

Departmental Item No. 5) Time Certain: 1:00 PM5) GENERAL SERVICES16-00514

HEARING - Consider recommendation regarding the Arbitrator's March 5, 2016 Opinion and Award (Revised on Remand) as to Awards 4, 5, 6, 7, 8, 11, and 12 in the matter of arbitration between Nomad Village Mobilehome Homeowners and Nomad Village Mobilehome Park pursuant to Rule 23 of the Mobilehome Rent Control Rules for Hearings and Chapter 11A, Section A-4 of the Santa Barbara County Code; Second District, as follows: (EST. TIME: 1 HR.)

a) Make the following determinations as supported by the findings;

i) Find that the Arbitrator did not abuse his discretion; however, remand Award No. 4 in light of other remanded Awards;

ii) Find that the Arbitrator abused his discretion and remand Award No. 5 to the Arbitrator for adequate findings on specific items of incurred costs in the amount of \$62,145.55;

iii) Find that the Arbitrator abused his discretion and remand Award No. 6 to the Arbitrator for adequate findings about the nature of the fees;

iv) Find that the Arbitrator abused his discretion and remand Award No. 7 to the Arbitrator for adequate findings about the nature of the fees;

v) Find that the Arbitrator abused his discretion and remand Award No. 8 to the Arbitrator for adequate findings about the nature of the payment;

vi) Find that the Arbitrator abused his discretion and remand Award No. 11 to the Arbitrator for adequate findings about the nature of the fees; and

vii) Remand Award No. 12 to the Arbitrator for recalculation in light of other remanded items; and

b) Determine that the proposed action is an administrative activity of the County which will not result in direct or indirect physical changes in the environment and is therefore not a "project" as defined for purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(5).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 1:37 PM - 2:25 PM (48 MIN.)

Received and filed staff presentation and conducted public hearing.

A motion was made by Supervisor Farr, seconded by Supervisor Lavagnino, that this matter be acted on as follows:

Adopted the following procedural motion:

In accordance with Rules 13 and 23(b) of the Mobilehome Rent Control Rules for Hearings, the Board limits its review of the Arbitrator's decision to the paper record alone, attached to the Board Agenda Letter dated July 12, 2016, which consists of the Arbitrator's Opinion and Award on Remand included as attachment BB and Attachments A-X. The Board will not consider any new evidence, and receives oral argument and Brown Act public comment as argument that focuses on evidence that is already contained in the record, rather than as new evidence.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, that this matter be acted on as follows:

a) i) through vii) Approved.

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino