



RENT STABILIZATION BOARD
Regular Meeting
Thursday, February 15, 2024 – 7:00 p.m.
School District Board Room – 1231 Addison Street, Berkeley

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION.

For in-person attendees, face coverings or masks that cover both the nose and the mouth are encouraged. If you are feeling sick, please do not attend the meeting in person.

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/86351823870?pwd=6u9aivTslet7SqNRO_IBL3QRcsH57w.WN9X-NdkqPRvYdDc. 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 1-669-444-9171 and enter Webinar ID: 863 5182 3870 and Passcode: 662299. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair.

To submit a written communication for the Board's consideration and inclusion in the public record, please email amueller@berkeleyca.gov with the Subject line in this format: "RENT BOARD MEETING PUBLIC COMMENT ITEM." Please observe a 150-word limit. **Email comments must be submitted to the email address above by 4:00 p.m. on the day of the meeting in order to be included.**

Please be mindful that this will be a public meeting and all rules of procedure and decorum apply for both in-person attendees and those participating 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 at the posted location(s). Questions regarding this matter may be addressed to DéSeana Williams, Executive Director, at (510) 981-7368 (981-RENT). The Rent Board may take action related to any subject listed on the Agenda.



COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair accessible location. To request disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services Specialist at (510) 981-6418 (voice) or (510) 981-6347 (TDD) at least three (3) business days before the meeting date.

Attendees at public meetings are reminded that other attendees may be sensitive to various scents, whether natural or manufactured, in products and materials. Please help the City respect these needs.

RENT STABILIZATION BOARD

Regular Meeting

Thursday, February 15, 2024

7:00 p.m.

School District Board Room – 1231 Addison Street, Berkeley

Minutes – *Approved*

1. **Roll call** – Chair Simon-Weisberg called the meeting to order at 7:29 p.m.
Aimee Mueller called roll.
Commissioners present: Alpert, Elgstrand, Johnson (via Zoom), Kelley, Martinac, Mizell, Walker (via Zoom), Simon-Weisberg
Commissioners absent: Marrero
Staff present: Brown, Bursell, Dahl, Eberhart, Lecky, Mueller, Williams

2. **CLOSED SESSION** – Pursuant to California Government Code Section 54957(b)(1), the Board convened in closed session for a Public Employee Evaluation of Performance:

Title: Executive Director

Upon conclusion of the closed session, the Chair announced that the Board took no reportable action.

3. **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.

The Land Acknowledgement Statement was played aloud.

4. **Approval of Agenda**

M/S/C (Alpert/Martinac) APPROVE THE AGENDA AS WRITTEN. Roll call vote.

YES: Alpert, Elgstrand, Johnson*, Kelley, Martinac, Mizell, Walker*, Simon-Weisberg;

NO: None; ABSTAIN: None; ABSENT: Marrero. Carried: 8-0-0-1.

*Due to technical issues, Commissioner Johnson’s and Walker’s votes were inaudible in the Board Room, but audible over the Zoom feed.

5. **Public Comment** – There was one speaker. Paola Laverde spoke about the Empty Homes Tax.
6. **SPECIAL PRESENTATION:** *Tenant Power Tool Kit* by Rene Moya, Debt Collective – Continued to the regular March meeting due to technical issues.
7. **SPECIAL PRESENTATION:** *Empty Homes Tax Ordinance* by Lief Bursell, Rent Board Senior Planner – Senior Planner Lief Bursell presented and took questions from the Board.
8. **CONSENT ITEMS**

- a. Approval of the December 21, 2023 regular meeting minutes
- b. Approval of the January 18, 2024 regular meeting minutes
- c. Proposal to approve staff recommendations on the following requests for waivers of late registration penalties (Executive Director/Registration Unit Manager)

Ministerial Waivers

Property Address

40 HILL RD
1632 STUART
2205, 2207, AND 2209 CURTIS
1600 KAINS
2301 8TH ST
2706 TELEGRAPH
2709 MCGEE
1708 MLK #5
1105 KEITH
2447 DERBY
2012 GRANT
2919 HARPER
2304 DERBY
3216 BOISE

Discretionary Waivers

Waiver No. Property Address

W5110 2326 10TH ST

W5111 1636 MILVIA
W5114 2224 GRANT
W5116 2647 STUART

M/S/C (Kelley/Alpert) APPROVE ALL CONSENT ITEMS AS WRITTEN. Roll call vote. YES: Alpert, Elgstrand, Johnson, Kelley, Martinac, Mizell, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: Marrero.
Carried: 8-0-0-1.

9. **ACTION ITEMS**

from Board Members, Committees, Executive Director or Staff

Public comment will also be heard prior to the Board’s vote on each action item listed below – There were no speakers.

a. Chair Update (Chair Simon-Weisberg)

(1) Recommendation to adopt 2024 Committee Assignments

M/S/C (Kelley/Alpert) ADOPT THE 2024 COMMITTEE ASSIGNMENTS AS WRITTEN. Roll call vote. YES: Alpert, Elgstrand, Johnson, Kelley, Martinac, Mizell, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: Marrero. Carried: 8-0-0-1.

(2) Presentation on the Status of the City of Berkeley Demolition Ordinance (Lief Bursell, Senior Planner) – Senior Planner Lief Bursell presented and took questions from the Board. No action was taken.

b. Recommendation to adopt Resolution 24-03 amending the Rent Board Staffing Model (Executive Director)

M/S/C (Alpert/Walker) MOTION TO ADOPT RESOLUTION 24-03 AS WRITTEN PENDING THE EXECUTIVE DIRECTOR’S ENGAGEMENT WITH THE HUMAN RESOURCES DEPARTMENT AND RELEVANT LABOR UNION/S TO ADD THE ADMINISTRATIVE STAFF ASSISTANT CLASSIFICATION TO THE CIVIL SERVICE SYSTEM, AND ADDITIONAL MEET AND CONFER WITH THE RELEVANT LABOR UNION/S REGARDING CHANGES TO THE PUBLIC INFORMATION UNIT’S STAFFING MODEL. Roll call vote. YES: Alpert, Elgstrand, Johnson*, Kelley, Martinac, Mizell, Walker*, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: Marrero. Carried: 8-0-0-1.

*Due to technical issues, Commissioner Johnson’s and Walker’s votes were inaudible. Once the issues were resolved, the Board voted as shown below to allow Commissioners Johnson and Walker to cast their votes.

M/S/C (Alpert/Martinac) ALLOW COMMISSIONERS JOHNSON AND WALKER TO CAST THEIR VOTES FOR ITEM 9.b. Roll call vote.
YES: Alpert, Elgstrand, Johnson, Kelley, Martinac, Mizell, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: Marrero. Carried: 8-0-0-1.

- c. Recommendation to adopt Resolution 24-04 amending the Rent Board's Records Retention Schedule (Executive Director)

M/S/C (Kelley/Elgstrand) MOTION TO APPROVE RESOLUTION 24-04 AS WRITTEN. Roll call vote. YES: Alpert, Elgstrand, Johnson, Kelley, Martinac, Mizell, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: Marrero. Carried: 8-0-0-1.

10. INFORMATION, ANNOUNCEMENTS AND ARTICLES/MEDIA

from Board Members, Committees, Executive Director or Staff

- a. Copy of January 19, 2024 letter to U.C. Berkeley Chancellor Christ and U.C. Berkeley Police Department Chief Pittman regarding People's Park police occupation (Commissioner Mizell)
- b. Eviction Moratorium update – *Verbal* (Public Information Unit Manager)
- c. Update on the Rent Board File Scanning Project – *Verbal* (Project Manager Basil Lecky)
- d. Update on the Rent Board office move to 2000 Center Street – *Verbal* (Executive Director/Board Secretary)
- e. Deadline to submit agenda items/topics for March's regular Rent Board meeting: **Monday, March 11th by 5:00 p.m.** (Board Secretary)

11. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS

- a. Budget & Personnel Committee (Commissioner Walker, Chair)
Next regularly-scheduled meeting: Friday, February 23rd at 11:00 a.m.

February 8th agenda
- b. Environmental Sustainability Committee (Commissioner Martinac, Chair)
Next regularly-scheduled meeting date: Wednesday, April 3rd at 6:00 p.m.
- c. Eviction/Section 8/Foreclosure Committee (Commissioner Elgstrand, Chair) –
Committee Chair Elgstrand reported that the Committee received a presentation from the Executive Director of the Berkeley Housing Authority.
Next regularly-scheduled meeting: Tuesday, February 13th at 6:00 p.m.

February 13th agenda

- d. Legislation, IRA/AGA & Registration Committee (LIRA Committee)
(Commissioner Kelley, Chair) – Committee Chair Kelley announced that the Committee will be reconvening now that the Ad Hoc Committee to Consider Rent Ordinance Amendments has completed its work.
Next regularly-scheduled meeting: To Be Announced (TBA)
 - e. Outreach Committee (Vice-Chair Alpert, Chair)
Next regularly-scheduled meeting: Tuesday, February 20th at 6:00 p.m.
 - f. 4 x 4 Joint Task Force Committee on Housing: City Council/Rent Board –
(Mayor Arreguín and Chair Simon-Weisberg, Co-Chairs)
Next regularly-scheduled meeting: TBA
 - g. 2 x 2 Committee on Housing: Rent Board/Berkeley Unified School District
(Commissioner Marrero) –
Next meeting date: Monday, March 11th at 5:30 p.m.
 - h. Ad Hoc Committee to Consider Rent Ordinance Amendments at the 2024 November General Election (Commissioner Johnson, Chair)
Next meeting date: TBA
 - i. Updates and Announcements – Vice-Chair Alpert raised an issue with non-native PDFs in agenda packets. The Board Secretary will look into whether the paperless agenda policy addresses the issue and report back to the LIRA Committee.
 - j. Discussion of items for possible placement on future agenda – The Board Secretary mentioned the possibility of Berkeley Community Media and the BUSD IT Director presenting on the ongoing Board Room technology issues to update the Board on measures taken to mitigate these disruptions.
- 12. ADJOURNMENT** – M/S/C (Simon-Weisberg/Alpert) ADJOURN THE MEETING.
Roll call vote. YES: Alpert, Elgstrand, Johnson, Kelley, Martinac, Mizell, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: Marrero. Carried: 8-0-0-1.

The meeting adjourned at 11:38 p.m.