

**CITY OF EAST PALO ALTO
RENT STABILIZATION BOARD MEETING
WEDNESDAY, November 24, 2010
REGULAR SESSION
2415 UNIVERSITY AVENUE
City Council Chambers
EAST PALO ALTO, CA
Minutes**

1. CALL TO ORDER

Chair Dorn called the meeting to order at 7:02 p.m.

2. ROLL CALL

Board Members Present: Dorn, Randolph, Fremont, Hart, Webster (arrived at 7:05 p.m.)
Board Members Absent: Ndegwa
Board Alternates Present: Allen
Board Alternates Absent:
Staff Present: Ford, Packard, Deputy City Attorney Neelam Naidu

3. APPROVAL OF AGENDA

Board Member Allen suggested that item **5.4 Second Reading and Adoption of Rent Stabilization Program Registration Rules and Regulations** be moved ahead of item 5.1.

Ms. Packard suggested that item **5.3 Review and recommendations on format of meeting minutes** be continued to the next meeting in order to give the Board additional time for review and to get input from Board Member Webster.

Motion: It was moved (Fremont) and seconded (Randolph) to approve the agenda, as amended. Motion passed unanimously.

4. APPROVAL OF MINUTES

- Minutes for the October 13, 2010, regular RS Board meeting

Chair Dorn pointed out on page 6 that a sentence began with “Staff Lee” but noted that Staff Lee was not listed as being present.

Motion: It was moved (Fremont) and seconded (Randolph) to approve the minutes for the October 13, 2010, regular RS Board meeting. Motion passed with Hart abstaining.

5. AGENDIZED ITEMS FOR POLICY AND ACTION

5.4 Second Reading and Adoption of Rent Stabilization Program Registration Rules and Regulations

Staff Packard pointed out minor revisions were made to the Registration Rules.

Ms. Naidu explained there were remaining questions about the period the collection of fees would cover. Staff requested that the time period for the December 1 deadline be changed to either “December 1 through December 15” or “by December 15” to allow adequate time for the registration statements to be sent out.

Board member Allen pointed out that property owners would not be pleased to receive a bill without advance warning of payment due. He believed that staff should be prepared for possible requests for extensions or payment plans.

Board Member Fremont suggested changing the date in Section C(4) which would make a change for initial registration in December and subsequent years would continue on the December 1 schedule.

Staff Packard pointed out that the date would be included in sections C(4) and D(1). She added that penalties would not begin to accrue until after January 31. She indicated that in the next years, the process would be smoother; the language, “by December 15,” would apply to the current year as well as subsequent years.

Board Member Randolph wanted to see “by December 15” used.

Chair Dorn questioned whether wording needed to be included with the registration that suggests that registration forms are due January 1 and are late by January 5.

Staff Packard explained that the letter to be sent to landlords with registration packets will include the rules and regulations that spell out penalties.

Board Member Allen suggested that the section on Waivers and Penalties be included with the packets that are sent out.

Staff Packard clarified that the only change to the Rules for the Board to consider is the date that staff mails out the registration packets.

Motion: It was moved (Webster) and seconded (Fremont) to waive the reading of the text of the Resolution adopting Rent Stabilization Program Rules and Regulations for Registration. Motion passed unanimously.

Deputy City Attorney Naidu advised that the Board is holding the second reading of the title of the Registration Rules and Regulations, entitled Registration Rules and Regulations; under consideration is a Resolution of the Rent Stabilization Board of the City of East Palo Alto adopting Rent Stabilization Program Rules and Regulations for Registration.

The Board concurred with the change to sections C(4) and D(1), to change “December 1” to “by December 15.”

Motion: It was moved (Webster) and seconded (Randolph) that the Board adopt the changes to Sections C(4) and D(1) in the Registration Rules and Regulations, replacing “on or before December 1” with “by December 15.” Motion passed unanimously.

Motion: It was moved (Webster) and seconded (Fremont) that the Board adopt the Resolution of the Rent Stabilization Board of the City of East Palo Alto Adopting Rent Stabilization Program Rules and Regulations for Registration, as changed in the second reading. Motion passed unanimously.

Board Member Allen excused himself from the meeting but, prior to leaving, congratulated ML Gordon on his appointment as City Manager.

Mr. Gordon advised that he would become the City Manager on November 30.

- 5.1 Report on and discussion of Rules and Regulations Committee meetings and update on progress of drafting Rules and Regulations Committee meeting minutes

Board Member Webster reported that he negotiated with Mr. Baar and the next meeting of the Rules and Regulations Committee meeting will take place on Wednesday, December 14, at 7 p.m.

Board Member Fremont pointed out that Mr. Baar has been working on the Certification Regulations and hoped that would be discussed at the December 14 meeting.

- 5.2 Discussion of distribution of Rent Stabilization Program brochures

Staff Ford reported that the final changes to the brochure were sent to Mr. Esparza and then forwarded to the printer. He anticipates receiving the brochures before the end of December.

Board Member Webster reported that Community Legal Services (CLS) was planning to submit a grant proposal to the San Francisco Foundation for a community organizer to help promote the Rent Stabilization Program.

Board Member Hart questioned whether there was a list of community based organizations that brochures would be provided to.

Chair Dorn recalled that the Board discussed the organizations at one meeting and determined which Board Members would distribute brochures to the various organizations.

Staff Ford advised that he would check the prior minutes to see what the Board had decided.

Board Member Hart offered to email a list of locations to Ms. Packard and suggested that other Board Members do the same.

Ms. Packard suggested that this item be placed on the Outreach/Education Committee's agenda and encouraged Board Members to share their lists with her.

5.3 Review and recommendations on format of meeting minutes - **TABLED**

6. CONSENT CALENDAR

7. PUBLIC HEARING

8. RESOLUTIONS or RULES

10. REPORTS OF COMMITTEES AND STAFF

10.1 Report out from RS Board Members and Committees:

- a. Operational Excellence (**Allen** & Fremont) – No report
- b. Outreach/Education (Dorn & **Hart**, Ndegwa)

Board Member Hart reported that the Outreach/Education Committee met earlier in the day and is working on a brochure for the landlords. The Committee agreed to order display racks for the second floor offices and to create a flyer with information on the Rent Stabilization Program. The Committee also discussed providing brochures to the Human Services Agency on the third floor and on the ground floor, as well as other locations in the City.

- c. City Council Liaison (**Hart** & Fremont) – No report
- d. Rules and Regulations (**Webster**, Fremont & Randolph) – No report

Board Member Webster reported circulating copies of a letter from Father Lawrence Goode sent to Robert Maddux (in charge of the Wells Fargo portfolio). The letter protested against the transfer of ownership of the Wells Fargo portfolio to nonprofit housing developers.

Staff Packard recommended that the Board hold a special meeting for the second reading of the Rules and Regulations with regard to the collection of fees, to be held on December 1 or December 2. She explained that the Council will discuss the matter in Closed Session on November 30.

The Board agreed to meet on December 2 at 7 p.m.

Staff Packard reported having conversations with the City Attorney and recommended that all future actions by the Board be done by resolution.

Deputy City Attorney Naidu added that resolutions would provide the basis for the Board's action, findings, rationale, and reasoning.

11. ADMINISTRATIVE ITEMS

12. WRITTEN COMMUNICATIONS

13. COMMUNITY FORUM

D'Ante Williams, representing YUCA, stated he understood that the Board would be discussing a Condominium Map of WestPark Apartments. He asked about the status.

Deputy City Attorney Naidu responded that she has been covering the backlog of work that was not done while her position was vacant, is researching the issue, and will report back to the Board.

14. RECOMMENDATIONS FOR FUTURE ACTIONS AND AGENDA ITEMS

Items include possible meeting on December 2, Brown Act training, brochures, discussion of format of meeting minutes, and an update on the computer system.

Board Member Webster asked that the Board add an item to discuss the pros and cons of nonprofit organizations purchasing the properties formerly owned by Page Mill Properties.

Deputy City Attorney Naidu advised that the Board should not take a position on what Wells Fargo should do; however, the item could be listed as an education item.

15. ADJOURNMENT

Motion: It was moved (Webster) and seconded (Hart) to adjourn the meeting at 8:25 p.m. Motion passed unanimously.