



Legislation Details (With Text)

File #: 17-00752 **Version:** 2

Type: Agenda Item **Status:** Passed

File created: **In control:** BOARD OF SUPERVISORS

On agenda: 10/17/2017 **Final action:** 10/17/2017

Title: HEARING - Consider recommendations regarding the Arbitrator's Opinion and Award (Revised on Remand) dated March 13, 2017 as to Awards 5, 7, 8, and 13 (previously known as Awards 4, 6, 7, and 12) in the matter of arbitration between Nomad Village Mobile Home Homeowners and Nomad Village Mobile Home 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 and affirm Award No. 5 related to amortization over the useful life of the capital expense;
 - ii) Find that the Arbitrator did not abuse his discretion and affirm Award No. 7 related to professional fees for services associated with the capital expenses and improvements;
 - iii) Find that the Arbitrator did not abuse his discretion and affirm Award No. 8 related to professional fees for services associated with capital improvements; and
 - iv) Find that the Arbitrator did not abuse his discretion and affirm Award No. 13 related to the permanent rent increase of \$25.59 and the temporary rent increase of \$39.44;
- 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), approve and direct staff to file and post a Notice of Exemption on that basis; and
- c) Refer back to Staff if the Board wishes to take any action other than the recommended action for a revised motion and findings.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Sponsors: GENERAL SERVICES DEPARTMENT

Indexes:

Code sections:

Attachments: 1. 17-Board Letter, 2. Attachment 1 Exhibit A - Homeowner's Arbitration Brief on Remand, 3. Attachment 1 Exhibit B - Park Management's Arbitration Brief on Remand, 4. Attachment 1 Exhibit C - Arbitrator's Opinion and Award Revised on Remand March 13 2017, 5. Attachment 1 Exhibit D - Nomad Village Mobile Home Park Arbitration Transcripts 03-02-17, 6. Attachment 1 Exhibit E - Homeowner's Petition for Review of Arbitrator's Decision on Remand, 7. Attachment 1 Exhibit F - Park Management's Response to Homeowner's Petition for Review, 8. Attachment 1 Exhibit G - Findings, 9. Attachment 1 Exhibit H - Matrix of Board Options, 10. Attachment 1 Exhibit I - CEQA Notice of Exemption (006), 11. Public Comment - Nomad Village Homeowners Representatives, 12. Presentation

Date	Ver.	Action By	Action	Result
10/17/2017	2	BOARD OF SUPERVISORS	Acted on as follows:	Pass

10/17/2017	2	BOARD OF SUPERVISORS	Acted on as follows:	Pass
10/17/2017	2	BOARD OF SUPERVISORS	Acted on as follows:	Pass
10/3/2017	1	BOARD OF SUPERVISORS	Set for a hearing, as follows:	Pass

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iii) Find that the Arbitrator did not abuse his discretion and affirm Award No. 8 related to professional fees for services associated with capital improvements; and

iv) Find that the Arbitrator did not abuse his discretion and affirm Award No. 13 related to the permanent rent increase of \$25.59 and the temporary rent increase of \$39.44;

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), approve and direct staff to file and post a Notice of Exemption on that basis; and

c) Refer back to Staff if the Board wishes to take any action other than the recommended action for a revised motion and findings.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY