



Memorandum

TO: Honorable Mayor &
City Council

FROM: Toni J. Taber, CMC
City Clerk

SUBJECT: The Public Record
January 4 – January 10

DATE: January 16, 2019

ITEMS FILED FOR THE PUBLIC RECORD

Letters from Boards, Commissions, and Committees

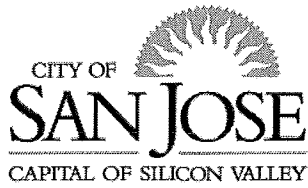
1. Letter from Housing and Community Development Commission, dated December 19, 2018, regarding Recommended City Council support of Evictions Monitoring Regarding Mobilehome Park Conversion Policy 6-33.

Letters from the Public

1. Letter from HP Baumeister, dated January 6, 2019, regarding Reid-Hillview Airport - an Open Letter.

Toni J. Taber, CMC
City Clerk

TJT/tt

*Housing and Community Development Commission*

December 19, 2018

Mayor Sam Liccardo
Members of the City Council
200 E. Santa Clara St, 18th Floor
San José, CA 95113

RE: Recommended City Council support of Evictions Monitoring Regarding Mobilehome Park Conversion Policy 6-33

Dear Honorable Mayor Liccardo and City Council,

The letter is to convey to the Mayor and City Council the San José Housing and Community Development Commission's recommendations to request additional scrutiny of evictions at mobilehome parks subject to potential conversions in land use.

The purpose of the City's Housing and Community Development Commission (Commission) is to advise the City Council and the City's Housing Department on policies, programs, and the City's performance in housing and community development. This focus includes issues related to the City's mobilehome rent ordinance, apartment rent ordinance, and other programs in Chapters 17.22 and 17.23 of the San José Municipal Code. Given the Commission's responsibilities, its members are focused on a range of strategies and programs that can help San José's current housing crisis and shortage of affordable housing.

At the Commission's meeting on December 13, 2018, by a unanimous vote, Commission recommended that to provide a letter recommending evictions monitoring at Mobilehome parks regarding Mobilehome Park Conversion Policy 6-33. The Commission discussion indicated continued support for protecting mobilehome parks, for preventing displacement of residents from San José.

San José is home to almost 60 mobilehome parks, housing almost 35,000 people, who make up a particularly vulnerable population:

While mobilehome owners own their homes, they do not own the land beneath the homes.

While the homes are labeled "mobile," they are rarely actually capable of being moved. Even if the home is moveable, there is no available space in any mobilehome park in San José or the Bay Area.

The mobilehome population is generally a moderate- to low-income population, with few financial reserves other than the equity in their home.

A significant percentage of the mobilehome population is 55+, with a very high number of residents who are 70+.

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The mobilehome resident population is now more vulnerable than ever because the current economic environment is creating a strong incentive to convert mobilehome parks to more profitable developments such as office space, retail space, or high density housing. Closing a mobilehome park leaves almost no housing alternatives for mobilehome owner/residents:

As soon as a mobilehome park is under consideration for conversion, the value of their homes drops severely, or they can't sell their homes at all, meaning that they cannot extract the equity from the home to be used to obtain new housing.

The home is not moveable, or there is no space available to move it to, or they don't have the money to move the home and pay higher rents in the new location.

The resident does not have a high enough income to afford market-rate apartments, and cannot find a designated affordable rental unit.

The mobilehome owner does not have other financial reserves to obtain alternative new housing, even including moving costs and deposits for rentals.

Because of the above reasons, conversion of a mobilehome park can force many mobilehome owners/residents into new housing situations that are much less desirable than their park, including the quality of their new home and neighborhood, and access to needed services such as health care providers.

Furthermore, because of the current economic and housing environment, conversion of a mobilehome park creates the very real possibility that significant numbers of mobilehome park residents, including senior residents, will become homeless.

The Housing and Community Development Commission has discussed the possible conversion of mobilehome parks many times and for many hours in the last several years. We have discussed updates to the existing Mobilehome Park Conversion Ordinance, the proposed Mobilehome Park Closure Ordinance (which was found to be unnecessary in light of the Closure Ordinance), and the proposed Mobilehome Opt-In Ordinance (which was rejected by City Council).

In every discussion, the Commission has recognized the reality that mobilehome park conversions will happen and have consistently focused on protecting the financial, housing, and physical, and mental well-being of the displaced residents. The Commission worked closely with Housing Department staff to ensure that appropriate levels of support are given to the displaced residents in the Mobilehome Park Conversion Ordinance.

During our discussions, the Commission has heard the concern voiced by mobilehome residents that mobilehome park owners will attempt to avoid the requirements of the Mobilehome Park Conversion Ordinance by pre-emptively evicting residents.

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The first mobilehome park, Winchester Ranch Mobilehome Park, is now seriously considering conversion. Recently, residents attended a Commission meeting to complain about eviction notices issued to the residents for minor infractions with minimal notice. The Commission has listened to their complaints and have found them to be credible.

The Commission believes that it is possible that the park owners may be trying to avoid the requirements of the Conversion Ordinance by pre-emptively evicting residents before formally announcing a park conversion.

The Commission's concerns extend beyond Winchester Ranch. Other mobilehome park owners will watch this conversion and will follow the example set. If Winchester Ranch Park owners can avoid the requirements of the Conversion Ordinance, other park owners will do the same. The Commission has received feedback from Housing Staff and the City Attorney that the policy addressing possible improper evictions falls under Council Policy 6-33, CONVERSION OF MOBILEHOME PARKS TO OTHER USES, and that any recommendations regarding the evictions must go to the City Council.

Therefore, please be aware that the Housing and Community Development Commission has requested that Housing Staff apply heightened scrutiny to eviction notices being issued at mobilehome parks that Housing Staff believe are under consideration for conversion, and enforce protections under the City's Municipal Code as needed to prevent residents and mobilehome owners from being pre-emptively evicted in order to avoid the requirements of the Mobilehome Park Conversion Ordinance.

In addition, the Commission respectfully requests that the City Council identify mobilehome eviction tracking as a potential City Council priority at its next priority-setting session in February 2019.

Thank you for your consideration of these recommendations. If you have any questions, please feel free to contact me at Commission6@sanjoseca.gov.

Sincerely,

/s/

Andrea Wheeler
Commission Chair

From: HP Baumeister

Sent: Sunday, January 6, 2019 11:27 AM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District2 <District2@sanjoseca.gov>

Subject: Reid-Hillview Airport - an Open Letter

Dear Major Liccardo, dear Councilmember Jimenez,

as a long-time resident of San Jose's District 2, as a pilot, as a small aviation business owner, and generally as someone who is very interested and invested in San Jose, I was dismayed by the county decision last month to let the airport essentially "dry on the vine".

The whole process reeks of populism, and seems to be driven by ill-guided assumptions at best.

If San Jose really wants to become the "Capital of Si-Valley" and get away from being relegated as a "bedroom community" for high tech, we need to attract new and promising industries. We missed out on quite a few in the last years (electric cars being one of the more recent losses, Apple being a major plunder way back).

One of the major trends today is electrification in aviation, and autonomous flying, an opportunity worth well over \$ 3 Trillion (!) in 20 years (see my Open Letter attached).

Reid-Hillview can be a unique asset and a key argument to bring a large chunk of this emerging opportunity and future major industry to San Jose.

I urge you to take another look at the county's decision, to get involved. Do not let the county dictate what San Jose needs and stands for.

To Councilmember Jimenez: I would appreciate it if you would forward the attachment to the other council members.

Thank you for your consideration,

Best regards,

HP Baumeister