



CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting
April 14, 2015

The City Council of the City of Palo Alto met on this date in the Council Chambers at 6:10 P.M.

Present: Berman, Burt, DuBois, Filseth, Holman, Kniss, Scharff, Schmid, Wolbach

Absent:

Oral Communications

None.

Action Items

8. Hearing on Buena Vista Mobilehome Park Residents Association's Appeal of Hearing Officer's Decision Relating to Mitigation Measures Proposed by Buena Vista Mobilehome Park Owner in Connection with Mobilehome Park Closure Application (continued from April 13, 2015).

Council took a break at 9:08 P.M. and reconvened at 9:22 P.M.

MOTION: Council Member Scharff moved, seconded by Council Member Kniss to:

1) Approve the Hearing Officer's decision with the following modifications:

- a) Updated appraisals of the on-site fair market value of each mobile home shall be completed within 6 months of the owner's relocation from Buena Vista, at the Park Owner's expense. Updates shall be prepared by Beccaria & Weber, according to the methodology utilized in the 2013 reports. If for any mobile home the updated appraisal amount is less than the appraisal calculated in the 2013 reports, the

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Park Owner shall pay the higher of the two appraisals, as may be modified by the Hearing Officer as described below; and

- b) Within 6 months of the mobile home owner's relocation from Buena Vista, the Park Owner shall complete an updated market survey of average apartment rents in the cities surrounding Palo Alto, using the methodology in the RIR. This survey shall be the basis for calculating the 12-month rent differential and start-up costs described in the Hearing Officer's decision; and
 - c) Within 30 days of receiving the updates described above, any mobile home owner may submit a written objection, comment or supplemental data to the Hearing Officer. The Park Owner shall have 15 days to rebut any such submissions. The Hearing Officer shall make a determination regarding the appraisal amount and comparable market survey based on the evidence submitted. The Hearing Officer shall not award less than the amounts contained in the updated analyses of the Park Owner, or more than the amounts supported by evidence submitted by the mobile home owners. The Hearing Officer shall not have jurisdiction to reopen any matter addressed by the Council's Decision or the Sept 30, 2014, Hearing Officer's Decision. The Hearing Officer shall issue a short written determination, which shall be final. The Hearing Officer's determination shall not be appealable to the Council. Any appeal shall be to the Superior Court, to the extent provided by law; and
 - d) Final determination of actual moving costs and additional mitigations for disabled mobile home owners shall be determined by the Relocation Specialist, as set forth in the Hearing Officer's decision; and
 - e) In addition where a one bedroom mobile home unit has more than one bedroom because of unpermitted additions, where family is greater than three people, the rental compensation will provide for a two bedroom rental unit.
- 2) Staff shall return to Council for adoption of written findings and decision consistent with this Motion.

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INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add "permitted and" to Section e) in the Motion.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add "within thirty days or as soon as practical thereafter," to Section c) in the Motion.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to remove "In addition" from Section e) in the Motion.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER that the appraiser will revise the scope of community amenities to include things such as safety and schools.

AMENDMENT: Council Member Burt moved, seconded by Council Member DuBois to add to the Motion "The closure plan shall be effective upon approval by the Hearing Officer of the modified appraisal scope."

AMENDMENT FAILED: 3-6 Burt, DuBois, Schmid yes

MOTION AS AMENDED PASSED: 9-0

Adjournment: The meeting was adjourned at 11:28 P.M.