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[Draft] Minutes of the 23 January 2002 Midcoast Community Council meeting

The meeting was called to order by Chair Chuck Kozak at 7:35 p.m.

Members present were Sandy Emerson, Chuck Kozak, Ric Lohman, Paul Perkovic, Kathryn Slater-Carter, April Vargas, and Karen Wilson.

Public Comment

Kathryn Slater-Carter (Montara) reported that she had received some calls from persons who could not hear our meetings clearly when they were broadcast on MCTV Channel 6. It was suggested that members speak into the microphones.

Chuck Kozak (Montara) announced the Midcoast Community Council Retreat would be held Saturday, January 26 at 9:00 a.m. at the Moss Beach Sheriff,s Substation.

Ric Lohman (Miramar) reported that he had received a number of telephone calls regarding the Mirada Surf contract.

Paul Perkovic (Montara) announced there would be a special meeting of the Montara Sanitary District tomorrow evening, Thursday, January 24, at the MSD office at 7:30 p.m.

Board of Supervisors Report

PK Diffenbaugh (Legislative Aide to Supervisor Rich Gordon) is delaying his departure for a trip to attend our Retreat. Regarding the Mirada Surf item, he said he had heard from citizens who were upset about the County waiving fees for the proposed Lot Line Adjustment. The Board of Supervisors has already taken action on this matter [at the meeting of January 16] and so it is too late to make changes to the contract. The property owners are pursuing the right to develop in the event that the County is unable to acquire the property. There were also concerns that the County was paying too much for the parcel. The County,s web site is a courtesy to the public, not a Brown Act requirement; there is no obligation to post documents for the public, although they are available on request. The Lot Line Adjustment will not change the public process. Even if the LLA is approved, the owners cannot develop without getting the regular approvals from all of the usual agencies, in the event the County does not complete purchase of the west parcel.

Paul Perkovic said that he had received an email from constituents who were concerned that the normal requirements for completing a Lot Line Adjustment specifically, access, water, and sewer were being waived, and that this procedure was irregular. Kathryn Slater-Carter read from the end of Clause 7 of the agreement which reaffirmed that all such requirements must be met before any development can occur.

Committee Reports

Treasurer,s Report: No change in status since the prior meeting.

Parks and Recreation Committee: Sandy Emerson reported that there will be a meeting in Redwood City to present the results of the Midcoast Needs Assessment study, next Tuesday, January 29, at 10:00 a.m. (to the Board of Supervisors) and at 10:30 a.m. (follow-up discussion). The highest priority - by 89% of the respondents - was preserving open space. There will be a Partners in Stewardship conference on Friday, April 26 more details later. The next Committee meeting is Monday, February 4, at 7:30 p.m. at the Three Zero Cafe.

Planning and Zoning Committee: Karen Wilson reported that the Coastside Design Review meeting scheduled for tomorrow, January 24, has been postponed to February 28; the next regular meeting will be on February 14; these meetings are held at 3:00 p.m. on Thursdays at the Moss Beach Sheriff,s Substation. The next regular Planning and Zoning Committee meeting will be Wednesday, January 30 at 7:30 p.m. at the Three Zero Cafe.

Public Works Committee: April Vargas reported that the first Committee meeting was January 14, 2002. They discussed the CalTrans Devil,s Slide Tunnel portal designs and the Midcoast drainage issues whether the improvements could be handled via fees rather than assessment districts, for instance. The County is also interested in our prioritization of these projects. Community members who are interested in serving on this committee should contact the Chair at 728-5215.

Chuck Kozak attended a meeting last night with representatives of CalTrans, the City of Pacifica, the Golden Gate National Recreation Area, and San Mateo County representatives (Neil Cullen, Director of Public Works, and Mary Burns, Director of Parks and Recreation) regarding provision of parking for the Devil,s Slide area.

Consent Agenda

Approval of Minutes for 12 December 2001 Moved by April Vargas, seconded by Sandy Emerson. Unanimous consent (Kathryn Slater-Carter abstaining; she was not present).

Approval of Minutes for 9 January 2002 Deferred to next meeting; members had not had time to review the draft minutes, which were distributed at the meeting.

Regular Agenda

1. Review and Discussion of recent rent increases, affordable housing designation status, and ongoing concerns about conditions at the El Granada Manufactured Home Park.

April Vargas introduced the item.

Dorothy Norris (El Granada Manufactured Home Park, Homeowner, s Association President) stated that their community consists of many service personnel who work in Half Moon Bay and surrounding communities. Many are single person households; others are elderly. The residents are the investors in their homes. Management provides a parking space and utility hookups, not housing. Kingsley Management wants to get into the water supply business. This will increase the cost of owning a home in the park.

Katie Murdock (El Granada Manufactured Home Park) was a resident from 1976 until 2001. Due to several factors, in January 2001 she applied to be put on the list for a low-cost housing complex in Half Moon Bay. Until December, she continued to pay the space rent at the El Granada Mobile Home Park, as well as rent on her new accommodation. Despite her long tenure, no reduction was given in her site rent although she was using no water. She has been unable to finalize sale of her home. Her experience is that the attitude of the owners has been one of non-cooperation. Rent increases typically are greater than inflation and typically follow increases in Social Security, she said.

L. C. Schilling (El Granada Manufactured Home Park) said they are the people who provide child care, sweep the streets, repair fences, clean homes, etc. The Local Coastal Program specifically designates the El Granada Mobile Home Park for affordable housing. Housing costs are much more than space rent - costs include mortgages on their units, taxes, insurance, etc. How do people do it? They don,t have things like health insurance. Many people spend more than 50% of their income on housing. When the homeowners objected to the rent increases in 2000, management replied that they raise the rents based on the local housing conditions and trends. That local market is a two-bedroom apartment, not a small plot of land. These are not mobile homes. They are manufactured, trucked to the site, and installed, with skirts, porches, awnings, etc. The wheels are removed. Owners of older homes are being told that because their homes are so old, they must remove them. Help us find a more suitable solution to this dilemma of affordable housing.

Debbie Garrett (El Granada Manufactured Home Park) and her husband Bob have three children. In 1998, they purchased a larger home and replaced their smaller home on the same site. This year management has changed the lease and disguised the increase as charges for water and garbage. No one we know works in the „dot com% industries we are nursery workers, teachers, cement truck drivers, etc.

Sharon Bertolucci (El Granada Manufactured Home Park) moved in 1999 from Moss Beach because she was starting chemotherapy treatment. When she moved in, she was not told that the water was high in iron, because it is toxic to her liver. She must drink bottled water.

Jimmie Kaarsgard (El Granada Manufactured Home Park) said the park was set up for single-wide homes, but when double-wides became available, they were placed in the same spaces. The park went downhill in the 1970s. The swimming pool was closed, the club house

was condemned, etc. In 1989, a class action lawsuit was settled and the owners had to pay millions of dollars to upgrade the park.

Bill West (El Granada Manufactured Home Park) has been a resident just short of 19 years. The current management team is one of the worst he has seen. He recently purchased a new home from Ruby Homes, with the management as agent. Rather than taking the 10 days expected, it was more than 45 days. The manager delayed delivering some mail, including a check for \$3900, which had been opened. She also told other residents private affairs about his finances. The management team is unavailable to handle problems and complaints, such as cars speeding in the park and noise. He shares with others the frustration of not being able to get the services which they are paying for.

Bill Lulay (El Granada Manufactured Home Park) has lived in the park since 1989. The incessant high rents have always been a problem for him. But his lot lines are a problem. When he moved in, the manager showed him where the lot lines were. Management filed a redrawn plat map with the County in 1992, which shifted every line of his parcel. It took six months to survey the whole park. It has been six months since he and other residents filed a complaint. Prior to 1992, the park had no lot map, which was a violation of the law.

Judy Medrano (El Granada Manufactured Home Park) said that more than half of the residents are Latino. They are all on a fixed income. She recently retired from Pac Bell. Many of the residents are afraid to speak up because of the management.

Lisa Ketcham (El Granada Manufactured Home Park Homeowners Association) said that Supervisor Gordon's proposed rent control ordinance is written to include only the El Granada Manufactured Home Park. Supervisor Gordon wrote to the owners last April asking them to roll back their rent increases. We have a dream of owning our community. We would like to leave behind the constant struggle, the lawsuits, the sense of frustration, and own the park. We hope the County can persuade the owner to sell the park to the community.

Ed McDonald (Attorney for the owners and Kingsley Management) was available to answer questions. Rent is not just for a piece of dirt. The mobile home community is supplying services and facilities, including a club house, child play area, etc. Many of the lot line issues are under discussion with Bill Cameron at the County. They are close to being resolved, there is just one parcel still under disagreement. In the last 5 years, rents have gone up about 21%, whereas inflation has been about 25%. He would ask that the County look at various housing assistance programs, rather than imposing rent control.

Merle McGee (El Granada Manufactured Home Park) asked what happened to the security guards.

Ed McDonald said that the security is not intended to provide services to ~~tenants~~ ^{homeowners} but to keep intruders out of the facility.

Jean Henderson (El Granada Manufactured Home Park) has been a resident for just over two years. How do you define affordable housing? She said she can barely scrape by, and wonders how those who earn half what she does can possibly survive.

Ed McDonald said that the County has never asked for mediation;

Kingsley Management has turned down a request from the homeowners for mediation, however.

Chuck Kozak asked whether the County has worked with the owners because it is a designated affordable housing site. Ed McDonald noted that the community long predated the existing zoning by at least 20 years and is essentially grandfathered. If there was a new development in the community, then the zoning would apply. But the County cannot use police powers zoning powers to control rent. Just the designation of a site for affordable housing does not change the obligations of the owners under existing conditions.

April Vargas reported that the Board of Supervisors had referred a proposed rent control ordinance to the Planning Commission for further study. The Housing Component of the General Plan is currently under review. There is also a Task Force under formation. April recommended that we ask the Board to include at least one Council member, and at least one Manufactured Home Community member, on this Task Force.

Ric Lohman would like to see some form of specific rent control. He just heard for the first time the desire of the homeowners to buy out the park. Could the County assume ownership of the park and essentially sell it to the community over time?

April Vargas asked whether there might be any Federal or State funds available to assist in purchasing the facility for the current tenants.

Kathryn Slater-Carter expressed concern that the property stay affordable, even after subsequent sales. Ed McDonald said that garbage was separated out and at the same time, rent was reduced by the same amount. They are expecting to do the same for water.

Chuck Kozak suggested that there are a number of issues beyond rent control that the Planning Commission could consider. For instance, ensuring that there continue to be a supply of smaller units (and that they not be gradually consolidated into larger units).

Kathryn Slater-Carter suggested that the Peninsula Conflict Resolution Center be asked to assist the management and tenant organization in discussing their concerns.

Sandy Emerson would like to support Rich Gordon's language, but would like to have it broadened so that it covers more affordable housing sites, not just this single park.

Kathryn Slater-Carter pointed to Local Coastal Program Policy 3.17 to evaluate how well the affordable housing units are meeting the need.

Chuck Kozak moved that the Council support Supervisor Gordon's proposed ordinance, and ask for investigation of potential purchase by the Homeowner's Association of the property, with assistance of Federal, State, and County resources; and explore possible mediation with the homeowners; and investigate how the Use Permit process could be used as a means of ensuring affordability; and assure future affordability of such sites. Seconded by April Vargas. Approved by unanimous consent.

2. Review of CalTrans request for a Coastal Development Permit for

geotechnical exploratory work for the Devil,s Slide Tunnel Project

Chuck Kozak introduced this item. The Public Works Committee reviewed this at their meeting January 14, 2002.

Skip Sowko (CalTrans Project Manager) gave a brief presentation of the Devil,s Slide Tunnel Project. The current step is to conduct exploratory borings to determine the subsurface geology for the tunnel portals and tunnel bores. The application before the County designates specific boring sites, access routes and environmental issues. There are several borings at the southern rock cut, around the tunnel alignment, and for the north-end bridge footings.

April Vargas reported on the discussion at the Public Works Committee meeting. There was concern about the recent Highway 92 project and wet weather problems some of which have still not been mitigated. Chuck Kozak did a thorough review of the species listings and biological report and prepared a five-page summary of additions and corrections. There has been a demonstrated past lack of success in revegetation of coastal scrub locations. Sandy Emerson asked about the possibility of third-party review of the biological study. Chuck Kozak thinks that the work proposed can be done successfully. We also would like to see complete copies of all responses included in the County staff report (Mike Schaller is the Project Planner). (See notes or minutes from the Public Works Committee meeting for more details.)

Chuck Kozak mentioned that there had been a field trip last Thursday, visiting some sites where revegetation had been attempted. They also visited the portal sites.

Skip Sowko said they had completely changed their approach to erosion control, and they will have a staff biologist who is familiar with San Mateo conditions, monitoring the work.

Kathryn Slater-Carter expressed concerns over drilling spoils and their potential effect on existing species.

Ric Lohman said that at the large public meeting held at the Farallon View School, all but one person spoke out against the south cut proposal that was designed for a 50 mph curve. It appears that the design is still the same, is that correct?

Skip Sowko replied that the current design utilizes a 40 mph curve design, but that at the moment we are just considering exploratory drilling.

Kathryn Slater-Carter asked how the disposal area near the southern portal would be handled.

David Lam (CalTrans, Senior Landscape Architect) assisted in the presentation. The disposal area will go through a clearing and grubbing operation. The topsoil will be stockpiled until after the compacted fill from the tunnel excavation is complete. Then the soil will be placed on the surface and revegetated.

Chuck Kozak expressed concerns that if work was not completed before next year,s wet weather season, there could be significant erosion. There needs to be some plan to suspend drilling operations if they are not completed by next winter.

Paul Perkovic referenced an article in the paper within the past day or two which stated that all Federal Highway Administration funded projects in the Bay Area were being suspended due to violations of the Bay Area air quality standards.

Skip Sowko said that this was an emergency project and was exempt from those rules.

April Vargas moved that the Council recommend, with conditions, that the County approve the Coastal Development Permit for this exploratory drilling project. The conditions would include the items discussed by the Public Works Committee, the biological report corrections in Chuck Kozak,s summary, concerns about wet weather operation, erosion control, revegetation, appropriate disposal of spoils, and continuing cooperation between project staff and the community. Sandy Emerson seconded. Approved by unanimous consent.

3. Council Review and Discussion of San Mateo County Harbor District Proposal to Increase Length of Stay at Pillar Point RV Park

Sandy Emerson spoke to PK Diffenbaugh and County Counsel, who thought it was fine for the Council to comment on this issue. We are aware of the overlapping jurisdiction issues. She presented a revised letter to the San Mateo County Harbor Commission.

Kathryn Slater-Carter moved to send the proposed letter. Seconded by Paul Perkovic. Chuck Kozak suggested including Kathryn,s comment as to why we are commenting. Approved by unanimous consent. Copies of letter to go to Half Moon Bay City Council, Coastal Commission, and the State Department of Boating and Waterways.

4. Review of Final Agenda for Annual Council Retreat on January 26, 2002

Chuck Kozak distributed the final agenda for the Annual Retreat. April Vargas volunteered to be timekeeper, Kathryn Slater-Carter will be public scribe, each person will bring her or his own snacks, Karen Wilson volunteered to work on logistics with John Quinlan. Paul Perkovic moved that we approved Chuck,s plan; Kathryn Slater-Carter seconded; approved by unanimous consent.

5. Midcoast Local Coastal Program Review Update

Chuck Kozak reported that there is no change from our last meeting.

Future Agenda

February 13, 2002 meeting

Consent - Signature cards and resolution transferring signatures

Consent - Minutes from 9 January 2002 and 23 January 2002

1. Update on Mirada Surf (Ric)
2. LCP update (Chuck)

The meeting was adjourned at 10:55 p.m.