

## RESOLUTION NO. 2012-115

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK AUTHORIZING A SHORT-TERM INTERFUND LOAN IN AN AMOUNT NOT-TO-EXCEED FORTY THOUSAND DOLLARS (\$40,000) FROM THE CITY OF ROHNERT PARK TO THE MOBILE HOME PARKS RENT APPEALS BOARD

**WHEREAS**, the Rohnert Park Mobile Home Ordinance (“Ordinance”) was adopted pursuant to a vote of the people at a special election held on December 8, 1987 ; and

**WHEREAS**, the Ordinance was established to prevent unreasonable rent increases while still assuring mobile home park owners a reasonable return on their investment; and

**WHEREAS**, the Ordinance establishes the Mobile Home Park Rent Appeals Board (“Board”); and

**WHEREAS**, the Board is empowered to set the rent ceiling for controlled rental spaces, issue orders, rules and regulations, conduct hearings, and charge fees to cover administrative costs; and

**WHEREAS**, the Board is also empowered to request and receive funding, when and if necessary, from the city and/or other available source, for its reasonable and necessary expenses”; and

**WHEREAS**, as a result of a difficult and prolonged process related to Valley Village Mobile Estates Tenant Petition 2009-01 (“Petition”) the Board requires a short-term interfund loan (“Loan”), in an amount “not-to-exceed” forty thousand dollars (\$40,000), to fund unanticipated legal expenses; and

**WHEREAS**, the Board has no other available source of funding; and

**WHEREAS**, California Constitution Article XVI Section 6, authorizes the temporary transfer of funds for meeting the obligations incurred for maintenance purposes by any local agency; and

**WHEREAS**, the Board has a dedicated source of revenue to refund the borrowed monies; repayment for the Loan will be derived from (1) appellant repayment of appeal costs; and/or (2) registration fees paid by tenants in rent controlled spaces; and

**WHEREAS**, the interest on the Loan shall be based on the average monthly Local Agency Investment Fund (“LAIF”) yield in effect for the term of the loan;

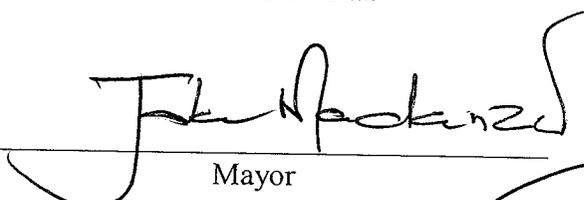
**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Rohnert Park does hereby authorize and approve an interfund Loan in an amount “not-to-exceed” forty thousand dollars (\$40,000) from general fund reserves to the Mobile Home Rent Appeals Board account #001-1710-300-3990 (i.e., transfers in) and the City Manager is hereby authorized and directed to undertake all actions necessary to effectuate such Loan.

SECTION 2. Repayment. This Loan shall be re-paid to the City of Rohnert Park's general fund reserve account #001-0000-101-0020 upon receipt by the Mobile Home Rent Appeals Board of sufficient funds either by reimbursement from appellant Caritas Corporation or from annual Registration Fees.

SECTION 3. Severability. If any action, subsection, sentence, clause or phrase of this Resolution or the fees levied by this Resolution shall be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this Resolution or the fees levied by this Resolution that can be given effect without the invalid provisions.

**DULY AND REGULARLY ADOPTED** this 25 day of September, 2012.

CITY OF ROHNERT PARK

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk



AHANOTU: A4E BELFORTE: A4E CALLINAN: A4E STAFFORD: ABSENT MACKENZIE: A4E  
AYES: ( 4 ) NOES: ( 0 ) ABSENT: ( 1 ) ABSTAIN: ( 0 )