

**HACIENDA CARMEL COMMUNITY ASSOCIATION
MINUTES OF THE REGULAR MEETING OF THE
BOARD OF DIRECTORS
Tuesday, November 21, 2023
Casa Fiesta**

PRESENT:

Mr. Art Sutton, President & Director
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
Mr. Bill Quinn, Director
Ms. Niki Tugwell, Director
Mr. Robert Hedberg, General Manager
Ms. Jeanne Mileti, Recording Secretary

ABSENT:

Mr. Brendan Kelly, Director

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

1. **CALL TO ORDER:** The open meeting was called to order at 10:14 a.m. by Art Sutton, President.
2. **REVISION OF AGENDA:** Ms. Baca added “Ad Hoc Committee on Lighting,” and “Pool Table for G&G 5” to NEW BUSINESS. She also asked that the minutes of the October 26th meeting be removed from the Consent Calendar.
3. **MEMBER COMMENTS ON AGENDA ITEMS:** None.
4. **CONSENT AGENDA:**
 - a. **Occupancy Approvals:**

Adrienne Otis & Stephanie Ruskell	Authorized Occupants, Purchasing #294
Natalya Livingstone	Authorized Occupant, Purchasing #29
Al James	Authorized Occupant, Purchasing #38
Mary Beth Harris	Authorized Occupant, Leasing #241
 - b. **Sales Activity & Rental Report**

1 unit currently listed for sale. 14 units sold since May 1, 2023. The current number of rentals is 43.

CONSENT CALENDAR, continued

c. **Financial Report:**

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

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

5. **APPROVAL OF MINUTES:** Ms. Baca made a correction to the Board Meeting minutes of October 26, 2023: On page 3, “Hydro Jet Purchase,” the motion should read, “...\$2,199 from the Operating Fund.” Ms. Baca made a motion to approve the minutes of the October 26th meeting with the correction. Ms. Tugwell seconded the motion which carried unanimously.

6. **PRESIDENT’S REPORT:** President Art Sutton, reported: Mr. Sutton opened his report with an announcement that one of our residents, Suzi Crary, has become a double gold medal winner at the National Pickleball Games. She finished undefeated in singles and doubles.

a. Report of discussion in Executive Session and any items requiring Board action:

- The Board briefly discussed the beginning of the budget preparation, spending for the balance of the fiscal year from Reserves, response to letters received by the Board (a Director or the General Manager will respond in writing), the personal items in G&G 5 and the Termite Shop, an increase in the Alarm company charges (to be reviewed by Finance), and an update on the circuit breakers in the common area buildings.
- The Board received a final draft of the doctor’s office agreement, to be discussed later in the meeting.
- The Board further discussed the status of the legal description being filed by counsel, and the MOU with Quail.

b. Review of Member comments from October Board meeting. Refer to the minutes from the 10/26/23 meeting:

- The Board was thanked for having the fortitude to vote for a special assessment.
- Another resident spoke about the Art Group’s request for a patio extension, the PA system in Casa Fiesta, and extended an invitation to visit the Library.

c. Correspondence from or to Residents or others. The Board received seven letters from Residents.

- The letters concerned the special assessment, the idea of a cell tower, pool furniture, a pool table donation, suggestion of an Ad Hoc Lighting committee, and a drainage issue.

7. **GENERAL MANAGER’S REPORT:**

- **Status of Projects:** Mr. Hedberg reported that the new shuttle van is still sitting on a lot in Kansas City waiting to be put on a train. The utility carts for the ’23-’24 fiscal year, however, will be delivered tomorrow.

GENERAL MANAGER’S REPORT, Status of Projects, continued

Rooms 308 through 311 in the Guest House have been completed. All that remains is the apartment, room 307. That will be taken on in the new year, as it is booked through the end of this year. The upgraded rooms were completed well under the targeted allocation.

The General Manager noted that he continues to work with Ken Rothstein on possibilities for the pool area. They met with another contractor and will ultimately put together a proposal for the Board to review. Once the scope of the project is identified they will put together a bid spec

Damage to Carport 5: Mr. Hedberg explained that a tree service truck hit the end of Carport 5. The damage is being repaired and the cost will be covered by the tree service.

EV Charging Station: The General Manager reported that the EV charging station went online in mid June. Through the end of October we have received \$2,122 in income, and it appears to be increasing each month.

Grounds Personnel Change: The new employee in Grounds did not stay, and we have hired another employee, Juan Diaz, who will be starting on Monday.

Trash Schedule: Trash will be picked up on Wednesday this week, due to the holiday.

Suggestion Box: It was requested at the forum that a suggestion box be placed in the main building. One has now been installed on the wall across from the coffee station.

Holiday Schedule: The business office will be closed Thursday and Friday of this week, and the Dining Room will be closed on Friday, reopening on Saturday.

8. **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 November 16th. Following review of the October, 2023 financial statements, the committee reviewed the expenditures from Reserves for the month of October: We paid \$1,697.79 to Della Mora Heating and \$540.00 to DV Electric for additional costs related to the boiler replacement; \$2,529.46 to MJ Murphy and Hayward Lumber for fence replacements; \$1,032.91 to E-Heat, and \$1,200 to an owner, to replace the heaters in the Residential Care Facility, and to split the cost of a furnace replacement with an owner; \$193.48 to Webstaurant Supply for one table top for the outdoor dining furniture; \$1,127.95 to Kelly Moore for building paint; \$10,045.55 to Grosfillex for the new pool furniture; and \$568.92 to Home Depot for a replacement washer. The total expenditures from Reserves for the month of October were \$18,936.06.

The Investment Committee met following the Finance meeting to discuss a CD for \$100,000 that matures on December 20th. The maturing CD got 4.7% and we are hoping to do better with a CD or T-Bill, whichever offers the highest rate, for a term of 18-months, for the full \$100,000. Mr. Carriere made a motion to approve roll-over of the CD for a period of 18-months. Ms. Tugwell seconded the motion which carried unanimously.

COMMITTEE REPORTS, continued

- **Architectural Review**: Connie Winners, Chair, reported “The committee received and reviewed ten individual requests for change that were approved in accordance with the Architectural Rules.

“There were two requests for change constituting a variance that were recommended for approval by the committee.

“**Unit 294** – Remove the existing furnace and install a ductless heating system in the attic. This has been done in a few other units and approved by the Board.” Mr. Quinn made a motion to approve the ductless heating system in unit 294. Mr. Carriere seconded the motion which carried unanimously.

“**Unit 294** – Install small dog door in the wall from the master bedroom to the patio.” Ms. Husby made a motion to approve the dog door in unit 294. Mr. Carrier seconded the motion. The Board discussed and was concerned that, because this goes through the common area, a precedence would be set without first codifying such doors. The motion failed with no directors voting in favor, five opposed, and three abstaining.

“**Pool Deck Area** – New furniture was received earlier this month and residents are enjoying the new look. The turquoise pots that were planted by committee members are in place and have added color to the area. To enhance the overall look of the area signage and pool equipment have been relocated.”

“**Refurbishment of the Pool and Decking** – Continue until the committee is apprised of the quotes from the contractor. What is the highest priority and can the work be phased.”

“**Things Placed in the Common Area** – Residents need to remember they must first request approval to place pots, statues, benches etc. in the common area.”

Ms. Winners then gave a report on items discussed in Joint Meeting with ARC and FRAM: “Myrleen Fisher, a member of ARC, outlined a plan to undertake a tree inventory of the landscaped portions of HC property. This project will rely on her leadership with assistance from several ARC and FRAM Committee members who agreed to help and search for additional resources for the creation of a tree inventory database for Hacienda Carmel. It was suggested by Ken Rothstein this could be an academic project for a college student. Brendan Kelly offered to contact CSUMB. Mary Molle offered to assist Myrleen Fisher with the database program.

“GM Robert Hedberg presented a draft plan for Vegetation Management and Implementation of the Hacienda Carmel Master Landscape Plan. ARC and FRAM Committee members discussed the plan and considered how to best assist the staff going forward, including design requirements for several existing open areas where plants have been removed this past year. The grounds supervisor David Mora does not wish to design the areas. The priority areas identified were the Art Studio, 133, 169, 185, 189, and 197. Mary Pat Adams and Myrleen Fisher offered to prepare the site drawings for each area. ARC and FRAM will continue to discuss the draft plan presented by the general manager.”

COMMITTEE REPORTS, continued

- **Fire-risk Assessment & Mitigation:** Bill Quinn, Chair, reported: “On Wednesday, November 1, Committee member Mary Pat Adams and the Chair attended a meeting at the Cypress Fire Protection District (“Cypress FPD”) regarding implementation of its annual wildfire fuel reduction grant program. CalFire Capt. Shayon Ascarie conducted a power point presentation of the program, which was followed by questions by the many grantee representatives in attendance, and answers by the Cypress FPD staff. One point of significance made by their staff was that notwithstanding the “100-foot from structures limitation” in the grant’s criteria, if the work to be done is (i) not routine maintenance, and is (ii) for the purpose of wildfire fuel reduction as a one-time action, the grant *might* (upon pre-approval) cover such work even if within the 100-foot distance proximity to structures.

“On the same afternoon of November 1, after the meeting at Cypress FPD, Committee member Adams and the Chair walked part of the berm and the West End parcel of the Association, and taking notes visually identified the first fuel-reduction work project proposal the Committee might consider under the \$20,000 matching grant the Association was awarded for the 2023-24 grant cycle. That proposal was in fact discussed at the November 8 meeting of the FRAM Committee, and ultimately scheduled for action at the next Executive Session of the Board in which approval of the contractor to do this work is on the agenda.

“On Wednesday, November 8, the Fire-risk Assessment & Mitigation (FRAM) Committee held an abbreviated but regular monthly meeting beginning at 1:30 pm, which was followed immediately by a joint meeting with the Architectural Review Committee (ARC) at 2:00 pm. The first item on the FRAM Committee’s Agenda was distribution to the Committee members of the pre-final “Report of the Fire-risk Assessment & Mitigation Committee to the Board of Directors on Completion of ‘Actions Achievable Short Term’ Set Forth in the Committee’s Report of December 21, 2021.” The Committee members were advised by the Chair that this draft of the Report, tentatively dated December 13, 2023, contained all the corrections made by the members in the initial review and edit process, and that unless some glaring omission or other error was found in this final review, this would be the form of the Report to be sent to the Board of Directors for further action by the Board at its December 28, 2023 meeting.

“The second item on the FRAM Committee’s Agenda was distribution of a copy of an initial fuel reduction project proposal under the 2023-24 Cypress FPD grant program. This proposal, already mentioned above, was discussed in a very compressed time frame, and due to this shortness of time in the unusual half-hour Committee meeting, the matter was referred to subsequent email deliberations between Committee members in order to come to a decision prior to the upcoming November 21, 2023 Board meeting. Those email deliberations having taken place, it was decided by a majority of the Committee to approve the proposal. In light of discussions with representatives from the Monterey Peninsula Water Management District on November 14, described in more detail below, a minor change was made to the proposal regarding the small copse near the bench along the River at the West End, which provided for limbing-up rather than removal of a small tree within the vegetation identified for removal.

“The FRAM Committee’s Agenda contained a third item, being a notice to the Committee members of a new policy of Firewise USA which now requires from its certified organizations, such as the Association, an Annual Report of their fire mitigation and related activities. Committee member Mary Pat Adams, who has been instrumental in the Association’s dealings

COMMITTEE REPORTS, Fire-Risk Assessment & Mitigation, continued

with Firewise USA, gave this notice to the members, which was followed by a brief discussion on its requirements. The FRAM Committee's meeting adjourned at 1:55 pm, which was thereafter followed by the opening of the Joint Meeting of the FRAM & ARC Committees at 2:00 pm for the primary purpose of hearing the report of the General Manager on his proposed Implementation Plan for the Association's Master Landscape Plan approved and adopted by the Board on August 24, 2023.

“At 2:00 pm on Wednesday, November 8, the Joint Meeting of the FRAM & ARC Committees opened, with its own joint agenda containing three separate items. The first item on this Agenda was a report by the Association's resident arborist, Myrleen Fisher, on the progress of her inventory of all the Association's trees within the berm. Ms. Fisher is first measuring and photographing and describing all the “core” trees within the Association's berm, with all this data eventually being digitized on a spreadsheet, after which the smaller trees in our Community will be cataloged in the same fashion.”

“A presentation with handout was then given by the Association's General Manager of the “Implementation Plan” for the newly approved and adopted Master Landscape Plan. Upon conclusion of the General Manager's presentation, it was evident by the nature and quality of the questions and discussion that followed, that the General Manager's draft Implementation Plan was well received by members of both the FRAM Committee and the ARC. In addition, in response to a request from David Mora, Manager of the Association's Grounds Crew, specific proposals were made and discussion to provide him and his Crew with some initial direction in implementing the Master Landscape Plan at the outset. With discussion concluded and with initial plans for addressing first the five “bare areas” currently in need of re-vegetation, the Joint Meeting of the FRAM & ARC Committees concluded just after 4:00 pm.

“Finally, on November 14, 2023 at 1:00 pm, three members of the FRAM Committee—Mary Pat Adams, Mary Molle, and the Chair—together with the General Manager, met with a delegation from the Monterey Peninsula Water Management District led by Thomas Christensen, in order to review the Association's fire-mitigation limbing and vegetation removal plans. The District's concerns were related to the proximity of this work in relation to the Carmel River's riparian corridor within the Association's property, and particularly whether such work might have a negative impact on the riparian environment, flora and fauna habitat, and river bank erosion. The group walked a portion of the berm and then down to the River near the dog park, discussing the Association's plans and past work in those areas. By all accounts, the District's representatives seemed satisfied that none of the past or future projects would be causing any concerns for the District or for the other local, State and Federal agencies share jurisdiction of the River and its management.

- **Policies & Procedures:** Sara Harnish, Chair, reported: “The Policy & Procedures Committee met on November 9, 2023 with members Fran Baca, Niki Tugwell, and chair Sara Harnish, and advisors Robert Hedberg and Jeanne Miletì present. Member Elizabeth Husby was absent.

COMMITTEE REPORTS, Policies and Procedures, continued

1. “Job descriptions for staff

The Committee has completed the drafting and review of all job descriptions except for that of the General Manager. The job description for the General Manager will be reviewed at the committee’s December meeting and all job descriptions will be submitted to the Board for the December 28, 2023 meeting.

2. “Use of G&G Rooms

a. G&G room #5:

The committee was informed by Fran Baca that she met with two members regarding the remaining personal items in the room. A meeting with Fran, Nikki Tugwell and the two members will be held shortly to assign storage space. A storage unit previously installed in G & G 5 by another member will be made available for storage going forward. The committee is planning to prepare a policy to present to the board for approval regarding the storage of personal items in G&G5 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 revision to the parking policy to address requests for second [carport] spots is tabled until after the policy has been in effect six months after the effective date of 6/1/23.

5. “Robert Hedberg provided a Fact Sheet summarizing the legal framework regarding the distinction between Service Animals and Emotional Support Animals. He will draft a policy that will provide an amplified statement explaining our current Association rules regarding what, when and where a Service Animal can be present in a public space.

- **Events & Entertainment:** Michael Zarefsky, Chair, reported: “In your Board Packet is a memo from the E&E committee in regard to usage of G&G Room #5. The committee is requesting authorization to allow a donated pool table to be utilized in that room. [This has been added to New Business]. The existing Mosaic class would not be affected.”

“We’ve had several successful recent events such as the [Mont] Blanc presentation by David & Linda Mullally which was attended by approximately 55 people. The youth piano recital on November 11th had approximately 75 people in attendance. Coming events include a craft fair on December 2nd [check or cash only please], and a holiday potluck on December 10th.

Mr. Zarefsky noted they are already planning New Year’s Eve, which is their biggest event of the year. He invites everyone to attend.

“As of 10/31/23 our remaining unused budgeting funds totaled about \$5,500.00.”

COMMITTEE REPORTS, continued

- **Ad Hoc Fire Alarm**: Ken Rothstein, Chair, reported that at the last meeting, on November 15th, the committee discussed the following items: 1) Regulatory compliance issues with our alarm system, 2) reducing repair and maintenance costs, 3) repairing vs replacing systems or components within the system, and 4) obtaining estimates from other contractors for maintenance and repair.

Using that as a basis going forward with our next steps, we are trying to find ways to reduce the dependence on our outside contractor through training in-house staff to perform specific repairs and maintenance. Also, stocking parts that can save time and money in the event of a system failure. We are also researching and interviewing some outside contractors, so we can get a comparison for our pricing and service.

The committee is also continuing to learn more about the regulatory side of it which will help us better make a decision in the future, if we should decide to upgrade the system.

Mr. Rothstein wished all a happy Thanksgiving.

9. **UNFINISHED BUSINESS:**

- **Proposed Expansion of Art Studio Patio**: Tabled until January at the request of the Art Group.
- **Evidence of HO6 & HO4 Insurance**: Mr. Sutton noted that this has been discussed in prior meetings and at the recent forums. Members will be asked to provide proof of insurance, as required by the CC&Rs, and they can get this proof from their insurance agent and even arrange for proof to be sent directly to Hacienda Carmel each year.

10. **NEW BUSINESS:**

- **Ad Hoc Committee on Lighting**: Discussion and action deferred to next month.
- **Pool Table Proposal for G&G 5**: Discussion and action deferred to next month.

11 **COMMENT PERIOD FOR MEMBERS:**

- Susan Reddington, unit 238, read her letter requesting a membership vote on a cell tower.
- Norm Nelson, unit 162, read his letter regarding the health effects of cell towers.
- Dale Agron, unit 297, received a letter from her lender regarding flood insurance.
- Mary Lou Donegan, unit 291, spoke about cell towers and real estate values. Would like to vote on a cell tower.
- Heather McLaren, unit 88, was concerned that the Board would override any vote on a cell tower.

12. **ADJOURNMENT**: The meeting adjourned at 12:02 p.m. The next regular Board meeting will be held on Thursday, December 28, 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.