

MINUTES

MOBILEHOME COMMISSION MEETING

December 3, 2009

Elena Baskin Live Oak Senior Center

COMMISSIONERS PRESENT: Mardi Brick, 3rd District
Jean Brocklebank, 1st District
Henry Cleveland, 2nd District
Rick Halterman, 5th District
Carol Lerno, GSMOL Representative
Bonnie Lund, WMHA Representative
William Neighbors, 4th District

BOARD OF SUPERVISOR LIAISON: John Leopold, 1st District County Supervisor

COUNTY COUNSEL: Absent

SECRETARY: Lee Ann Shenkman

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

Chair Henry Cleveland called the meeting to order at 9:30 A.M. There were seven members of the public in the audience. The minutes of the October 22, 2009, meeting were reviewed and upon motion by Commissioner Brocklebank, seconded by Commissioner Neighbors, the October 22, 2009, minutes were approved. Chair Henry Cleveland announced that these meetings are recorded.

II. BUSINESS

A. Commissioner Reports

Commissioner Halterman reported that the Planning Commission in Capitola is hearing an application to convert Surf and Sand Mobilehome Park to a resident owned park; it is an involuntary conversion by the owner. He also reported that the League of Cities and Association of County Governments have joined in the appeals of the Sonoma and Goleta cases.

Commissioner Brocklebank reported that she brought applications for the Central Coast Energy Services weatherization program with her to today's meeting.

Commissioner Brick reported that she, too, has a number of applications for the weatherization program. Commissioner Neighbors reminded the Commission that there are qualifications that have to be met and not everyone is qualified for coverage by the program. There are limitations based upon resident income and also the breadth of help the program is able to provide to each resident. Commissioner Brick also suggested that the name of this Commission be changed from the Mobilehome Commission to the Manufactured Home Commission because the homes are no longer mobile. Commissioner Brick requested that this item be placed on the January 2010 agenda.

Commissioner Lerno informed the Commission that the City of Capitola mailed letters to homeowners at Pacific Cove regarding the taking of homeowner's exemptions for owners of second homes in the park. The rent for these second homes is increasing.

Commissioner Brick provided an informational paper about the gas system in De Anza Mobilehome Park which was given to the residents by the park owners. The paper explained how to take care of a gas leak, who pays for it, etc.

B. Legislative Report

Jerry Bowles reported that the legislature will not reconvene until January. They will be taking up bills that deal with rent decontrol. Apparently the author (Calderon) will step away from this bill (AB 761) and someone else will have to author the bill. Some of the hearings will be held in mid-January. If there are bills that have to cross houses, they must do that by the end of January. If there are any new bills that will be introduced, they have to be in to the Legislative Council in January and be heard for the first time by the end of February.

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

The County Counsel Office reported that the Alimur case was heard on December 1, 2009, and Judge Burdick found in favor of the County of Santa Cruz, upholding the decision of the Board of Supervisors. The Planning Commission will hear the park owner's application to subdivide on December 9, 2009.

D. County Supervisor Report

Supervisor John Leopold reported that the findings in the Alimur Mobilehome Park case was a victory for mobilehome residents. The County decided to rescind its conversion ordinance and rehear the park owner's conversion request; that is what is coming to the Planning Commission on December 9, 2009. The judge rather than simply saying this is moot, went further and said the survey and the will of the residents need to be considered. This is part of the key point in the County's interpretation of the State statute.

Commissioner Brocklebank asked if it is important for the public to attend the Planning Commission hearing on December 9th. Supervisor Leopold confirmed that it is always important for the public to get involved, either by attending the meeting or sending letters or emails. Feedback from the community is important to the Planning Commission.

The Board of Supervisors, acting as the Board of Directors for the Redevelopment Agency, met in Live Oak for its first public hearing in Live Oak and the 5-year plan was approved; approximately 250 residents attended.

Supervisor Leopold explained that the Mobilehome changeout program is temporarily suspended because of changing nature of court cases and how banks look at mobilehomes. If an application is already in the system, it will be considered. New guidelines for the changeout program are being developed and will be available after the first of the year.

E. Discussion and Approval of 2009 Annual Report

Commissioner Neighbors corrected his attendance and Commissioner Cleveland suggested adding improved coordination with the Seniors Commission by appointing a member to act as liaison and obtaining minutes of the Seniors Commission meetings. Commissioner Lerno made a motion to approve the amended Annual Report, Commissioner Brick seconded; all in favor.

III. CORRESPONDENCE

None.

IV. COMMUNITY INPUT

A resident of Blue Pacific Mobilehome Park informed the Commission that the residents are purchasing the park and are currently in escrow right; HUD is the lender. The residents of Blue Pacific Mobilehome Park thanked the Commission for their help.

Commissioner Brocklebank questioned if there is a 50-amp minimum voltage required to replace a manufactured home. Commissioner Cleveland cited Title 25 Section 1186(a) regarding lot receptacles: (a) a receptacle used to supply electrical energy to a unit shall conform with the American National Standards Institute-National Electrical Manufacturers Association (ANSI-NEMA) Standard, WD-6, 1997 for one of the following configurations: (1) 125/250 volts, 50-amperes, 3 pole, 4 wire, grounding type for 120/240 volt systems; (2) 125 volts, 30-amperes, 2 pole, 3 wire, grounding type for 120 volt systems.

A member of the public questioned how a park in the County can advertise a mobilehome for rent. The Commission asked County Counsel to research Civil Code §798 and the County's mobilehome rent control ordinance on the issue of subletting homes in a mobilehome park in the County. Also, the Commission asked County Counsel to research whether ownership of mobilehomes by the park owner removes the park or only the individual spaces owned by the park owner from the rent control restrictions.


The Homeowners Association Board at Shoreline Mobilehome Park is working on a disaster preparedness plan. They have been through CERT training and they are trying involve more residents.

Jerry Bowles reminded the Commission that SB23 goes into effect on January 1, 2010, but the effect of the legislation is in September 1, 2010: this bill requires that, on or before September 1, 2010, mobilehome parks and special occupancy parks must adopt and post notice in a conspicuous park location of an emergency preparedness plan that may include either the 1997 plan adopted by the State Office of Emergency Services or any subsequent version, or an equivalent park plan.

V. ADJOURNMENT

The meeting was adjourned at 10:25 A.M. The next meeting will be January 28, 2010.

Respectfully submitted,


Lee Ann Shenkman, Staff Secretary to the
Mobilehome Commission

Approved: 