



AGENDA SUMMARY REPORT

SUBJECT: Annual Review of Mobilehome Park Stabilization Fees and Activities, Possible Adoption of Resolution Amending Resolution No. 2017-57; and Approval to Waive Fees for the FY 2018-19.

DEPARTMENT: Clerk/Admin

PREPARED BY: Kristine Lawler

ATTACHMENTS:

[Attachment 1 - Draft Minutes of July 18, 2018](#)

[Attachment 2 - Letter to Residents](#)

[Attachment 3a&b - Proposed Resolution - Redline and Clean Versions](#)

Summary: Council will receive an annual report on the administrative costs and activities regarding the mobilehome park stabilization program, consider adopting a Resolution amending Exhibit A to Resolution No. 2017-57, adjusting the administrative costs to reflect the expenditures not previously included; and consider waiving the fees for the Fiscal Year 2018-19.

Background: On December 6, 2017, Council adopted Resolution 2017-57 (Attachment 1) that amended and updated the arbitration and administrative costs. Additionally, Council gave direction to staff to charge the mobilehome park stabilization account annually to cover the City administrative costs to maintain the requirements laid out in the Resolution; only invoicing the mobilehome park owners/residents when the balance in the account falls below the estimated costs for arbitration and administrative activities. Furthermore, Staff was directed to implement an annual educational program to inform the tenants of the ordinance requirements,

RECOMMENDED ACTION: Receive report on the Mobilehome Park Stabilization Administrative Costs and Activities, adopt the Resolution amending Exhibit A to Resolution 2017-57 adjusting the administrative costs, and approve waiving fees for FY 2018-19.

BUDGET AMENDMENT REQUIRED: No

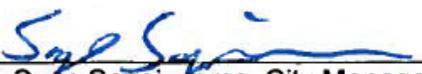
CURRENT BUDGET AMOUNT: N/A

PROPOSED BUDGET AMOUNT: N/A

FINANCING SOURCE: N/A

PREVIOUS CONTRACT/PURCHASE ORDER NO.: N/A

COORDINATED WITH: N/A

Approved: 
Sage Sangiacomo, City Manager

and include those actions and results in the yearly report to Council.

As part of the educational program, a webpage was set up on the City's website at: <http://www.cityofukiah.com/mobile-home-park-rent-stabilization-2/> that contains links to the following: Ordinance 1126 and Resolution 2017-57 that govern the stabilization process and costs; the December 20, 2017, staff report to Council that details how the fees are assessed; and the annual letter sent to the mobilehome park owners regarding the October CPI, which dictates the amount that rent can be increased. All future correspondence and documents pertaining to the mobilehome park rent stabilization will be added to this webpage.

In addition, A letter (Attachment 2) was sent out to all mobilehome park residents to bring their awareness to the website resource. The Clerk's office received a few responses from park residents wanting to know more about the letter that was sent out, to which additional verbal information was given.

Discussion: The current before-year-end-close balance in the Mobilehome Rent Stabilization Trust Fund (90000000.23251) is \$27,039.50. Administrative Costs for the 2017-2018 Fiscal Year came to \$1,365.87, leaving a remaining balance of \$25,673.63. Per Resolution 2017-57, Exhibit A (Attachment 1), the total reasonable estimate for the annual cost to administer Chapter 8, including arbitrations is \$7,811. As the remaining balance still exceeds the suggested reasonable estimate of costs, staff recommends waiving the annual fee to the mobilehome parks.

However, Exhibit A to Resolution 2017-57, did not include Attorney's fees for miscellaneous questions/concerns that arise throughout the year. Additionally, Exhibit A was drafted before Council's direction to include an educational component. Therefore, staff is also recommending adoption of a resolution amending Exhibit A to include these two items. A red-line and clean versions of the proposed resolution are included as Attachment 3a&b. These changes would not affect the recommendation to waive the annual fee to the mobilehome parks for the fiscal year 2018-19.

CITY OF UKIAH
CITY COUNCIL MINUTES
Regular Meeting
CIVIC CENTER COUNCIL CHAMBERS
300 Seminary Avenue
Ukiah, CA 95482
July 18, 2018
6:00 p.m.

Note: This meeting was adjourned to 7:30 p.m.

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

Ukiah City Council met at a Regular Meeting on May 16, 2018, having been legally noticed on July 13, 2018. Mayor Doble called the meeting to order at 7:32 p.m. Roll was taken with the following **Councilmembers Present:** Jim O. Brown, Stephen G. Scalmanini, Douglas F. Crane, Maureen Mulheren, and Kevin Doble. **Staff Present:** Sage Sangiacomo, City Manager; David Rapport, City Attorney; and Kristine Lawler, City Clerk.

MAYOR DOBLE PRESIDING.

The Pledge of Allegiance was led by Vice Mayor Mulheren.

3. PROCLAMATIONS/INTRODUCTIONS/PRESENTATIONS

a. Receive Presentation on City's Performance Related to Housing Element Goals and Compliance with Senate Bill 35

Presenter: Craig Schlatter, Community Development Director.

Presentation was received.

b. Status Report, Discussion and Possible Action Regarding the Ukiah Valley Sanitation District's Litigation Against the City of Ukiah Related to the Operation of the Sanitary Sewer System.

Presenters: Sage Sangiacomo, City Manager and Dan Buffalo, Finance Director

Report was received.

4. PETITIONS AND COMMUNICATIONS

5. APPROVAL OF MINUTES

a. Approval of the June 6, 2018, City Council Minutes, with Review of Agenda Item 11a Motion.

Presenter: Kristine Lawler, City Clerk

Motion/Second: Crane/Brown to approve Minutes of June 6, 2018, a regular meeting, using version #3:

Motion by Crane, seconded by Scalmanini, to continue the hearing until the City receives a consistency determination from the Mendocino County Airport Land Use Commission (ALUC) pursuant to staff recommendation number 3 in the Agenda Summary Report and the Planning Commission makes a recommendation to the City Council to approve or disapprove the application, after the Commission considers the ALUC determination and any additional

information from staff. The Mayor is authorized and directed to send a letter to the ALUC requesting that it make the consistency determination as soon as possible.

for the motion of Agenda Item 11a. Motion **carried** by the following roll call votes: AYES: Brown, Scalmanini, Crane, Mulheren, and Doble. NOES: None. ABSENT: None. ABSTAIN: None.

- b. Approval of the June 11, 2018, Special Meeting Minutes**
- c. Approval of the June 20, 2018, Regular Meeting Minutes**
- d. Approval of the June 29, 2018, Special Meeting Minutes**

Motion/Second: Brown/Mulheren to approve Minutes of June 11, 2018, a special meeting; June 20, 2018, a regular meeting; and June 29, 2018, a special meeting, as submitted. Motion **carried** by the following roll call votes: AYES: Brown, Scalmanini, Crane, Mulheren, and Doble. NOES: None. ABSENT: None. ABSTAIN: None.

6. RIGHT TO APPEAL DECISION

7. CONSENT CALENDAR

- a. Report of Disbursements for the Month of June 2018 – *Finance*.
- b. Adoption of Resolution (2018-16) Establishing a Funding Mechanism for the City's Performance as Land Manager in Compliance with the Riparian Corridor Buffer Enhancement Plan and the Declaration of Covenants Regarding Riparian Corridor Buffer Enhancements Related to the Costco Project – *Community Development*.
- c. Approve the Purchase of Cisco SMARTnet 5-Year Support Contract (COU No. 1819-086) in the Amount of \$99,866.81 from PCMG, Inc. – *Information Technology*.
- d. Adoption of Resolution (2018-17) to Update the City of Ukiah Local Agency Investment Fund (LAIF) "Authorization for Transfer of Funds" Schedule – *Finance*.
- e. Adoption of Resolution (2018-18) Removing On-Street Parking at Two Locations off of Airport Park Boulevard: End of Cul-de-sac between Walmart and Furniture Design Center; and End of Cul-de-sac between Ken Fowler Auto and Costco – *Public Works*.
- f. Authorize City Manager to Negotiate and Execute a Three-Year Multi-Task Engineering Services Agreement (COU No. 1819-087) with Power Engineer, Inc. Not to Exceed \$350,000 for Engineering, Design and Study Services Related to Electric System Operation, Protection and Safety – *Electric Utility*
- g. Approval of Award of Contract (COU No. 1819-088) to Sierra Traffic Markings, Inc. for Street Striping in the amount of \$55,676.38 – *Public Works*.

Motion/Second: Crane/Mulheren to approve Consent Calendar Items 7a-7j, as submitted. Motion **carried** by the following roll call votes: AYES: Brown, Scalmanini, Crane, Mulheren, and Doble. NOES: None. ABSENT: None. ABSTAIN: None.

8. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

No public comment was received.

9. **COUNCIL REPORTS**

Presenter: Councilmember Crane.

10. **CITY MANAGER/CITY CLERK REPORTS**

Presenters: Sage Sangiacomo, City Manager; Tim Eriksen, Public Works Director/City Engineer; and Kristine Lawler, City Clerk.

11. **PUBLIC HEARINGS (6:15 PM)**

13. **NEW BUSINESS**

a. **Consideration of a Resolution Removing On-Street Parking on the North Side of Washington Avenue between South State Street and South Dora Street.**

Presenters: Tim Eriksen, Public Works Director / City Engineer and Ben Kageyama, Senior Civil Engineer.

Public Comment: (unidentified man), Barbara Howe (*speaking as a private citizen*), Laura Fogg, Albert Stephanie, Roy Krausen, Catherine (a.k.a. Katarzyna) Rolzinski, Mike Cannon, Julie Bawcom, Mary Misseldine, Sean Harmon, Katherine Fengler (*speaking as private citizen*), Ed Hanes, Niel Davis, (titles), John Rarick, Greg Hubbs, and (unidentified woman).

Motion by Councilmember Crane, Seconded by Councilmember Scalmanini to continue this item to a future meeting. Motion **failed** by the following roll call votes: AYES: Scalmanini and Crane. NOES: Brown, Mulheren, and Doble. ABSENT: None. ABSTAIN: None.

Motion/Second: Mulheren/Brown to adopt resolution (2018-19) removing on-street parking on the north side of Washington Avenue between South State Street and South Dora Street Motion **carried** by the following roll call votes: AYES: Brown, Mulheren, and Doble. NOES: Scalmanini and Crane. ABSENT: None. ABSTAIN: None.

RECESS: 9:29 - 9:38 P.M.

12. **UNFINISHED BUSINESS**

a. **Consideration of Approval of Change Order #5 to Ghilotti Construction Company in the Amount of \$3,104,146.99 for the Oak Manor Utility Improvement Project and Approval of Corresponding Budget Amendment.**

Presenters: Tim Eriksen, Public Works Director / City Engineer and Jarod Thiele, Public Works Management Analyst.

Motion/Second: Crane/Scalmanini to approve Change Order #5 (COU No. 1718-138-CO5) to Ghilotti Construction Company in the amount of \$3,104,146.99 for the Oak Manor Utility Improvement Project and approval of corresponding budget amendment, and directs staff to initiate discussions with the Ukiah Valley Sanitation District regarding this project. Motion **carried** by the following roll call votes: AYES: Brown, Scalmanini, Crane, Mulheren, and Doble. NOES: None. ABSENT: None. ABSTAIN: None.

13. **NEW BUSINESS, Continued**

b. **Consideration of (1) Adoption of Resolution Authorizing the City of Ukiah to Submit an Application to the California State Department of Housing and Community Development for Funding under the HOME Investment Partnerships Program and, if Selected, Providing Authorization to the City Manager to Execute a Standard Agreement, Any Amendments Thereto, and Any Related Documents Necessary to Participate in the HOME Investment Partnerships Program; and (2) Approving Corresponding Budget Revenue and Expense Amendments, if Awarded.**

Presenter: Craig Schlatter, Community Development Director.

Motion/Second: Crane/Brown to adopt resolution (2018-20) authorizing the City of Ukiah to submit an application to the California State Department of Housing and Community Development for funding under the HOME Investment Partnerships Program, and if selected, authorize the City Manager to execute a Standard Agreement (COU No. 1819-089), any amendments thereto, and any related documents necessary to participate in the HOME Investment Partnerships Program; and approve corresponding budget revenue and expense amendments, if the application is awarded. Motion **carried** by the following roll call votes: AYES: Brown, Scalmanini, Crane, Mulheren, and Doble. NOES: None. ABSENT: None. ABSTAIN: None.

c. Receive Report of Boards and Commission Term Expirations and Vacancies, and Consider Possible Adoption of Resolution Reappointing Eric Crane to the Airport Commission.

Presenter: Kristine Lawler, City Clerk.

Motion/Second: Brown/Scalmanini to accept the nomination and adopt the resolution (2018-21) reappointing Eric Crane to the City Residency position on the Airport Commission. Motion **carried** by the following roll call votes: AYES: Brown, Scalmanini, Mulheren, and Doble. NOES: None. ABSENT: None. ABSTAIN: Crane.

d. Receive Updates on City Council Committee and Ad Hoc Assignments.

Presenter: Mayor Doble

14. CLOSED SESSION

a. Conference with Legal Counsel – Existing Litigation

(Government Code Section 54956.9(d)(1))

Name of case: *Vichy Springs Resort v. City of Ukiah, Et Al*; Case No. SCUUK-CVPT-2018-70200

b. Conference with Legal Counsel – Existing Litigation

(Government Code Section 54956.9(d)(1))

Name of case: *Ukiah Valley Sanitation District v. City of Ukiah*, Sonoma County Superior Court, Case No. SCV 256737 (UVSD)

c. Conference with Labor Negotiator

(Government Code Section 54957.6)

Agency Representative: Sage Sangiacomo, City Manager

Employee Organizations: All Bargaining Units

No Closed Session was held.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 10:00 p.m.

Kristine Lawler, City Clerk



July 12, 2018

SUBJECT: Mobilehome Park Rent Stabilization Resource Information

Dear Mobilehome Park Residents,

In 2011 the Ukiah City Council adopted an ordinance to establish a mobilehome park rent stabilization. In an effort to assist mobilehome park residents to better understand how the rent increases, fees, and pass-through charges operate, a webpage has been added to the City of Ukiah's website, which can be found at: <http://www.cityofukiah.com/mobile-home-park-rent-stabilization-2/>.

Mobilehome park residents are encourage to explore the webpage, which contains the full ordinance and resolution that explains how the rent stabilization works. There are also links to annual correspondence sent to the mobilehome park owners regarding the October CPI index that determines the amount that can be charged for rent increases, and staff reports presented to the City Council explaining in detail how the yearly fees operate.

The City Clerk's office is available to address any questions or concerns that you may have, and can be reached by email at klawler@cityofukiah.com, or by calling 707-463-6217.

Sincerely,

A handwritten signature in blue ink that reads "Kristine Lawler". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Kristine Lawler
City Clerk

RESOLUTION NO. 20187-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING RESOLUTION 2012-472017-57 ADOPTING RENT STABILIZATION FEES FOR ARBITRATION AND ADMINISTRATIVE COSTS TO CITY OF UKIAH MOBILEHOME PARKS

WHEREAS:

- 1. Ukiah City Code (“UCC”) Section 2715, provides that “all or any portion of the costs to administer this chapter [Division 2, Chapter 8 of the UCC (“Chapter 8”)] may be collected by the imposition of an annual rent stabilization administration fee established by resolution of the City Council”; and
- 2. Costs to administer the program have been assessed and are shown in Exhibit A; and
- 3. With the elimination of redevelopment agencies by the State of California, all of the cost to administer Chapter 8 is borne by the City’s General Fund; and
- 4. Under UCC Section 2708.C, the cost of arbitrations must be paid from the rent stabilization administration fee. Exhibit A states a reasonable estimate for the annual cost to administer Chapter 8, including potential arbitrations; and
- 5. There are 382 mobilehome park spaces subject to rent control in the City of Ukiah, with the final annual per space cost being determined each year based on occupied non-long-term leased spaces; and
- 6. Under UCC Section 2715, the owner who pays these fees may pass through to the tenant of the space 50 percent of the fees assessed for the space; and
- 7. Under UCC 2715, the resolution establishing the fee must specify the date by which the fee is due, but the fee may be paid by the park owners in quarterly installments; and
- 8. There are six City of Ukiah mobilehome parks that are subject to the Rent Stabilization Ordinance, including Circle Trailer Court (60 units), Manor Home Mobile Estates (137 units), Shady Grove Mobile Home Park (4 units subject to rent control), Modern Mobile Home Park (26 units), Harold’s Square Mobile Home Park (59 units), and Rancho Del Ray Mobile Home Park (96 units).

NOW, THEREFORE, BE IT RESOLVED that:

- 1. The City Council of the City of Ukiah approves an annual administration fee an amount equally divided between billable spaces subject to rent control to be paid by the City’s six mobilehome parks.
- 2. The fee is due on July 30 of each year, but may be paid in quarterly installments on July 30, October 30, January 30, and April 30.
- 3. The City Council shall review the administration costs, including the cost of any arbitrations, on an annual basis, during budget preparation as part of the annual fee review

in May and June, and make any adjustments so that the fee does not exceed the cost to administer Chapter 8.

PASSED AND ADOPTED at a regular meeting of the City Council held on ~~December 20, 2017~~[August 1, 2018](#), by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Kevin Doble, Mayor

ATTEST:

Kristine Lawler, City Clerk

EXHIBIT A

2017 COST ASSESSMENT FOR IMPLEMENTING RESOLUTION 2012-17 RENT STABILIZATION FEES

Estimated Arbitration Costs:

TOTAL - \$7,200

The Northern California rates charged for arbitrations conduct by ADR Service, Inc., an alternate dispute resolution service that has rates in the middle between JAMS at the high end and lone arbitrators at the low end.

An arbitration through ADR includes the hourly or daily rate charged by the arbitrator and the fees charged by ADR. ADR arbitrators are retired judges or attorneys. The hourly rates vary from \$400 at the low end to \$700 at the high end. The average hourly rate is \$500.

ADR charges an initial fee of \$300 plus \$450 per party to the arbitration. Its fee schedule is attached.

Assuming an arbitration hearing takes one 8-hour day and the arbitrator takes 4 hours to prepare a written decision, 12 hours @ \$500 = \$6,000 + \$1,200 (assuming only two parties) for a total of \$7,200.

Estimated Administrative Costs:

TOTAL - \$1,977.50 (Using larger invoiced rate)

MHP = Mobile Home Park

Estimated Attorney Fees for Various Matters Pertaining to Mobilehome Parks: \$1,000

(Note: only the actual expenses would be billed to the account)

Educational Outreach Costs: \$366.48

- [Draft Letter to Residents](#)
- [Print, fold, label, and stuff envelopes](#)
- [Postage to send letters](#)

TOTAL — If MHP owners are invoiced: \$611.02 + postage

Includes:

- Review CPI and write annual letter to MHP owners regarding the CPI.
- Review MHP rent increase letters per Ordinance 1126, Section 2703(H)
- Staff Report to Council
- Send Letters to MHP owners requesting number of billable spaces
- Prep invoices
- Receive and process payments

Total divided by 382* spaces = \$1.60 per space.

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TOTAL — If MHP owners are not invoiced: \$209.15

Includes:

- Review CPI and write annual letter to MHP owners regarding the CPI.
- Review MHP rent increase letters per Ordinance 1126, Section 2703(H)
- Staff Report to Council
- Send post-Council decision to waive fee letters to MHP owners

Total divided by 382* spaces = .55 cents per space (rounded).

TOTAL REASONABLE ESTIMATE FOR THE ANNUAL COST TO ADMINISTER CHAPTER 8, INCLUDING POTENTIAL ARBITRATIONS IS ~~\$7,844~~ 9,178 (rounded).

**Note – This is the number of spaces calculated in Ordinance 1126, however, the actual number of billable spaces is determined each year depending on the number of occupied spaces by non-long-term leases.*

RESOLUTION NO. 2018-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UKIAH AMENDING RESOLUTION 2017-57 ADOPTING RENT STABILIZATION FEES FOR ARBITRATION AND ADMINISTRATIVE COSTS TO CITY OF UKIAH MOBILEHOME PARKS

WHEREAS:

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2. The fee is due on July 30 of each year, but may be paid in quarterly installments on July 30, October 30, January 30, and April 30.
3. The City Council shall review the administration costs, including the cost of any arbitrations, on an annual basis, during budget preparation as part of the annual fee review

in May and June, and make any adjustments so that the fee does not exceed the cost to administer Chapter 8.

PASSED AND ADOPTED at a regular meeting of the City Council held on August 1, 2018, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Kevin Doble, Mayor

ATTEST:

Kristine Lawler, City Clerk

EXHIBIT A**2017 COST ASSESSMENT FOR IMPLEMENTING RESOLUTION 2012-17 RENT STABILIZATION FEES****Estimated Arbitration Costs:****TOTAL - \$7,200**

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If MHP owners *are not* invoiced: \$209.15

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Total divided by 382* spaces = .55 cents per space (*rounded*).**TOTAL REASONABLE ESTIMATE FOR THE ANNUAL COST TO ADMINISTER CHAPTER 8, INCLUDING POTENTIAL ARBITRATIONS IS \$9,178 (*rounded*).**

**Note – This is the number of spaces calculated in Ordinance 1126, however, the actual number of billable spaces is determined each year depending on the number of occupied spaces by non-long-term leases.*