

**CITY OF HUNTINGTON BEACH
SUPPLEMENTAL COMMUNICATION**
Joan L. Flynn, City Clerk
Office of the City Clerk

TO: Honorable Mayor and City Councilmembers
FROM: Joan L. Flynn, City Clerk *JLF*
DATE: 7/21/2014
SUBJECT: SUPPLEMENTAL COMMUNICATIONS FOR THE JULY 21, 2014, REGULAR CITY COUNCIL/PFA MEETING

Attached are the Supplemental Communications to the City Council (received after distribution of the Agenda Packet):

CONSENT CALENDAR

- #2.** Communication submitted by Lori Ann Farrell, Director of Finance, dated July 21, 2014, submitting a corrected Exhibit A for Attachment 1 (Confidentiality Statement).
- #3.** Communication submitted by Lori Ann Farrell, Director of Finance, dated July 21, 2014, submitting a revised Exhibit A for Resolution No. 2014-38.

PUBLIC HEARING

- #13.** Communications received regarding Environmental Impact Report 13-003/Conditional Use Permit No. 12-026/Coastal Development Permit No. 12-001/Noise Deviation Permit No. 13-009 (Appeal of Planning Commission's Approval – Surf City Nights).

Susan Worthy
Marcie Rosenberg

Guy Guzzardo
Anonymous

James A. Aul

ADMINISTRATIVE ITEMS

- #16.** Communication submitted by Mike Vigliotta, Chief Assistant City Attorney, dated July 21, 2014, submitting a corrected Exhibit A for Attachment 1 (Resolution 2014-45) and Attachment 3 (Resolution 2014-47).

COUNCILMEMBER ITEM

- #19.** Communications received regarding City Council consideration of a Mobile/Manufactured Home Charter Amendment:

Diane Atkins
Brienne Virden
Vickie Talley
Mary Landin

Sam Nevarov
Charles Baur
Pete & Jodie Wollman
Joan Walker

Norma Sternes
Bob Raemer
Tim Geddes



**CITY OF HUNTINGTON BEACH
INTER-DEPARTMENTAL COMMUNICATION
FINANCE DEPARTMENT**

TO: Joan L. Flynn, City Clerk
FROM: Lori Ann Farrell, Director of Finance *Lori Ann Farrell*
DATE: July 21, 2014
SUBJECT: Supplemental Communication for Item 2
Adopt Resolution No. 2014-37 authorizing certain City Employees
and Hinderliter, De Llamas & Associates access to Sales and Use
Tax Records

Please include Exhibit A for Attachment 1 to Item 2.

Thank you.

LAF/mkl

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 7-21-2014

Agenda Item No. 2

EXHIBIT A

State of California

Franchise Tax Board

Confidentiality Statement

Confidential tax return information is protected from disclosure by law, regulation, and policy. Information security is strictly enforced. Violators may be subject to disciplinary, civil and/or criminal action. Protecting confidential tax return information is in the public's interest, the state's interest, and the City's interest.

A City official/City employee is required to protect the following types of information received from the Franchise Tax Board:

- Taxpayer name
- Taxpayer address
- Taxpayer social security or taxpayer identification number
- Principal business activity code

A City official/employee is required to protect confidential information by:

- Accessing or modifying information only for the purpose of performing official duties.
- Never accessing or inspecting information for curiosity or personal reasons.
- Never showing or discussing confidential information to or with anyone who does not have the need to know.
- Placing confidential information only in approved locations.
- Never removing confidential information from your work site without authorization.

Unauthorized inspection, access, use, or disclosure of confidential tax return information is a crime under state laws, including but not limited to Sections 19542 and 19552 of the California *Revenue and Taxation Code* and Section 502 of the *Penal Code*. Unauthorized access, inspection, use, or disclosure may result in either or both of the following:

- State criminal action
- State and/or taxpayer civil action

You are reminded that these rules are designed to protect everyone's right to privacy, including your own.

I certify that I have read the confidentiality statement printed above. I further certify and understand that unauthorized access, inspection, use, or disclosure of confidential information may be punishable as a crime and may result in disciplinary and/or civil action being taken against me.

Name	
Signature	Date



**CITY OF HUNTINGTON BEACH
INTER-DEPARTMENTAL COMMUNICATION
FINANCE DEPARTMENT**

TO: Joan L. Flynn, City Clerk
FROM: Lori Ann Farrell, Director of Finance *Lori Ann Farrell*
DATE: July 21, 2014
SUBJECT: Supplemental Communication for Item 3
Adopt Resolution No. 2014-38 approving the certification of Special Assessments for delinquent Civil Fines for Municipal Code violations

Attached is a revised version of Exhibit for Consent Item No. 3.

Thank you.

LAF/mkl

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 7-21-2014

Agenda Item No. 3

EXHIBIT A

Property Address	Owner	Dates/Fine Amount(s)/Total (w/late fees & charges)	Violation(s)	APN Number
15651 Container Ln Huntington Beach, CA 92649	Bisson Holdings LLC	8/21/13 \$1,000 11/13/13 \$1,000 Total \$2,342.90	17.04.020; CBC 110 17.04.036 CBC 111.1	145-461-07
6791 Bonnie Dr Huntington Beach, CA 92647	John T. Brennan	2/5/13 \$500 5/2/13 \$1,000 Total \$2,091.81	17.10.050 (b);	146-291-06
219 Portland Huntington Beach, CA 92648	Richard F. Carroll	9/7/12 \$500.00 Total \$831.15	17.10.050	025-041-22
19032 Mathew Huntington Beach, CA 92646	Cary Cavalieri	11/5/13 \$250 Total \$303.45	17.10.050 (a)	153-362-37
17152 Palmdale	Greg M. Cox	5/15/12 \$250 9/24/12 \$500 5/13/13 \$1,000 9/20/13 \$1000 1/13/14 \$1,000 Total \$4,009.91	17.04.020; CBC 105 17.04.020; CBC 110 17.04.036; CBC 111.1	111-023-23
6691 Crista Palma Dr Huntington Beach, CA 92647	Crista Palma Trust 6691	6/14/12 \$250 2/28/13 \$500 10/10/13 \$1,000 Total \$1,935.34	17.04.020; CBC 110 17.04.020; CBC 105	165-161-01
6091 Shelly Dr Huntington Beach, CA 92647	Harry Derderian	6/24/13 \$500 8/27/13 \$1,000 Total \$1,836.53	210.04 230.12	145-324-22
16892 Gothard #B Huntington Beach, CA 92647	Ess Prisa II LLC	9/23/13 \$250 1/9/14 \$500 Total \$942.67	17.04.020; CBC 105 17.04.036; CBC 111.1 17.04.020; CBC 110	142-221-23
7451 Warner #G Huntington Beach, CA 92647	Ess Prisa II LLC	1/13/14 \$250 Total \$382.63	17.04.020; CBC 110 17.04.036 CBC 111.1	142-221-21
6141 Albion Dr Huntington Beach, CA 92647	Donald Fields	9/06/13 \$750 11/1/13 \$1,500 Total \$2,715.64	17.04.020; CBC 110 230.08	145-351-28
8101 Newman #D Huntington Beach, CA 92647	Galaxy Investments, Inc	10/24/13 \$250 Total \$460.31	17.04.020; CBC 110 17.04.036 CBC 111.1	167-471-20
17191 Pacific Coast Hwy Huntington Beach, CA 90742	Jamie Swaim Harrison	2/28/13 \$1,000 3/14/13 \$2,000 3/15/13 \$4,000 3/19/13 \$4,000 3/20/13 \$4,000 3/21/13 \$4,000 3/22/13 \$4,000 3/25/13 \$4,000 3/27/13 \$4,000 3/28/13 \$4,000 4/1/13 \$4,000 4/2/13 \$4,000 4/3/13 \$4,000 4/4/13 \$4,000 4/5/13 \$4,000 4/9/13 \$4,000 4/10/13 \$4,000 4/11/13 \$4,000 4/16/13 \$4,000 4/17/13 \$4,000 4/18/13 \$4,000 4/19/13 \$4,000 4/23/13 \$4,000 4/29/13 \$4,000 5/2/13 \$4,000 5/7/13 \$4,000 5/8/13 \$4,000 5/29/13 \$4,000 Total \$103,953.50	17.10.50 (A), (E), (X) CHSC 1205	178-551-16

EXHIBIT A

Property Address	Owner	Dates/Fine Amount(s)/Total (w/late fees & charges)	Violation(s)	APN Number
16301 Fairway Ln Huntington Beach, CA 92648	William McDonald	11/21/13 \$250 1/14/14 \$500 2/7/14 \$1,000 Total \$2,404.95	17.10.050 (i)	146-124-06
15201 Yorkshire Ln Huntington Beach, CA 92647	Jeannene Marie Morrow	9/10/13 \$1,000 Total \$1,416.77	17.10.050 (u) (z) (p)	145-234-04
8131 La Palma Dr Huntington Beach, CA 92646	Maged S. Nessim	3/1/12 \$1,500 Total \$3,991.60	17.10.050	157-343-24
7791 Mandrell Dr Huntington Beach, CA 92647	Maged S. Nessim	8/24/11 \$750 5/15/13 \$1,000 8/15/13 \$2,000 9/10/13 \$4,000 9/23/13 \$4,000 9/24/13 \$4,000 9/25/13 \$4,000 9/30/13 \$4,000 10/1/13 \$4,000 10/2/13 \$4,000 10/3/13 \$4,000 10/4/13 \$4,000 11/14/13 \$4,000 11/15/13 \$4,000 11/18/13 \$4,000 11/19/13 \$4,000 11/20/13 \$4,000 11/21/13 \$4,000 Total \$69,664.70	17.04.050 (h) (k) (u) (w)	165-221-04
16381 Whittier Ln Huntington Beach, CA 92647	Mary C. Nutt	4/3/13 \$1,500 4/22/13 \$3,000 Total \$5,624.81	17.10.050 (u) (z) (p)	146-564-11
15921 Pilgrim Cir Huntington Beach, CA 92647	Frank Proctor III	8/19/13 \$250 10/17/13 \$500 Total \$974.63	17.04.020; CBC 110 17.04.020; CBC 105	145-103-23
6030 Warner Ave Huntington Beach, CA 92647	Sparks Enterprises	9/23/13 \$250 Total \$369.35	17.04.20; CBC 110 17.04.036; CBC 111.1	110-301-36
18477 Beach Bl Huntington Beach, CA 92648	Sunny Investments LLC	3/4/14 \$1,000 Total \$1,111.02	17.04.020; CBC 109.1 17.04.020; CBC 105.1	159-031-10
7652 Slater #6 Huntington Beach, CA 92647	Jenny Tien	9/19/13 \$500 1/27/14 \$1,000 Total \$1,711.29	17.04.020; CBC 110 17.04.020; CBC 105 17.04.36; CBC 111.1	939-33-043

7-17-14

RECEIVED

2014 JUL 18 AM 11:12

TO: CITY COUNCIL MEMBER
2000 MAIN STREET
HUNTINGTON BEACH, CA 92648

CITY CLERK
CITY OF
HUNTINGTON BEACH

FROM: SUSAN WORTHY AND GUY GUZZARDO
128 SIXTH STREET
HUNTINGTON BEACH, CA 92648

RE: PROTEST OF SURF CITY EXPANSION TO 5TH STREET
"NO" TO CONDITIONAL USE PERMIT NO.12-026
"NO" TO COASTAL DEVELOPMENT PERMIT NO. 12-001
"NO" TO NOISE DEVIATION PERMIT NO.13-009

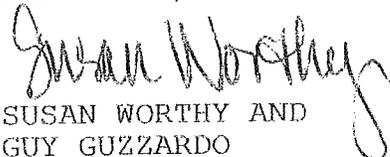
TO CITY COUNCIL MEMBER,

ENCLOSED ARE 3 LETTERS THAT MY HUSBAND GUY AND I WROTE ON;
JUNE 24, 2013
JANUARY 20, 2014
JUNE 5, 2014

REGARDING THE ABOVE SUBJECT (UNDER RE:). ALL 3 OF THESE LETTERS WERE SUBMITTED TO ETHAN EDWARDS (STAFF) WHEN WE WERE SENT VARIOUS NOTIFICATIONS FROM CITY HALL REGARDING THE INTENT TO EXPAND SURF CITY NIGHTS.

IT TAKES A LOT OF TIME AND EFFORT TO COMPOSE LETTERS... I WOULD APPRECIATE IT IF YOU WOULD TAKE THE TIME TO READ THEM OVER. WE ARE VERY CONCERNED ABOUT THIS ISSUE AND HAVE BEEN INVOLVED SINCE THE FIRST NOTICE WAS SENT IN 2013.

SINCERELY,


SUSAN WORTHY AND
GUY GUZZARDO

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 7/21/2014

Agenda Item No. 13

6-5-14

3rd letter

TO: Planning Commission and Ethan Edwards (contact person)
City Council Chambers Public Hearing
Tuesday, June 10, 2014 (7:00p.m.)
2000 Main Street, H.B. CA 92648

FROM: Susan Worthy
128 Sixth Street
Huntington Beach, CA 92648
(714)960-1902 (Helme Antique Store)

RE: Conditional Use Permit NO. 12-026
Coastal Development Permit NO. 12-001
Noise Deviation Permit NO.13-009
Environmental Impact Report NO. 13-003 (Surf City Nights)

TO: Ethan and all Planning Commissioners,

The request to expand "Surf City Nights" to 5th Street should be denied.

"Surf City Nights" in its conception was suppose to be a venue for the "BID" businesses (to promote/profit) for their benefit. It has since grown to 65 vendors that come from other outside counties (LA, Riverside, San Bernardino etc). The 65 vendors are making the money, selling their food, selling their merchandise. Our 45 current bars are probably profiting from the weekly event and maybe a few restaurants. That is it.

I live on the corner of 6th and Walnut Ave. Inside my kitchen every Tuesday Night I have had to listen (with no choice!) to amplified music being played on Main Street and it is loud enough that I can hear it 2 blocks away. I also have rental tenants that have been putting up with this racket 1 and ½ blocks away. There are also apartments that are closer that are located right on the corner of 5th and Walnut Ave. Why do we as residents have to keep tolerating this? We have the legal right to peaceful, quiet, enjoyment of our property as well as my tenants residential rights with the same.

As with Huntington Beach style, every event keeps growing bigger, bigger! bigger! and in turn, it gets worse, worse, and worse! LOUDER...MORE PEOPLE...MORE NOISE...MORE CRIME!

Besides the residents being NEGATIVELY AFFECTED by this event every week with the "NOISE" it causes; the VANDALISM, GRAFFITI, URINATION, LITTERING, LOITERING ETC. to our property that starts at 2:00p.m. (afternoon) and goes on until 1:30p.m. (next day when the bars close). Is ABSURD! To live with this is illegal and is not right for the residents to endure and tolerate.

My husband Guy and I own the M.E. Helme Antique and Collectible business located at 517 Walnut Ave. (between 5th and 6th street on Walnut). Since the beginning, closing the streets and ruining the circulation flow has been a detriment to our business. The loss of city revenue in collecting parking fees due to the shutdown for that 8 hour closure has been determined to be about 40,000.00 per month according to an article that I read in The Register newspaper. The city is not wise to lose that kind of income every month or 480,000.00 per year!

The 8 hour street closure expands outwardly and affects all the parking throughout the surrounding residential neighborhood. Many of my regular customers cannot find parking to access my store. My customers have complained to me regarding this and will not attempt to come to the store on Tuesday because of Surf City Nights.

We have had GRAFFITI scratched(etched) into our large glass storefront windows that was discovered the next day on Wednesday when I opened the store that now we have to spend additional money to have repaired. Also, I will need to install a protective anti-graffiti film on the glass to prevent this from occurring in the future at my cost.

On Tuesday, September 25 2012, at 2:30p.m. to 3:00p.m. I became a victim of an armed robbery and an assault in the store. I spent 3 days in the hospital and an additional 7 months recuperating. It shut our store from operating for 7 months. We re-opened April 16th 2013. The H.B.P.D. Detectives captured the criminal January 3rd 2013 and we are currently processing through the court system regarding a future trial.

Surf City Nights already the way it is now has been a problem in my residential area, with my surrounding neighbors, and with my business. To further the expansion to 5th street with more street closures and more NOISE is based on the absurd.

I would like to also bring to your attention that The Strand complex(city blocks 104 and 105)have restrictions in their approved "EIR" regarding the continuing impact(significant adverse negative impact)on a cultural resource according to the California Environmental Quality Act. That resource being The Helme-Worthy National Register Historic Site. They have to be in compliance forever regarding adverse negative impact, period!

In conclusion, the California Environmental Quality Act has already determined that there would be a significant environmental effect if this is approved and I agree. Please do not approve this expansion;

- NO to the Conditional Use Permit NO.12-026;
- NO to the Coastal Development Permit No.12-001
- No to the Noise Deviation Permit No. 13-009

This entire venue needs to be relocated to the Pier Plaza where all these events are suppose to be held.

Sincerely,

cc: California Coastal Commission

Susan Worthy

1-20-14

2nd letter

TO: Ethan Edwards Associate Planner
Planning Division
City of Huntington Beach
2000 Main Street
H.B., CA 92648

FROM: Susan Worthy and Guy Guzzardo
128 Sixth Street
H.B. CA 92648
(714)960-1902 (Helme Antique Store)

RE: Response Commentary to Legal Advertisement Notice:
Notice of Preparation of a Draft Focused EIR No.13-003 and;
Initial Study Mitigated Negative Declaration and;
Coastal Development Permit No.12-001 and;
Conditional Use Permit NO.12-026 and;
Noise Deviation Permit No.13-009

Dear Planning Division and Ethan,

My husband Guy and I have not had the time to review the above Legal Advertisement regarding the above named documents. Sending this letter right before Christmas (Dec 19, 2013) and over New Years Day Holidays and the beginning of a new year month is really ill timed for public involvement and commentary.

We are submitting again the letter we wrote to you dated June 24, 2013 in continued protest of the expansion of the "Surf City Nights" to include 5th Street for all the reasons stated in our prior letter to you. Our position on this matter has not changed.

We will continue to hold the position of relocating "Surf City Nights" to the North Side of the pier.

EVENT ENCROACHMENT to residential: on the corner of 5th and Walnut Ave. Apartments (Woods Apartment complex) and the rest of residents on the 2nd block of 5th street. Guy and I have residential apartments and our home 1/2 block away off of 5th street. There is also the residential on 3rd and 2nd streets as well.

CLOSURE OF STREETS AND CIRCULATION: from 2:00p.m. to 10:00p.m. Creates mass confusion with traffic flow/cars are backed up on Walnut and jammed in front of my store which results in preventing my customer access.

EVENT PARKING: CLOSING 4 BLOCKS OF STREETS THAT PROVIDE PARKING ON A USUAL BASIS IMPACTS PARKING PERIOD FOR THIS AREA. THE METERED PARKING IS ALSO IMPACTED FISCALLY AS WELL, BAGGING THE METERS DURING THAT TIME IS A STUPID LOSS TO THE CITY. I WOULD LIKE TO KNOW HOW MUCH REVENUE HAS BEEN LOST IN HOSTING THIS EVENT ON EVERY TUESDAY FROM 2 TO 10 (8 HOURS) WHICH IS 384 HOURS IN A YEAR OF LOST REVENUE.

NOISE: ABSOLUTELY NO MITIGATION OF ANY ESTABLISHED CITY NOISE ORDINANCE PERIOD. AMPLIFIED MUSIC SHOULD NOT BE ALLOWED NOW ON MAIN STREET IT NEEDS TO BE ELIMINATED. I HEAR IT EVERY TUESDAY UNTIL 9:00P.M. ITS TOO LOUD!

In conclusion; the residents have the legal right for "peaceful" "quiet" "enjoyment" of their property. Our "right" for for this is and has been violated for years by the continual events that are permitted on Main Street and the 1st block of 5th street.

Why do the residential areas continually have to be put in the position of tolerating all of the noise and property damage for the sake of the Main Street Business Owners. This has to stop.

Sincerely,

Susan Worthy and
Guy Guzzardo

6-24-13

1st
letter

TO: Ethan Edwards Associate Planner
Planning Division
City of Huntington Beach
2000 Main Street
H.B., CA 92648

FROM: Susan Worthy and Guy Guzzardo
128 Sixth Street
H.B., CA 92648
(714)960-1902 (Helme Antique Store)

RE: Notice of Intent to Adopt A Mitigated Negative Declaration
For The Surf City Nights Project

Dear Planning Division and Ethan,

We received your public notice regarding the Surf City nights and your plans to make this a permanent event indefinitely. Guy and I are ABSOLUTELY OPPOSED TO THE CITY'S INTENT TO ADOPTING A MITIGATED NEGATIVE DECLARATION FOR SURF CITY NIGHTS. For the reasons listed below;

1. The City Council, the City Staff, the City Administrator, the Police Department ALL KNOW THAT THERE ARE "HUGE" MAJOR PROBLEMS IN THE DOWNTOWN AREA OF H.B. WITH;
ALCOHOL AND DRUG USE
CRIME(DRUG DEALING, PEOPLE ON DRUGS, ROBBERY, RAPE, DUI'S, DESTRUCTION OF PRIVATE AND PUBLIC PROPERTY, ETC.
SKATEBOARDING(MAJOR DAMAGE TO PUBLIC AND PRIVATE SIDEWALKS, CURBS, HANDRAILS & SCREECHING NOISE)& BICYCLES OUT OF CONTROL URINATION AND MASSIVE LITTERING
GRAFFITI
EXCESSIVE NOISE EVERY NIGHT(YELLING, SCREAMING, LOUD MUSIC, CAR ALARMS, SIGN SLAMMING, LOUD MOTORCYCLES, ETC.)
LAWS CANNOT BE ENFORCED AND CANNOT BE MITIGATED.
2. WE ARE AGAINST; the time scheduled. Surf City Nights should end at 8:00p.m. not 9.00p.m. or 10:00p.m., it runs to late and vendors stay until 11:00p.m. loading trucks and leaving the area. TOO MUCH NOISE. My husband Guy gets up for work at 5:30a.m., he goes to bed at 9:00p.m. and this event with all the NOISE(and people that linger around creating a nuisance and problems) goes on from 10:00p.m. to 3:00p.m..CURFEWS NOT ENFORCED CANNOT BE MITIGATED.
3. WE ARE AGAINST; the closure of(and have always been)of all the streets which provides circulation to our business. Surf City Nights(and any other event requested by The Strand or on Main Street, i.e.; recent Chili Cook-Off)takes up all the parking in the area and around our business on Walnut and Sixth Street. Our customers cannot find parking to access our store and they leave. We DO NOT DO GOOD BUSINESS ON THESE DAYS. TRAFFIC AND PARKING

CONGESTION CANNOT BE MITIGATED AND TO SUGGEST THAT SHUTTLLING PEOPLE FROM CITY HALL MITIGATES THE PARKING CONGESTION DOWNTOWN IS RIDICULOUS AND STUPID! CLOSURE OF THE STREETS REDIRECTS TRAFFIC TO RESIDENTIAL NEIGHBORHOODS AND CAUSES MAJOR CONGESTION ON STREETS THAT ARE ALREADY PACKED.

4. WE ARE AGAINST; Surf City Nights Expanding to 5th Street. It is too close to residential apartments and homes. There are apartments on 5th Street and Walnut Ave. And I have apartments ½ block down from 5th Street. This is "ENCROACHMENT INSANITY" TO THE RESIDENTIAL AREA ON 6TH Street.

5. WE ARE AGAINST; The application for a permit to deviate from the provisions of the Noise Ordinance. It should be DENIED PERIOD. The NOISE PROBLEMS IN DOWNTOWN AREA IS HORRENDOUS AND UNBEARABLE AND GETTING WORSE. THIS NEEDS TO CHANGE. I can hear the amplified music every Tuesday in my home in my kitchen and I am two blocks away. NO AMPLIFIED MUSIC SHOULD BE CONTINUED PERIOD! ITS TOO LOUD!!! AND CANNOT BE MITIGATED!

REMEDY:

THE CITY OF H.B. HAS SPENT MILLIONS OF DOLLARS RENOVATING THE AREA AROUND THE PIER. IT WAS DESIGNED TO HANDLE ALL OF THE EVENTS SCHEDULED FOR THE DOWNTOWN AREA THROUGHOUT THE YEAR.

MOVE SURF CITY NIGHTS TO THE EVENT AREA ON THE NORTH SIDE OF THE PIER. GET IT OFF MAIN STREET! CURRENTLY 65 VENDORS? THIS IS NOT THE ORANGE COUNTY FAIR! THIS IS TOO BIG FOR MAIN STREET! RE-LOCATE IT AT THE BEACH.

RESIDENTIAL WOULD NOT HEAR AMPLIFIED MUSIC.

LOTS OF BEACH PARKING AND METERED.

STREET CLOSURES WOULD NOT BE NECESSARY.

THIS WILL BE A BETTER SOLUTION FOR ALL OF US RESIDENTS WHO LIVE IN THE AREA. (Less Noise and Crime around our properties) BETTER FOR THE POLICE TO CONTROL.

"THE BUSINESS DISTRICT" SHOULD BE RESTRICTED TO HAVE ONLY FOUR EVENTS PER YEAR WITH NO STREET CLOSURES ALLOWED; i.e., Halloween party, Christmas Tree and Pier lighting, and maybe two in the summer.

In closing, the negative impact on residential and businesses far outweighs anything positive that could come from it; AND CANNOT BE MITIGATED and anybody who thinks it can is a liar and is mentally living in absurdity.

Sincerely,

Susan Worthy

Guy Guzzardo

July 17, 2014

Ms. Joan L. Flynn, City Clerk
Hunt Beach City Council Members
City of Huntington Beach
2000 Main Street 2nd Floor
Huntington Beach, CA 92648

RECEIVED

2014 JUL 18 AM 11:12

CITY CLERK
CITY OF
HUNTINGTON BEACH

**SUPPLEMENTAL
COMMUNICATION**

James A. Aul
122 1/2 6th Street
Huntington Beach, CA 92648
714-536-4652

Meeting Date: 7/21/2014

Agenda Item No. 13

Subject: NOTICE OF PUBLIC HEARING BEFORE THE CITY COUNCIL OF
HUNTINGTON BEACH, CA

Reference: CONDITIONAL USE PERMIT NO. 12-026/ COASTAL DEVELOPMENT
PERMIT NO. 12-001/ NOISE DEVIATION PERMIT NUMBER 13-009/
ENVIRONMENTAL IMPACT REPORT NO. 13-003 – APPEAL (SURF CITY NIGHTS)

Ms. Flynn (and Council Members),

I am totally (100+ %) opposed to Surf City Nights for the reasons stated in the paragraphs below. Furthermore, I believe it is not family oriented due to the drinking and other carrying on that takes place on this night.

EVENT ENCROACHMENT: There are far too many contributors to the overbearing loudness as it currently is (in violation). Why increase this number

NOISE: Yes! There certainly is noise and plenty of it – already. And, as stated in the referenced Notice, “... **permit increases to ambient noise levels already in excess of City standards.**” Already in excess make it very clear that the current standards, your own city ordinances, are NOT being enforced. That causes one to wonder what other ordinances are being overlooked and not enforced. It appears the violation(s) are, obviously, for the benefit the numerous bars and their owners located on and around Main Street in the downtown area.

I have been a resident of Huntington Beach since the summer of 1967 and in the downtown area, at the above address, since October 1986 and I say that more noise (and/or louder noise) from *whatever* source is NOT necessary or welcome for ANY reason – AT ALL! Current ordinances/laws should be strictly enforced. I am firmly against *anything* that will permit more noise, more drinking, etc. Has any council member or staff heard or seen what goes on downtown on Tuesday nights when the Surf City Night has concluded? That is, the shouting, screaming, cursing, sometimes fighting, public urination, etc.? I say it would be even better to move Surf City Nights to the parking lots on the beach side of PCH between 1st Street and Main Street thus keeping Main and 5th streets open.

Local residents have the right to peace AND quiet. We should not be subjected to the whims and desires of the bar/pub owners (like Gallagher's Pub and Grill, Hurricane's and, Perq's to name a few) just so they can increase their profits. It seems criminal to want to try and change the City Code for even one (1) night. Why do we, the residents always have to fight this type of stuff? Why must the residents be the ones who have to suffer just for the sake of Main Street Business owners (mostly bar owners)? Therefore, let us NOT have Main St. and 5th St. closed. Let us NOT have loud amplified music nor let us have children's games around all the alcohol that is consumed. As your notice states, the noise laws aren't enforced now.

Sincerely,



James A. Aul

Copy to:

Mr. Matthew Harper, Mayor

Mr. Joe Shaw, Mayor Pro Tempore

Ms. Connie Boardman, Council Member

Mr. Joe Carchio, Council Member

Ms. Jill Hardy, Council Member

Mr. Jim Katapodis, Council Member

Mr. Dave Sullivan, Council Member

Mr. Ethan Edwards, Associate Planner, Planning Division

California Coastal Commission

July 15, 2014

Joan Flynn City Clerk
City of Huntington Beach

RECEIVED
2014 JUL 21 AM 11:47
CITY CLERK
CITY OF
HUNTINGTON BEACH

I wish to address Conditional Repeal
No 12-026 - mainly Noise Deviation Permit No
13-009.

I live at 410 Fall - 1/2 blocks from Main +
Orange + on Market Nights - I have to
close my windows due to the noise level -
very inconvenient in warm weather!! Sp, I do
not want noise level raised!!

Thank you for the consideration.

Sincerely,
Marcie Rosenberg
410 Fall St # 506
H.C. Ca

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 7/21/14

Agenda Item No. 13

SUPPLEMENTAL COMMUNICATION

Meeting Date: 7/21/14

RECEIVED
7-22-2014

Agenda Item No. 13 NOTICE OF PUBLIC HEARING
BEFORE THE CITY COUNCIL OF THE
CITY OF HUNTINGTON BEACH

NOTICE IS HEREBY GIVEN that on Monday, July 21, 2014, at 6:00 p.m. in the City Council Chambers, 2000 Main Street, Huntington Beach, the City Council will hold a public hearing on the following Planning and zoning item:

- **CONDITIONAL USE PERMIT NO. 12-026/ COASTAL DEVELOPMENT PERMIT NO. 12-001/ NOISE DEVIATION PERMIT NO. 13-009/ ENVIRONMENTAL IMPACT REPORT NO. 13-003 - APPEAL (SURF CITY NIGHTS):** **Appellant:** Joe Carchio, Councilmember **Applicants:**

City of Huntington Beach, Office of Business Development, Kellee Fritzal, 2000 Main Street, Huntington Beach, CA 92648/ Downtown Business Improvement District, Susan Welfinger, 315 3rd Street, Suite E, Huntington Beach, CA 92648 **Property Owner:** City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648 **Request: CUP/ CDP:** To permit the temporary closure of Main Street and 5th Street every Tuesday night between 2:00 PM and 10:00 PM to accommodate a Street Fair and Certified Farmers' Market consisting of: live entertainment including amplified music, street performances, children's games and activities, local merchandise, sidewalk sales, a food-court, and the sale of prepackaged and handcrafted items. **NDP:** To permit temporary and potential noise levels already in excess of City potential environmental impacts of the Street Fair and Certified Farmers' Market between Pacific Coast Highway and the adjoining half blocks of Main Street and Walnut Avenue. **City**

Environmental assessment for Item # 1 was prepared in accordance with the California Environmental Quality Act. The potential environmental effects of the proposed project are warranted. EIR No. 13-003 is available for public inspection and comment by contacting the Planning and Building Department, 2000 Main Street, and is available for public inspection and comment by contacting the Planning and Building Department, or by telephoning (714) 536-5271.

NO

NO PLEASE
DRUNK FIGHTS
CRIMES
WE ARE ALL STOCKED UP WITH PROBLEMS IN DOWN-TOWN RESIDENT NEIGHBORHOODS

EXPANSION
LEAD TO MORE
ON SMALL BUSES
STREET - SPENDING
PARTICULATE MATTER
FUMES
RESIDENTIAL
THIS IS NOT

NO

HEALTH ISSUES

WE VOTE
NO MORE
FESTIVALS
PLEASE

RECEIVED
2014 JUL 27
HUNTINGTON BEACH CITY

Esparza, Patty

From: Vigliotta, Mike
Sent: Monday, July 21, 2014 11:53 AM
To: Flynn, Joan; Estanislau, Robin; Esparza, Patty
Cc: McGrath, Jennifer; Naideth, Joan
Subject: Exhibit A charter section fireworks.docx
Attachments: Exhibit A charter section fireworks.docx

I added the word "use" to the text of the Charter language to be consistent and avoid any questions. This email is to forward my request that Exhibit A in the packet be supplemented with this communication.

(RESO 2014-45 - EXHIBIT A)
(RESO 2014-47 - EXHIBIT A)

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 7-21-2014

Agenda Item No. 16

EXHIBIT A

****ADDITION IN BOLD

ARTICLE VIII MISCELLANEOUS

Section 800. TRANSITION.

Elective officers and elective officers whose offices are made appointive of the City shall continue to hold such offices until the completion of their current terms and the election or appointment and qualification of their respective successors under this Charter. All boards, commissions and committees presently in existence shall continue to act in accordance with their original grant of authority until such time as the City Council adopts appropriate ordinances pertaining to their activities or for one year, whichever occurs first. All lawful ordinances, resolutions, rules and regulations, and portions thereof, in force at the time this Charter takes effect and not in conflict or inconsistent herewith, are hereby continued in force until the same shall have been duly repealed, amended, changed or superseded by proper authority.

Section 801. DEFINITIONS.

Unless the provisions or the context otherwise requires, as used in this Charter:

- (a) "Shall" is mandatory, and "may" is permissive.
- (b) "City" is the City of Huntington Beach and "department," "board," "commission," "agency," "officer," or "employee" is a department, board, commission, agency, officer or employee, as the case may be, of the City of Huntington Beach.
- (c) "County" is the County of Orange.
- (d) "State" is the State of California.
- (e) The masculine includes the feminine and the feminine includes the masculine.
- (f) The singular includes the plural and the plural the singular.
- (g) "Person" includes firm and corporation.

Section 802. VIOLATIONS.

The violation of any provision of this Charter shall be a misdemeanor.

Section 803. PROPERTY RIGHTS PROTECTION MEASURE.

(a) The City shall not enact or enforce any measure which mandates the price or other consideration payable to the owner in connection with the sale, lease, rent, exchange or other transfer by the owner of real property. Any such measure is hereby repealed.

(b) The word “mandates” as used in subsection (a) includes any measure taken by ordinance, resolution, administrative regulation or other action of the City to establish, continue, implement or enforce any control or system of controls on the price or other terms on which real property in the City may be offered, sold, leased, rented, exchanged or otherwise transferred by its owner. The words “real property” as used in subsection (a) refer to any parcel of land or site, either improved or unimproved, on which a dwelling unit or residential accommodation is or may be situated for use as a home, residence or sleeping place.

(c) This Section 803 shall not apply to:

- (1) any real property which contains serious health, safety, fire or building code violations, excluding those caused by disasters, for which a civil or criminal citation has been issued by the City and remains unabated for six months or longer;
- (2) any real property owned by a public entity, and real property where the owner has agreed by contract with the public entity, including the City and any of its related agencies, to accept a financial contribution or other tangible benefit including without limitation, assistance under the Community Redevelopment Law;
- (3) any planning or zoning power of the City as relates to the use, occupancy or improvement of real property and to any real property which the City or any of its related agencies may acquire by eminent domain, purchase, grant or donation;
- (4) any power of the City to require a business license for the sale or rental of real property, whether for regulation or general revenue purposes;
- (5) any dwelling unit or accommodation in any hotel, motel or other facility when the transient occupancy of that dwelling unit or accommodation is subject to a transient occupancy tax; or
- (6) to impair the obligation of any contract entered into prior to the enactment of this Section 803 or otherwise required by State law.

Section 804. CHARTER REVIEW.

The City Council shall determine if there is a need to convene a citizen’s Charter Review Commission to conduct a review of the City Charter no less frequently than every ten years.

Section 805. SAFE AND SANE FIREWORKS

It shall be lawful to possess, sell, display, use or discharge within the City, those fireworks that are defined and classified as Safe and Sane Fireworks (a.k.a. “state-approved fireworks”) in the California State Fireworks Law (Sections 12500 et seq. of the Health and Safety Code and the relevant sections of Code of Regulations Title 19, Subchapter 6) subject to regulation by City Council.

Esparza, Patty

From: Dombo, Johanna
Sent: Monday, July 21, 2014 7:56 AM
To: Esparza, Patty; Flynn, Joan; Estanislau, Robin
Subject: FW: Surf City Pipeline: Comment on an Agenda Item (notification)

From: Surf City Pipeline [mailto:noreply@user.govoutreach.com]
Sent: Friday, July 18, 2014 6:29 AM
To: CITY COUNCIL; Agenda Alerts
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 19041 from the Government Outreach System has been assigned to Agenda Alerts.

Request type: Comment

Request area: City Council - Agenda & Public Hearing Comments

Citizen name: Diane Atkins

Description: RE: July 21, 2014 City Council Meeting - Please include all mobile/manufactured homeowners in your recommended action #7 to Item 19, Charter 803. The wording "senior citizens and veterans" excludes thousands of other homeowners in this city who are in grave danger of losing their homes. Of the 18 mobile home parks in HB, 8 of them are family parks including children, disabled citizens and those on fixed and/or low income(s). Thank you!

Expected Close Date: July 19, 2014

[Click here to access the request](#)

Note: This message is for notification purposes only. Please do not reply to this email. Email replies are not monitored and will be ignored.

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 7-21-2014

Agenda Item No. 19

Sam Nevarov
80 Huntington Street, Space 157
Huntington Beach, California 92648

June 5, 2014

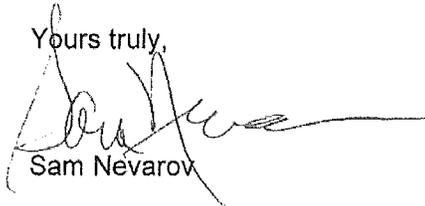
Brianne Virden
Rental Assistance Administrator
Mobile Home Assistance Program
25241 Paseo de Alica, Ste 120
Laguna Hills, CA 92653

Dear Ms. Virden:

This letter is written to express my appreciation to the MHET program for its assistance and caring concern with the subsidy of my monthly rent at Pacific Mobile Home Park.

During my numerous conversations with you and your office over the past few years you have been extremely professional, courteous and always willing to help with whatever questions I have. The subsidy money which the program provides has helped to alleviate a huge monetary burden during my ongoing disability. I sincerely hope that more people in similar situations will be able to take advantage of the benefits MHET has to offer.

Yours truly,



Sam Nevarov

*On Program
Since 2000*

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 7-21-2014

Agenda Item No. 19

6-10-14

Dear Brianna:

I am happy to give you feedback on MHEP programs.

I don't know how you can improve the program - maybe advertise it more - people here (some) don't seem to know about it -

The program has allowed me to continue living here - which I am ever grateful - I really love it here & I am fine with younger ones in the park - I have been treated very well by them -

I feel the program has helped me immensely and all of you have been very kind & helpful to me -
Thank you Brianna -

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 7-21-2014

Agenda Item No. 19

-2-

And I thank the owner
who encouraged me to
stay here a few years
ago. He was so kind &
understanding -

Thankfully,
Norma Staines
#180

Huntington Shorecliffs
Age 87 MHEI is Special Subsidy
\$735.90 total
On Program Since 2013



SUPPLEMENTAL COMMUNICATION

May 22, 2014

Meeting Date: 7-21-14

Agenda Item No. 19

John Cornick
80 Huntington St., Space 440
Huntington Beach, CA 92648

> Surf City Beach Cottages
(Pacific MHP)

Dear Mr. Cornick,

Thank you for participating in the MHET sponsored Mobile Home Rental Assistance Program. We hope that the program is working well for you. As you are aware, the Manufactured Housing Educational Trusts sponsors the rental assistance program along with its member park owners and that the subsidy you receive is actually paid for by the owner of the park where you live.

We are currently in the process of reviewing our program and. During this process we would greatly appreciate your feedback in the following areas:

1. How can we improve the program? - You guys do everything great!
2. How has the program helped you? - Your help has allowed me to afford to stay in a place that I have loved for almost 19 years.
3. What is your general feeling regarding the program and its administration?

I think you do so very much for folks that have financial dif. This program was designed to help you and we sincerely appreciate your feedback. Our intention is to use this feedback to improve our program and to educate the community about the program. Your feedback may be published as part of our promotional campaign to bring light to this program in the hopes that more residents can be assisted.

John Cornick

You may e-mail us at info@mhet.com, send us a note in the stamped, addressed envelope or simply give me a call at (949) 380-3311

We thank you for your time.

Sincerely,

Brianne Virden
Rental Assistance Administrator

cc: Park Owner

John is on both Programs. He has been on the MHET program since 2010. Age: 67

25241 Paseo de Alicia
Suite 120
Laguna Hills, CA 92653
Phone: 949-380-3311
Fax: 949-380-3310

JUNE 3, 2014

MOBILE HOME ASSISTANCE PROGRAM
2524 1 PASEO DE ALICIA SUITE 120
LAGUNA HILLS, CA. 92653

DEAR BRIANNE VIRDEX,

THANK YOU FOR YOUR LETTER OF MAY 22, 2014.

MY WIFE AND I ARE 91 AND 83 YEARS YOUNG, AND

IN ANSWER TO No. 1 WE DON'T KNOW HOW YOU CAN

IMPROVE THE PROGRAM BECAUSE IT HAS HELPED US

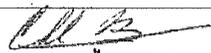
TREMEMOUSLY.

No. 2 FINANCIY IT HAS BEEN A GREAT HELPE
ON FEBRUARY 29, 2012 WE FILED WITH THE
ORANGE COUNTY HOUSING AUTHORITY. APPROX. SEPT.
OF 2013 WE WERE TOLD THAT BY AN ACT OF
CONGRESS IT WAS CANCELED. THANK GOODNESS
WE HAD YOUR PROGRAM.

No. 3. I THINK THAT NOS. 1 AND 2 ANSWERS
THIS QUESTION.

AGAIN, THANK YOU FOR YOUR KIND LETTER AND
YOUR ASSISTANCE.

SINCERELY


CHARLES BAUER
SPACE 1

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 7-21-14

Agenda Item No. 19

DIVOGA

Since
2011

July 2, 2014

To: The Huntington Beach City Council

Matthew Harper, Mayor

Joe Shaw, Mayor Pro Tem

Connie Boardman, Joe Carchio, Jill Hardy, Jim Katapodis, Dave Sullivan

cc: Don Hansen, Mayor (ret)

I recently received a letter from Mayor Don Hansen (ret) informing me that rent control is being considered for Huntington Beach.

I have been a resident HB homeowner since 1964 and a HB rental property owner since 1977, and I certainly don't need any "help" from the city to tell me how much I can charge for rent. The free market does a pretty good job of that, already.

You might also consider that rent control can result in lower property resale values, which can lower the tax base.

The bottom line is **SAY NO TO HB RENT CONTROL.**

Sincerely



Bob Raemer

15032 Kingston Lane

Huntington Beach, CA 92647

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 7/21/2014

Agenda Item No. 19

Esparza, Patty

From: Flynn, Joan
Sent: Friday, July 18, 2014 8:44 PM
To: Esparza, Patty; Estanislau, Robin
Subject: Fwd: City Council Communication Item 19
Attachments: MHP RENT CONTROL WHO BENEFITS.pdf; ATT00001.htm; RENT CONTROL MHP BULLET POINTS FINAL.pdf; ATT00002.htm; Joy Madison, Modesto Chamber of Commerce.pdf; ATT00003.htm

Joan Flynn, City Clerk
Huntington Beach

Begin forwarded message:

From: Vickie Talley <vickie@talleyassoc.com>
Date: July 18, 2014 at 3:43:03 PM PDT
To: "Flynn, Joan" <jflynn@surfcity-hb.org>
Cc: Ryan Franklin <ryan@rutherfordinvestments.com>, Don Urie <DonUrie@rdmgmtllc.com>
Subject: City Council Communication Item 19

Dear Joan,

Thank you for distributing this communication and attachments to the members of the City Council and to submit the letter and attachments as part of the public record for the Council Meeting of Monday, July 21, 2014.

Thank you,

Vickie



Vickie Talley, Executive Director
MHET
Manufactured Housing Educational Trust
25241 Paseo de Alicia, Suite 120
Laguna Hills, California 92653

Phone: (949) 380-3303
Facsimile: (949) 380-3310
Email: vickie@mhet.com

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 7/21/2014
Agenda Item No. 19

MHET has been working to protect mobile home park owners' property rights since 1982! If you are not a member, please ask me about joining today!

This email is intended for the sole use of the intended recipient(s) and may contain confidential or privileged information. No one is authorized to copy, re-use, disclose, distribute, take action or rely on this email or any information contained in it. If you are not the intended recipient, we request that you please notify us by reply email and destroy all copies of the message and any attachments. Thank you for your prompt attention.

Begin forwarded message:

From: "Ryan Franklin" <ryan@rutherfordinvestments.com>

Subject: Re: Monday's City Council

Date: July 18, 2014 at 1:31:31 PM PDT

To: <connie.boardman@surfcity-hb.org>, <jcarchio@surfcity-hb.org>, <jhardy@surfcity-hb.org>, <jim.katapodis@surfcity-hb.org>, <Dave.Sullivan@surfcity-hb.org>

Cc: <matthew.harper@surfcity-hb.org>, <joe.shaw@surfcity-hb.org>, ""Vickie Talley"" <vickie@talleyassoc.com>, ""Greg O'Hagan"" <greg@rutherfordinvestments.com>, ""Don Urie"" <DonUrie@rdmgtllc.com>, <CFikes@surfcity-hb.org>

Dear Huntington Beach City Council Members,

My name is Ryan Franklin and I work with the ownership group of the Villa Huntington Mobile Home Park. I'm reaching out to each of you in regards to the upcoming City Council Meeting and specifically City Charter Section 803, which was adopted by a two-thirds vote of the people in 2002.

We consider the residents of Villa Huntington Mobile Home Park to be our customers. We know they have other housing choices and can sell their homes and relocate it should they wish. It is always our goal that our residents are happy with their choice to live in Villa Huntington Mobile Home Park. With that being said, we recognize there are residents who experience financial hardships from time to time and it is our policy to provide the opportunity for rental assistance to those residents.

Since purchasing Villa Huntington in February 2005, park ownership has voluntarily, and at our expense, participated in a Mobile Home Rental Assistance Program administered by Manufactured Educational Trust (MHET). This program requires a demonstrated proof of need that is analyzed by MHET. Villa Huntington MHP has always adhered to MHET's recommendation and currently have 3 of our 126 homesites who are receiving a 10% monthly rent credit based upon MHET's independent analysis. Although we have always encouraged any resident that is experiencing a financial hardship to apply for this assistance, over the past nine and a half years we have had a total of nine residents apply for this rent subsidy.

It's important to note that this Mobile Home Rental Assistance Program is only available in non-rent control areas.

Please find attached three documents which discuss mobile home park rent control. We feel it would be beneficial for you to read the attached information prior to Monday's meeting.

We would like the opportunity to discuss this matter further with you. We will follow up after Monday's meeting to schedule a time to meet.

Thank you.

Ryan Franklin

Ryan J. Franklin
Rutherford MHC Management LLC
241 W. Main Street
Los Gatos, CA 95030
Phone: 408.399.2686
Fax: 408.399.2627
Email: ryan@rutherfordinvestments.com

MOBILE HOME PARK RENT CONTROL WHO REALLY BENEFITS?

A SEDUCTIVE CONCEPT!

At first blush rent control is a very seductive idea and concept. It seems like a painless way to address the perceived needs, wants or pleas of a selected group of individuals who are typically painted as being elderly and in dire financial straits. **Who doesn't believe in providing help to the elderly in distress?** If one delves further into the concept and researches the results of prior rent control experiences, many more questions are raised and the picture becomes much less appealing and filled with many "unintended consequences".

WHAT IS THE BASIS FOR THIS PERCEIVED ASSISTANCE/BENEFIT? IS IT A FAIR BASIS?

Does one fact alone, the fact that someone chose mobile home living, entitle them to this perceived assistance/benefit? Why isn't someone who chose to rent an apartment, or someone who purchased land and a home entitled to this or a similar perceived benefit? They may need help as much, or more!

The American dream is based upon people having equal opportunity to work hard and expand their choices; and, they must accept responsibility for their effort and for their choices. Some people choose, or their financial means only permits them to rent. The neighborhood they live in and the quality of the housing they rent is certainly limited by their financial ability. The property owner retains the property rights to the rented property. Some people can afford and choose to purchase land and a home. Again, the neighborhood and home value are limited by their financial means. However, since they purchased both the land and the housing, they have the property rights for both. **The people who choose mobile home living choose to purchase a home and lease the land on which it rests.** Again, their financial means limits the quality of the manufactured home community and the value of the home in which they live. Since they purchased the home, the property rights relating to the home are theirs. Since they did not purchase the land, they do not have the property rights relating to the land. Those property rights relating to the land are retained by the landowner. Of course, those rights are subject to any agreements the landowner may have made with the homeowner. Subject to any agreement they made with the owner of the land, mobile home owners may sell the home or relocate it. **As with other forms of home ownership, selling the home usually involves paying a real estate commission. Mobile home owners also usually have the option of relocating their home. Typically the cost of relocating a mobile home is less than the real estate commission when selling a stick built house, but higher than the real estate commission for selling a mobile home.**

Does it seem fair that people that make one housing choice should receive a perceived benefit that those making another choice do not receive? Should people who choose mobile home living be immune from taking responsibility for their effort, financial ability and housing choices? When the residential housing market goes down, are those who

purchased land and a home protected from the consequences of their choice? Are renters protected from the consequences of their choice when the rental market heats up and rents go up? How have Karl Marx's economic theories fared in practice throughout the world?

IS THE NEED REAL?

Are all mobile home residents elderly and in dire financial straits? The reality of the demographics of mobile home residents really is far different from the picture that is frequently painted. Residents of manufactured home communities run the gamut in age and financial means. **Do mobile home residents really need help? Some certainly do!** So do some renters, and as evidenced by foreclosures, so do some people who chose to purchase land and a home. **Do ALL mobile home owners have a real need? The vast majority do not!** In parks where I voluntarily offer assistance to those who would qualify for Section 8 government housing assistance less than 1.5% (28 of 1956) of the residents qualifies and takes advantage of the program. In these parks, we hire an independent organization which reviews applications for assistance submitted by residents and makes rent credit recommendations to us for those residents who qualify based on their income and assets. We advertise the program to all residents and follow through on the recommendations we receive. **Shouldn't any form of assistance require demonstrated proof of need?**

People make different choices in housing for a variety of reasons. Those who choose to purchase a home in a manufactured home community typically choose it predominantly for one of two reasons: they like the lifestyle that is afforded by this community living or it's all they can afford. Many people who choose mobile home living choose it because of the lifestyle and not any financial limitation as they could afford any housing choice. **Many of those who choose mobile home living as a lifestyle have a full array of choices available to them. They are not in financial distress, nor do they require assistance.** Based upon my fifteen years experience as a Park owner, these residents are by far in the majority. Those residents who have chosen mobile home living because it is all they can afford are certainly in the minority and perhaps a compassionate society should provide a safety net for those that qualify. **Shouldn't any assistance that is provided be based on need rather than simply housing choice?**

IF ASSISTANCE SHOULD BE PROVIDED, WHO SHOULD PROVIDE IT?

Some mobile home owners do experience real financial hardships! Are these financial hardships any different than those experienced by some who rent or purchased land with homes? Are the hardships any different regardless of the source of the tough times? Does the source really matter? **Financial hardship is financial hardship! What is the role of government? What roles are filled by private charities? Does our society need a safety net? Probably so! That safety net, if it is to be provided, needs to come from a combination of government programs funded by taxes paid by all citizens and private charities funded by voluntary contributions. Clearly a small selected group of private individuals should not be called on to arbitrarily bear that responsibility simply because politics permits it!**

IS RENT CONTROL LEGAL?

Why should a park owner be singled out and required to provide assistance at his sole expense? Why should he forfeit a portion of his property rights? What are the legalities of government simply transferring valuable resources from one group of citizens to another? These questions are a constant source of property rights litigation. This litigation has been both expensive and surprisingly unpredictable for both park owners and the various government bodies forced to defend their ordinances and laws. **It is certain however, that oppressive ordinances and laws singling out park owners alone to bear the costs of a safety net for a select group of people based only on their choice of housing and without requiring any “means testing” will continue to generate litigation.**

WHAT ARE THE “UNINTENDED CONSEQUENCES” OF RENT CONTROL?

Reduced maintenance standards and an increase in deferred maintenance-Over time rent increases that do not keep pace with inflation and required capital reinvestment result in below market rents. This squeeze on the park owner's profit and cash flow ultimately forces them to reduce the maintenance standards and postpone or eliminate required maintenance and necessary capital reinvestments. This gradually, but inevitably results in the deterioration of the park.

Elimination of capital improvements-The same ultimate squeeze on park owner's profits which reduced maintenance standards and postponed capital reinvestments totally eliminates any capital improvements!

Property Values Decline-The value of the park declines immediately when it becomes subject to rent control. Any real estate investor will tell you that the value of investment property is directly related to its rental income. This is an unavoidable economic law! Reduce the rental income or future potential rental income and you reduce a property's value. In the short term the sale prices of mobile homes in the park will rise as a result of the controlled rents. In the long term, however, the value of these homes too will decline. As the park deteriorates even the low rents cannot maintain the home values as few people want to live in deteriorating neighborhoods. This park deterioration coupled with the decline in economic viability can result in park closures as an alternative to “running in the red”. Simply put, you want your landlord to make the normal profit that results from market rents. You just don't want to be gouged. Obviously, reduced property values results in reduced property tax revenue.

Increases in government costs and reduced services-Wherever rent control ordinances have been implemented, there have been significant costs to administer them. The more restrictive the ordinance, the higher the administrative costs are. In many cases, legal costs alone have been a crippling burden causing cuts in other services.

Decline/loss of community harmony- Many mobile home residents moved into parks based on a life style choice. They liked the community spirit and environment. Once a park becomes involved in rent control battles, that harmony certainly declines and in most cases is lost entirely. It is replaced with resident factions fighting other resident factions and segments of the residents

fighting both park owners and park management. The quality of life sought by residents when they moved in is predominately lost forever.

Reduced affordable housing- In many cases, the prime motivation for rent control, in addition to pacifying a small but vocal group of residents is to provide affordable housing. Once again, economic law supersedes this intention as the more profits are regulated and controlled, the less investment you have. With less incentive to invest in mobile home communities, the long term result is less affordable housing from mobile home communities in the future.

WHO REALLY BENEFITS FROM MOBILE HOME PARK RENT CONTROL?

Does the park owner benefit?-The value of the park owner's property declines, which not only inhibits the ability to secure attractive financing, but reduces the potential sale price of the property. In the short-term, residents receive the benefit of the park owner's loss in higher home values. The park owner alone, rather than the government who created the mandate, or private volunteer charities is required to provide the full measure of assistance to ALL park residents whether they have a legitimate need or not! As a result of providing this assistance, his cash flow, profit and return on investment are reduced below that offered by an unregulated market. With fewer funds available the park owner is forced to reduce the standard of maintenance, postpone or eliminate any needed capital reinvestment and forget any possible capital improvements. While the property is continuing to decline in both appeal and value, the park owner experiences both increased administrative requirements and resident headaches and disharmony. Does this sound like a good and fair deal to you?

Do the park residents benefit?-Initially most residents see rent control as a free lunch! They are getting all the benefits from their housing choice with no potential negative consequences. Their home values are artificially inflated in the short-term and their rents are gradually creeping further and further below market. All this through no effort or contribution from them! Overtime this view consistently changes and the disharmony of rent control environments once again becomes magnified! As the park owner is forced to reduce the standard of maintenance, postpone or eliminate any needed capital reinvestment and forget any possible capital improvement; the appeal of the resident's park deteriorates at the same time the value of the resident's home declines. Typically the disharmony of the park escalates with lots of finger pointing between resident groups, park ownership and park management. Both anger and fear take over. Anger is expressed regarding the deterioration of the park. Fear becomes prevalent regarding both the possibility of large mandated rent increases, and the possibility of park closure. Regrettably, by this time the consequences of rent control are readily apparent to the residents; but it is too late! Early education is the only prevention. **We all would like to believe there is a free lunch, wouldn't we?**

Does government or the taxpayer benefit?-By responding to the pressure and pleas of a small, but vocal group of self interested residents, government really does a disservice to the majority of taxpayers it serves. The end result is very different from that which is intended. Property values ultimately decline, and therefore property taxes go down. Administrative costs increase and exposure to potentially disastrous lawsuits are added into the mix. The necessity of dealing with any number of resident headaches, both real and imagined becomes reality. Any affordable housing objective suffers. It suffers in the short-term, as home prices artificially escalate making homes more difficult to buy. It suffers in the long term when home and neighborhood values

deteriorate, and ultimately the supply of desirable affordable housing is reduced. **Increased costs with reduced services for the majority of tax payers in order to benefit a minority are not a good recipe for either government or taxpayers. Once rent control is established, like most entitlements, it is extremely difficult to rescind.**

IF RENT CONTROL DOESN'T BENEFIT PARK OWNERS,

IF IT DOESN'T BENEFIT PARK RESIDENTS IN THE LONG TERM,

IF RENT CONTROL DOESN'T BENEFIT GOVERNMENT AND TAXPAYERS

COULD IT BE THAT IN THE LONG-TERM, THERE REALLY IS NO BENEFIT FROM RENT CONTROL FOR ANYONE?

MHP RENT CONTROL BULLET POINTS

- A seductive concept with unintended consequences

IS THE BASIS FAIR?

- Is the basis for MHP rent control simply the fact that someone chose MHP living?
- Why should MH owners in parks be entitled to assistance vs. apartment dwellers or homeowners who may just as needy, or needier? Why?
- MH owners in parks chose to purchase a MH but lease the land. How can they have property rights for land they didn't purchase? Aren't they responsible for their choices?
- MH owners are free to sell their home, like any other homeowner. They also have the option of relocating it. Are they any more captive in their home than any other homeowner?

IS THERE A NEED?

- Is there a real need? Are all MH residents elderly and in dire straits? Or, do MH residents come in all ages, and in all financial conditions?
- What % of the population are MH residents and what % really need assistance?
- Based on my experience, less than 1.5% of the MH residents in parks where the equivalent of Section 8 government housing assistance is available applies and receives financial assistance.
- Shouldn't any form of assistance be based on proof of need rather than be universal without any proof?

WHO SHOULD PROVIDE THE ASSISTANCE?

- Should a small selected group of private individuals be arbitrarily required to bear the burden of providing assistance mandated by a government entity?
- If any government entity believes assistance should be provided, don't they have a responsibility to fund that assistance and fund it from taxes paid by all citizens?

IS RENT CONTROL LEGAL?

- Should a park owner be singled out and be required to provide assistance at his sole expense?
- Why should he forfeit a portion of his property rights?
- What are the legalities of a government entity simply transferring valuable resources from one group of citizens to another?
- Without doubt, these issues are certain to continue to generate litigation.

WHAT ARE THE UNINTENDED CONSEQUENCES?

- Reduced maintenance standards and an increase in deferred maintenance & the ultimate deterioration of the park.
- Elimination of any capital improvements
- Property values decline. The park value goes down immediately and the value of homes declines as the park deteriorates.
- Increases in government costs. In addition to the cost of administering a rent control ordinance, many jurisdictions have spent crippling amounts of money on legally defending their ordinance and sometimes losing.
- A decline and ultimate loss of community harmony as resident factions form fighting other residents, as well as park owners and park management.
- A reduction in affordable housing as MHPS become less viable investments. No new parks are built and owners of existing parks look for other uses of the land or subdivide and sell.

WHO BENEFITS FROM RENT CONTROL?

- Does the park owner? NO!
- Do the park residents? NOT IN THE LONG TERM!
- Does government or the taxpayer? INCREASED COSTS AND REDUCED SERVICES IN ORDER TO BENEFIT A SMALL VOCAL MINORITY IS NOT A GOOD RECIPE FOR EITHER GOVERNMENT OR TAXPAYERS.

From Aristotle to today, the rights of property ownership play a major role in the economic viability and vitality of communities worldwide. Our founding fathers believed so strongly in it that it is a part of the 5th Amendment of the U.S. Constitution.

Property ownership and the right to transfer, sell, gift, dower and bequeath are part of the daily course of commerce. We lease, mortgage, and encumber our property willingly and with the knowledge of self-assumed risk. We forgo portions of our property knowingly for easements and zoning requirements because we know it will increase it in value. We separate mineral from surface and we are tenants in common or hold in joint tenancy. We sell in fee simple absolute or by quitclaim deed. We are subject to property taxation on the value of our ownership.

In California, we hold property so dear that we set groundbreaking history with Proposition 13. And if the government takes our property by eminent domain, the 5th Amendment of the U.S. Constitution states we have the right to be compensated fairly for that taking.

The law allows us to use our property as we see fit. Commerce is an integral part of property. We farm it. We mine it. We set up shop on it. We even live on it. We are expected to keep it neat and in a safe condition. We fence and keep it free from trespassers. We have the right to reasonably defend it from strangers. And we have the right to profit from it.

We know all of this up front. It's not a surprise. We know our limits, our boundaries, not only acre and foot, but by law. Today in Stanislaus County, property rights discussions are taking place to erode some of the fundamental rights we take for granted.

A thorough and vigorous debate should be happening. Yet only one side is controlling the discussion. The county has been approached by unhappy land lessees or tenants in mobile home parks. The circumstances, we agree, are heart wrenching. Escalating land use costs are quickly outstripping social security checks. Those affected are articulate, smart and obviously feeling the strain.

But the proposal of rent control is devastating to the free market system. By force, the proposal would usurp the rights and diminish the value of property without regard to compensation to the owners who have invested in the property. It is not up to government to assign value. It is up to the marketplace.

Commerce is the lifeblood of our economy. Rent control is the antithesis of a strong and vital economy. Our concern is that an important piece of the commerce equation is being forgotten – competition. Competition not government controls the free market system.

As elected officials, you stand on the precipice of a slippery slope. Once government steps in, where does it stop? Will government regulate condominium and gated community association fees? Will it progress to multi family rental, individual home rental, and commercial rental caps? What about residential, farm and commercial property sales? Will the county step in and set price caps on goods and services?

Unfortunately, our position, though sound, will be construed as unsympathetic. Nothing could be further from the truth. The high costs of property purchase and maintenance are ugly but real. No one is immune. But a government stranglehold on the free market system is worse.

The above astute and profoundly inspirational words above were written by Joy P. Madison, president and CEO of the Modesto Chamber of Commerce.

Esparza, Patty

From: Flynn, Joan
Sent: Monday, July 21, 2014 6:08 AM
To: Esparza, Patty
Subject: Fwd: July 21, 2014, Huntington Beach City Council meeting - Councilmember Item #19 related to mobile/manufactured homes

**SUPPLEMENTAL
COMMUNICATION**

Joan Flynn, City Clerk
Huntington Beach

Meeting Date: 7/21/2014

Agenda Item No. 19

Begin forwarded message:

From: Jodie Wollman <jodiewollman@gmail.com>
Date: July 20, 2014 at 10:38:27 PM PDT
To: <city.council@surfcity-hb.org>, <Johanna.Dombo@surfcity-hb.org>, <CFikes@surfcity-hb.org>, <jflynn@surfcity-hb.org>, <jmcgrath@surfcity-hb.org>
Subject: July 21, 2014, Huntington Beach City Council meeting - Councilmember Item #19 related to mobile/manufactured homes

Dear Huntington Beach City Council,

You may have received or seen the "Open Letter to our City Council Members* from Huntington Beach Voters" in the Orange County Register on Saturday, July 19, 2014, from **MHET's Vickie Talley**, Huntington Beach Mayor, **Matthew Harper**, Former Huntington Beach Mayor **Don Hansen**, Former Huntington Beach Council Member **Devin Dwyer**, and Former Huntington Beach City Attorney **Gail Hutton**. This full-page ad was paid for by the Huntington Beach Property Owners for Property Rights, aka Manufactured Housing Educational Trust ("MHET"), and contains many misrepresentations, if not outright lies.

The initiator of this ad would like for you to think that they represent the overall "Huntington Beach Voter" and **residential** homeowner. They do not. **MHET represents MOBILEHOME PARK OWNERS**. MHET has absolutely nothing to do with residential homes, condos, townhomes, or apartments. We who reside and own our mobilehomes in mobilehome parks are the recipient of MHET/Park Owner unscrupulous tactics on a daily basis. We need the City Council's assistance in calling them out on their deceitful tactics in this ad and for their previous letter signed by Former Huntington Beach Mayor **Don Hansen** that was sent to targeted homeowners during the past few weeks. How many of the names listed in their full-page ad are mobilehome homeowners? How many of the people whose names MHET collected understand the very real injustice that is occurring to all mobilehome homeowners? I would suggest there are few, if any.

MHET knows very well that comparing mobilehomes to apartments, condos, and residential homes is like comparing "apples to oranges." Mobilehomes are **not** like condos, apartments, townhomes, or residential homes. Mobilehome homeowners own their homes and someone else owns the land under the homes. This is an issue of an **ABUSE OF PROPERTY RIGHTS** by the MOBILEHOME PARK OWNERS in conjunction with their lobbying groups, MHET, WMA, and CAR.

The **Councilmember Item #19 for rent stabilization** is on the City Council Agenda for Monday, July 21, 2014. This item **APPLIES ONLY TO MOBILEHOME HOMEOWNERS**.

While we who reside in senior parks are thankful for the measure being initiated by Dave Sullivan and Jim Katapodis, the "H" Item, #19, is not complete and inclusive in its current form. Currently, the "H" Item #19 is only in the form of a rent stabilization **for senior citizens and veterans**.

The measure needs to be amended to **change the H item to include ALL homeowners in ALL mobilehome parks. This is not just a senior or veteran issue. It is a MOBILEHOME HOMEOWNER issue.**

If H Item #19 fails to include all mobilehome parks, the owners of senior parks will again be allowed to disrespect the City Council and homeowners. You will recall how the Rancho Huntington owners snubbed their noses at the City Council on July 16, 2013, in blatant disregard for the Senior Overlay that was initiated by City Council the day before.

This is a MOBILEHOME HOMEOWNER issue and MUST include all of us. If brought to the ballot in its current form, it will not correct the current injustice and abuse. Please amend this measure before voting on it. Thank you.

Additionally, after you pass Item #19 with all parks included, please vote to instruct the Mobile Home Advisory Board (MHAB) to meet every month, rather than every quarter. Their leaders and staff members must be required to give the City Council a complete report immediately after every meeting. If their meeting schedule is left as it currently is, they would only have one meeting before the November 4 election, approximately one week before the election.

Thank you for your consideration.

Respectfully,

Pete and Jodie

Pete and Jodie Wollman
19361 Brookhurst Street, Space 84
Huntington Beach, CA 92646-2953

Esparza, Patty

From: Dombo, Johanna
Sent: Monday, July 21, 2014 7:49 AM
To: Esparza, Patty; Flynn, Joan; Estanislau, Robin
Subject: FW: Role of Mobile Home Advisory Board

**SUPPLEMENTAL
COMMUNICATION**

From: Tim Geddes [mailto:timgeddes3@gmail.com]
Sent: Friday, July 18, 2014 10:14 AM
To: CITY COUNCIL
Subject: Role of Mobile Home Advisory Board

Meeting Date: 7/21/2014

Agenda Item No. 19

Dear Mayor and Council Members,

Due to the City Council Member Item (#19) placed on the Agenda for the July 21 meeting by MHAB Council Liaisons Sullivan and Katapodis, and its likely passage in some form, it is imperative that the Council direct staff to place the Recommended Action approved on the Agenda for the Mobile Home Advisory Board for its July 28 Quarterly Meeting. Only the Council can make this request (i.e. demand). If the Council decides to schedule a special meeting on July 28 that "bumps" the MHAB meeting, it is also imperative to direct staff to reschedule the MHAB meeting to the following fourth Monday of next month (August 25). Again, only the Council can request this of staff.

Also, because any ballot initiative affecting the mobile home community is of obvious concern to the Mobile Home Advisory Board, it is imperative that the Council direct staff to schedule monthly meetings of the MHAB (much as was done with the Senior Resident Park overlay and ordinance) until this issue is resolved. This would then include a meeting of the MHAB on the fourth Monday of September (the 22nd) in front of the next regularly scheduled quarterly meeting of the MHAB on October 27. If the initiative is successful in the November 4 election, then additional meetings in November and December may need to be scheduled to deal with the aftermath. The MHAB is the only forum for manufactured housing homeowners and mobile home park owners (and their representatives) to discuss issues and actions pertaining to this matter. Failure to authorize special meetings in August and September would mean the MHAB has only one quarterly meeting in October (one week before the election) to address issues and concerns. That is clearly not enough for perhaps the biggest issue in a decade for the mobile home community.

I am making this request as an At-Large member of the MHAB and not as a representative of the board. I am acting as an individual concerned citizen. Please make sure that the Mobile Home Advisory Board is fully engaged in any civic process affecting the stability of the mobile home community. If the Council would also request a report or recommendations from the MHAB, either individually or collectively, in order to fulfill its "advisory" role, then that should be communicated to all parties as well.

Thank you for attention to this matter.

Sincerely,

Tim Geddes, Chair Elect
Huntington Beach Mobile Home Advisory Board.

Esparza, Patty

From: Dombo, Johanna
Sent: Monday, July 21, 2014 12:27 PM
To: Esparza, Patty
Subject: FW: Surf City Pipeline: You have been assigned a new Request #: 19079

From: Surf City Pipeline [mailto:noreply@user.govoutreach.com]
Sent: Monday, July 21, 2014 12:06 PM
To: Dombo, Johanna
Subject: Surf City Pipeline: You have been assigned a new Request #: 19079

Request # 19079 from the Government Outreach System has been assigned to you.

Request type: Comment

Request area: Inquiry to a City Council Member

Citizen name: Mary Landin

Description: I am sending this e-mail about the lack of rent control in Huntington Beach. I lived in Huntington Shorecliff mobile home park from 2008 -r 2010 I was forced to move because of the hight rent increases. The park was a 55+ which means that as seniors we lived on a fix income and could not continue to pay the higher rent. We were not able to sale our mobile home and the park offered like or nothing for the mobile home. I watched my neighbors move out after there 5 year lease was up and rents went up.
My mobile home was SPC # 157

I'm asking for those who are facing losing their mobile homes due to hight rent increases.
Pass rent control

Sincerely,

Mary Landin

Expected Close Date: July 31, 2014

[Click here to access the request](#)

Note: This message is for notification purposes only. Please do not reply to this email. Email replies are not monitored and will be ignored.

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 7-21-2014

Agenda Item No. 19

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Monday, July 21, 2014 12:59 PM
To: CITY COUNCIL; Agenda Alerts
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 19083 from the Government Outreach System has been assigned to Agenda Alerts.

Request type: Comment

Request area: City Council - Agenda & Public Hearing Comments

Citizen name: Joan Walker

Description: I am a resident in Huntington Shorecliffs Mobile Home Park. I moved here to be close to my family when I retired as a professor from Cerritos College in Norwalk CA.

In 2000 when I purchased my mobile home in the park my space rent was \$432.00 per month. It is currently \$1765.00 per month. With no control in sight I do not know how long I can remain in my home on my retirement income. Several residents have already lost their homes or have sold for as little as \$3000.00 because they could not afford the rent increases.

I strongly urge you to vote for the Measure to add RentStabilization for ALL mobile home park homeowners in our city.

I truly feel the lack of rent stabilization in our city is an abuse not only to senior citizens and veterans but on anyone who rents space in a mobile home park. Sincerely, Joan Walker

Expected Close Date: July 22, 2014

[Click here to access the request](#)

Note: This message is for notification purposes only. Please do not reply to this email. Email replies are not monitored and will be ignored.

**SUPPLEMENTAL
COMMUNICATION**

Meeting Date: 7-21-2014

Agenda Item No. 19