


Rent Stabilization Board  
Office of the Executive Director

DATE: September 23, 2021

TO: Honorable Members of the Berkeley Rent Board

FROM: Honorable Members of the IRA/AGA/Registration Committee  
By: Matt Brown, Acting Executive Director 

SUBJECT: Recommendation to adopt Resolution 21-24 to support the Mayor's proposal to expand the Berkeley Fair Elections Program to include the Rent Board Commissioners

**Recommendation:**

That the Board adopt Resolution 21-24, support the Mayor's proposal to expand the Berkeley Fair Elections Program to include the Rent Board Commissioners. The IRA/AGA/Registration Committee reviewed this report at its meeting on September 8, 2021, and voted unanimously to recommend that the Board adopt this Resolution.

**Background and Need for Rent Stabilization Board Action:**

This proposal would simply adjust the Fair Elections Act (passed by Berkeley voters in November 2016) to have the same rules apply to Board Commissioners associated with public financing for elections that currently apply to the Council and Mayor. Please see the attached Council Item from September 14, 2021, for more information. This proposal has been initially adopted by the Council.

**Conclusion:**

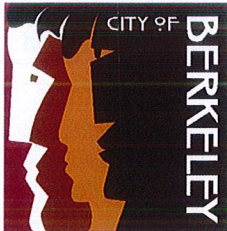
The IRA/AGA/Registration Committee reviewed the mayor's report at its meeting on September 8, 2021, and unanimously recommended the Board adopt this Resolution.

**Name and Telephone Number of Contact Person:**

Matt Brown, Acting Executive Director (510) 981-4905

Attachment:

1. Council report from Mayor Arreguin
2. Proposed Resolution 21-24



Office of the Mayor

CONSENT CALENDAR

September 14, 2021

To: Members of the City Council

From: Mayor Jesse Arreguín (Author), Vice Mayor Lori Droste, Councilmember Rashi Kesarwani, Councilmember Kate Harrison (Co-Sponsors)

Subject: Expansion of the Berkeley Fair Elections Program

RECOMMENDATION

Refer to the Fair Campaign Practices Commission (FCPC) to develop an ordinance to expand the Berkeley Fair Elections Program to include School Board Director, Rent Board Commissioner and City Auditor among the offices eligible to participate in the public financing program.

BACKGROUND

In November 2016 Berkeley voters approved Measure X1 by a vote of 65% Yes, 35% No. This measure amended the City Charter and Berkeley Election Reform Act to create a system of public funding of municipal election campaigns, called the Berkeley Fair Elections Act. The Fair Elections Act provides limited public matching funds to participating candidates who commit to raising small dollar donations from Berkeley residents.

The Fair Elections Act is currently available to candidates for City Council and Mayor. The program has worked as designed in both the 2018 and 2020 Berkeley elections, decreasing barriers to running for office and helping increase trust in government, as participating candidates are funded by small donations from Berkeley residents instead of relying on larger donations from individuals and wealthy interest groups.

The Fair Elections Act is currently funded, per Article III, Section 6.2 of the City Charter, with a specified amount every year. This amount was \$250500,000 in 2016 and is adjusted for inflation and population changes each year. The program was designed with funding sufficient to support all five City offices: Mayor, City Councilmember, School Board Director, Rent Board Commissioner, and City Auditor. However, the supporters of Measure X1, which included California Common Cause, MapLight, the NAACP, the ACLU, and other groups and citizens, decided to write the measure to implement the program for Mayor and Council first, starting in 2018, thus allowing the Council and the Berkeley Fair Campaign Practices Commission (FCPC) to expand the program to School Board, Rent Board, and Auditor later. This allowed the City the opportunity to launch the program and evaluate its effectiveness before expanding it to other offices.

Since launching the program in 2018, the City has been able to sufficiently budget funding for administration and matching funds, while also balancing other budget priorities. Additionally, numerous candidates have participated in the program, and the City has adjusted regulations and administration procedures to streamline implementation.

The City Council and FCPC can implement this expansion to School Board Director, Rent Board Commissioner, and City Auditor with the "double green light" process of amending the Berkeley Election Reform Act, as prescribed in Berkeley Municipal Code Section 2.12.051. This process requires a two-thirds vote of the Commission, followed by a two-thirds vote of the Council. By passing this referral today, the Council signals its strong support for expanding the program to these additional offices, to level the playing field, increase opportunities for residents to have a voice in our elections and reduce the impact of money in politics. The specific details of the expanded program would be developed and potentially passed by the Commission and then come to Council for review and potential approval.

**FINANCIAL IMPLICATIONS**

To be determined

**ENVIRONMENTAL SUSTAINABILITY**

There are no environmental impacts associated with the recommendations in this report.

**CONTACT PERSON**

Mayor Jesse Arreguin      510-981-7100

**Attachments:**

- 1: BMC Chapter 2.12, Article 8. Berkeley Fair Elections Act of 2016
- 2: City of Berkeley campaign expenditures 2014-2020 for School Board, Rent Board, and Auditor

RESOLUTION 21-24

IN SUPPORT OF THE MAYOR'S PROPOSAL TO EXPAND THE BERKELEY FAIR ELECTIONS PROGRAM TO INCLUDE THE RENT BOARD COMMISSIONERS

WHEREAS, Mayor Arreguin submitted a proposal to adjust the Fair Elections Act (passed by Berkeley voters in November 2016) to have the same rules apply to Board Commissioners associated with public financing for elections that currently apply to the Council and Mayor; and

WHEREAS, Council considered and adopted this proposal at its September 14, 2021 meeting; and

WHEREAS, the IRA/AGA/Registration Committee reviewed the mayor's report at its meeting on September 8, 2021, and unanimously recommended the Board adopt this Resolution;

NOW, THEREFORE BE IT RESOLVED that the City of Berkeley Rent Stabilization Board hereby supports the Mayor's proposal to expand the Berkeley Fair Elections Program to include the Rent Board Commissioners.

Dated: September 23, 2021

Adopted by the Rent Stabilization Board of the City of Berkeley by the following vote:

YES:

NO:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Leah Simon-Weisberg, Chair  
Rent Stabilization Board

Attest: \_\_\_\_\_  
Matt Brown, Acting Executive Director