



ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

Chris Bazar
Agency Director

Agenda Item No. _____ May 12, 2015

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May 6, 2015

The Honorable Board of Supervisors
County Administration Building
Oakland, California 94612

Dear Board Members:

SUBJECT: REPEAL AN ORDINANCE SUSPENDING RENT INCREASES FOR ALL MOBILE HOME PARKS IN THE UNINCORPORATED COUNTY FOR 90 DAYS

RECOMMENDATION:

Repeal “an Ordinance establishing a moratorium on rent increases in mobile home parks within unincorporated Alameda County,” with an effective retroactive repeal date of 5/23/2015.

SUMMARY/ DISCUSSION:

On March 10, 2015, your Board adopted a moratorium on rent increases in mobile home parks in the unincorporated county, scheduled to take effect 60 days after adoption, on May 23, 2015. At that time, staff was directed to incorporate one or more meetings of stakeholders into the process for public input into any recommended changes to the current mobile home park space stabilization ordinance.

To date, staff has conducted four stakeholder meetings: two with mobile home park owners and two with mobile home residents. During this time, a voluntary moratorium on rent increases has been exercised by the mobile home park owners.

At the request of the mobile home park owners, and in coordination with Supervisor Miley’s and Chan’s offices, Housing and Community Development (HCD) staff will be scheduling additional stakeholder meetings, one with park owners and one with park residents. Holding these meetings will extend the schedule for consideration and Board decision on any recommended changes to the current Mobile Home Park Rent Stabilization Ordinance.

The park owners have agreed to extend their voluntary moratorium on rent increases during this extended process. Therefore, Supervisor Miley, with Supervisor Chan’s concurrence, requested staff to bring a repeal of the ordinance enacting a formal 90-day moratorium on mobile home park rent increases.

Given that the repeal requires a first and second reading before adoption, the moratorium will technically be effective for a brief period between May 23, 2015 and July 2, 2015 (assuming a first reading on May 12, 2015 and a second reading on June 2, 2015). Thirty days after June 2, 2015, on July 2, 2015, the moratorium would be considered repealed, retroactive to May 21, 2015.

Staff will continue the process for review of the current ordinance, including additional community stakeholder meetings, along with the previously-planned review and discussion at a number of commissions and committees (including the Housing and Community Development Advisory Committee, the Planning Commission, the Castro Valley Municipal Advisory Committee, and your Board's Unincorporated Services Committee). This process of review and public input may result in recommendations for amendments to the Mobile Home Park Rent Stabilization Ordinance or possibly replacement of it. These meetings are expected to occur in May, June and July.

By way of background, your Board originally adopted a "Mobile Home Rent Stabilization Ordinance" in 1990. The Ordinance has not been updated since its original adoption. The Ordinance limits the annual increase in rent payable for use or occupancy of any mobile home space in unincorporated Alameda County to no more than 5% of the space rent per year, without review. If a park owner wishes to raise rents more than 5% in a year, the owner must submit an application to the County for review.

Due to recent complaints from residents of mobile home parks concerning mobile home park space rents increases under the current Ordinance, staff began a process of review of the Ordinance. These complaints suggested that rents are increased each year with no relation to increase in costs. Since March 10, 2015, staff has conducted four stakeholder meetings, two for mobile home park residents and two for mobile home park owners. Concerns raised by the residents include rent increases, park maintenance and insufficient communication with park management. Concerns raised by park owners include the need for space rents to adequately cover the costs for capital improvements and maintenance, as well as the costs of mobile home park administration in general. Both groups of stakeholders have been in general agreement that the stakeholder meetings have been productive and respectful.

Additionally, mobile home rent ordinances in other California jurisdictions are being reviewed and surveys of local parks have been conducted with regard to mobile home space rents. Seven mobile home park owners and 75 mobile home park residents have responded to the surveys to date.

FINANCING:

There is no financial impact to the County and no Net County Cost as a result of this action.

Very truly yours,



Chris Bazar, Director
Community Development Agency

cc: Susan S. Muranishi, County Administrator
Steve Manning, Auditor-Controller
Donna R. Ziegler, County Counsel
Richard Conway, County Administrator's Office
Heather M. Littlejohn, Office of the County Counsel
U.B. Singh, CDA Finance Director

ORDINANCE NO. ____

AN ORDINANCE REPEALING ORDINANCE NO. 2015-14 OF THE UNCODIFIED ALAMEDA COUNTY GENERAL ORDINANCE CODE FOR A MORATORIUM ON RENT INCREASES IN MOBILE HOME PARKS WITHIN UNINCORPORATED ALAMEDA COUNTY

The Board of Supervisors of the County of Alameda, State of California, does ordain as follows:

SECTION I

In enacting this ordinance, the Alameda County Board of Supervisors makes the following findings:

1. On March 24, 2015, the County adopted as Ordinance No. 2015-14 a moratorium prohibiting rent increases in mobile home parks while the County evaluates potential revisions to its mobile home rent stabilization ordinance, Ordinance No. 90-71, which has been in place since its adoption in 1990.
2. The Board approved the moratorium with an effective date 60 days after adoption, in order to allow time for stakeholders, including mobile home park owners, mobile home park residents, and other interested parties, to participate in a public process to help determine the scope and content of potential revisions to the mobile home rent stabilization ordinance. These stakeholders' meetings, which began on April 8, 2015, have been productive and are still ongoing.
3. Absent an immediate repeal, the moratorium would become effective on May 23, 2015, 60 days after its adoption. This ordinance repealing the moratorium will become effective 30 days after its adoption. This timing would result in the moratorium remaining effective only a brief interim period before the repeal is effective.
4. It would be contrary to the public interest and disruptive to the public participation process for a temporary moratorium to become effective while the stakeholders' meetings are still ongoing.
5. While ordinances are normally applied prospectively upon their effective date, this repeal should apply retroactively, to avoid the timing issue described above and to promote the productivity of the stakeholders' meetings and County staff's ongoing evaluation of issues raised at those meetings.

SECTION II

Ordinance No. 2015-14 of the uncodified Alameda County General Ordinance Code is hereby repealed in its entirety as of May 22, 2015. This ordinance shall and is intended to apply retroactively as well as prospectively.

SECTION III

This Ordinance shall take effect and be in force thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage, it shall be published once with the names of the members voting for and against the same in the Inter-City Express, a newspaper published in the said County of Alameda. Once effective, this ordinance shall apply both retroactively and prospectively.

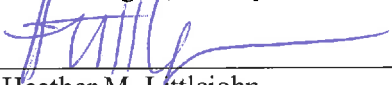
Adopted by the Board of Supervisors of the County of Alameda, State of California, on _____, 2015,
by the following called vote:

AYES:
NOES:
EXCUSED:

President of the Board of Supervisors of the
County of Alameda, State of California

ATTEST: ANIKA CAMPBELL-BELTON, Clerk
of the Board of Supervisors of the County of
Alameda, State of California

Approved as to Form
Donna R. Ziegler, County Counsel



By Heather M. Littlejohn
Deputy County Counsel

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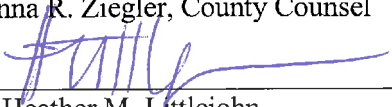
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