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Legislation Details

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Type: Agenda Item **Status:** Passed

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

On agenda: 1/19/2016 **Final action:** 1/19/2016

Title: HEARING - Review the Arbitrator's December 20, 2011 Opinion and Award 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 and consider recommendations, as follows: (EST. TIME: 1 HR.)

- a) Vacate the Board's May 15, 2012 action, executed by the Chair on June 14, 2012, as it relates to Awards 4, 5, 6, 7, 8, 11, and 12 of the Arbitrator's December 20, 2011 Opinion and Award in the Matter of Arbitration Between Nomad Village Mobile Home Homeowners and Nomad Village Mobile Home Park;
- b) Reconsider the Petitions for Review of Awards 4, 5, 6, 7, 8, 11, and 12 of the Arbitrator's December 20, 2011 Opinion and Award and 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 did not abuse his discretion and affirm Award No. 8;
 - vi) Find that the Arbitrator did not abuse his discretion and affirm Award No. 11; and
 - vii) Remand Award No. 12 to the Arbitrator for recalculation in light of other remanded items; and
- c) 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

Sponsors: GENERAL SERVICES DEPARTMENT

Indexes:

Code sections:

Attachments: 1. Set Hearing Board Letter - 1/5/2016, 2. Attachment A - Statement of Facts and Exhibits, 3. Attachment B - Response Letter to County from James Ballantine, 4. Attachment C - Homeowners' Arbitration Pre-Hearing Brief, 5. Attachment D - Objection and Response by Nomad Village Mobile Home Park to Petition for Arbitration and Exhibits Attached, 6. Attachment E - Arbitration Hearing Brief by Nomad Village Mobile Home Park, 7. Attachment F - List of Arbitration Exhibits Presented at

Arbitration, 8. Attachment G - Homeowners' Post-Hearing Opening Brief, 9. Attachment H - Opening Post-Hearing Brief by Nomad Village Mobile Home Park, 10. Attachment I - Homeowners' Post-Hearing Closing Brief, 11. Attachment J - Closing Post-Hearing Brief by Nomad Village Mobile Home Park, 12. Attachment K - Submission of PUC Orders by Nomad Village Mobile Home Park, 13. Attachment L - Nomad Village Mobile Home Park Rent Control Hearing Transcripts 9-19-11 Part 1, 14. Attachment M - Nomad Village Rent Control Hrg Transcripts 9-20-11, 15. Attachment N - Arbitrator's Opinion and Award, 16. Attachment O - Homeowners' Petition, 17. Attachment P - Nomad Village Mobile Home Park's Petition, 18. Attachment Q - Park Managements Response to Homeowners Petition for Review, 19. Attachment R - Homeowners Response to Park Managements Petition for Review, 20. Attachment S - Park Managements Objection to Homeowners Response to Park Managements Petition for Review, 21. Attachment T - Notice of Exemption, 22. Attachment U - Matrix of Board Optionsons, 23. Attachment V - Order on Writ of Mandate, 24. Attachment W - Findings, 25. Recommended Motion from County Counsel, 26. Public Comment - Allen, 27. Presentation, 28. Nomad Village - Revised Attachment W, 29. Nomad Village - Revised Action

Date	Ver.	Action By	Action	Result
1/19/2016	2	BOARD OF SUPERVISORS	Acted on as follows:	Pass
1/19/2016	2	BOARD OF SUPERVISORS	Acted on as follows:	Pass
1/19/2016	2	BOARD OF SUPERVISORS	Acted on as follows:	Pass
1/5/2016	1	BOARD OF SUPERVISORS	Set for a hearing, as follows:	Pass