

DRAFT

**MOBILEHOME ADVISORY COMMISSION
SYNOPSIS OF RETREAT MEETING**

AUGUST 28, 2010

MEMBERS PRESENT:	Monna S. Lang Mike Graves David P. Oster Jacquie Heffner	Chairperson Vice Chairperson—Arrived at 9:45am Commissioner Commissioner
MEMBERS ABSENT:	Donna Cox	Commissioner—Excused
STAFF:	Madison Nguyen Lan-Thao Nguyen Shasta Greene Vivian Frelix-Hart Theresa Ramos Wayne Chen	Councilmember Liaison Councilmember Nguyen’s Office City Attorney Staff Housing Staff Housing Staff Housing Staff
GUESTS:	Sunil Shori Rami Khalon Justin Thieu	California Public Utilities Commission California Public Utilities Commission Department of Weights and Measures
PUBLIC:	Martha O’Connell Elizabeth Warren Gail Ann Osmer	Senior Commission Liaison/ Home Owners to Maintain Equity, President Home Owners to Maintain Equity (HOME), Colonial Manor California Mobilehome Resource Action Association, Colonial Manor

- (a) **Call to Order/Welcome/Introductions**—Lang opened the meeting with introductions at 9:42am. Ramos noted that Commissioner Cox has an excused absence.
- (b) **Public Comment/Open Forum**—none.
- (c) **Orders of the Day**—Ramos mentioned that Stan Toy from Weights and Measures was unavailable but sent a representative.
- (d) **Announcements**—Ramos announced the notice of Availability of the CAPER and Other Documents and notice of Public Hearings.
- (e) **Mobilehome Advisory Commission Synopsis**
(1) Review and accept the June 17, 2010 Synopsis of Regular Meeting—Oster made a motion to accept the June 17, 2010 Synopsis. Graves seconded the motion. The motion passed (4:0).
- (f) **Discussion/Recommended Actions**
(1) Presentation and discussion about Commission, Councilmember Nguyen—Nguyen gave a presentation to the MAC about: 1) the City’s \$118 million budget deficit, its impact to public services, employee salary cuts by 10%, and the City Council’s vote to balance the budget for FY 2010-11; 2) the Measures for the November 2nd ballot, Binding Arbitration and Pension Reform, 3) moving forward to ensure that the City is sustainable while operating and providing critical services for residents. She expressed appreciation to the MAC for their support to consolidate meetings from 6 to 4 annually; 4) her support of the infrastructure survey of the MAC to obtain input from owners and residents on park infrastructure and quality of life; 5) the Housing Department’s housing rehabilitation and grant program available to residents, and 6) her continued support to the Council District 7 residents especially the 17 mobilehome parks which she visits monthly. The MAC inquired about the status of the survey: questioning its validity, accuracy, methodology of distribution, data collection, and analysis. The MAC did acknowledge that the survey information, if properly collected, would be invaluable and useful to the City Council for future funding and housing opportunities. Frelix-Hart responded by stating that money was found to mail-out the survey, indicating that Housing staff will distribute to individuals unreachable by mail. There was a question on whether the measures on the ballots in November will off set the next year budget gap. Councilmember Nguyen responded by stating no, but acknowledged that the measures would have a long term impact.

Public comment: O’Connell inquired if any City Council person has taken a position on either of those two ballot measures. Councilmember Nguyen responded by stating that she believed the vote was 4:7 where 7 are in support of

the ballot measures. Councilmember Nguyen went on to say that she and the Mayor voted to put the measures on the ballot and will record a radio ad to promote voter support. O'Connell asked if the budget shortfall was more or less than last year. Councilmember Nguyen said that this year's budget shortfall was \$118 million dollars expecting next year to be between \$42 to \$45 million dollars.

- (2) **Presentation and discussion about the Public Utilities Commission (PUC)**—Sunil Shori and Rami Khalon spoke about the utilities services provided to master-meter residents, public awareness (PU Code 739.5), and master-meter system transfers. Shori focused on the activities of the PUC's Utilities Safety and Reliability Branch (USRB) responsible for routine safety audits, incident investigations, and investigation of customer complaints. Shori explained the PUC Code 739.5(a), (b), (c), (e), and (g) regarding gas and/or electric service provided by a master-meter customer to users who are tenants of a mobilehome park, apartment building, or similar residential complex. Shori mentioned that the utility companies provide a differential to park owners (master-meters); a differential intended but, not legally required or regulated to be used from maintenance. Shori spoke about a safety inspection for maintenance enforcement occurs when the master-meter system breaks down. He also spoke about the process, legislation, challenges, and goal of the transfer of master meter systems to the servicing utility. The MAC asked if there was an amp upgrade requirement. Shori responded by stating no.

Khalon, Director of the PUC Water Division spoke about the PUC's limited role in regulation of water service in mobilehome parks and referred to PUC Code 2705.5 and 2705. Khalon mentioned that: 1) there are no sub-meters or a differential in water usage, 2) the PUC receives about two to three complaints a year, and 3) the PUC has enforcement jurisdiction regarding water rate charges or service (low pressure or intermittent water usage).

Public comment: O'Connell commented that when she became a mobilehome resident with a home furnished with air conditioner and microwave appliances, her neighbors with older homes were not permitted to add a portable air conditioner. Sunil said that there is no PUC jurisdiction requiring park owners to increase amps and directed complaints to the PUC, Consumer Affairs Branch at (800) 649-7570.

- (3) **City of San José, General Plan Update, Wayne Chen**—Chen provided an update about the City's General Plan Update, Envision 2040, an important planning document for the City's future growth and development, and the guide in land use decisions. Chen provided an overview of the three phases: 1) Task force development guidelines for land use scenarios (2007-June 2009), 2) Policy development (July 2009-June 2010), and 3) Public comment on the General Plan draft (July 2010-June 2011). Chen mentioned that mobilehome living is recognized as a source of affordable housing for the City. Chen discussed the current hot issues including: City's budget, job/housing balance, transportation, environmental sustainability, and major demographic shift planning. Chen encouraged the MAC to participate in upcoming public meetings, held on Mondays between 6:30pm to 9:00pm at San José City Hall, 200 E. Santa Clara Street, San José, CA 95113, Wing, Room 118-120 commencing September 27, 2010 through November 2010. Frelix-Hart suggested that the MAC consider appointing someone from the MAC to participate. The MAC by consensus requested this item to be placed on the next agenda.
- (4) **Presentation and discussion about Weights and Measures, Stan Toy**—Justin Thieu, inspector for the Department of Weights and Measures (DWM), stated that they are responsible for every commercial weight device verifying the accuracy of every seal in grocery stores, gas stations, and mobilehome parks. According to Thieu, DWM certifies sub-meters, checking for accuracy, meter-tampering, approve sub-meters for commercial purposes, and spot check meters at the various parks. The DWM also provides a service for tenants claiming an overcharge, and may require landlords to bring the meter in for testing. Thieu indicated that most often, the issue is not about defective meters but, a matter of simple billing. Thieu went on to say that over time, meters are required to be brought in for testing on a regular interval. Often, landlords are lax with their park maintenance and the meters deteriorate over time. When meters deteriorate, all the indications start rubbing off, making numbers hard to read so when there is a meter reading, they transpose a few numbers and the bill increases. The DWM has the ability to shut down business and works closely with the District Attorney's office to prosecute violators. Thieu said that the frequency of park complaints, the closer the DWM monitors the sub-meters. The MAC asked if smart meters are used in parks. Thieu said no.
- (5) **Video Presentation about "A Place to Call Home" and discussion**—Graves made a motion to defer this agenda item. Heffner seconded the motion. The motion passed (4:0).

- (6) Discuss and approve a Quarterly Meeting Schedule for 2011, Commission**—The MAC reviewed and discussed the scheduled. Graves made a motion to adopt the Quarterly schedule as suggested by staff but immediately implement the schedule where the retreat is the last meeting for this year and the next session will be held the third Thursday in February 2011. Heffner mentioned the importance of Commission meetings and said that if necessary the Commission may hold a special meeting. The motion passed (3:1) with Lang opposed. After further discussion regarding the last meeting for this year, Graves made a motion to supersede his previous motion and adopt the Quarterly schedule as suggested by staff but to hold the October MAC meeting as the last meeting for the year to discuss the yearly report as the only agenda topic. Heffner seconded the motion. The motion passed (4:0).

Public comment: O’Connell thanked Heffner for her comments stating a similar conversation occurred with the Senior Commission.

- (7) Review and discuss a MAC agenda workplan and yearly report to determine a workplan for the upcoming year, Commission**—The MAC reviewed and discussed the MAC agenda workplan and yearly report. Heffner made a motion to authorize Lang to write a yearly report to the Commission to reflect the Commission accomplishments. Grave seconded the motion. The motion passed (4:0).

Public comment: Osmer inquired if the public could review the final report. Greene mentioned that the report is not for public input but that the MAC, at their discretion, could make it available for public view.

- (g) Correspondence**—None.

- (h) Adjournment**—The MAC meeting adjourned at 12:32 pm.