RENT STABILIZATION BOARD
Regular Meeting Minutes - Approved

Maudelle Shirek Building                       Monday, August 14, 2017
2134 Martin Luther King Jr. Way                      7:00 p.m.
Council Chambers, Second Floor
Broadcast Live on KPFB – 89.3 and BTV Cable Channel 33
Live Webcasting at www.cityofberkeley.info/rent

In accordance with the Brown Act, CA Government Code Section 54953(b)(2), this meeting was also
teleconferenced from the following location: 10 Library Drive, South Freeport, ME 04032.

1. Roll call – Chair Selawsky called the meeting to order at 7:09 p.m.
   Aimee Mueller called roll.
   Commissioners present: Chang, Laverde-Levine, Murphy, Poblet (via teleconference; signed off
   at 9:27 p.m.), Selawsky, Simon-Weisberg, Soto-Vigil.
   Commissioners absent: Townley, Tregub.
   Staff present: Brown, Kelekian, Mueller, Shoquist.

2. Approval of Agenda M/S/C (Chang/Murphy) MOTION TO APPROVE THE AGENDA WITH
   THE FOLLOWING CHANGES: MOVE ACTION ITEMS 7.a.(2), 7.a.(3), AND 7.a.(4) TO
   CONSENT. Roll call vote. YES: Chang, Laverde-Levine, Murphy, Poblet, Simon-Weisberg,
   Soto-Vigil, Selawsky; NO: None; ABSTAIN: None; ABSENT: Townley, Tregub.
   Carried: 7-0-0-2.

3. Public Forum – There were two speakers. Moni Law spoke about rent-related issues facing
   students as the new school year begins. W.B.C. encouraged the public to contact the City
   Auditor and appropriate authorities if they are victims of wrongdoing at the hands of their
   landlords or City staff.

4. CONSENT ITEMS

   Action items 7.a.(2), 7.a.(3), and 7.a.(4) were moved to Consent via an earlier vote of the
   board.

   a. Approval of the July 17th Regular Meeting minutes

   M/S/C (Soto-Vigil/Chang) MOTION TO APPROVE CONSENT ITEM 4.a. AS
   WRITTEN, AND ACTION ITEMS 7.a.(2), 7.a.(3), AND 7.a.(4) AS WRITTEN.
Roll call vote. YES: Chang, Laverde-Levine, Murphy, Poblet, Simon-Weisberg, Soto-Vigil, Selawsky; NO: None; ABSTAIN: None; ABSENT: Townley, Tregub. Carried: 7-0-0-2.

5. **SPECIAL PRESENTATION by Brian Augusta & Associates, Rent Board Legislative Advocate, on housing-related legislation** – 30 min.*

Brian Augusta and Michael Moynagh provided a report to and took questions from the Board.

a. State Legislative Report

b. Report, analysis and recommendation concerning Senate Bill 35 (Wiener)

6. **APPEAL** – **Case No. RWN-1569 (3000 Harper Street)**

Appearances: appellant Richard Fox and Robert Taylor on behalf of appellant.

M/S/C (Soto-Vigil/Simon-Weisberg) MOTION TO UPHOLD THE HEARING EXAMINER’S DECISION. Roll call vote. YES: Chang, Laverde-Levine, Murphy, Poblet, Simon-Weisberg, Soto-Vigil, Selawsky; NO: None; ABSTAIN: None; ABSENT: Townley, Tregub. Carried: 7-0-0-2.

7. **ACTION ITEMS**

Action items 7.a.(2), 7.a.(3), and 7.a.(4) were moved to Consent via an earlier vote of the board.

a. From Board Members, Executive Director and Committees

   (1) **Recommendation regarding Senate Bill 35 (Wiener) – Planning and zoning: affordable housing; streamlined approval process** (Chair Selawsky & Commissioner Townley) – Held over from the July 17th meeting


   (2) **Recommendation to adopt a resolution authorizing the Executive Director to execute a contract with Quartet Systems, Inc. in an amount not to exceed $45,000 to develop the requisite functionalities for a client portal enabling expanded online registration by property owners** (Executive Director & Chair Selawsky)

   This item was moved to Consent via an earlier vote of the board.
(3) **Recommendation to adopt a resolution authorizing the Executive Director to negotiate and execute a contract with Software A.G. in an amount not to exceed $250,000 to provide services enhancing the Board’s Rent Tracking System (RTS) database including, but not limited to, database upgrades, servicing and system maintenance and development of API integration enabling online registration** (Executive Director & Chair Selawsky)

This item was moved to Consent via an earlier vote of the board.

(4) **Recommendation to refer to the 4 x 4 Joint Committee on Housing a recommendation to amend Berkeley Municipal Code (B.M.C.) 19.50 to require specific signage in elevators and designate staff to monitor implementation and enforcement of the ordinance** (Habitable & Sustainable Housing Committee)

This item was moved to Consent via an earlier vote of the board.

8. INFORMATION, ANNOUNCEMENTS AND NEWS ARTICLES

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

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

a. Reports from Board Members/Staff

(1) Update on staffing changes (Executive Director) – *Verbal*

(2) Updated 2017 Committee Assignments List (Chair Selawsky)

(3) Memorandum regarding Review of Exemptions for Small Owner-Occupied Properties in California Rent Control Jurisdictions (Executive Director)

(4) Sample of August 9th letter to tenants of properties owned by Happy Home Partners, LLC informing them that recent eviction notices they received were invalid (Executive Director)


(7) July 28, 2017 *Mountain View Voice* article by Mark Noack titled, “Debate over rent control’s start date heading to court” (Vice Chair Laverde-Levine)

(8) July 28, 2017 *East Bay Times* article by Lisa P. White titled, “Amid housing crunch, Bay Area tenants confront landlords, call for rent control” (Vice Chair Laverde-Levine)

(9) July 28, 2017 *LA Weekly* article by Dennis Romero titled, “Evictions From Rent-Controlled Apartments in L.A. Double” (Vice Chair Laverde-Levine)

(10) July 28, 2017 *The Sacramento Bee* article by Ryan Lillis and Anita Chabria titled, “Will rent control solve Sacramento’s housing crisis?” (Vice Chair Laverde-Levine)

(11) July 28, 2017 *The Sacramento Bee* article by Hannah Knowles titled, “As rents soar in the region, Roseville looks to add affordable housing” (Vice Chair Laverde-Levine)

(12) August 1, 2017 *The Daily Journal* article by Diana Reddy titled, “The big lie about California’s housing crisis” (Vice Chair Laverde-Levine)

(13) August 2, 2017 *The Sacramento Bee* article by Angela Hart titled, “Where rent control battles are emerging in California” (Vice Chair Laverde-Levine)

(14) August 2, 2017 *Marin Independent Journal* article by Keri Brenner titled, “Marin supervisors hear pleas for tenant protections” (Vice Chair Laverde-Levine)

(15) August 3, 2017 *Zillow.com* article by Chris Glynn and Melissa Allison titled, “Rising Rents Mean Larger Homeless Population” (Vice Chair Laverde-Levine)
https://www.zillow.com/research/rents-larger-homeless-population-16124/

(16) August 5, 2017 *KCRA.com* article by Sarah Heise titled, “Sacramento, Stockton rent costs see big increase in 2017” (Vice Chair Laverde-Levine)

9. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS

a. Budget and Personnel

b. Eviction/Section 8/Foreclosure

c. Habitable & Sustainable Housing (HASH) – Committee Chair Laverde-Levine mentioned that the Committee had to cancel the last scheduled meeting and will reschedule soon.

d. IRA, AGA and Registration

   (1) August 3rd cancellation notice

e. Outreach – Committee Chair Chang updated the Board on the Committee’s work and encouraged all Commissioners to be involved with community outreach activities.

   (1) August 7th agenda

f. 4 x 4 Joint Committee on Housing: City Council/Rent Board

g. 4 x 4 Ad Hoc Committee on Safety, Occupancy and Affordability of Converted Artist Warehouses and Workspaces

h. Ad Hoc Committee on the Effects of Costa-Hawkins

i. Ad Hoc Committee on Technology Issues

j. 2 x 2 x 2 Committee on Housing: Council / Rent Board / BUSD

k. Updates and Announcements regarding future Special Meetings

l. Discussion of items for possible placement on future agenda

At 9:37 p.m. the Board adjourned to reconvene in closed session to discuss the items listed below.
10. CLOSED SESSION
   Pursuant to California Government Code Section 54956.9(d)(1), the Board convened in closed
   session for an update on litigation:

   Gabriela Del Hoyo, et al. v. Superior Court of Alameda County (Alameda County Appellate
   Division, Case No. RG 17844740)

   St. Hieronymus Press, INC, a California Corporation, et al. v. City of Berkeley Rent
   Stabilization Board, et al. (Alameda County Superior Court, Case No. RG 17867768)

   Following the Board’s return from closed session, Chair Selawsky reported that no action was
   taken.

11. ADJOURNMENT – The Chair adjourned the meeting at 10:16 p.m. in memory of the victims
    of the violence in Charlottesville, Virginia, and in memory of the victims of the Berkeley
    balcony collapse.