



Rent Stabilization Board

RENT STABILIZATION BOARD
Regular Meeting
Thursday, January 20, 2022
7:00 p.m.

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE

Pursuant to Government Code Section 54953(e)(3), City Council Resolution 70,030-N.S., and City of Berkeley Rent Stabilization Board (Rent Board) Resolution 21-29, this meeting of the Rent Board will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Resolutions and the findings contained therein that the spread of COVID-19 continues to be a threat to the public health and that holding meetings of City legislative bodies in person would present imminent risks to the health and safety of the public and members of legislative bodies. Therefore, **there will not be a physical meeting location available.**

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/81121155936?pwd=TGHlZ25HV3luZWpIWmE5YlJ2WVJ4Zz09>. 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 Meeting ID: 811 2115 5936 and Passcode: 837486. 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 an e-mail comment, email amueller@cityofberkeley.info with the Subject Line in this format: "RENT BOARD MEETING PUBLIC COMMENT ITEM." Please observe a 150-word limit. Written comments will be entered into the public record. **Email comments must be submitted to the email address above by 5:00 p.m. on the day of the meeting in order to be included.**

Please be mindful that this meeting will be recorded, and all other rules of procedure and decorum will apply for Rent Board meetings conducted by teleconference or videoconference.

This meeting will be conducted in accordance with Government Code Section 54953, 54956, and all current state and local requirements allowing public participation in meetings of legislative bodies. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to DéSeana Williams, Executive Director, at (510) 981-7368. The Rent Board may take action related to any subject listed on the Agenda.

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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, Bursell, Mueller, Williams

2. **Approval of Agenda**
M/S/C (Alpert/Selawsky) MOTION TO APPROVE THE AGENDA WITH THE FOLLOWING CHANGES: MOVE ACTION ITEMS 8.a.(1), 8.a.(2), 8.a.(3), 8.a.(4), AND 8.a.(6) TO CONSENT. ***Friendly amendment by Kelley (accepted):*** KEEP ITEM 8.a.(6) ON ACTION. 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.

3. **Public Comment** – items on the agenda* There were no speakers.

4. **Public Comment** – *non-agendized* items* There were no speakers.

5. **SPECIAL PRESENTATION** by Tribal Chief Corrina Gould on the Importance of Land Acknowledgements – Tribal Chair Gould clarified her proper title, and addressed and took questions from the Board.

6. **CONSENT ITEMS**

Action items 8.a.(1), 8.a.(2), 8.a.(3), and 8.a.(4) were moved to Consent by a prior vote of the Board.

 - a. **Approval of December 16, 2021 regular meeting minutes**

M/S/C (Alpert/Kelley) APPROVE CONSENT ITEM 6.a. AND ITEMS 8.a.(1), 8.a.(2), 8.a.(3) AND 8.a.(4) AS WRITTEN. 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.

7. **Public Comment** – for Action Items* There were 2 speakers: Former Councilmember Cheryl Davila spoke regarding the importance of land acknowledgements, and thanked the Board for its action. Ira X. Armstrong thanked Tribal Chair Gould for her leadership and the Board for highlighting the importance of indigenous land acknowledgements.

8. ACTION ITEMS

Action items 8.a.(1), 8.a.(2), 8.a.(3), and 8.a.(4) were moved to Consent by a prior vote of the Board.

a. From Board Members, Committees, and Executive Director

- (1) Recommendation to adopt proposed amendments to Regulation 801 [Proper Filing of Rent Registration Statement] – Second reading (IRA/AGA/Registration Committee) – MOVED TO CONSENT BY A PRIOR VOTE OF THE BOARD.
- (2) Recommendation to adopt proposed amendments to Regulation 1311 [Alleging Compliance in Complaint] – Second reading (IRA/AGA/Registration Committee) – MOVED TO CONSENT BY A PRIOR VOTE OF THE BOARD.
- (3) Recommendation to adopt Resolution 22-01 authorizing the Executive Director to modify the contract with Sloan Sakai Yeung & Wong LLP for the 2021-2022 fiscal year (General Counsel) – MOVED TO CONSENT BY A PRIOR VOTE OF THE BOARD.
- (4) Recommendation to adopt Resolution 22-02 authorizing the Executive Director to modify the contract with 3Di Systems, Inc. (Executive Director) – MOVED TO CONSENT BY A PRIOR VOTE OF THE BOARD.
- (5) Discussion and possible action regarding land acknowledgement for the Rent Board to be read at the start of every meeting and exploration of other possible actions to support indigenous people of Berkeley (Chair Simon-Weisberg, Commissioner Laverde & Commissioner Mendonca)

M/S/C (Laverde/Simon-Weisberg) MOVE ALL THREE RECOMMENDATIONS AS WRITTEN IN THE REPORT. 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.

- (6) Discussion and possible action to change the name of the Individual Rent Adjustment/Annual General Adjustment/Registration Committee (the “IRA/AGA/Registration Committee”) to the Legislation, IRA/AGA and Registration Committee (the “LIRA Committee”) (Chair Simon-Weisberg)

M/S/C (Kelley/Laverde) MOTION TO APPROVE THE ITEM AS WRITTEN. 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.

9. INFORMATION, ANNOUNCEMENTS AND NEWS ARTICLES

All items below were briefly mentioned or discussed. Underlined items have additional information.

a. Reports from Board Members/Staff

- (1) Update on the City's Website Reinvention Project timeline and the Rent Board's content migration – Verbal (Executive Director & Board Secretary) – Board Secretary Aimee Mueller gave an update on the City's revised timeline for the launch of the new website.
- (2) Market Medians Report updated through September 2021 (Executive Director)
- (3) January 5, 2022 memo to the 4 x 4 Joint Committee on Housing from Mayor Arreguín and Chair Simon-Weisberg: "Recommendation to Revise Berkeley B.M.C. Chapter 13.84 ("Relocation Ordinance") to better protect tenants during construction due to necessary repairs and new construction of ADUs (Accessory Dwelling Units) and other additional housing units" (Chair Simon-Weisberg) – Chair Simon-Weisberg gave a presentation on this item that was also given at the 4 x 4 Committee meeting on January 11, 2022.
- (4) Commissioner attendance records for Board and Committee meetings updated through December 2021 (Executive Director & Board Secretary)
- (5) January 12, 2022 *The New York Times* opinion video and article by Jeff Seal, Chris Libbey and Nick Libbey titled, "The Landlord's Worst Nightmare Is a Basic Human Right" (Chair Simon-Weisberg)
<https://www.nytimes.com/2022/01/12/opinion/new-york-eviction-bill.html>
- (6) Article by Larisa K. Miller from *Prologue – Quarterly of the National Archives and Records Administration* 45.3-4 (2013) titled, "The Secret Treaties With California's Indians" (Chair Simon-Weisberg)
<https://www.archives.gov/files/publications/prologue/2013/fall-winter/treaties.pdf>
- (7) Date to submit agenda topics/items for the February 17th Rent Board meeting:
Friday, February 4th

10. COMMITTEE/BOARD MEETING UPDATES AND ANNOUNCEMENTS

- a. Budget and Personnel Committee (Commissioner Selawsky, Chair)
Next regularly-scheduled meeting: TBA
- b. Eviction/Section 8/Foreclosure Committee (Commissioner Mendonca, Chair) – Committee Chair Mendonca reported that the Committee will meet next month.
Next regularly-scheduled meeting: TBA
- c. IRA/AGA/Registration Committee (Commissioner Kelley, Chair) – Committee Chair

Kelley reported that the Committee's next meeting is February 9.
Next regularly-scheduled meeting: Wednesday, February 9th at 5:00 p.m.

(1) January 12th agenda

- d. Outreach Committee (Commissioner Laverde, Chair) – Committee Chair Laverde reported that the Committee met yesterday, and will continue to meet the third Wednesday of every month. She gave an update on the Request for Proposal (RFP) for the tenant survey and other items discussed by the Committee.
Next regularly-scheduled meeting: TBA

(1) January 19th agenda

- e. 2 x 2 Committee on Housing: Rent Board/Berkeley Unified School District (Chair TBA)
Regularly-scheduled meeting date: TBA

- f. 4 x 4 Joint Committee on Housing: City Council/Rent Board – Chair Simon-Weisberg reported that the Committee's next meeting is February 23rd.
Committee Co-Chairs: Mayor Arreguín and Chair Simon-Weisberg
Next regularly-scheduled meeting: Wednesday, February 23rd at 3:00 p.m.

(1) January 11th agenda packet

- g. Ad Hoc Committee on RSB Technology Issues (Chair TBA) – Chair Simon-Weisberg reported that this Committee is meeting on January 24 at 5:00 p.m.
Next meeting date: TBA

- h. Updates and Announcements – Chair Simon-Weisberg mentioned a budget workshop on affordable housing was happening at the same time as the Rent Board meeting. Commissioner Laverde announced she would be attending a workshop on “RHNA” and the Tenant Opportunity to Purchase Act on January 27, and encouraged other commissioners to attend one or both workshops.

- i. Discussion of items for possible placement on future agenda

11. ADJOURNMENT – M/S/C (Alpert/Selawsky) MOTION TO ADJOURN. 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 8:25 p.m.