



CASTRO VALLEY

MUNICIPAL

ADVISORY Advisory to Supervisor Nate Miley, 4th District

COUNCIL 224 W. Winton Avenue, Suite 111, Hayward, CA 94544 (510) 670-5400 FAX (510) 785-8793

GENERAL PURPOSE MEETING

Monday, May 18, 2015

6:00 p.m.

Council members present: Marc Crawford; Chair, Cheryl Miraglia; Vice Chair, Dave Sadoff, John Ryzanych, Sheila Cunha, Chuck Moore, Janet Everson

Location: Castro Valley Library – 3600 Norbridge Avenue, Castro Valley, CA 94646

Minutes

PUBLIC COMMENT

Marc Crawford, Chair announced two (2) new councilmembers to the MAC, Chuck Moore and Janet Everson, who were sworn in prior to the meeting. Mr. Crawford also announced that this will be the last meeting for MAC member John Ryzanych.

Marvin Disher, Castro Valley resident stated that he has concerns about flood control. The Castro Valley Creek runs through his property and there is severe erosion on his property. The road is in danger of being damaged. He has not received any assistance from flood control.

I. Approval of Minutes - April 2015

A motion was made by Cheryl Miraglia and seconded by John Ryzanych, that the minutes of April 20, 2015, be accepted as submitted.

Motion passed 5/0
2 abstentions; Moore, Everson

II. Mobile Home Park Rent Stabilization Ordinance (oral report)

Michelle Starratt, Assistant Deputy Director, Community Development Agency gave an update on the Mobile Home Park Rent Stabilization Ordinance.

The Community Development Agency was directed by Supervisor Miley to review the Mobile Home Park Rent Stabilization Ordinance, due to complaints and concerns regarding yearly rent increases and some increase above fair market rate. This report is an update and the Agency will bring a report in the next two months, with a summary and staff recommendations.

The Agency reviewed ninety-three (93) ordinances in the State, and found that the County's ordinance allows for the highest rent increases in the Bay Area. An on-line survey indicated that rents have gone up every year in the last ten (10) years for mobile home parks and at least two (2) renters' increases had increased above the fair market rate.

The next steps will be a tour of Mobile Home Parks on Wednesday, May 17, 2015, with Supervisor Miley, including: Chetwood Crest, Wishing Well, Avalon, Wagon Wheel, Medford Park, and Paradise Park.

There will be two more stakeholder meetings for owners and residents and the Agency will return to the Council with recommendations in either June or July of 2015.

III. Watercourse Protection Ordinance Proposed Revision – Public Works Agency

Bill Lepere, Assistant Agency Director, Public Works Agency, presented a proposed draft of the Watercourse Protection Ordinance.

Background: The Board of Supervisors appointed a Watercourse Task Force, to identify and address community concerns of development projects with the potential to degrade the quality of creeks in riparian corridors.

In November, of 2012, the Watercourse the Task Force presented it's final report to the Transportation and Planning Committee. The Committee directed the Public Works Agency and the Community Development Agency to draft a revised Watercourse Protection Ordinance to address the concerns in the Task Force's report.

A draft ordinance was prepared and presented to the MAC in January 2014, and at that meeting the Council advised staff to develop workshops for community input regarding the ordinance.

The Public Works Agency conducted several workshops last year between February and December, received public comment and several revisions have been made to the ordinance which are presented to the Committee at tonight's meeting.

All information regarding the workshops and revisions of the ordinance has been posted on the Public Works Agency's website.

Cheryl Miraglia stated that the clarifications do not address the difference in definitions from the Regional Water Quality Board and the Department of Fish and Game, versus what the County's definitions are as they relate to the ordinance.

Dave Sadoff stated that the State law could supersede this ordinance.

Chuck Moore stated that property owners in the Canyonlands don't get notified all the time when notices are sent out. He would like notices sent to rural property owners.

Speakers

Joyce Cutler asked how many more meetings will the Public Works Agency hold regarding the ordinance and when will it go before the Board of Supervisors.

Howard Beckman stated that he spoke with Bruce King regarding the ordinance as he is unable to attend tonight's meeting. Mr. King highlights three main issues: 1) asked for a 3rd party expert review of the proposed ordinance, estuary creek or watershed expertise 2) there is a complete lack of concern for drainage of anything below 50 acres 3) engineered channels get inferior treatment under the proposed ordinance. Mr. Beckman stated that it is important that notice of creek related development be widespread

Roy Taylor commented on Section 13.12.290 part (B) – Owner's Responsibility, he stated that the text "permission to enter" should be reworded, as it implies that he has to get permission to enter his own property. He believes the spirit of the ordinance is to notify the Agency, to receive permission to perform maintenance, but not permission to enter.

Chris Higgins, member of the Creek Task Force, stated that everyone that owns property in the area should be noticed regarding the Watercourse Protection Ordinance. The County's ordinance has an impact on the community.

Rex Warren stated that he has problems with the ordinance and has been asking for data regarding the watershed. There are several issues that he has raised that have not been addressed. He takes issue with the new interpretation of general definition. He is very disappointed in the ordinance. Section 13.12.80

Marvin Disher commented on Section 13.12.200 – Notice to adjacent owners or others – Mr. Disher stated that he was not notified of proposed development, as required by the ordinance.

Dan Davini stated that Rex Warren wrote a report for the Creek Task Force and he agrees that the Canyonlands should be exempt from this ordinance. Mr. Davini needs a permit to plant and remove vegetation (trees, etc.) and he would prefer to not have to apply for a permit to do so.

Discussion

After discussion, the Council advised that the Watercourse Protection Ordinance be brought back to the next General Purpose meeting for discussion. Prior to the next meeting, the Public Works Agency will provide the Council with a copy of the comparison document of the ordinance, which provides the existing language as well as the proposed changes for the Council's review. In addition, the Community Development Agency will disseminate the document to residents of the Canyonlands.

Council comments

None.

Adjourn

The meeting was adjourned to June 15, 2015.