j. Ad Hoc Committee on Technology Issues
- k. 2 x 2 x 2 Committee on Housing: Council / Rent Board / BUSD
- l. Updates and Announcements regarding future Special Meetings
- m. Discussion of items for possible placement on future agenda

9. ADJOURNMENT – The meeting adjourned at 10:27 p.m.