



Rent Stabilization Board

DATE: June 16, 2022

TO: Honorable Members of the Rent Stabilization Board

FROM: DéSeana Williams, Executive Director

SUBJECT: Recommendation to adopt Resolution 22-16 authorizing the Executive Director to modify the contract with Brian Augusta & Associates for legislative advocacy in an amount not to exceed \$60,000 for the 2022/2023 fiscal year

Recommendation:

That the Board adopt Resolution 22-16 authorizing the Acting Executive Director to execute a contract extension with Legislative Advocate Brian Augusta & Associates for the term through June 30, 2023, in an additional amount not to exceed \$60,000 for the 2022-2023 fiscal year.

Background and Need for Rent Stabilization Board Action:

Since 1984, the Rent Stabilization Board has contracted for legislative advocacy services in Sacramento. Such services relate to potential and proposed legislative measures that affect Berkeley's Rent Stabilization Ordinance as well as coordination of rental housing related legislative issues.

Christine Minnehan & Associates provided the Rent Board extraordinary legislative advocacy for nearly two decades. In 2013, Ms. Minnehan reduced her day-to-day activities as a legislative advocate and took on the role of senior advisor and consultant. For nearly a decade, Brian Augusta worked closely with Ms. Minnehan and Minnehan & Associates and the Rent Board staff. In 2014, the Rent Board hired Brian Augusta & Associates to take over Ms. Minnehan's role as the Board's legislative advocate and he has done an excellent job.

The current contract with Mr. Augusta is for \$5,000 per month or \$60,000 a year. The contract also calls for reimbursement of associated expenses. The reimbursement is not automatic and would be paid only for costs actually incurred and documented. The additional amount set aside for these documented costs was \$1,000, for a total contract amount not to exceed \$61,000 for fiscal year 2021/2022. This year there is no need to set aside an additional amount for reimbursement of associated expenses in FY 2022/2023 because there are still funds left in the current contract to cover these costs.

Brian Augusta & Associates Contract Extension

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Mr. Augusta's firm will continue to provide the following types of services for the Rent Board:

- Regular Legislative Updates – Throughout the legislative session, the Board will receive written reports that identify and explain the many different pieces of legislation affecting rent control and rental housing.
- Rent Board Updates – The Board will receive periodic oral updates from Brian Augusta & Associates at televised Board meetings for the widest dissemination of current legislative events. Mr. Augusta will attend several Board meetings each year to provide comprehensive reports to the Board.
- RSB Staff Updates – Brian Augusta & Associates will meet with Program staff to discuss our operations and proposed legislation to ensure that we properly respond to situations as they may develop in Sacramento as well as here in Berkeley via Sacramento. He will also provide feedback from Sacramento regarding ways to administer the program in a manner that is responsive to legislative concerns.
- Statewide Coordination – Mr. Augusta has similar legislative advocacy contracts with other California rent control cities and assists the Board with periodic statewide coordination efforts that may be appropriate for dealing with proposed and/or adopted legislation.
- Research – When necessary, Brian Augusta & Associates will conduct or disseminate research on the economic and social factors which affect landlords and tenants in California and thus affect our Legislative agenda.

By far the most time consuming and important part of legislative advocacy is the detail work in Sacramento with legislators and their staff members on proposed legislation.

Financial Impact:

Based upon the proposed budget included elsewhere in your agenda package, there will be sufficient funds in the Fiscal Year 2022/2023 budget to cover this contract amount.

Name and Telephone Number of Contact Person:

DéSeana Williams, Executive Director (510) 981-7368

2125 Milvia Street, Berkeley, California 94704

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Brian Augusta & Associates

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May 12, 2022

DéSeana Williams, Executive Director
City of Berkeley Rent Stabilization Board
2125 Milvia Street
Berkeley, CA 94704

Re: Contract Renewal for Fiscal Year 2022-2023

Dear Ms. Williams:

The purpose of this letter is to request the renewal of the annual contract with the City of Berkeley Rent Stabilization Board at the monthly rate of \$5000, plus additional amounts deemed reasonable by the Board to cover reimbursement of out-of-pocket expenses incurred while on Board business, not to exceed \$1000. The renewal would cover the period from July 1, 2022 to June 30, 2023.

Since 1984, the Rent Board has retained a legislative advocate in Sacramento. The advocate's responsibilities, which we propose to continue, have been to monitor, support and oppose legislation in conformance with the purposes of the Rent Stabilization and Eviction for Good Cause Ordinance. Thus, we propose to advocate for legislation and policies consistent with the Ordinance's purposes, as laid out in Section 13.76.030:

1. to regulate residential rent increases in the city of Berkeley.
2. to protect tenants from unwarranted rent increases and arbitrary, discriminatory, or retaliatory evictions, in order to help maintain the diversity of the Berkeley community.
3. to ensure compliance with legal obligations relating to the rental of housing.
4. to address the City of Berkeley's housing crisis.
5. to preserve the public peace, health and safety.
6. to advance the housing policies of the city with regard to low and fixed income persons, minorities, students, handicapped, and the aged.

In addition, to ensure the continued ability of the City and Board to regulate residential rent increases, we propose to defend the Ordinance from attacks and initiatives to outlaw, pre-empt or limit local residential rent control at the state level.

Given the continuing opposition to rent control in general, we closely monitor any efforts to erode

or eliminate rent control and propose to continue to do so. Given the on-going COVID-19 crisis and its impact on renters, we will also closely monitor efforts to provide relief to tenants and landlords in response to the economic impacts of the crisis.

Please let us know if there is any further information that we can provide. Thank you.

Sincerely,


Brian Augusta

cc: Aimee Mueller

RESOLUTION 22-16

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT MODIFICATION WITH BRIAN AUGUSTA & ASSOCIATES THROUGH JUNE 30, 2023 IN AN AMOUNT NOT TO EXCEED \$60,000 FOR FISCAL YEAR 2022/2023

BE IT RESOLVED, by the Rent Stabilization Board of the City of Berkeley as follows:

WHEREAS, since 1984, the Board has contracted for legislative advocacy services in order to protect the integrity of the rent and eviction protections repeatedly enacted by Berkeley voters; and

WHEREAS, Brian Augusta & Associates has worked closely on rent control and affordable housing for nearly a decade, doing research and advocacy on issues of concern to the Board; and

WHEREAS, a need continues to exist for legislative advocacy service and Brian Augusta & Associates has the expertise and direct involvement in rent control and tenant issues to provide this service; and

WHEREAS, the Board has been extremely pleased with the excellent services provided by Brian Augusta & Associates and wishes to have them continue to register as the lobbyist for the Board; and

NOW, THEREFORE, BE IT RESOLVED by the City of Berkeley Rent Stabilization Board that the Executive Director is hereby authorized to extend the contract with Brian Augusta & Associates to represent the City of Berkeley Rent Stabilization in Sacramento on rent control issues through June 30, 2023, in an amount not to exceed \$60,000. The new total amount payable under this contract shall not exceed \$488,000.

Dated: June 16, 2022

Adopted by the Rent Stabilization Board of the City of Berkeley by the following vote:

YES:

NO:

ABSTAIN:

ABSENT:

Leah Simon-Weisberg, Chair
Rent Stabilization Board

Attest: _____
DéSeana Williams, Executive Director