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OFFICIAL BALLOT
CONSOLIDATED
GENERAL ELECTION

SANTA CRUZ COUNTY

NOVEMBER 8, 1988

This ballot stub shall be torn off by precinct board member and handed to the voter.

MEASURES SUBMITTED TO VOTE OF VOTERS

COUNTY

ORDINANCE ESTABLISHING COUNTY POLICY
CONCERNING UNIVERSITY GROWTH AND
ITS IMPACT ON THE COUNTY OF SANTA CRUZ

E Shall an ordinance be adopted requiring the Board of Supervisors of the County of Santa Cruz to make every effort:

- (1) To curtail the rapid and large scale growth of the University of California at Santa Cruz in order to preserve the unique and special character of Santa Cruz County; and
- (2) To ensure that the University pays for any services necessitated by its growth?

YES	+
NO	+

COUNTY INITIATIVE PROHIBITING RENT CONTROL
AND PROHIBITING PRICE LIMITATIONS ON THE
SALE OR RENTAL OF REAL PROPERTY

F Shall the County initiative measure seeking to repeal the County Mobile Home Rent Adjustment Ordinance and the County Affordable Housing Ordinance, and to prohibit the County from enacting any laws in the future restricting sale or rental prices of real property be adopted?

YES	+
NO	+

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Sample Ballot
Sample Ballot

Sample Ballot

**IMPARTIAL ANALYSIS BY COUNTY COUNSEL
COUNTY INITIATIVE PROHIBITING RENT CONTROL AND PROHIBITING PRICE LIMITATIONS ON THE
SALE OR RENTAL OF REAL PROPERTY MEASURE F**

This initiative measure states that it repeals any law of the County of Santa Cruz which imposes direct restrictions on the price for which real property may be sold, leased, rented, transferred, or exchanged and that the County of Santa Cruz is prohibited from enacting such law in the future. However, the measure does not identify any specific law or type of law which would be repealed or prohibited as imposing such direct restrictions. Nor does the measure state the manner in which the measure would operate with regard to any existing agreements or circumstances governed by any existing County law which may be repealed by this measure. The validity, effect, and operation of this initiative measure may be determined in a current Court action regarding this measure or by future Court action.

Effect of Measure on Existing Law

The proponents of this measure apparently intend that it repeal the following existing County Ordinances:

1. The County Mobile Home Rent Adjustment Ordinance (Santa Cruz County Code, Chapter 13.32). This Ordinance, adopted in 1980, limits rent increases for spaces in mobile home parks in the unincorporated area of the County based primarily on cost-of-living increases, property tax increases, and capital improvement costs.

2. The County Affordable Housing Ordinance (Santa Cruz County Code, Chapter 17.10). This Ordinance, adopted in 1979 to implement provisions of the County's voter-approved growth management measure (Measure "J") requires that at least 15% of the units in new housing developments of five or more units in the County unincorporated area be affordable for purchase or rental by persons determined to be of average or below average income.

Operation of Measure

The proponents of this measure apparently intend that it operate to prohibit the County of Santa Cruz from enacting any future rent control law or any affordable or inclusionary housing law and repeal any such existing law.

If the existing County Mobile Home Rent Adjustment Ordinance were repealed and future enactment of any similar Ordinance were prohibited, the effect would be as follows: A mobile home park owner could increase rents without restriction upon giving 80 days written notice to park residents, unless the mobile home park owner and the park residents have a written rental agreement which restricts rent increases.

If the existing County Affordable Housing Ordinance were repealed and future enactment of any similar ordinance were prohibited, the effect would be as follows. The County could no longer comply with the County voter-approved growth management measure (Measure J) by requiring that at least 15% of the units in new housing developments of five or more units be affordable for purchase or rental by persons determined to be of average or below average income. The proponents' intent as to operation of the measure on existing affordable housing agreements is unclear. The measure expressly does not restrict the County's power to zone, exercise eminent domain, or implement State housing policies by methods which may indirectly affect the price of real property.

DWIGHT L. HERR, COUNTY COUNSEL

By/ Jonathan Wittwer (Jr.)
Chief Deputy County Counsel

ARGUMENT IN FAVOR OF MEASURE F

The Framers of the U.S. Constitution understood that protecting the legitimate rights of each and every individual was the keystone of a free society. As a result, we enjoy such fundamental freedoms as Speech, Religion, Press and Assembly.

The Framers also recognized that there could be no civil rights without private property rights, and that the right of a citizen to be secure in his private possessions was a moral imperative of a free society. Finally, the Fifth Amendment protects a property owner against confiscation without "just compensation".

That's what the Fair Property Rights Initiative is all about -- freedom and civil rights and private property rights and equal treatment under the law.

The Fair Property Rights Initiative is clear, concise, and easy to understand -- no fine print, no hidden agenda. It would prohibit all forms of price controls on privately owned real estate, including rent control, except by a vote of the people.

The Fair Property Rights Initiative states clearly that an owner of real property in a free society has the exclusive right to determine the price for which that property may be sold, leased, rented, transferred or exchanged, and that the Santa Cruz County government cannot arbitrarily repeal that basic right without a vote of the people.

That's right, the Fair Property Rights Initiative gives the voters of Santa Cruz County the exclusive right to decide between government imposed price controls or individual private property rights.

A Yes vote for the Fair Property Rights Initiative is a vote for equality and individual civil rights, for fair impartial treatment, and for the freedom of each individual property owner to decide the worth of a private personal possession.

On November 8, "We the People", can give ourselves the right to make the final decision.

Vote Yes on Measure F.

- s/ Lee A. Phelps
Chairman, ACTIV-PAC
- s/ Marilyn D. Liddicoat
Former S.C. County Supervisor
- s/ Hank Schimpeler
Golf Course Owner
- s/ Tad Matsuda
Property Owner
- s/ Bill Potter
Property Owner

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE F

Don't be misled by the argument in favor of Measure F. If you care about fairness, vote "NO" on Measure F.

Measure F is sponsored by mobilehome park owners. Its essential aim is to make it possible for mobilehome park owners to raise rents on mobilehome tenants, with no limit whatsoever.

Present law limits the ability of mobilehome park owners to impose rent increases. The present law explicitly guarantees mobilehome park owners a fair return on their investment. What the present law does not allow is unfair, exhorbitant rent increases.

If you were a tenant in a mobilehome park--and many elderly and frail people on fixed incomes are--you would be at the mercy of the mobilehome park owner, unless a law protects you from unfair rent increases.

Where monopoly power exists, the U.S. Constitution and the American legal tradition have absolutely guaranteed the right to impose protection against unfair prices. After all, we don't let the telephone company, or the power company, or taxicab companies, or many other businesses impose unregulated unlimited, and excessive price increases.

Don't be fooled! Present law guarantees mobilehome park owners a fair return on their investment. They want more! Don't let the mobilehome park owners drive frail, elderly, fixed income people out of their own homes, by permitting unlimited rent increases. Vote "NO" on Measure F!

- s/ Robley Levy
Santa Cruz County Supervisor
- s/ Ann Soldo
Former Mayor, City of Watsonville
- s/ Al Rowe
Director, Region 10 GSMOL
- s/ Dan Forbus
Santa Cruz County Supervisor
- s/ John Laird
Mayor, City of Santa Cruz

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ARGUMENT AGAINST MEASURE F

The so-called "Fair Property Rights Initiative" is unfair! It's aimed at residents of mobilehome parks--many of whom are frail, elderly, and vulnerable, living on fixed incomes.

This initiative would eliminate an existing ordinance that protects elderly and fixed income residents of mobilehome parks from excessive rent increases.

Who will be hurt by this initiative? Thousands of senior citizens on low incomes living in mobilehome parks.

Who will be helped by this initiative? The mobilehome park owners who wrote this measure, and who spent thousands of dollars to promote it, in order to be able to impose unrestrained rent increases on mobilehome park residents.

The unfair "Fair Property Rights Initiative" is misleading and deceptive. It never says, in a straightforward manner, that its real intent is to trample over current law that protects mobilehome park residents from unfair rent increases. The only reason to remove the current law is so mobilehome park owners can impose unlimited rent increases. The current law guarantees mobilehome park owners a fair return on their investment. Clearly, they want an excessive and unfair return!

The "Fair Property Rights Initiative" would also amend the County's General Plan, eliminate the County's affordable housing requirements, and cancel regulations that operate the voter approved growth management system.

As Supervisors of Santa Cruz County, we unanimously believe that the most frail and limited income citizens deserve the protection provided in our existing law. If fixed income and elderly citizens are stripped of the existing protections in our current ordinance, they will face unfair and unbearable skyrocketing rent increases, and the very real prospect of losing the security of their very own homes.

Vote NO on Measure F. Don't let mobilehome park owners take unfair advantage of the frail and elderly citizens who are now protected under current law.

s/ Dan Forbus, Supervisor
First District

s/ Robley Levy, Supervisor
Second District

s/ Gary Patton, Supervisor
Third District

s/ Sherry Mehl, Supervisor
Fourth District

s/ Joe Cucchiara, Supervisor
Fifth District

REBUTTAL TO ARGUMENT AGAINST MEASURE F

County supervisors get emotional about the plight of the "elderly and infirm, on fixed incomes." They say "thousands" living in mobilehome parks will be thrown out of their homes by Measure F. That's simply not true.

The truth is, there are 48 mobilehome parks in the county area--totalling some 3,184 spaces--and no supervisor knows or has any idea how many are even occupied by seniors! Much less, by "elderly, infirm, fixed-income" seniors.

The truth is, by far the majority of senior citizens--and most of the truly needy--live in ordinary houses or apartments, on which supervisors don't dare place rent controls.

Why would so-called "moderate-conservative" supervisors vote for rent controls, on any type of property? Bluntly: to buy votes, of those who can afford reasonable rents but would rather get a "free ride" from property owners. If supervisors sacrifice principle--for the votes of less than 2% of the county populace--where will they stop?

What property do you own, that supervisors can take from you without just compensation?

The most "progressive" supervisor already has admitted that the logical next step--after rent control--is price controls for mobilehome resales. Then would come price controls on resales of private homes, apartments and business properties. If you let government do it to someone else, next time they'll do it to you!

Measure F is fair, to everyone. It's just, reasonable and sorely needed to protect our individual rights.

Vote "YES!" on Measure F.

s/ Carolyn Busenhart, Chairman

Taxpayers Bill of Rights

s/ Frank J. Evans, Chairman

S.C.C.P.O./Senior Citizen

s/ Donald Burklo

Real Estate Broker

s/ Michael Ponza

Businessman

s/ John Pollard, Retired Educator

Senior Citizen

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