

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM
3.3
(ID # 9797)

MEETING DATE:
Tuesday, May 7, 2019

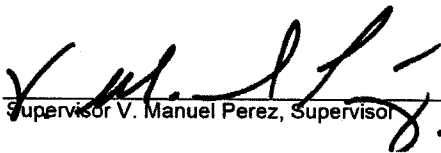
FROM : SUPERVISOR V. MANUEL PEREZ:

SUBJECT: Resolution No. 2019-108 Amending the Resolution Creating the Housing Review
Committee Advisory Council for the Unincorporated Area of Coachella Valley

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2019-108 superseding Resolution No. 2018-061 to amend the structure of the Housing Review Committee Advisory Council for the Unincorporated Area of the Coachella Valley.


ACTION:


Supervisor V. Manuel Perez, Supervisor 5/1/2019

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: May 7, 2019
xc: Supvr. Perez, COB, Council

Kecia Harper
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

BACKGROUND:

Summary

On May 17, 2000, the United States Department of Housing and Urban Development, County of Riverside, Maria Hernandez, and other individual mobile home park tenants and owners entered into an agreement entitled, "The Title VI Voluntary Compliance Agreement and Title VIII Enforcement Agreement" ("Agreement"). The Agreement required the County to establish a Housing Review Committee Advisory Council to receive and review complaints from aggrieved individuals concerning the County's unpermitted mobile home park/employee housing enforcement program. On July 9, 2002, in Resolution No. 2002-266, the Board of Supervisors created the Housing Review Committee Advisory Council for the unincorporated area of the Coachella Valley ("Committee"). On June 4, 2013, the Board of Supervisors adopted Resolution No. 2013-133 amending the earlier 2002 resolution in order to implement certain revisions concerning the operation of the Committee. On August 28, 2018, the Board of Supervisors adopted Resolution No. 2018-061, amending and restating Resolution No. 2013-133 in order to revise the Committee membership and voting structure. On November 19, 2018, the Committee determined that there was a need to modify the membership of the Committee to help ensure that there is always a quorum available to act at Committee meetings. Since that time, the Office of County Counsel and the Committee have consulted with the California Rural Legal Assistance concerning the preparation and adoption of Resolution No. 2019-108 as required by the Agreement. As set forth in Section 6 of Resolution No. 2019-108, the amendment changes the Committee structure from 14 regular members, 2 ex-officio members, and 4 community members to 12 regular members, 2 ex-officio members, and 4 community members. The Committee considered Resolution No. 2019-108 at its March 18, 2019 meeting and recommended that the Board of Supervisors adopt the Resolution.

Impact on Residents and Businesses

The changes to the Committee membership and voting structure in Resolution No. 2019-108 help ensure there is a quorum available to act at Committee meetings in order to continue to receive feedback from local community interests during the Committee meetings.

Additional Fiscal Information

There is no additional fiscal impact as a result of the changes to the Committee membership and voting structure.

ATTACHMENT: Resolution 2019-108

2 RESOLUTION NO. 2019-108

3 A RESOLUTION AMENDING THE RESOLUTION CREATING THE HOUSING REVIEW
4 COMMITTEE ADVISORY COUNCIL FOR THE UNINCORPORATED AREA OF
5 COACHELLA VALLEY

6 WHEREAS, on May 17, 2000, the United States Department of Housing and Urban Development,
7 County of Riverside, Maria Hernandez, and other individual mobile home park tenants and owners entered
8 into an agreement entitled, "The Title VI Voluntary Compliance Agreement and Title VIII Enforcement
9 Agreement" ("Agreement"); and

10 WHEREAS, the Agreement required the County to establish a Housing Review Committee
11 Advisory Council to receive and review complaints from aggrieved individuals concerning the County's
12 unpermitted mobile home park/employee housing enforcement program; and

13 WHEREAS, pursuant to paragraph Nos. 23 and 31 of the Agreement, the County agreed to grant
14 the Housing Review Committee Advisory Council "formal Fourth District Advisory Council status," and
15 to establish a complaint program as a function of the Housing Review Committee Advisory Council; and

16 WHEREAS, the Board of Supervisors on July 9, 2002 adopted Resolution No. 2002-266 creating
17 the Housing Review Committee Advisory Council for the unincorporated area of the Coachella Valley
18 ("Committee"); and

19 WHEREAS, the Board of Supervisors on June 4, 2013 adopted Resolution No. 2013-133 amending
20 and restating Resolution No. 2002-266 creating the Committee in order to implement certain revisions
21 concerning the operation of the Committee; and

22 WHEREAS, the Board of Supervisors on August 28, 2018 adopted Resolution No. 2018-061
23 amending and restating Resolution No. 2013-133 in order to revise the Committee membership and voting
24 structure; and

25 WHEREAS, the Committee determine on November 19, 2018 that there was a need to modify the
26 membership of the Committee to help ensure that there is always a quorum available to act at Committee
27 meetings; and

28

FORM APPROVED COUNTY COUNSEL
BY Sarah K. Moore 5/1/19 DATE
SARAH K. MOORE

1 WHEREAS, the Office of County Counsel and the Committee consulted with the California Rural
2 Legal Assistance ("CRLA") concerning the preparation and adoption of Resolution No. 2002-266,
3 Resolution No. 2013-133 and Resolution No. 2018-061 as required by the Enforcement Agreement entered
4 into with HUD; and

5 WHEREAS, the Office of County Counsel and the Committee consulted with CRLA concerning
6 the preparation of this Resolution No. 2019-108; and

7 WHEREAS, the Committee recommends that this Resolution be approved by the Board of
8 Supervisors.

9 NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors, County
10 of Riverside, State of California, in regular session assembled on May 7, 2019 that Resolution
11 No. 2018-061 is hereby restated and amended in its entirety:

12 1. APPLICABILITY. These rules and procedures shall apply to and control the Committee.

13 2. LIMITATION ON AUTHORITY. The Committee's function shall be to study and
14 provide recommendations annually to the Board of Supervisors pertaining to unpermitted mobile home
15 parks/employee housing facilities located in the unincorporated area of the Coachella Valley, including the
16 implementation of code enforcement activities, government assistance programs and progress of park owner
17 compliance. The Committee may also study and provide recommendations to the Board of Supervisors
18 concerning the maintenance and development of safe, decent and affordable housing in the unincorporated
19 area of the Coachella Valley for farm workers and other low-income individuals and families, consistent
20 with Federal, State and local law.

21 A. Receipt and Review of Complaints. The Committee shall also receive and review
22 complaints concerning County actions in connection with its unpermitted mobile home
23 park/employee housing enforcement. Individuals aggrieved by County actions in
24 connection with its unpermitted mobile home park/employee housing enforcement may
25 request a conference with the County's designated representative. With consent from the
26 complainants, the County's designated representative shall report all complaints and
27 findings to the Committee at regularly scheduled meetings. Upon review of these complaints
28 and any findings, the Committee may make recommendations to the Board of Supervisors

1 as the Committee deems appropriate. The Committee may also refer complaints from said
2 aggrieved individuals to the County's designated representative. This right of conference
3 and review by the Committee may be invoked at the discretion of the aggrieved person.
4 None of the procedures for conference and review extend the time allowed for the correction
5 of any violation(s) specified in a notice of violation issued by the County unless the County
6 expressly grants the extension.

7 3. DURATION OF COMMITTEE. Should it be determined that the Committee is no longer
8 functioning consistent with Government Code Section 31010, the authority and procedures set forth in this
9 Resolution or any subsequently adopted rules, resolutions, ordinances or laws, and so long as such action
10 does not conflict with the Agreement, then a public hearing may be conducted by the Board of Supervisors
11 to determine whether the Committee should be dissolved.

12 4. RECOMMENDATIONS. The Committee shall make recommendations to the Board of
13 Supervisors in its annual report of activities concerning unpermitted mobile home parks/employee housing
14 facilities and other affordable housing in the unincorporated area of Coachella Valley as set forth in Section
15 2 and as required by Section 14 of this Resolution. Said annual report for each calendar year shall be
16 submitted by March 31st of the following year. Any other recommendations may be made to the Board of
17 Supervisors through the submittal of a special report. Said special report may be submitted at any time.
18 Said reports shall be submitted to the Clerk of the Board and the Clerk of the Board shall notify the
19 Committee of the date on which the report shall appear on the Board's meeting agenda, if requested to do
20 so at the time the Committee submits its written recommendations. The Clerk of the Board shall also notify
21 the Committee, in writing, of any action taken by the Board upon the Committee's recommendations, if
22 requested to do so at the time the Committee submits its written recommendations.

23 5. SCOPE OF INTEREST. The scope of the Committee's interest and activity shall be as
24 specified in this Resolution or as specified by directive(s) from the Board of Supervisors.

25 6. STRUCTURE. The Committee shall consist of twelve (12) regular members, two (2) ex-
26 officio members and four (4) community members appointed as follows:

27 A. Regular Members:

- 28 1. A representative of the Coachella Regional Office of CRLA;

2. A representative appointed by the Board of Supervisors and recommended for appointment by the 4th District Supervisor;
3. The County Housing Ombudsman;
4. A representative of the Department of Building and Safety;
5. A representative of the Office of the 56th District, State Assembly;
6. A representative of the Coachella Valley Water District;
7. A representative of the Imperial Irrigation District;
8. A representative from the local office of the United States Department of Agriculture;
9. A representative of the Torres Martinez Desert Cahuilla Indians;
10. A representative of the Coachella Valley Housing Coalition;
11. A representative of the Riverside County Department of Environmental Health; and
12. A representative of the Riverside County Economic Development Agency.

B. Ex-Officio Members: The Riverside County Fourth District Supervisor and a representative of the 36th Congressional District are appointed Ex-Officio Members, but shall have no voting privileges.

C. Community Members: Each community member shall serve a term not exceeding four (4) years. Subject to Riverside County Board of Supervisors Policy No. A-21, community members may seek reappointment at the end of their terms. Each community member shall be appointed by the County Board of Supervisors from the following groups:

1. A tenant mobile home owner representative who currently lives in a mobile home park in the unincorporated area of the Coachella Valley;
2. A park owner representative who currently owns and operates a mobile home park in the unincorporated area of the Coachella Valley;
3. A local non-profit housing provider that specializes in building low income housing in the Coachella Valley; and

1 4. A non-developer representative from the local licensed architectural,
2 engineering or contracting profession.

3 Appointment of members to the Committee shall conform to the Board of Supervisors Policy No.
4 A-21, which affixed hereto as Exhibit "A" and incorporated into this Resolution by reference. All
5 appointees shall be at least eighteen (18) years of age, and shall serve without compensation or
6 reimbursement of expenses. Each member shall have one (1) vote. The CRLA members shall have the
7 right to recuse himself/herself from voting on matters concerning grievances filed by a mobile home park
8 owner or tenant.

9 7. VACANCIES. A vacancy shall be deemed to exist upon the written resignation or death of
10 a member or upon the expiration of a term. If a member fails to attend three consecutive meetings of the
11 Committee, the member's seat will be deemed automatically vacated. The Committee shall give written
12 notification to the appointing authority, which shall then appoint a new representative.

13 8. OFFICERS. The Committee shall choose a Chairperson, Vice Chairperson, and Secretary
14 who shall each serve a two (2) year term commencing January 1st of every other year. The presiding officers
15 shall be responsible for providing notice of the meetings pursuant to the requirements of the Ralph M.
16 Brown Act (Government Code Sections 5490 et seq.) and shall assist with the preparation of the
17 Committee's recommendations, reports, and related limited activities involving the administration of the
18 Committee's functions.

19 9. MEETINGS. The Committee shall determine the frequency of its regular meetings, which
20 shall be at least quarterly, and shall, by standing order, fix the time and place thereof, which shall be within
21 the County of Riverside. The calling, giving of notice, posting of agenda, and conducting of meetings shall
22 be in accordance with the Ralph M. Brown Act.

23 10. STAFF ASSISTANCE. The County Director of Building and Safety or his designated
24 representative shall provide such technical assistance as may be required or deemed necessary by the
25 Committee. He shall keep its records and transmit its recommendations and reports, and shall provide such
26 staff assistance as may be needed by the Committee.

27 11. QUORUM. A quorum shall consist of a majority of the members of the committee, not
28 counting the Ex-Officio Members or vacant positions. Any action of the Committee shall require

1 affirmative votes of not less than a quorum, except that less than a quorum may adjourn a meeting sine die
2 or to a specified time and place.

3 12. MINUTES. Written minutes of all meetings shall be prepared and kept by one of the
4 Officers of the Committee, and may include recommendations of the Committee. A copy of the minutes
5 shall be forwarded to the Office of the 4th District Supervisor promptly after the minutes are prepared and
6 signed by the Committee secretary; it shall not be necessary to await approval of the minutes by the
7 Committee. Signed and approved minutes shall be included with the annual report to the Board of
8 Supervisors or with any special report as appropriate. The County Ombudsman shall provide verbal and
9 written translation services for the Committee.

10 13. REMOVAL OF A MEMBER. Notwithstanding a specified length of a term for a member,
11 the Board of Supervisors may remove any member of the Committee at any time.

12 14. REPORTS. The Committee shall file with the Board of Supervisors an annual report of the
13 activities including any recommendations of the Committee; may file a special report whenever the
14 Committee deems it desirable to do so; and shall file a report when requested to do so by the Board of
15 Supervisors.

16 15. BOARD OF SUPERVISORS POLICY NO. A-21. The provisions of Board of Supervisors
17 Policy No. A-21 on the subject of "Advisory Boards, Commissions and Committees" are incorporated into
18 this Resolution by reference, and are intended for the guidance of the Committee unless explicitly stated
19 otherwise by this Resolution.

20 16. SUPERSEDING RESOLUTION NO. 2018-061. Resolution No. 2018-061 previously
21 adopted on August 28, 2018 is hereby superseded and replaced by this Resolution No. 2019-108.

22 ROLL CALL:

23 Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
24 Nays: None
Absent: None

25 The foregoing is certified to be a true copy of a resolution duly
26 adopted by said Board of Supervisors on the date therein set forth.

27 Kecia R. Harper, Clerk of said Board

28 By 

Deputy