



4x4 Committee on Housing
City Council and Rent Board

4 X 4 JOINT COMMITTEE ON HOUSING CITY COUNCIL/RENT STABILIZATION BOARD

Wednesday, February 23, 2022 – 3:00 p.m.

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE.

Pursuant to Government Code Section 54953(e)(3), City Council Resolution 70,030-N.S., and Rent Board Resolution 21-29, this meeting of the City Council and Rent Stabilization Board's **4 x 4 Joint Committee on Housing** (Committee) will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Resolutions and the findings contained therein that the spread of COVID-19 continues to be a threat to the public health and that holding meetings of City legislative bodies in person would present imminent risks to the health and safety of the public and members of legislative bodies. Therefore, **there will not be a physical meeting location available.**

To access this meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device by clicking on this URL: <https://us06web.zoom.us/j/89750806233?pwd=Q2lQMlVQZUJER2SGRqd0VrUGp6di82UT09>. If you do not wish for your name to appear on the screen, then use the drop-down menu and click on "Rename" to rename yourself to be anonymous. To request to speak, use the "Raise hand" icon by rolling over the bottom of the screen.

To join by phone: Dial 1-669-900-6833 and enter Webinar ID: 897 5080 6233 and Passcode: 073996. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Committee Chair.

To submit an e-mail comment to be read aloud during Public Comment, email btran@cityofberkeley.info with the Subject line in this format: "PUBLIC COMMENT ITEM FOR 4 X 4 COMMITTEE". Please observe a 150-word limit. Time limits on public comments will apply. Written comments will be entered into the public record. **Email comments must be submitted to the email address above by 1:00 p.m. on the day of the Committee meeting in order to be included.**

Please be mindful that this will be a public meeting and all rules of procedure and decorum will apply for meetings conducted by teleconference or videoconference.

This meeting will be conducted in accordance with Government Code Section 54953 and all current state and local requirements allowing public participation in meetings of legislative bodies. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to DéSeana Williams, Executive Director of the Rent Board, at (510) 981-7368 (981-RENT). The Committee may take action related to any subject listed on the Agenda.



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AGENDA

4 X 4 JOINT COMMITTEE ON HOUSING CITY COUNCIL/RENT STABILIZATION BOARD

Wednesday, February 23, 2022 – 3:00 p.m.

1. Roll call
2. Land Acknowledgment Statement: *The Berkeley Rent Stabilization Board recognizes that the rental housing units we regulate are built on the territory of xučyun (Huchiun-(Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's landlords and tenants have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878 and since the Rent Stabilization Board's creation in 1980. As stewards of the laws regulating rental housing, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today.*
3. Approval of the agenda
4. Public comment on non-agenda matters
5. Approval of January 11, 2022 Committee meeting minutes
6. Update on Measure MM registry expansion (Rent Board Staff)
7. Discussion regarding potential for adding more rent controlled units under CA Civil Code Section 1954.52(b) (requested by Vice-Chair Alpert)
8. Discussion regarding welfare exemption policy (requested by Chair Simon-Weisberg, see attachment)
9. Discussion and possible action to consider remedies for situations where landlords unilaterally change keyed entries to keyless entries and tenants are not able to use the new method of access (requested by Chair Simon-Weisberg)
10. Quick updates on previously discussed items
 - a. Update regarding Relocation Ordinance and suggested additions from previous discussion regarding Tenant Habitability Plan Ordinance
11. Adjournment

COMMITTEE MEMBERS:

Mayor Jesse Arreguín

City Councilmember Kate Harrison

City Councilmember Rigel Robinson

City Councilmember Terry Taplin

Rent Board Chairperson Leah Simon-Weisberg

Rent Board Vice-Chairperson Soli Alpert

Rent Board Commissioner Xavier Johnson

Rent Board Commissioner Andy Kelley



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4 X 4 JOINT COMMITTEE ON HOUSING CITY COUNCIL/RENT STABILIZATION BOARD

Tuesday, January 11, 2022 – 3:00 p.m.

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To join by phone: Dial 1-669-900-6833 and enter Webinar ID: 815 2643 1015 and Passcode: 599186. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Committee Chair.

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City Council and Rent Board

4 X 4 JOINT COMMITTEE ON HOUSING CITY COUNCIL/RENT STABILIZATION BOARD

Tuesday, January 11, 2022 – 3:00 p.m.

Minutes To Be Approved

- Roll Call: Mayor Arreguín called the meeting to order at 3:03 p.m.
Present: RBC Alpert, Mayor Arreguín, CM Harrison (logged off at 5:06 p.m.), RBC Johnson, RBC Kelley, CM Robinson, RB Chair Simon-Weisberg, CM Taplin.
Absent: None.
Staff present: Matt Brown, Lief Bursell, Angie Chen, Nate Dahl, Stefan Elgstrand, Margot Ernst, Jen Fabish, J.T. Harechmak, Jordan Klein, David Lopez, Matthew Siegel, Be Tran, DéSeana Williams.
- Approval of the Agenda: M/S/C (Robison/Johnson) Approve the agenda as written. YES: Alpert, Arreguín, Harrison, Johnson, Kelley, Robinson, Simon-Weisberg, Taplin; NO: None; ABSTAIN: None; ABSENT: None. Carried: 8-0-0-0.
- Public Comment on Non-Agenda Matters: One speaker (who spoke on a non-agenda matter following item 6.)
- Approval of October 27, 2021 Committee Meeting Minutes: M/S/C (Harrison/Alpert) Approve the minutes as written. YES: Alpert, Arreguín, Harrison, Johnson, Kelley, Robinson, Simon-Weisberg, Taplin; NO: None; ABSTAIN: None; ABSENT: None. Carried: 8-0-0-0.
- Introduction of New Executive Director of the Berkeley Rent Stabilization Board: DéSeana Williams: RBC Simon-Weisberg introduced Ms. Williams, who made brief comments and was welcomed by committee members.
- Discussion of Relocation Ordinance and Possible Amendments (Vice Chair Alpert): Vice Chair Alpert introduced the item. Nathan Dahl from the Health, Housing, and Community Services Department, and David Lopez and Jordan Klein from the Planning Department offered perspectives on current administration practices. The committee discussed, amongst other things, clarifying who can trigger the Ordinance and tenant appeal rights. Staff will meet to discuss these and other issues raised during the discussion. The committee requested a memorandum in follow-up.

There was one public speaker on this item, who also spoke on a non-agenda matter.

7. Evaluation of City Laws Affecting Tenants During Construction and Suggested Additions from Tenant Habitability Plan Ordinance (Presentation and Memo from Mayor Arreguín and Chair Simon-Weisberg): Mayor Arreguín and RB Chair Simon Weisberg presented. The committee discussed the potential of a local Habitability Plan Ordinance, and intersections with previously discussed Relocation Ordinance issues. Rent Board staff attorney Matthew Siegel proposed possible pathways forward. The committee discussed a working group approach, and will prepare a recommendation for Council to be voted on by the committee at the next meeting. Rent Board General Counsel Matt Brown offered support from the Rent Board's legal unit in preparing the item.

There was one public speaker.

8. Establish 2022 Meeting Dates: The committee agreed by consensus to continue meeting on the fourth Wednesday of each month at 3:00 p.m. The next meeting is scheduled for February 23.
9. Quick Updates on Previously Discussed Items: There were no updates and no public speakers.
10. Discussion of Possible Future Agenda Items
 - a. Elevator Ordinance Update (requested by Chair Simon-Weisberg)
 - b. First in Time Standard Update Related to Source of Income Ordinance (requested by Kelley)
 - c. Discussion on Potential for Adding More Rent Controlled Units Under CA Civil Code Section 1954.52(b) (requested by Alpert)

CM Harrison requested a Measure MM update, if not at the February meeting then in March. The committee asked for an update on Demolition Ordinance Amendments. RBC Alpert requested an update on the discussions staff have related to item 6.

11. Adjournment: M/S/C (Arreguín/Robinson) Motion to adjourn. YES: Alpert, Arreguín, Johnson, Kelley, Robinson, Simon-Weisberg, Taplin; No: None; Abstain: None; ABSENT: Harrison. Carried: 7-0-0-1. The meeting adjourned at 5:10 p.m.

COMMITTEE MEMBERS:

Mayor Jesse Arreguín	Rent Board Chairperson Leah Simon-Weisberg
City Councilmember Kate Harrison	Rent Board Vice-Chairperson Soli Alpert
City Councilmember Rigel Robinson	Rent Board Commissioner Xavier Johnson
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