



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

Monday, July 16, 2018
7:00 p.m.

6:30 p.m. Prior to the public meeting, the Board met in Closed Session.

CLOSED SESSION – Pursuant to California Government Code Section 54957.6, the Board convened in Closed Session for discussion and possible action regarding:

UPDATE ON LABOR NEGOTIATIONS

Negotiators: Jay Kelekian, Executive Director

Margarita Zamora, Employee Relations Officer, City of Berkeley Human Resources Dept.

Employee Organizations:

- SEIU Local 1021 – CSU / PTRLA
- SEIU Local 1021 Maintenance & Clerical Chapters
- Public Employees Union Local 1
- Unrepresented Employees (Z2) and (Z9)

Upon conclusion of the closed session, Chair Selawsky announced that the Board heard updates on labor negotiations per California Government Code section 54957.6, but took no action.

1. **Roll call** – Chair Selawsky called the public meeting to order at 7:55 p.m.
Aimee Mueller called roll.
Present: Chang, Laverde, Murphy, Poblet, Soto-Vigil, Townley, Tregub, Selawsky.
Absent: Simon-Weisberg.
Staff present: Brown, Kelekian, Mueller.
2. **Approval of Agenda** – M/S/C (Tregub/Laverde) MOTION TO APPROVE THE AGENDA WITH THE FOLLOWING CHANGES: MOVE ACTION ITEM 6.a.(1) TO CONSENT, AND ADJOURN THE MEETING IN MEMORY OF PETER ROSS TANNENBAUM. Voice vote.
Carried: 8-0-0-1. ABSENT: Simon-Weisberg.
3. **Public Forum** – There were two speakers. Christine Schwartz spoke about her recent experience with unauthorized entry into her unit. Jon Crowder spoke about his experience as a

tenant at 1221 Addison St. #3, and his requests to the Rent Board to mediate issues with his landlord.

4. CONSENT ITEMS

Action item 6.a.(1) was moved to consent by an earlier vote of the Board.

- a. Approval of the June 18th meeting minutes
- b. Recommendation to waive the stipend deduction for Commissioner Murphy's absence from the July 9th Outreach Committee meeting (Commissioners Chang and Murphy)

M/S/C (Tregub/Laverde) MOTION TO APPROVE ALL CONSENT ITEMS AND ACTION ITEM 6.a.(1) AS WRITTEN. Voice vote. Carried: 8-0-0-1. ABSENT: Simon-Weisberg.

5. APPEAL – Case No. RWN-1604 (2441 Martin Luther King Jr. Way, Unit C)

Appearances:

Huiging Fong, Appellant.

Helen Fong, providing translation for Appellant.

Reginald Elliot, Respondent.

M/S/C (Townley/Murphy) MOTION TO UPHOLD THE HEARING EXAMINER'S DECISION AS WRITTEN. Roll call vote. YES: Chang, Laverde, Murphy, Poblet, Soto-Vigil, Townley, Tregub, Selawsky; NO: None; ABSTAIN: None; ABSENT: Simon-Weisberg. Carried: 8-0-0-1.

6. ACTION ITEMS

Action item 6.a.(1) was moved to consent by an earlier vote of the Board.

a. From Board Members, Executive Director and Committees

- (1) Recommendation to adopt Resolution 18-14 authorizing the Executive Director to proceed under the terms of the contract with Software AG for the 2017/2018 fiscal year 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 and Chair Selawsky)

MOVED TO CONSENT BY AN EARLIER VOTE OF THE BOARD.

7. INFORMATION, ANNOUNCEMENTS AND NEWS ARTICLES

**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 Board's recommendation to City Council regarding proposed amendments to the Rent Stabilization Ordinance (Executive Director) – The Executive Director reported that proposed items as drafted by Rent Board staff were on the City Council's July 10th agenda. There were two proposed revisions, one by the City Attorney and another by Council Member Harrison. The Council did not get to these items on July 10th, so they will be on Council's July 24th agenda.
- (2) Online Registration update – *Verbal* (Executive Director)
- (3) Short-term Rental applications update (Executive Director)
- (4) Summary of Ellis Act Evictions as of June 1, 2018 (Eviction/Section 8/Foreclosure Committee and Executive Director)
- (5) Commissioner attendance at Board and Committee Meetings through June 30, 2018 (Executive Director)
- (6) Rent Board "Tip of the Month" for July 2018 – *Sustainability in Rental Units* (Executive Director)
- (7) Remembering Peter Ross Tannenbaum (Executive Director)
<http://www.berkeleyside.com/2018/06/21/remembering-peter-ross-tannenbaum-a-powerful-force-in-berkeley-and-east-bay-politics>
- (8) June 13, 2018 *Moody's Analytics Economy.com* analysis by Andres Carbacho-Burgos titled, "A Dissent: The Economic Consequences of Unrestricted Rent in California" (Executive Director)
<https://www.economy.com/dismal/analysis/301525>
- (9) June 25, 2018 *Mercury News.com* article by Annie Sciacca titled, "The eye-popping definition of what is 'low income' in the Bay Area increases again" (Executive Director)
<https://www.mercurynews.com/2018/06/25/the-eye-popping-definition-of-what-is-low-income-in-the-bay-area-increases-again/>
- (10) June 27, 2018 *CNN.com* article by Tami Luhby titled, "Yet another sign that San Francisco's housing market is out of control" (Executive Director)
<https://www.cnn.com/2018/06/27/us/san-francisco-income-housing/index.html>
- (11) July 2, 2018 *IndyBay.org* article by Lynda Carson titled, "Vote 'Yes' on Proposition 10 to repeal extreme Costa Hawkins Act in November" (Vice-Chair Laverde)
<https://www.indybay.org/newsitems/2018/07/02/18816290.php> - Vice-Chair Laverde reported that the initiative to repeal Costa-Hawkins has made it to the ballot and is now known as Proposition 10. Commissioner Tregub reported that the California Democratic Party has endorsed Proposition 10.

- (12) July 6, 2018 *DailyCal.org* article by Alexandra Reinecke titled, “Berkeley City Council to vote on new qualifications for vacancy fines” (Vice-Chair Laverde)
<http://www.dailycal.org/2018/07/06/berkeley-city-council-vote-new-qualifications-vacancy-fines/>

8. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS

- a. Budget and Personnel – Committee Chair Tregub stated that the Committee is in the process of negotiating a contract with the Executive Director.
- b. Eviction/Section 8/Foreclosure
- c. Habitable & Sustainable Housing (HASH) – Committee Chair Laverde and Commissioner Townley reported that the Committee met last month and is looking at a number of issues like resurrecting the Emergency Cache Program and incentivizing green re-building post-disaster.
 - (1) May 17th minutes
 - (2) June 28th agenda
- d. IRA, AGA and Registration
- e. Outreach – Committee Chair Chang reported that the Facebook outreach plan has been implemented for FY 2017-2018, and he hopes the Rent Board will conduct another tenant survey next year.
 - (1) July 9th 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

- 9. ADJOURNMENT** – The meeting was adjourned at 9:33 p.m. in honor and memory of Peter Ross Tannenbaum.