



Rent Stabilization Board

To: Rent Stabilization Board Commissioners
From: Commissioner Alejandro Soto-Vigil
Date: March 20, 2015
Subject: Commissioner Email Policy

RECOMMENDATION:

That the Rent Board modify its e-mail policy to discontinue our mandate that staff automatically review emails sent to Commissioners' City issued emails.

BACKGROUND:

History of Staff Access to Commissioners Email Should be Discontinued

On March 17, 2013, the Rent Board voted (7-2-0-0) NO: Blake, Townley on the part of the Rent Board e-mail policy,

“The communications to the full Board would go to staff to review and forward. When communications are of a policy nature, they will be included in the full Board packet. **The communications for individual Board members would simultaneously go to the Board member’s mailbox and to a staff mailbox. Staff will review the mail and act as a ‘fail safe’ and notify the Board member that a communication was received and is being forwarded.** If there is an additional advisory message (Brown Act alert, an appeal is pending or anticipated and it is recommended that the communication not be read, or relevant background on the issue about which the e-mailer is communicating), that will be included at the time the e-mail is forwarded to the Board member.”

On April 20, 2015, due to numerous concerns raised by Commissioners Soto-Vigil and Chang, a recommendation was brought forward that sought to modify the Board’s Commissioner Email Policy. The motion to change the policy failed by a 4-3-2-0.

Why Staff Access to Commissioners Email Should be Discontinued

Over the last several years, the Rent Board Commissioners that use City emails have received numerous communications from members of the public. There is a wide array of the types of emails that we see,

some more relevant than others. As policy makers, it is important that we continue examining what policies work and what policies need changing. Again it time that the Board discuss changing the Rent Board email policy.

Confidentiality

Rent Board Commissioners have the responsibility to direct and supervise the Executive Director. Over the last few years, I have received emails from members of the public that expected the communication to be viewed by only me. The particular emails that are relevant for this discussion were critical of Rent Board staff or the Executive Director. It was clear that the senders of the email did not expect that the Executive Director or Staff to have the automatic ability to review the communications. It is improper for residents and members of the public not to know that their communication to elected members of the Board would be automatically reviewed by staff.

It is imperative that when residents or members of the public communicate to Rent Board Commissioners, that they can feel free to express their opinion about staff without staff having the automatic right to view the complaint, whether or not the complaint is warranted.

Legislative Autonomy

There is no other legislative body in the entire county where the executive, that oversees the bureaucracy, has the automatic right to see all incoming emails sent by the public to the legislator. Each commissioner should have the right to respond or not respond to emails sent to the city issued email account. On March 9, 2017, I was sent a communication to my RSBSoto-Vigil email account from Local Progress, a policy focused group which I am a member. Staff, although with no ill intentions, sent an email on my behalf stating “Please REMOVE us from this mailing list.” The problem is that our email policy allows our staff to review and at times erroneously speak on our behalf.

I know that staff did not intend to speak for me, but the email was received by the Local Progress staff and caused confusion. Here is local Progress’ response “Alejandro, I'm not sure how this email bounces within the Rent Board, but do you have a different email you could provide us so that we can reach you and share information without annoying your colleagues and staff? Thanks!”

Staff Time

At a time when tenant harassment and displacement is at its height, staff should not focus on monitoring Commissioners emails. With thousands of people seeking the services of the Rent Board, our staff has plenty of work to do other than review and respond to emails sent to commissioners. Moreover, given our budget and staff limitations, the added mandate that staff review our emails causes an unnecessary burden to staff’s workload.

Therefore it is recommended that the Rent Board Commissioners modify the Rent Board email policy to the following:

“The communications to the full Board would go to staff to review and forward. When communications are of a policy nature, they will be included in the full Board packet. The communications for individual Board members would simultaneously go to the Board member’s mailbox and to a staff mailbox. Staff

will review the mail and act as a ‘fail safe’ and notify the Board member that a communication was received and is being forwarded. If there is an additional advisory message (Brown Act alert, an appeal is pending or anticipated and it is recommended that the communication not be read, or relevant background on the issue about which the e-mailer is communicating), that will be included at the time the e-mail is forwarded to the Board member.”

Attachment:

1. Exhibit A

EXHIBIT A

----- Forwarded message -----

From: **Mueller, Aimee B.** <AMueller@cityofberkeley.info>
Date: Thu, Mar 9, 2017 at 6:57 PM
Subject: RE: Local Progress Member Call Follow Up
To: Tarsi Dunlop <tdunlop@populardemocracy.org>

Please REMOVE us from this mailing list.

Thank you,

Aimee Mueller
Rent Stabilization Board Administration
2125 Milvia Street | Berkeley, CA 94704
Tel.: [510.981.4932](tel:510.981.4932) | Fax: [510.981.4940](tel:510.981.4940)
amueller@cityofberkeley.info

From: Tarsi Dunlop [mailto:tdunlop@populardemocracy.org]
Sent: Thursday, March 09, 2017 12:58 PM
To: Tarsi Dunlop <tdunlop@populardemocracy.org>
Subject: Local Progress Member Call Follow Up

Hello Local Progress Members,
Thank you for registering for the March 2017 Member Call. For those of you that were able to join in, we hope you found it inspiring and useful. Please make sure to share your victories and resistance efforts with us, we want to lift up your stories in future calls (as well as on social media).

Action Items:

- 1) Join us in NYC to Advance Immigrant Protections and Defend Sanctuary Cities (Learn more and register [here](#)) - deadline to be considered for financial aid is March 10th (tomorrow)!
- 2) Join one of our three campaigns, and share your victories with us [here](#).
- 3) [Register to join us](#) in Austin this summer, July 28th & 29th.
- 4) Follow us on [Twitter](#)

As always, please let us know how we can support your work and thank you for all that you do.
In solidarity,

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Tarsi Dunlop

Local Progress Program and Membership Associate
Center for Popular Democracy
+ CPD Action
1730 M Street, NW Suite 1115 | Washington, DC 20036
O: [202-516-8428](tel:202-516-8428)
M: [413.822.1051](tel:413.822.1051)
populardemocracy.org | cpdaction.org