

MINUTES
MOBILEHOME COMMISSION MEETING

Corrected

August 27, 2009

Elena Baskin Live Oak Senior Center

COMMISSIONERS PRESENT: Henry Cleveland, 2nd District
Mardi Brick, 3rd District
William Neighbors, 4th District
Rick Halterman, 5th District
Carol Lerno, GSMOL Representative
Bonnie Lund, WMHA Representative

COMMISSIONERS ABSENT: Jean Brocklebank, 1st District

BOARD OF SUPERVISOR LIAISON: John Leopold, County Supervisor First District

COUNTY COUNSEL: Marie Costa & Rahn Garcia

SECRETARY: Lee Ann Shenkman

LEGISLATIVE REPORT: Jerry Bowles

I. CALL TO ORDER/ ROLL CALL/APPROVAL OF JULY MINUTES

Chair Henry Cleveland called the meeting to order at 9:30 A.M. There were eight members of the public in the audience. The minutes of the July 23, 2009, meeting were reviewed and upon motion by Commissioner Lerno, seconded by Commissioner Brick, the July 23, 2009, minutes were approved. Chair Henry Cleveland announced that these meetings are recorded.

II. BUSINESS

A. Commissioner Reports

Commissioner Neighbors reported that a month ago, the City of Watsonville put in a traffic circle, at the cost of approximately \$12,000, in front of Monterey Vista Mobile Estates, which encroached on the mobilehome park driveway. The traffic circle caused a problem for residents and visitors attempting to pull into and out of the park. At the Tuesday night Watsonville City Council meeting, residents from the mobilehome park complained and the City Council voted 6-1 to remove the traffic circle. That removal is occurring today.

Commissioner Halterman reported that tonight at 6:00 PM the final hearing on the Surf and Sand Mobilehome Park will be in front of the Capitola City Council. He added that the City of Capitola's legal fees have now reached \$600,000 for defending rent control. The hearing will be on cable television and will be repeated at noon this Saturday on one of the community access stations.

Commissioner Cleveland informed the Commission that there is a video on YouTube called the Battle of Surf and Sand which describes what is going on in the park from the residents' perspective. He also informed the Commission that a representative from Central Coast Energy Services came to Aptos Pines Mobilehome Park and met with the residents. They provided applications for their services which include utility payment assistance and weatherization, such as replacement of stoves, windows, refrigerators, doors, microwave ovens, etc., to make mobilehomes more energy efficient.

Commissioner Lerno reminded all residents of the importance of participating in resident meetings in mobilehome parks so that your voice is heard, especially when occupancy agreement rules and regulations and by-laws are discussed.

B. Legislative Report

Jerry Bowles informed the Commission that the legislature went back in session this month. They only have two weeks to get the bills to the governor.

AB 566 is tentatively scheduled for a hearing today on the floor for a third reading. However, it may be carried over to next week. Letters still need to be written to obtain support from the senators to move on this bill to get it approved. Then it will go to Conference Committee, and then to the governor. At that time, letters of support again need to be written. Commissioner Halterman added that it has to go to reconciliation because the Senate bill is not the same bill that passed out of the Assembly. This is very important because the Senate bill emphasizes local control. If you live in Scotts Valley, Watsonville, or in the unincorporated area of the County that Senator Maldonado covers, there is still time to contact his office today. Senator Maldonado was the only Republican that supported the bill last time, so it is very important for residents in his district to contact him today because this may be the last day to ask him to support the bill.

The other bill that looks like it might not make it through is **AB 869 (Mendoza) – Park Manager Certification**: this is a two-year bill that was sponsored by GSMOL. There may not be enough votes to move this forward. This bill has been reintroduced several times.

AB 761 (Charles Calderon) – Mobilehome Park Rent De-Control: Commissioner Halterman informed the Commission that this has become a 2-year bill and will be heard in January. If there is no action by the end of January, the bill will be dead.

Commissioner Halterman thanked everyone who helped organize the bus trip to Sacramento. There were over 100 people there that day from Santa Cruz and other places, and Senator Simitian came through on the vote.

The Commission would like to send a letter to the City of Carson thanking them for all of their efforts and interest in the area of mobilehome residency. County Counsel will prepare a draft of the letter for the next Commission meeting.

Legislative bills can be found on the following websites: <http://sinet2.sen.ca.gov/mobilehome/> and also at www.leginfo.ca.gov.

C. County Counsel Report

Rahn Garcia, of the Office of Santa Cruz County Counsel, stated he is one of the attorneys working on the Goldstone application for converting the Alimur Mobilehome Park to resident ownership under state law and our County Code. Santa Cruz County enacted Chapter 14.08 into the County Code that puts forward regulations on those matters. The Goldstone application was evaluated and recently denied under the terms of the County Code and litigation was filed challenging that denial.

Mr. Garcia provided a summary of the issues regarding Sonoma County. Sonoma County has a similar Code provision that is being challenged in the courts. It was heard first in the Sonoma County trial court, and at that court they upheld and declared valid the Sonoma County ordinance in its action to deny the application. This decision was then appealed to the first district court of appeal. Mr. Garcia explained that there are differences between Sonoma County's regulations and Santa Cruz County's regulations. This decision on Friday does not become final for another couple of months, and Sonoma County may appeal to the California Supreme Court.

Supervisor Leopold stated that the Board of Supervisors understands this court case and AB566; they will be discussing further action in closed session.

D. County Supervisor Report

Supervisor John Leopold apologized for missing the last two Commission meetings due to budget hearings and the Board of Supervisor's recess. The general fund in the County budget this year has about \$25 million dollars less than it had last year. Also, the County will make more cuts by the end of September because of the state budget cuts which were not final until the end of July. There were cuts in the amount of \$11 million from the Redevelopment Agency. A result of the budget problems is that there is an historic resizing of the public sector in California. The state claims it is borrowing 8% property tax and will pay it back with interest in four years. By the end of September all county department heads are bringing their budgets back to the Board of Supervisors. Starting in May, Supervisor Leopold started a number of community workshops; over 300 people have attended these workshops and he was inspired by the community input which included the following five issues that came up on a regular basis:

1. public safety
2. economic vitality
3. activities and facilities for young people
4. safe routes for bike riding and walking
5. affordable housing

There will be more community workshops on September 10th, 12th and 15th. There is also a website: www.buildstrongersoquelandliveoak.com that provides a chance for residents to provide feedback directly to the Redevelopment Agency if they can't make it to one of the workshops. County residents need to be thinking about what it takes to build a strong economic base. The community has indicated that it is concerned with economic vitality, and this is tied to affordable housing.

E. Discussion Regarding Layoff of County Counsel Paralegal Position/Secretary to Mobilehome Commission

Commissioner Cleveland asked what support the County can provide the Mobilehome Commission since the hours of the paralegal position, which acts as the Secretary to the Commission, were cut drastically. The County uses space fees to pay for administrative, hearing, and Senior Citizen's legal costs. Mr. Garcia explained that the County Counsel Department intends to continue to provide the Commission with the same level of services to the best of their ability, but money will be refocused to cover the challenges of litigation. Commissioner Halterman asked if there is still a surplus in the space fees which was to be used to increase the contract hours for Senior Citizens' Legal Services. Mr. Garcia explained that the space fees are placed in a trust fund that is accounted for on an annual basis, and this money is used to pay for services provided to this Commission, including the contract for Senior Citizens Legal Services and other matters that are of extreme importance to mobilehome park residents, such as litigation challenges. The Commissioners had further discussion regarding ways to fund the Commission Secretary position in order to retain Lee Ann Shenkman.

The Commissioners discussed the possibility of increasing space fees, which are currently \$1.17 per month, and have not been increased since at least 2003. Commissioner Halterman explained that in the City of Capitola each resident pays an administrative service fee of \$20/month, which is \$240/year; this fee goes toward the payment of legal fees when necessary. The amount is reviewable, however, so that if the service fee is found to be unnecessarily high, it can be reduced. Mr. Garcia explained that the Commission could make a recommendation to the Board of Supervisors to increase the space fees if the Commission determines an increase is necessary. Supervisor Leopold expressed that the Board of Supervisors is committed to doing whatever it takes to protect affordable housing in the unincorporated areas of the County. Commissioner Cleveland requested that a two-year report be provided at next month's meeting showing how space fees are used.

III. CORRESPONDENCE

- A. Letter to the Board of Supervisors Recommending Reasonable Rate of Return for Qualified Mobilehome Park Capital Improvements Remain at 12%
- B. Notice to Mobilehome Park Owners Regarding Consumer Price Index Rent Adjustment for 2010 Mobilehome Space Rents
- C. Notice to Recreational Vehicle Park Owners Regarding Consumer Price Index Rent Adjustment for 2010 Recreational Vehicle Space Rents
- D. Letters to the Board of Supervisors Requesting Notification to Mobilehome Residents of Installation of New Mobilehomes

Commissioner Neighbors asked if the County has heard back yet from the Department of Housing and Community Development regarding notification to other park residents when a new mobilehome is being brought into a park. Marie Costa stated that Supervisor Leopold has signed a letter from the Board of Supervisors directed to the Department of Housing and Community Development regarding this issue and we have not yet heard back.

IV. COMMUNITY INPUT

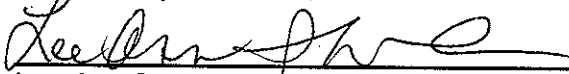
Jerry Bowles explained that not only counties and cities are reducing budgets by 8%, but so are the special districts. Central Fire District has a budget reduction of about \$974,000, and they anticipate more cuts.

A resident of Blue Pacific Mobilehome Park updated the Commission regarding the purchase of the park by the residents. They are now in the study stage, and if this goes through, they will move into a purchase phase. The lawsuit is still in process.

V. ADJOURNMENT

The meeting was adjourned at 10:50 A.M. The next meeting will be September 24, 2009.

Respectfully submitted,



Lee Ann Shenkman, Staff Secretary to the
Mobilehome Commission

Approved with correction:

