



RENT STABILIZATION BOARD
Regular Meeting
Thursday, March 20, 2025 – 7:00 p.m.
School District Board Room – 1231 Addison Street, Berkeley, CA

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/87123301507?pwd=UDg5s5XuNL5F06UWa919MazzVPBa5V.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 1-669-900-6833 and enter Webinar ID: 871 2330 1507 and Passcode: 495852. 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 3:30 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, March 20, 2025

7:00 p.m.

School District Board Room – 1231 Addison Street, Berkeley, CA

Minutes - *Approved*

1. **Roll call** – Chair Alpert called the meeting to order at 7:08 p.m.
Aimee Mueller called roll.
Commissioners present: Elgstrand, Johnson, Kelley, Martinac, Mizell, Twu, Alpert
Commissioners absent: Marrero, Walker
Staff present: Brown, Cole, Lecky, Mueller, Williams
2. **Approval of Agenda** – M/S/C (Kelley/Twu) APPROVE THE AGENDA AS WRITTEN. Voice vote. ABSENT: Marrero, Walker. Carried: 7-0-0-2.
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 uncaded 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 Acknowledgment Statement was played aloud.
4. **Public Comment**: There were no speakers.
5. **Public Comment for Unions representing Rent Board staff**: There were no speakers.
6. **CONSENT ITEMS**
 - a. Approval of the February 20th regular meeting minutes
 - b. Proposal to approve staff recommendations on the following requests for waivers of late registration penalties (Executive Director/Registration Unit Manager)

Ministerial Waivers

Property Address

1914 Haste St
1329 Shattuck Ave
1411 Berkeley Way
1537 Bonita St
1685 Arch St
2335 10th St
2455 Bonar St
2615 Telegraph Ave #202
2018 9th St #B
2412 Acton St
1642 Ashby Ave
1239 Haskell St
2113 Delaware St #A
337 Panoramic Way

Discretionary Waivers

Waiver No. Property Address

W5140	2020 Berkeley Way
W5145	2 Panoramic Way #102
W5146	2137 Ashby Ave

M/S/C (Kelley, Johnson) APPROVE ALL CONSENT ITEMS AS WRITTEN.
Voice vote. ABSENT: Marrero, Walker. Carried: 7-0-0-2.

7. 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 Alpert) – There was no update.
- b. Presentation on the Fiscal Year (FY) 2025-2026 Registration Fee (Finance Director Shamika Cole) – Finance Director Shamika Cole presented and took questions from the Board.
 - (1) Recommendation to adopt Resolution 25-03 setting the FY 2025-2026 annual registration fee for fully-covered units (due July 1, 2025) at \$344 per unit (Budget & Personnel Committee and Executive Director)
- c. Recommendation to adopt Resolution 25-04 setting the FY 2025-2026 annual registration fee for partially-covered Measure MM units (due July 1, 2025) at

\$212 per unit (Budget & Personnel Committee and Executive Director)

- d. Recommendation to adopt Resolution 25-05 setting the Summer Rental Period registration fee for fraternities and sororities for FY 2025-2026 (due July 1, 2025) at \$96 per unit (Budget & Personnel Committee and Executive Director).

M/S/C (Kelley/Two) ADOPT RESOLUTIONS 25-03, 25-04, AND 25-05 AS WRITTEN. Roll call vote. YES: Elgstrand, Johnson, Kelley, Martinac, Mizell, Two, Alpert; NO: None; ABSTAIN: None; ABSENT: Marrero, Walker. Carried: 7-0-0-2.

- e. Discussion and possible action regarding whether to adopt Resolution 25-06 authorizing the pass-through of a portion of the FY 2025-2026 registration fee for fully-controlled rental units to certain tenants (Budget & Personnel Committee and Executive Director)

M/S/C (Kelley/Johnson) MOTION TO TAKE NO ACTION ON THIS ITEM. Roll call vote. YES: Elgstrand, Johnson, Kelley, Martinac, Mizell, Two, Alpert; NO: None; ABSTAIN: None; ABSENT: Marrero, Walker. Carried: 7-0-0-2.

- f. Recommendation to adopt Resolution 25-07 amending the Rent Board Staffing Model (Executive Director)

M/S/C (Kelley/Martinac) ADOPT RESOLUTION 25-07 AS WRITTEN. Voice vote. ABSENT: Marrero, Walker. Carried: 7-0-0-2.

- g. Recommendation to adopt Resolution 25-08 establishing the Rent Board Travel Policy (Executive Director)

M/S/C (Mizell/Martinac) ADOPT RESOLUTION 25-08 AS AMENDED THIS EVENING. Voice vote. ABSENT: Marrero, Walker. Carried: 7-0-0-2.

- h. Recommendation to adopt Resolution 25-09 clarifying that landlords who had rental units come under coverage of the Rent Ordinance due to the Berkeley voters' adoption of Measure BB shall not be prohibited from raising rents due to Rent Board registration fees not being paid prior to July 1, 2025 (Executive Director/General Counsel)

M/S/C (Kelley/Elgstrand) ADOPT RESOLUTION 25-09 AS WRITTEN. Voice vote. ABSENT: Marrero, Walker. Carried: 7-0-0-2.

- i. Recommendation to adopt Resolution 25-10 approving amendments to the existing employment agreement with General Counsel Matt Brown (Chair Alpert & Vice-Chair Walker)

Prior to the Board's vote, the Chair read the following statement aloud:

A motion has been made and seconded regarding the modification of an existing employment agreement with Matthew Brown, General Counsel of the Berkeley Rent Stabilization Board. Pursuant to Government Code 54953(c), a summary of compensation must be orally reported prior to taking final action. Pursuant to the proposed modification to the General Counsel's employment agreement with the Board, Mr. Brown's annual base salary of \$251,705.58 will be adjusted to \$294,694.40 effective during the pay cycle beginning the first pay period following February 20, 2025. A clause requiring succession planning has also been added to the existing employment agreement. All other terms of the employment agreement will remain the same. A copy of the amendment to the employment agreement will be made available once all the parties have signed the amendment.

M/S/C (Mizell/Kelley) ADOPT RESOLUTION 25-10 AS WRITTEN. Roll call vote.
YES: Elgstrand, Johnson, Kelley, Martinac, Mizell, Twu, Alpert; NO: None;
ABSTAIN: None; ABSENT: Marrero, Walker. Carried: 7-0-0-2.

8. INFORMATION, ANNOUNCEMENTS AND ARTICLES/MEDIA

from Board Members, Committees, Executive Director or Staff

**ALL ITEMS BELOW WERE MENTIONED OR BRIEFLY DISCUSSED.
UNDERLINED ITEMS HAVE ADDITIONAL COMMENTS.**

- a. Annual Form 700 Statement of Economic Interests filing deadline is April 1, 2025 (Board Secretary)
- b. Deadline to submit agenda items/topics for the April regular Rent Board meeting: **Monday, April 7th by 5:00 p.m.** (Board Secretary)

9. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS

- a. Budget & Personnel Committee (Commissioner Walker, Chair)
Chair Alpert announced that the majority of what the Committee discussed at their previous meeting was on tonight's agenda.
- b. Climate Resilience & Habitability Committee (Commissioner Martinac, Chair)
Next regularly-scheduled meeting date: TBA
- c. Eviction/Section 8/Foreclosure Committee (Chair TBA) Next regularly-scheduled meeting: TBA
- d. Legislation, IRA/AGA & Registration Committee (LIRA Committee) (Chair Alpert, Chair) Chair Alpert advised that the Committee discussed the Tenant Right to Organize.
Next regularly-scheduled meeting: Thursday, May 8th at 6:00 p.m.
- e. Outreach Committee (Commissioner Kelley, Chair) Commissioner Kelley said the Committee didn't meet this month. A meeting will be held next month and topics to be discussed include communities of interest, those with disabilities,

seniors, and other impacted groups.
Next regularly-scheduled meeting: TBA

- f. 2 x 2 Committee on Housing: Rent Board/Berkeley Unified School District
(Commissioner Marrero, Chair) Chair Alpert said the Committee discussed how the School Board and Rent Board can address immigration issues and funding.
Next meeting date: TBA
- g. 4 x 4 Joint Task Force Committee on Housing: City Council/Rent Board (Chair and Co-Chair TBA)
Next regularly-scheduled meeting: Monday, April 7th at 1:00 p.m.
- h. Updates and Announcements – There were no updates or announcements.
- i. Discussion of items for possible placement on future agenda – Commissioner Twu said a state legislative update soon would be timely. Executive Director Williams said that the Board’s legislative advocate, Brian Augusta, would be giving an update on housing legislation at the April Board meeting.

10. ADJOURNMENT

M/S/C (Johnson/Martinac) ADJOURN THE MEETING. Voice vote. ABSENT: Marrero, Walker. Carried: 7-0-0-2.

The meeting adjourned at 8:22 p.m.