

**HACIENDA CARMEL COMMUNITY ASSOCIATION
MINUTES OF THE REGULAR MEETING OF THE
BOARD OF DIRECTORS
Thursday, September 28, 2023
Casa Fiesta**

PRESENT:

Ms. Fran Baca, Vice-President & Director
Ms. Jackie Graham, Treasurer & Director
Ms. Sara Harnish, Corporate Secretary & Director
Mr. Paul Carriere, Director
Ms. Elizabeth Husby, Director
Ms. Niki Tugwell, Director
Mr. Robert Hedberg, General Manager
Ms. Jeanne Mileti, Recording Secretary

ABSENT:

Mr. Art Sutton, President & Director
Mr. Brendan Kelly, Director
Mr. Bill Quinn, Director

Twenty-five members attended the open meeting in Casa Fiesta.

1. **CALL TO ORDER:** The open meeting was called to order at 10:16 a.m. by Fran Baca, Vice-President.
2. **REVISION OF AGENDA:** No changes.
3. **MEMBER COMMENTS ON AGENDA ITEMS:**
 - Mary Lou Donegan, unit 291, commented on the upcoming pool repairs.
4. **CONSENT AGENDA:**
 - a. **Approval of Minutes:**
Regular Board Meeting of August 24, 2023
 - b. **Occupancy Approvals:**

Roy & Sharon Michaels	Authorized Occupants, Purchasing #180
Carman Bambace	Authorized Occupant – Leasing #222
 - c. **Sales Activity & Rental Report**
2 units currently listed, with 1 pending sale. 9 units sold since May 1, 2023. The current number of rentals is 43.

CONSENT CALENDAR, continued

d. Financial Report:

- i. Review of Financial Statement for August 2023.
- ii. Approval of Reserve Fund expenditures for August 2023.
- iii. Verification of bank reconciliation & check register review for August 2023.

Ms. Husby made a motion to approve the Consent Agenda. Ms. Graham seconded the motion which carried unanimously.

5. PRESIDENT'S REPORT: Vice-President Fran Baca, covering for President Art Sutton, reported:

- a. Report of discussion in Executive Session and any items requiring Board action:
 - The Board approved the bid by Collins Electric for the replacement of the electrical panels in the common area buildings in the amount of \$45,874.
 - The Board directed the General Manager to contact three Title Companies and request quotes on the costs of obtaining a title report to confirm the legal description of our property per the recommendation of our attorneys.
 - There is an opening in the Grounds Department.
 - A maturing T-Bill was rolled over for 12 months maturing on 10/1/24 at a rate of 5.5%
- b. Review of Member comments from August Board meeting. Refer to the Minutes from the 8/24/23 meeting:
 - There were three comments in the first comment period and eight comments in the second comment period.
 - The GM responded to one comment regarding pool hours for children and one comment regarding the Art studio patio expansion, which will be discussed under unfinished business.
 - The remaining comments require no response.
- c. Correspondence from or to Residents or others. The Board received four letters from Residents.
 - Two letters regarding the Art Studio patio expansion will be discussed under Unfinished Business.
 - Two letters were discussed in Executive Session and the Board will respond to the two members directly.
- d. Additional information items.
 - Ms. Baca reminded the Membership of the Open Forum to be held on Monday, October 2, 2023 from 1-3pm in Casa Fiesta. Topics to be covered are Sustainability, (What Happens To) Member Letters to the Board, and Getting Residents Involved.
 - Ms. Baca also thanked Mart Molle and all the Library Bookies for the good work they do in the library and paid special notice to the current table display featuring two books by Geraldine Brooks and several classics including To Kill a Mockingbird, 1984, Huck Finn, and Catcher in the Rye.

6. **GENERAL MANAGER’S REPORT:**

- **Status of Projects:** Mr. Hedberg reported that the site map, created by Ward Engineers, has been completed and we have received two wall-sized maps, ready to be framed, to be placed in the Durr Room and the Conference Room.

The General Manager received an e-mail stating our van has been built and is being shipped to the dealership soon. The current shuttle van is experiencing some difficulties, as the leaf-springs came apart and the van is out of commission.

The utility carts ordered for the 2023-'24 fiscal year shouldn't take as long to be shipped to us as the last few pairs have taken.

The boiler in Casa Central is complete as of yesterday. The new boiler is a “smart” boiler which monitors the outdoor temperature as well as idling when it is not producing heat. It should save considerably on energy.

The furniture for the upstairs guest rooms in Casa Amigos has been delivered and is being stored on the stage in Casa Fiesta. The maintenance crew will start on the rooms on Monday, doing two rooms at a time.

The new e-mail address for the President will be established when our IT provider shows up to upgrade our networking equipment.

There has been a new flyer created about what can and cannot be flushed into the system at Hacienda Carmel. The “Save our Pipes” flyer illustrates an important issue that seems to be misunderstood or overlooked by many. The flyer will now be part of Orientation.

The new sign regarding residents-only Pickle Ball has now been mounted in Casa Fiesta.

Electrical Panels: The contract to replace the electrical panels in the main buildings was approved in Executive Session today. The insurer has confirmed they require the panels to be replaced.

Pool Area Refurbishment: Will be discussed later in the meeting by the Finance and Architectural Review committees.

Fraud Presentation: A flyer will go out today about a presentation to be held on Monday, October 16th, at which a representative from the Monterey County Sheriff's office will talk about computer fraud, phone scams, and other scams targeting the elderly. Special thanks to Sara Harnish for setting this up.

7. **COMMITTEE REPORTS:** The following committees either presented and/or submitted reports:

- **Finance:** Jackie Graham, Treasurer and Committee Member, reported that the Finance Committee met on September 21st.

COMMITTEE REPORTS, Finance, continued

Ms. Graham reviewed the expenditures from Reserves for the month of September: We paid \$64,888.76 to Golz Construction for the Asphalt project; \$1,552.91 to Home Depot & Amazon for Casa Amigos Refurbishment; \$1,127.13 to Reate Design for a final invoice for the Casa Central Refurbishment; \$2,074.93 to MJ Murphy & Carmel Glass (tempered glass for Casa Fiesta) for Building Repairs; \$1,885.26 to Ward Engineers, Rental Depot, and Monterey County (permit) for Vegetation Removal/Fire Mitigation; \$7,633.67 to Zenda for a heater replacement in unit 10; \$956.10 to Valley Saw for Misc. Equipment Replacement; \$1,281.44 to Kelly Moore for Paint; \$10,563.89 to Turf & Industrial Supply for the amount due on the '22-'23 Utility Cart Replacements; and \$4,485.00 to River Pump Service for Well Repair. The total expenditures from Reserves for the month of August were \$96,449.09.

Ms. Graham reported that the Finance Committee discussed the scope of the pool and pool deck project and determined that due to financial constraints, the work should be limited to infrastructure only, that is, resurfacing of the pool and the pool deck only, and that in conjunction with the resurfacing of the pool deck, the condition of the underlying pipes and plumbing be assessed and that bids be procured accordingly. Ms. Winners, Chair of the Architectural Review Committee, asked if she had any additional information to offer, reported that she did not. After discussion, including that the scope of the project would include no design work, the motion made by Ms. Graham and seconded by Ms. Harnish to limit the project to infrastructure only, passed unanimously.

- **Architectural Review**: Connie Winners, Chair, reported: “The committee received and reviewed four requests for change which were approved in accordance with the Architectural Rules. There were two changes constituting a variance that were recommended for approval by the committee:

“Unit 57 requests to install an electric fireplace recessed into the living room wall. The unit is metal with tempered glass and plugs into a standard electrical outlet.” Mr. Carriere made a motion to approve the variance for unit 57. Ms. Husby seconded the motion which carried unanimously.

“Units 78 & 79 request to install a new concrete walkway from their patio gates to the existing concrete walkway. This is a level area with no slope or drainage issues. The owners are to share in the cost 50%/50%.” Ms. Husby made a motion to approve the variance requested by units 78 & 79. Ms. Harnish seconded the motion which carried unanimously.

“The outdoor dining tables have been installed on the bases. They look very nice with the chairs and are ready for outdoor dining.

“The pool furniture has been ordered and this time next month we should see it on the patio. The committee started discussion on the refurbishment of the pool and pool deck area. Mr. Hedberg reviewed the most detailed bid he had received.

“The committee continues to address the issue of residents placing things in the common area without permission. And the committee also discussed some standards for utility meter covers that have been recently requested by residents when vegetation has been removed and exposed these meters.”

COMMITTEE REPORTS, continued

- **Fire-risk Assessment & Mitigation**: Mary Pat Adams summarized the following report: “On Wednesday, September 13, the Fire-risk Assessment & Mitigation Committee held its regular monthly meeting. The first item on the agenda was a report to the Committee by the General Manager, who provided an update on the printing and framing of the new site map of Hacienda Carmel prepared by Ward Engineers that shows the entirety of the Association’s real property holdings. That update disclosed that the printing process for the maps is currently under way and should be completed relatively soon.

“A discussion was then undertaken by the Committee on the Association’s “Long Range” goals as set forth in its 2021 Report to the Board in the context of the newly approved and adopted Landscape Master Plan. Since the “Short Term” goals of the FRAM Committee are all but completed, there only remains the need to develop specific and targeted plans for the implementation of the Association’s Long-Range goals following the guidelines of the Landscape Master Plan. In the consensus of the FRAM Committee, this task going forward properly belongs with the Architectural Review Committee, whose jurisdiction *expressly* includes all landscaping matters of the Common Area according to all three versions of the Association’s CC&Rs since the first was published in 1962. [2nd in 2011; 3rd in 2021]

“Members of the FRAM Committee recognize that while the Master Landscape Plan began and grew to fruition from its own recommendations in its 2021 Report to the Board, its original mission regarding assessment and mitigation of wildfire risks is such that a shift in the Master Plan’s oversight and implementation is now required to conform to the language of the Association’s CC&Rs—a shift from the FRAM Committee to the ARC. Accordingly, the FRAM Committee recommends to the Board of Directors that it ensures members of the ARC are cognizant of the need to begin implementation of the Association’s overall landscaping needs, and its goals as reflected in the Landscape Master Plan.

“Thereafter the discussion returned to wildland fire fuel reduction, which remains in the FRAM Committee’s jurisdiction, and plans for spending the \$20,000 in grants received from the Cypress Fire Protection District on specific projects within the 2023-24 annual grant cycle. In that regard, the Committee concluded that it would begin seeking bids from tree and landscape companies to reduce wildfire fuels (i) at the West End of the property near the wastewater lift station, and (ii) at the East End directly north of the Ranch Road gate. In addition, the Committee concurred that the Association’s Grounds Crew should begin identifying trees in need of vertical distance limbing per the State’s and Firewise’s standards, and thereafter begin a gradual limbing process on such trees *inside* the berm, even though this work falls outside the eligibility for the Cypress grant fuel-reduction program.

“The next agenda item to be discussed was that of a draft Memorandum of Understanding (“MOU”) between the Quail Corporations and the HCCA, which deals with the issue of cutting, trimming and/or removing vegetation in proximity to each other’s property lines. Given that the Public Resources Code §4291 requires that no property owners may cross their boundary lines onto another’s property to do such work without permission, the draft MOU attempts to provide on-going permission, within certain and specific limitations, to cut, trim, or remove vegetation on the other’s property that is deemed a threat to structures on its property from flame or heat ignition from wildland fires. The Committee concluded that the draft MOU was reasonable, and that it recommends to the Board that an invitation be extended to the local principals of the Quail Corporations in order to present the draft

COMMITTEE REPORTS, Fire-risk Assessment & Mitigation, continued

MOU to them for their review and consideration. It was further concluded by the Committee that a discussion might also be undertaken at such a meeting regarding the existence of, rights to, and maintenance for the so-called “Ranch Road” right of way owned by the Association that runs some distance across the Quail property to Rancho San Carlos Road.

“Finally, a discussion was entered about whether or not the FRAM Committee should hold an otherwise regularly scheduled meeting on October 11, given that on this date the Committee’s Chair will be overseas. Committee member Mary Pat Adams kindly volunteered to oversee the agenda, meeting, and report of that meeting in the event that the Committee members collectively confirmed closer to that date to hold the meeting, or alternatively reconsider whether a meeting was needed or not, in which case the decision to meet could be cancelled at their discretion”.

- **Policies & Procedures:** Sara Harnish, Chair, reported: “The Policy & Procedures Committee met on September 14, 2023 with members Fran Baca, Nikki Tugwell, and Elizabeth Husby, Chair Sara Harnish, and advisors Robert Hedberg and Jeanne Mileti.

1. “Job descriptions for staff

The Committee has completed all first drafts of the job descriptions and began the process of reviewing each. The committee revised three job descriptions: Housekeeper, Shuttle Van Driver/Utility Person, and Resident Services Agent (formerly Security). These revisions have been circulated for review and will be finalized at the next P&P meeting as well as continued work on the remaining job descriptions.

2. “Use of G&G Rooms

G&G room #5: Mr. Hedberg and Ms. Baca informed the committee that certain personal items have been removed and that clearing out of personal items continues to be done. The committee suggested that a notice be placed in the bi-weekly bulletin advising residents that all personal items currently stored in G&G 5 be removed. The committee is working on a policy to present to the Board for approval regarding the storage of personal items in G&G 5 for current, active, ongoing projects only.

3. “Proposed changes to Ground Rule #14 and discussion of CC&R 9 remain tabled until the job description project is completed.

4. “Discussion of potential revision of the parking policy to address requests for second parking spots is tabled until after the policy has been in effect six months after the effective date of 6/1/23.”

- **Events & Entertainment:** Jeanne Wooldridge reported: The committee met on September 12th. 94 people attended the Labor Day celebration, 25 people attended the piano recital by Gustavo Romero, and 30 people attended the concert by the Carmel Valley Singers.

COMMITTEE REPORTS, Events & Entertainment, continued

There are great activities planned for October. On the 10th of October we are going to have a pumpkin decorating contest – whether you want to carve them or paint them – everybody brings a pumpkin of their choosing. On October 14th we will have Oktoberfest on the Village Green - \$15 for bratwurst, spaetzle, etc. And on the 29th of October the Mullallys are once again taking us on an excursion to Europe – France, Italy, and Switzerland. If you enjoyed the last one, this one sounds just as exciting, if not more so.

The committee would like to thank Bill Quinn for donating a bean bag toss game which is quite nice looking – we thank him for his generous donation.

- **Ad Hoc Fire Alarm:** Ken Rothstein reported that the committee held their first meeting on August 31st to take a deeper look into our fire alarm system, how it functions and how it's maintained. We are trying to determine if the system is being repaired and serviced in the most cost-effective way, and look and the challenges in the future this equipment might present.

We discussed a lot of aspects of the system and, thanks to Robert, we set up a meeting with a representative from First Alarm for our next meeting. We hope they will be able to answer more of our questions.

8. **UNFINISHED BUSINESS:**

- **Proposed Expansion of Art Studio Patio:** Two letters were received from the Communications Spokesperson for the Artists of Hacienda Carmel, one of which included a request to table the matter of the Art Studio expansion until the January 2024 Board meeting. The request was granted with no further action taken.
- **Review of Moratorium on Planting of New Vegetation:** Ms. Baca reminded the Board that the Landscape Plan was passed at the August 24, 2023 meeting, but the related Planting Moratorium had not been lifted. A motion was made by Ms. Graham and seconded by Ms. Harnish to lift the moratorium on planting. After discussion, the Board determined that there was not clear guidance on how to proceed, for example, what direction does the Grounds Supervisor need to proceed with planting, how should Resident requests be handled, how should the \$11,000 allocated to planting in the Reserve Study be considered? It was suggested that after two years of the moratorium being in effect, clearer direction is needed on how to resume planting. The motion to lift the moratorium on planting was withdrawn. The Board will continue to work on this matter and have a report at a future meeting.

9. **NEW BUSINESS:**

- **Administrative Corrections to Ground Rules :** Mr. Hedberg walked the Board through three administrative corrections needed to certain language and numbering in the HCCA Ground Rules. (Those corrections are attached to these minutes). A motion was made by Ms. Tugwell and seconded by Ms. Husby to accept the corrections as presented and to direct the GM to update the Ground Rules, including the copy on the website. There was no discussion and the motion passed unanimously.

NEW BUSINESS, continued

- **Evidence of HO6 & HO4 Insurance:** The Board discussed the requirement to obtain evidence of HO6 and HO4 insurance (the Membership is advised to refer to pages 64-66 of the CC&R's, Article 10, sections 10.6, 10.6.2, and 10.7). A motion was made by Ms. Husby and seconded by Ms. Graham to obtain such evidence. After discussion, the motion passed unanimously, and Management was directed to obtain this information each year along with the required Member Contact Information in compliance with Civil Code Section 4041.

10. **COMMENT PERIOD FOR MEMBERS:**

- Flossie Stowell, unit 264, spoke about consideration of a landscape advisory committee.
- Mary Pat Adams, unit 131, also spoke about a landscape committee and the art show.
- Mary Molle, unit 169, talked about managing the planting of the new landscape.
- Mary Lou Donegan, unit 291, spoke about the pool area repairs.
- Judith Woodruff, unit 73, spoke about the insurance evidence requirement.
- Connie Winners, unit 197, spoke about the forum and the need for people to serve on committees.

11. **ADJOURNMENT:** The meeting adjourned at 11:53 a.m. The next regular Board meeting will be held on Thursday, October 26, at 10 a.m. in Casa Fiesta. The Board will meet at 8:30 a.m. in the Durr Room prior to the open meeting.