



RENT STABILIZATION BOARD

Regular Meeting

Thursday, July 18, 2024 – 7:00 p.m.

School District Board Room – 1231 Addison Street, Berkeley

**Teleconference location(s): Pilgutua 2, 2750 Gran, Norway and Donald W. Reynolds
Center for American Art and Portraiture, G St NW, Washington, DC**

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=StV8iv1VnftDeahcLsszUQPN5RdeeE.1>. 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.

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Minutes - Approved

1. **Roll call** – Vice-Chair Alpert called the meeting to order at 7:06 p.m.
Aimee Mueller called roll.
Commissioners present: Alpert, Elgstrand, Johnson, Marrero, Martinac, Walker
Commissioners absent: Kelley, Mizell, Simon-Weisberg
Staff present: Brown, Bursell, Mueller, Williams
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 uncanceled 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.

3. **Approval of Agenda**

M/S/C (Alpert/Johnson) APPROVE THE AGENDA WITH THE FOLLOWING CHANGE: VICE-CHAIR ALPERT SHOULD HAVE BEEN NOTED AS THE PRIMARY AUTHOR OF ITEM 8.b., NOT CHAIR SIMON-WEISBERG AS SHOWN ON THE AGENDA. Voice vote. Carried: 6-0-0-3. ABSENT: Kelley, Mizell, Simon-Weisberg.

4. **Public Comment** – There were no speakers.

5. CONSENT ITEMS

- a. Approval of the June 20th regular meeting minutes

M/S/C (Martinac/Elgstrand) APPROVE ALL CONSENT ITEMS AS WRITTEN.
Voice vote. Carried: 6-0-0-3. ABSENT: Kelley, Mizell, Simon-Weisberg.

6. **Special Presentation:** *Empty Homes Implementation Update* by Senior Planner Lief Bursell – Lief Bursell presented and took questions from the Board.

7. **APPEAL – Case No. T-6055 (2150 Oxford Street, Unit 51)**

M/S/C (Alpert/Marrero) CONTINUE THE APPEAL UNTIL THE SEPTEMBER 19TH MEETING. Voice vote. Carried: 6-0-0-3. ABSENT: Kelley, Mizell, Simon-Weisberg.

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) Update on Ballot Measure: Vice-Chair Alpert reported that the ballot measure has been submitted to the City Clerk’s office.
- (2) Update on the passing of the Demolition Ordinance and Demolition projects status report (Senior Planner Lief Bursell) – Lief Bursell provided an update and took questions from the Board.

- b. Recommendation to adopt Resolution 24-17 Opposing the Criminalization of Homelessness Imposed by Grants Pass v. Johnson (Chair Simon-Weisberg & Vice-Chair Alpert)

M/S/C (Alpert/Walker) ADOPT RESOLUTION 24-17 WITH THE FOLLOWING CHANGE: IN THE FINAL “WHEREAS” PARAGRAPH, THE TEXT SHOULD READ: “WHEREAS THE CITY COUNCIL FAILED TO ADOPT THAT RESOLUTION AT THEIR JULY 9TH MEETING AND INSTEAD VOTED TO SEND IT TO A CLOSED SESSION SCHEDULED FOR JULY 22.” ***Friendly Amendment by Commissioner Elgstrand (not accepted):*** AMEND THE FINAL “WHEREAS” CLAUSE TO READ, “WHEREAS, THE CITY COUNCIL REFERRED THAT RESOLUTION TO THE CITY ATTORNEY AT THE JULY 9TH MEETING.” Roll call vote. YES: Alpert, Johnson, Marrero, Martinac, Walker; NO: None; ABSTAIN: Elgstrand;

ABSENT: Kelley, Mizell, Simon-Weisberg. Carried: 5-0-1-3.

8. INFORMATION, ANNOUNCEMENTS AND ARTICLES/MEDIA

from Board Members, Committees, Executive Director or Staff

The following items were mentioned or briefly discussed. Items with additional comments are underlined.

- a. Updated Appendix B of Rent Board Regulations, Chapter 12 – US Bureau of Labor Statistics CPI Information (Legal Unit)
- b. Updated Appendix C of Rent Board Regulations, Chapter 12 – US Department of Housing and Urban Development Lower Income Limits (Legal Unit)
- c. Commissioner attendance records for Board and Committee meetings updated through June 2024 (Board Secretary)
- d. Deadline to submit agenda items/topics for the August regular Rent Board meeting: **Monday, August 5th** by 5:00 p.m. (Board Secretary)

M/S/C (Alpert/Marrero) MOTION TO CANCEL THE AUGUST 15TH REGULAR BOARD MEETING AND DIRECT COMMITTEE STAFFERS TO CANCEL ALL COMMITTEE MEETINGS IN AUGUST WITH THE POSSIBLE EXCEPTION OF THE OUTREACH COMMITTEE. Voice vote. Carried: 6-0-0-3. ABSENT: Kelley, Mizell, Simon-Weisberg.

9. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS

- a. Budget & Personnel Committee (Commissioner Walker, Chair)
Next regularly-scheduled meeting: To Be Announced (TBA)
- b. Environmental Sustainability Committee (Commissioner Martinac, Chair)
Next regularly-scheduled meeting date: TBA
- c. Eviction/Section 8/Foreclosure Committee (Commissioner Elgstrand, Chair)
Next regularly-scheduled meeting: Tuesday, September 10th at 6:00 p.m.
- d. Legislation, IRA/AGA & Registration Committee (LIRA Committee) (Commissioner Kelley, Chair) – General Counsel Brown said he would reach out to Committee Chair Kelley about whether to schedule an August meeting or wait until September.
Next regularly-scheduled meeting: TBA
- e. Outreach Committee (Vice-Chair Alpert, Chair) – Committee Chair Alpert said he would discuss with staff whether to cancel the August 12th meeting.
Next regularly-scheduled meeting: Monday, August 12th at 6:00 p.m.

July 8th agenda

- 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 –
Committee Chair Marrero announced the Committee’s next meeting will be on
September 16th.
(Commissioner Marrero, Co-Chair)
Next meeting date: TBA
- h. Updates and Announcements – Commissioner Marrero highlighted new actions
taken by President Biden to lower housing costs.
- i. Discussion of items for possible placement on future agenda

10. ADJOURNMENT

M/S/C (Johnson/Walker) ADJOURN THE MEETING. Voice vote. Carried: 6-0-0-3.
ABSENT: Kelley, Mizell, Simon-Weisberg. The meeting adjourned at 7:52 p.m.