



RENT STABILIZATION BOARD
Regular Meeting
Thursday, March 18, 2021
7:00 p.m.

Regular Meeting Minutes - Unapproved

1. **Roll call** – Chair Simon-Weisberg called the meeting to order at 7:03 p.m.
Aimee Mueller called roll.
Commissioners present: Alpert, Chang, Johnson, Kelley, Laverde, Mendonca, Selawsky, Walker, Simon-Weisberg.
Commissioners Absent: None.
Staff present: Brown, Law (in audience), Mueller, Pretto, Siegel.
2. **Approval of Agenda** – M/S/C (Alpert/Kelley) APPROVE THE AGENDA WITH THE FOLLOWING CHANGES: ADJOURN THE MEETING IN HONOR AND MEMORY OF THE EIGHT VICTIMS OF THE MARCH 16, 2021 SHOOTING IN ATLANTA, GEORGIA: SOON CHUNG PARK, HYUN JUNG GRANT, SUNCHANG KIM, YONG YUE, DELAINA ASHLEY YAUN, PAUL ANDRE MICHELS, XIAOJIE TAN, DAOYOU FENG; ADJOURN THE MEETING IN HONOR AND MEMORY OF ACTIVIST BARBARA BRUST; MOVE ALL WAIVERS TO CONSENT EXCEPT FOR WAIVER NUMBERS 4942 AND 4945.
Roll call vote. YES: Alpert, Chang, Johnson, Kelley, Laverde, Mendonca, Selawsky, Walker, Simon-Weisberg; NO: None; ABSTAN: None; ABSENT: None. Carried: 9-0-0-0.
3. **Public Comment** – *non*-agendized items: There were three speakers. Matthew Lewis spoke about tracking advertised rents. Richard and Judy Vared spoke about their family home and the potential impact of Measure MM. Alessio Lisi spoke about waiver 4945.

4. **CONSENT ITEMS**

Item 6.a.(4), except for waivers 4942 and 4945, was moved to Consent by a prior vote of the Board.

- a. Approval of the February 18th regular meeting minutes
- b. 2021 Committee Assignments (Chair Simon-Weisberg)

M/S/C (Selawsky/Laverde) MOVE ITEMS 4.a. AND 4.b, AND ALL WAIVERS EXCEPT WAIVERS 4942 AND 4945 AS WRITTEN. Roll call vote. YES: Alpert, Chang, Johnson, Kelley, Laverde, Mendonca, Selawsky, Walker, Simon-Weisberg; NO: None; ABSTAN: None; ABSENT: None. Carried: 9-0-0-0.

Chair Simon-Weisberg suggested moving waivers 4942 and 4945 to be the first action item since a member of the public was waiting to speak on this item. There was no objection.

5. **Public Comment** – **agendized** items: There were 3 speakers. Matthew Lewis, on behalf of the Berkeley Tenants Union, thanked Commissioner Kelley and Chair Simon-Weisberg for bringing item 6.a.(2). Julia Cato spoke about item 6.a.(2). Alessio Lisi continued his comments on waiver 4945 before the Board considered this item.

6. **ACTION ITEMS**

Item 6.a.(4), except for waivers 4942 and 4945, was moved to Consent by a prior vote of the Board. Waivers 4942 and 4945 were heard as the first action item.

a. From Board Members, Committees, and Executive Director

- (1) Recommendation to adopt proposed amendments to Regulation 1013 on first reading (IRA/AGA/Registration Committee and Acting Executive Director)

M/S/C (Laverde/Mendonca) ADOPT THE PROPOSED CHANGES TO REGULATION 1013 ON FIRST READING. Roll call vote. YES: Alpert, Chang, Johnson, Kelley, Laverde, Mendonca, Selawsky, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0.

- (2) Recommendation to send a letter to Council with the Board's comments, suggestions and concerns about the proposed fourplex zoning proposal (IRA/AGA/Registration Committee)

M/S/C (Kelley/Laverde) ADOPT THE PROPOSED LETTER AS AMENDED AT THE MEETING AND SEND IT TO THE CITY COUNCIL AND THE PLANNING COMMISSION. Roll call vote. YES: Alpert, Chang, Johnson, Kelley, Laverde, Mendonca, Selawsky, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0.

At this point, due to time considerations, Chair Simon-Weisberg suggested that the Board table item 6.a.(3) and all information items except item 7.a.(1). There was no objection.

- (3) Recommendation that the Chair disband the Habitable and Sustainable Housing Committee (HASH) (Chair Simon-Weisberg and Acting Executive Director) – TABLED TO THE NEXT MEETING.

- (4) Proposal to approve staff recommendations on the following requests for waivers of late registration penalties (Acting Executive Director and Registration Unit Supervisor).

Ministerial Waivers

Waiver No. Property Address

4932	1434 6 th Street
4948	1322 Curtis Street
4950	1569 Arch Street
4951	1802 Cedar Street
4953	1441 Oxford Street
4954	1615 McGee Avenue

Discretionary Waivers

<u>Waiver No.</u>	<u>Property Address</u>
4942	1418 67 th Street
4945	1528 Alcatraz Avenue
4946	2756 Acton Street
4955	1934 Stuart Street
4956	2905 King Street
4957	2922 Dohr Street

ALL WAIVERS, EXCEPT FOR WAIVER NUMBERS 4942 AND 4945 WERE MOVED TO CONSENT BY A PRIOR VOTE OF THE BOARD.

Waivers 4942 and 4945 were heard as the first action item.

Waiver 4945: M/S/C (Alpert/Laverde) ADOPT THE STAFF RECOMMENDATION TO WAIVE 80% OF THE PENALTY. Roll call vote. YES: Alpert, Johnson, Kelley, Laverde, Mendonca, Walker, Simon-Weisberg; NO: Chang, Selawsky; ABSTAIN: None; ABSENT: None. Carried: 7-2-0-0.

Waiver 4942: M/S/C (Simon-Weisberg/Alpert) ADOPT THE STAFF RECOMMENDATION TO WAIVE 50% OF THE PENALTY. Roll call vote. YES: Alpert, Chang, Johnson, Laverde, Mendonca, Selawsky, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: None; RECUSED: Kelley*. Carried: 8-0-0-0-1.

*Commissioner Kelley recused himself because he lives at the property.

7. INFORMATION, ANNOUNCEMENTS AND NEWS ARTICLES

Due to time considerations, items 7.a.(2) – 7.a.(13) were tabled to the next meeting by agreement of the Board. Underlined items have additional comments.

a. Reports from Board Members/Staff

- (1) Update on the Measure MM implementation (Acting Executive Director) – Allison Preto, Registration Unit supervisor, updated the Board and took questions.
- (2) Deadline to electronically file Annual Statement of Economic Interests (Form 700) is Thursday, April 1, 2021 (Acting Executive Director) – despite a prior

agreement to table items 7.a.(2) – 7.a.(13), this item was briefly discussed in light of the filing deadline.

- (3) Update on recent/upcoming Rent Board outreach events (Acting Executive Director)
 - a. Tuesday, March 9, 2021 (10:00 - 11:30 AM) – Rent Control Basics, Eviction Moratorium, COVID-19, and Measure MM webinar presented to Red Oak Realty
 - b. [Wednesday, March 24, 2021 \(10:00 - 11:30 AM\) – Security Deposits: Rights and Responsibilities webinar](#)
 - c. [Wednesday, April 7, 2021 \(10:00 - 11:30 AM\) – Buying and Selling Rental Property in Berkeley webinar](#)
- (4) February 17, 2021 *Berkeleyside* article by John Metcalfe titled, "Berkeley may get rid of single-family zoning as a way to correct the arc of its ugly housing history" (Commissioner Laverde)
<https://www.berkeleyside.com/2021/02/17/berkeley-may-get-rid-of-single-family-zoning-as-a-way-to-correct-the-arc-of-its-ugly-housing-history>
- (5) February 18, 2021 *The Daily Californian* article by Annika Rao titled, "'A new standard': Berkeley City Council hears quadplex zoning proposal" (Commissioner Laverde)
<https://www.dailycal.org/2021/02/18/a-new-standard-berkeley-city-council-hears-quadplex-zoning-proposal/>
- (6) February 19, 2021 *The Daily Californian* Editorial Board article titled, "Berkeley housing reforms should actively support communities most harmed by past injustice" (Commissioner Laverde)
<https://www.dailycal.org/2021/02/19/berkeley-housing-reforms-should-actively-support-communities-most-harmed-by-past-injustice/>
- (7) February 22, 2021 message from UC Berkeley Chancellor Carol Christ to all UC Berkeley students titled, "An update from Chancellor Christ on two UC Berkeley student housing projects" (Commissioner Laverde)
<https://news.berkeley.edu/2021/02/22/an-update-from-chancellor-christ-on-two-uc-berkeley-student-housing-projects/>
- (8) February 24, 2021 *Berkeleyside* article by Supriya Yelimeli titled, "Berkeley denounces racist history of single-family zoning, begins 2-year process to change general plan" (Commissioner Laverde)
<https://www.berkeleyside.com/2021/02/24/berkeley-denounces-racist-history-of-single-family-zoning-begins-2-year-process-to-change-general-plan>
- (9) February 24, 2021 *Los Angeles Times* article by D. Victoria Baranetsky titled, "Op-Ed: You should have the right to know your landlord's name"

(Commissioners Chang, Laverde & Mendonca)
<https://www.latimes.com/opinion/story/2021-02-24/rental-housing-shell-companies-landlords>

- (10) March 3, 2021 *The Brookings Institution* article by Jenny Schuetz titled, “Four lessons from a year of pandemic housing policies” (Commissioner Laverde)
<https://www.brookings.edu/blog/the-avenue/2021/03/03/four-lessons-from-a-year-of-pandemic-housing-policies/>
- (11) March 3, 2021 *The Davis Vanguard* article by Koda Slingluff titled, “Uncertainty for Student Families in Berkeley’s University Village” (Commissioner Laverde)
<https://www.davisvanguard.org/2021/03/uncertainty-for-student-families-in-berkeley-university-village/>
- (12) March 7, 2021 *The Berkeley Daily Planet* editorial by Becky O’Malley titled, “Why the Droste Resolution is Bad History, Bad Planning and Bad for Berkeley” (Commissioner Laverde)
<https://www.berkeleydailyplanet.com/issue/2021-03-07/article/49038?headline=Why-the-Droste-Resolution-is-Bad-History-Bad-Planning-and-Bad-for-Berkeley--Becky-O-Malley>
- (13) Date to submit agenda topics/items for the April 15, 2021 Rent Board meeting:
Monday, April 5th

8. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS

Due to time considerations, items 8.a. – 8.j. were tabled to the next meeting by agreement of the Board.

- a. Budget and Personnel
 - (1) February 25th agenda
- b. Eviction/Section 8/Foreclosure
 - (1) March 11th agenda
- c. Habitable & Sustainable Housing (HASH)
- d. IRA/AGA/Registration
 - (1) March 2nd agenda
- e. Outreach
 - (1) March 10th meeting – *Cancelled*

f. 2 x 2 Committee on Housing: Rent Board/Berkeley Unified School District

g. 4 x 4 Joint Committee on Housing: City Council/Rent Board

(1) February 24th agenda packet

(2) March 10th agenda packet

Next meeting date: Wednesday, April 28th at 3:00 p.m.

h. Ad Hoc Committee on RSB Technology Issues

i. Updates and Announcements

j. Discussion of items for possible placement on future agenda

9. SPECIAL PRESENTATION – Executive Director Transition Focus: Consultant Report by Keren Stashower, The Centre for Organization Effectiveness

Keren Stashower presented to and took questions from the Board.

At this point, the Board adjourned to reconvene in closed session.

10. CLOSED SESSION – Pursuant to California Government Code Section 54957(b)(1), the Board convened in closed session as follows:

PUBLIC EMPLOYEE PERFORMANCE EVALUTION

Title: Acting Executive Director

Following the Board's return to open session, Chair Simon-Weisberg announced that no reportable action was taken.

11. ADJOURNMENT – M/S/C (Laverde/Selawsky) ADJOURN THE MEETING IN HONOR AND MEMORY OF SOON CHUNG PARK, HYUN JUNG GRANT, SUNCHANG KIM, YONG YUE, DELAINA ASHLEY YAUN, PAUL ANDRE MICHELS, XIAOJIE TAN, DAOYOU FENG, AND BARBARA BRUST. Roll call vote. YES: Alpert, Chang, Johnson, Kelley, Laverde, Mendonca, Selawsky, Walker, Simon-Weisberg; NO: None; ABSTAIN: None; ABSENT: None. Carried: 9-0-0-0.

The meeting adjourned at 12:11 a.m.