



RENT STABILIZATION BOARD
Regular Meeting
Thursday, May 15, 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/82673809589?pwd=AghQhOkOTSC3k12hDsqIlgiso6kYXh.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: 826 7380 9589 and Passcode: 244637. 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, May 15, 2025

7:00 p.m.

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

MINUTES – *Approved*

- 1. Roll call** – Chair Alpert called the meeting order at 7:05 p.m.
Aimee Mueller called roll.
Commissioners present: Elgstrand, Johnson, Kelley, Marrero, Mizell (arrived at 7:14 p.m.), Twu, Walker, Alpert
Commissioners absent: Martinac
Rent Board staff present: Brown, Bursell, Eberhart, Law, Lecky, Mueller, Williams
City staff present: Tatarevic, Horner (Planning Dept.)
- 2. Approval of Agenda** – M/S/C (Twu/Kelley) APPROVE AGENDA WITH THE FOLLOWING CHANGES: MOVE DISCRETIONARY WAIVERS W5151 AND W5152 TO BE THE LAST ACTION ITEMS; AND ADJOURN TONIGHT’S MEETING IN HONOR AND MEMORY OF FORMER RENT BOARD COMMISSIONER AND COMMUNITY ACTIVIST CHRISTINA MURPHY, AND IN HONOR AND MEMORY OF POPE FRANCIS. Voice vote. Carried 7-0-0-2. ABSENT: Martinac, Mizell.
- 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 Acknowledgment Statement was read aloud.
- 4. Public Comment** – There were nine speakers: Moni T. Law, Willie Phillips, Linda Olivenbaum, Gene Turitz and Carol Crooks spoke in honor and memory of Christina Murphy; Jordan Brysk spoke about Section 8 housing; Finis Teague spoke about his

landlord, Jordan Brysk; Derek C. Wallace spoke about his and his fellow tenants' housing situation; and Angela Cavanaugh spoke about Measure BB.

5. **Public Comment for Unions representing Rent Board staff** – No speakers.

6. **CONSENT ITEMS**

- a. Approval of the April 17th regular meeting minutes
- b. Proposal to approve staff recommendations on the following requests for waivers of late registration penalties (Registration Unit Manager/Staff)

Ministerial Waivers

Property Address

2370 Marin Ave
1639 San Pablo Ave
1931 San Pablo Ave
1092 Dwight Way
1818 Alcatraz Ave
803 Alvarado Rd
2501 Dana St #5
2109 Byron St
2942 Hillegass Ave
3224 Sacramento St
1522 Alcatraz Ave
1349 Channing Way

Discretionary Waivers

Waiver No. Property Address

W5151	1850 Arch St
W5152	1862 Arch St
W5153	2230 Blake St

M/S/C (Kelley/Elgstrand) MOVE ALL CONSENT ITEMS AS WRITTEN WITH THESE EXCEPTIONS: DISCRETIONARY WAIVERS W5151 AND W5152 MOVED TO ACTION BY AN EARLIER VOTE; AND ITEM 6.a. TABLED TO THE NEXT MEETING. Voice vote. Carried: 8-0-0-1. ABSENT: Martinac.

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 – 1 min. per speaker*

Discretionary Waivers W5151 And W5152 from Consent Item 6.b. were moved to Action by a prior vote of the Board.

a. Chair Update (Chair Alpert):

- (1) Discussion and possible action on the impact of the Measure BB Fee structure on non-profit affordable housing (Chair Alpert & Vice-Chair Walker) – No action was taken.
- (2) Discussion and possible action on the new Accessory Dwelling Unit (ADU)-Condo Conversion rules chapter in Title 21 (Senior Planner Lief Bursell & City of Berkeley Planning Staff) – City of Berkeley Associate Planner Branka Tatarevic presented, and she and Senior Planner Lief Bursell took questions from the Board.

M/S/C (Alpert/Kelley) MOTION THAT THE BOARD SEND A LETTER TO COUNCIL RECOMMENDING THAT THEY ADOPT THE PROPOSED AMENDMENTS TO TITLE 21 (Subdivisions) IN THE STAFF RECOMMENDATION THAT WOULD ALLOW THE SEPARATE SALE OF ADU'S AS CONDOMINIUMS; AND ALSO RECOMMEND THAT TENANT-OCCUPIED OR FORMERLY TENANT-OCCUPIED UNITS WOULD STILL BE SUBJECT TO THE AFFORDABLE HOUSING MITIGATION FEE BUT THAT FEE WOULD BE ENTIRELY WAIVABLE IF THE PROPERTY OWNER AGREED BY CONTRACT TO PROVIDE RENT INCREASE PROTECTIONS FOR THE SITTING TENANTS. Voice vote.
Carried: 8-0-0-1. ABSENT: Martinac.

b. SPECIAL PRESENTATION: Spring Legislative Update (Brian Augusta, Rent Board Legislative Advocate) – Due to technical difficulties, Mr. Augusta's presentation could not be heard.

- (1) Discussion and possible action for the Board to take a position on state legislative bills discussed at the meeting

M/S/C (Alpert/Johnson) MOTION TO CONTINUE ITEMS 7.b., 7.b.(1), AND BOTH DISCRETIONARY WAIVERS W5151 AND W5152 TO THE NEXT MEETING. Voice vote. Carried: 8-0-0-1. ABSENT: Martinac.

c. Recommendation to adopt Resolution 25-13 authorizing the Executive Director to execute a contract amendment with 3Di through September 30, 2027, in an amount not to exceed \$712,700 (Executive Director)

M/S/C (Kelley/Elgstrand) ADOPT RESOLUTION 25-13 AS WRITTEN. Voice

vote. Carried: 8-0-0-1. ABSENT: Martinac.

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. Copy of Measure BB informational postcards mailed to Berkeley property owners and tenants (Executive Director)
- b. Outreach: Rent Board services on City of Berkeley Kiosks (Executive Director) – *Verbal*
- c. Copy of Tenant Survey Cover Letter from the Executive Director (Outreach Committee)
- d. Board-generated forms for tenants to use when creating Tenant Associations under B.M.C. Section 13.76.135 (LIRA Committee)
- e. Deadline to submit agenda items/topics for the June regular Rent Board meeting: **Friday, June 6th by 5:00 p.m.** (Board Secretary)

9. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS

- a. Budget & Personnel Committee (Vice-Chair Walker, Chair) – Committee Chair Walker reported that the Committee met on May 1st and received a verbal update on the fiscal year 2025-26 budget and approved the recommendation to amend the 3Di contract which came before the Board this evening.
Next regularly-scheduled meeting: To Be Announced (TBA)

May 1st agenda

- b. Climate Resilience & Habitability Committee (Commissioner Martinac, Chair) Commissioner Twu reported that the Committee discussed the wildfire policy that the City is scheduled to vote on again in the coming months and its likely downstream effects on housing.
Next regularly-scheduled meeting date: TBA

May 5th agenda

- c. Eviction/Section 8/Foreclosure Committee (Commissioner Elgstrand, Chair) – Committee Chair Elgstrand said the Committee received a few reports on recent eviction data, foreclosure and distressed properties, and owner move-in evictions. The Committee's next meeting is on Tuesday, July 8th.
Next regularly-scheduled meeting: Tuesday, May 13th at 6:00 p.m.

May 13th agenda

- d. Legislation, IRA/AGA & Registration Committee (LIRA Committee) (Chair Alpert, Chair) – Chair Alpert reported that the Committee discussed a number of issues related to the new tenant Right to Organize.
Next regularly-scheduled meeting: Thursday, June 12th at 5:30 p.m.

May 8th agenda

- e. Outreach Committee (Commissioner Kelley, Chair) – Committee Chair Kelley reported that the Committee members came to the meeting but were unable to complete the meeting due to a technical issue. The Committee will meet again in June but there is helpful information in their May 12th agenda packet about upcoming outreach events.
Next regularly-scheduled meeting: Monday, May 12th at 6:30 p.m.

May 12th agenda

- f. 2 x 2 Committee on Housing: Rent Board/Berkeley Unified School District (Commissioner Marrero, Chair) – Committee Chair Marrero reported that the Committee couldn't meet due to a quorum issue, but they hope to meet on June 2nd dependent on the Berkeley Unified Director availability.
Next meeting date: TBA
- g. 4 x 4 Joint Task Force Committee on Housing: City Council/Rent Board – 5 min.* (Councilmember Lunaparra & Chair Alpert, Co-Chairs) – Chair Alpert said the Committee is scheduled to meet tomorrow and he'll have updates at next month's meeting.
Next regularly-scheduled meeting: TBA
- h. Updates and Announcements – Executive Director Williams announced that Finance Director Shamika Cole just became a grandmother. Commissioner Twu announced that the Cal Move-Out Program is happening this from May 23rd - June 1st. Students and staff can get furniture and electronics dropped off and any member of the public is able to grab items for free at the park – details are at calmoveout.com. Commissioner Kelley announced that the City's Tree Planting Program is making its way through District 2 but is wrapping up soon. Tenants can request that a tree be planted and don't need permission from their landlord.
- i. Discussion of items for possible placement on future agenda

10. Adjournment – M/S/C (Kelley/Walker) ADJOURN THE MEETING. Voice vote.
Carried: 8-0-0-1. ABSENT: Martinac.

The meeting adjourned at 9:30 p.m.