

**HACIENDA CARMEL COMMUNITY ASSOCIATION**  
**MINUTES OF THE REGULAR MEETING OF THE**  
**BOARD OF DIRECTORS**  
**Thursday, June 22, 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  
Mr. Brendan Kelly, Director  
Mr. Bill Quinn, Director  
Ms. Niki Tugwell, Director  
Mr. Robert Hedberg, General Manager  
Ms. Jeanne Mileti, Recording Secretary

**ABSENT:**

Mr. Art Sutton, President & Director

Forty-one members attended the open meeting in Casa Fiesta.

1. **CALL TO ORDER:** The open meeting was called to order at 10:00 a.m. by Fran Baca, Vice President. Ms. Baca introduced the three new Board members: Paul Carriere, Brendan Kelly, and Niki Tugwell.
2. **REVISION OF AGENDA:** Ms. Baca requested that the Annual Meeting minutes of 6/6/22 be removed from the Consent Agenda. Ms. Harnish requested that the Regular Board Meeting minutes of 05/25/23 be removed from the Consent Agenda.
3. **MEMBER COMMENTS ON AGENDA ITEMS:**
  - Mary Lou Donegan, unit 291, asked if the special meeting to discuss the landscape plan, called for by petition, could be moved to a day other than the day of the next Board meeting.

Ms. Baca noted it will be dealt with under New Business today.

4. **CONSENT AGENDA:**

- a. **Approval of Minutes:**  
Special Board Meeting of May 15, 2023  
Board Organizational Meeting of June 8, 2023

CONSENT AGENDA, continued

**b. Occupancy Applications:**

Bruno & Carmel Hoffman	Authorized Occupants, Purchasing #3
Phyllis Thompson	Authorized Occupant, Purchasing #129
Hilary Anderson	Authorized Occupant, Purchasing #97
Barbara Barre	Authorized Occupant, Purchasing #145
Rachel Saunders	Authorized Occupant, Leasing #69

**c. Sales Activity & Rental Report**

0 units currently listed, with 0 currently in contract. 6 unit sales since May 1, 2023. The current number of rentals is 42.

**d. Financial Report:**

- i. Review of Draft Financial Statements for May 2023.
- ii. Approval of Reserve Fund Expenditures for May 2023 total \$7,458.54.
- iii. Verification of bank reconciliation & check register review for May 2023.

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

5. **APPROVAL OF MINUTES:** The Board considered the minutes of the Regular Board meeting of May 25, 2023. Ms. Harnish made a correction to the President’s Report, Page 5, second paragraph from the bottom. She noted that she voted in opposition to allowing the frog statue in front of unit 55. Ms. Husby made a motion to approve the minutes of the May 25<sup>th</sup> meeting with the correction. Ms. Harnish seconded the motion which carried unanimously.

The Board considered the minutes of the Annual Membership meeting from the previous year, dated June 6, 2022. Ms. Baca made a correction to Page 7, bottom paragraph: Mr. Womer reported the Employee Benefits and Handbook Committee members. Bill Quinn was not on that committee, but Art Sutton was. Ms. Harnish made a correction on Page 6, under Fran Baca’s report, 5<sup>th</sup> line from the bottom: “found fiscal plan” should be changed to “sound fiscal plan.” Ms. Husby made a motion to approve the minutes of the Annual Membership Meeting of June 6, 2022 with the corrections. Ms. Harnish seconded the motion which carried unanimously.

6. **PRESIDENT’S REPORT:** Ms. Baca reported that the Board met in Executive Session at 8:30 a.m. and discussed the special meeting on the landscape plan – the date of the meeting has been changed and will be discussed under New Business. There was a discussion of the bank account for the Book Shop and Library. There was a request by a member for a second carport space. Since the new parking rules went into effect on June 1<sup>st</sup>, that request was denied. The Board also discussed liability issues regarding use of common area. Our attorney noted the Board does have the authority to grant use of the common area, and recommends a written agreement for the Doctor and the Massage Therapist. The General Manager met with Dr. Saddy and he is fine with it. He also mentioned that he will come more often to see patients if more residents wish to see him.

**PRESIDENT’S REPORT**, continued

At the last Board meeting nine members made comments. Three were specifically identified at that meeting. One comment, related to carports, was handled in executive session. Another comment mentioned the budget shortfall and additional lobby expenditures. Ms. Baca noted she met yesterday with that member and answered those questions directly. The other comments do not require any response.

The Board received five letters. All of the letters will be posted on the Association’s Bulletin Board. There were two letters from a member regarding carport issues; one letter from a member regarding the HOA fees; one letter requesting clarification of the expenses for [the landscape at] unit 243 (Ms. Baca met with that member yesterday and answered her questions); and one letter from a member regarding the library and bookshop.

**6. GENERAL MANAGER’S REPORT:**

- **Status of Projects:** Mr. Hedberg reported that the refurbishment of the berm has been completed by Golz Construction. There was one invoice for \$53,000 that has been paid. There are no additional costs. Golz was kind enough to give us the leftover DG and spread it in the dog park for us at no extra cost.

The camera replacements (for the cameras on the bridge and at the entrance to the west end) is still in progress. We had problems with the old coaxial cable, which has been repaired, and we are waiting for the modem installation, which may take two to three weeks.

The site map revision is still in development, with some fine tuning being done.

The shelving project in the Library has been completed by our amazing maintenance crew. They did a great job of matching the existing shelving in that area.

There has been no update on either the new shuttle van or the utility carts.

- **Insurance Refund:** The General Manager noted that last month the Board approved renewal of the property/liability insurance. We have since received an e-mail from HUB stating that between the quoted amount and the final invoice, there is a \$17,609 rebate due to Hacienda Carmel. They will be sending a check for that amount.

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

- **Finance:** Jackie Graham, Treasurer and Committee Member, reported that there was no meeting in June of the Finance Committee. This happens as the Board transitions to new committees in that month.

COMMITTEE REPORTS, Finance, continued

Ms. Graham presented Resolution 2023-001 to the Board, which authorizes transfers between funds in excess of \$10,000. California Civil Code §5502 requires authorization from the Board of Directors, in writing, for any transfer between bank accounts in excess of \$10,000. The resolution covers the monthly transfer to the Reserve Fund, loan repayments to Reserves and the Solar Savings Account, transfers for payroll, as well as any transfer of funds in Schwab from the Cash Sweep to Money Markets (or vice-versa), for the purpose of gaining a higher rate of interest. The resolution requires a vote of the Board and signatures of the President and Corporate Secretary. Ms. Harnish made a motion to adopt Resolution 2023-001. Ms. Tugwell seconded the motion which carried unanimously.

- **Architectural Review**: No meeting held in June.
- **Fire-risk Assessment & Mitigation**: Bill Quinn, Chair, reported: “The first item of business to report to the Board of Directors was the presentation and discussion of the Association’s Firewise USA certification to the Association’s membership at the June 5, 2023 Annual Meeting. This was done to satisfy one of the requirements of certification. A presentation on the basics of the Firewise program was given to the membership by Committee member Mary Pat Adams. This presentation was followed by a discussion of the Committee’s Chair regarding the Association’s obligations to meet not only the State’s legal requirements for wildfire safety, the insurance coverage requirements of the governing documents, and to address the actual wildfire risks on the ground, but also to maintain compliance with the requirements of Firewise certification.

“On Wednesday, June 14, the Fire-risk Assessment & Mitigation Committee held its monthly meeting. As usual, the first item on the Agenda was a report to the Committee by the General Manager. First to be reported upon and discussed were the final changes to the new site map of Hacienda Carmel prepared by Ward Engineers, pertaining to the numbering of all Units and the inclusion of the Association’s concrete walkways through addition of a CAD layer to the site map. The Committee concluded that Ward Engineers could begin on the spacing of Unit numbers, and that the GM would ascertain if the Association’s mapped walkways used by Rana Creek in its Master Plan could be used by Ward as a CAD layer for the new site map.

“The second item of the GM’s report pertained to the completion of the contract between the Association and Lopez Tree service that successfully spent the remainder of \$3000 of Cypress Fire District’s grant money by June 30. That contracted work achieved a needed widening and strengthening the currently vulnerable firebreak between the Quail property and the Association’s property at the southwest corner. That work began on June 12, and was completed the following day, on June 13, 2023, and \$3000 of the total \$5800 invoice will be paid by the Cypress Fire District’s fuel reduction grant to the Association.

“Another item on the Committee’s agenda included a discussion of the 2<sup>nd</sup> Special Meeting convened by petition pursuant to §7510(e) of the State’s Civil Code to address issues about the horticultural Master Plan for the Association developed by Rana Creek. Scheduling for this meeting is governed by §4.13 of the Bylaws, and the Committee discussed the agenda for the meeting, and ways to make the meeting efficient, educational, and orderly. This meeting has now been scheduled for July 27, immediately following the regular monthly meeting of the Board of Directors.” [The meeting date was changed to July 19<sup>th</sup>.]

**COMMITTEE REPORTS, Fire-risk Assessment & Mitigation, continued**

“In response to a request of the Association’s V.P., Fran Baca, she was invited to the Committee meeting to present several issues to its members. These issues largely pertained to concrete walkways from Residents’ patios to nearby concrete thoroughfares as those walkways relate to safety, and to the Association’s Rana Creek Landscape Master Plan. It was suggested that a postponement of funding for further solar panels might be used as a method for generating revenues for the walkway and related safety proposals. A discussion ensued from this suggestion as to the proper funding source of such walkways—Residents who request them, or the Association—and the historic practice of Hacienda Carmel on this issue over the years.

“Finally, West End weed and grass mowing began June 20 by Arturo Bazaldua, since Mr. Kennedy, who had done this work for the Association for some time, is no longer doing this work. The mowing was targeted to the West End parcel and the sides of the drainage at the Association’s southwest corner of the berm, arguably our most vulnerable point of risk for an intrusion of a wildfire into the residential areas of the campus. Mr. Bazaldua’s work was also concluded on June 20.”

- **Policies & Procedures**: Mary Pat Adams, Chair, reported: “The Policy & Procedures Committee met on June 15, 2023 with members Fran Baca, Sara Harnish and Elizabeth Husby, chair Mary Pat Adams and advisor Robert Hedberg.

**1. “Job descriptions for staff**

The Committee scheduled additional meetings with remaining staff to be interviewed. The Committee discussed job description templates and reviewed the job application form used by HCCA and will continue to work on this project.

**2. “Use of G&G Rooms**

**a. Doctor office**

- i. GM Robert Hedberg reported on his meeting with Dr. Saddy and said the Doctor is open to the idea of a written agreement with HCCA regarding his using HCCA space for patient visits. Dr. Saddy appreciates the current space which provides a private exam room, a separate waiting area and a restroom. HCCA also provides internet access and cleaning service. Dr. Saddy said he has approximately 30 patients who live at HC and he typically sees 10 to 12 patients during the one morning a month he is at HC. He said he would expand office hours at HC if more patients require appointments.
- ii. Legal counsel told GM the Board has the power to manage the use of common area spaces as it deems appropriate. He recommended that the Board pursue a written agreement regarding the use of HC space and resources for medical care. Counsel also recommended a written agreement with the massage therapist using the space.
- iii. Committee agreed to ask the Board to consider creating written agreements for use of the HC Doctors office **and this was done today in Executive session.**

**COMMITTEE REPORTS, Fire-risk Assessment & Mitigation, continued**

- b. G&G rooms 5 and 14, the Art Studio and Termite Shop
    - i. Committee agreed to table discussion of additional space for arts and crafts activities until more information is available.
    - ii. Committee discussed ways to encourage the clearing out of excess personal items in common areas and will continue to work on this.
- 3. “Use of Casa Fiesta for Pickleball play.**
- a. Fran met with several groups and individuals regarding pickleball play at HC.
  - b. After some discussion the Committee agreed to ask the Board to consider a policy restricting Pickleball play in Casa Fiesta to Residents only with no allowances for relatives, guests or guests staying in Casa Amigos; and to post a sign in Casa Fiesta noting: Pickleball play is restricted to Residents only - **PLAY AT YOUR OWN RISK.**

**“The Board voted to approve the motion by Ms. Husby and seconded by Ms. Harnish to direct the P&P Committee to prepare a proposed policy to restrict pickleball play in Casa Fiesta to Residents only with no exceptions and to post a sign in Casa Fiesta noting: Pickleball play is restricted to Residents only. **PLAY AT YOUR OWN RISK.**”**

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

- **Events & Entertainment:** Elizabeth Husby reported: She read the report prepared by Committee Chair, Joanne Sarrica, who thanked the Board for the opportunity to serve our community by being the Chairperson of the Events and Entertainment Committee this past year. As always it was a pleasure working with the other members, volunteers, and staff in that capacity. She plans to remain on the committee in the new year but will not be the new Chair.

At the E&E’s June meeting both Michael Zarefsky and Jeanne Wooldridge put their names in as possible Chair and Co-Chair for the committee, referring that to the Board for a decision.

Please note the E&E Committee will be sponsoring a free pie and ice cream social around the pool deck on the Fourth of July at 2 p.m. We are also planning a fabulous 61<sup>st</sup> Hacienda Carmel Birthday Party in August. There will be cocktails and hors d’oeuvres on the pool deck, a plated meal, one free drink, and plenty of music and dancing.

- 8. UNFINISHED BUSINESS:** None

- 9. NEW BUSINESS:**

- **Appointment of Committees for 2023-2024** : The Board discussed appointments for the various committees:

**NEW BUSINESS, Committee Appointments**, continued

- a. **Architectural Review Committee:** There were seven names submitted for six slots on the Architectural Review Committee: Mary Pat Adams, Bill Bennett, Myrleen Fisher, Lynn Knoop, David Mills, Ken Rothstein, and Connie Winners. The Board voted by secret ballot and the following committee was appointed: **Mary Pat Adams, Lynn Knoop, David Mills, Ken Rothstein, Connie Winners, and Myrleen Fisher as Alternate.** Brendan Kelly nominated Connie Winners for Chair of the committee, seconded by Paul Carriere. Elizabeth Husby nominated Ken Rothstein for Chair of the committee, seconded by Sara Harnish. The Board voted by secret ballot and the vote was tied – the committee will appoint a Chair. (This determined by a motion by Ms. Tugwell, Ms. Harnish second, and carried unanimously). Ms. Baca asked for volunteers to serve as Liaison to the committee. Mr. Carriere volunteered, seconded by Ms. Graham. The vote was unanimous to appoint **Paul Carriere as Liaison.**
- b. **Finance Committee:** Ms. Baca reported there were no new volunteers to serve on the committee. The existing committee was polled and volunteered to stay. The are: **Karen Kelly as Chair, Holly Carlin, Suzi Crary, Gus Underdown, Jackie Graham as Treasurer and committee member, and Art Sutton as Ex Officio.** Ms. Husby nominated Fran Baca as liaison to the committee, seconded by Mr. Kelly. The vote was unanimous to appoint **Fran Baca as Liaison.**
- c. **Investment Committee:** This committee is determined by the governing documents to consist of **Karen Kelly, Chair of Finance; Jackie Graham, Treasurer; Art Sutton, President; and Robert Hedberg & Jeanne Miletì as advisors.**
- d. **Events & Entertainment Committee:** Ms. Husby nominated **Michael Zarefsky to serve as Chair** of the committee. Ms. Graham seconded the motion which carried unanimously. Ms. Graham made a motion to appoint **Elizabeth Husby as Liaison** to the committee. Mr. Kelly seconded the motion which carried unanimously.
- e. **Fire-risk Assessment & Mitigation Committee:** The committee members have all agreed to continue: **Bill Quinn as Chair, Mary Pat Adams, David Delwiche, Brendan Kelly, and Art Sutton.** Mr. Quinn made a motion to approve the committee as stated. Ms. Husby seconded the motion which carried unanimously.
- f. **Policies & Procedures Committee:** Made up of Board members, the following three continuing directors will continue to serve: **Fran Baca, Sara Harnish, Elizabeth Husby,** and **Niki Tugwell** has volunteered to serve as well. Ms. Graham made a motion to approve the committee as stated. Ms. Husby seconded the motion which carried unanimously. The committee will appoint a Chair.
- g. **Monthly Review of Accounts Committee:** Code section §5500 requires that the Board of Directors review the bank statements, payables, aged receivables, etc. on a monthly basis. The code allows the Board to appoint a sub committee of two people if they wish to, with one of them being the Treasurer. Mr. Kelly made a motion to appoint **Jackie Graham and Niki Tugwell** to the committee. Ms. Harnish seconded the motion which carried unanimously.

NEW BUSINESS, continued

- **Report of Audit Committee** : Ms. Harnish reported that the committee was formed to assess the audit of the financial statements for the fiscal year just ended. They met with the auditors on June 15<sup>th</sup> and will present a written report in conjunction with the audit report.
- **Member Forums**: Ms. Baca presented a written proposal to all Board members to hold a series of open forums for the membership to respond to member requests to address the Board, without having to write a letter or be restricted by a 3-minute comment period at Board meetings. Her proposal is to hold six forums on a trial basis, on the first Monday of every month starting on July 3<sup>rd</sup>.

The Board discussed the proposal at length. It was determined that the governing documents allow the Secretary to call a special meeting of the membership for the purpose of discussion, but these meetings are not Board meetings and there is no authority of the Board to make decisions during them. Many of the Board members felt they would like more time to make a decision about the forums. Mr. Kelly made a motion to post Ms. Baca's proposal on the Association Bulletin Board, and to charge the Secretary with pursuing the idea, with the first meeting to be held no earlier than August, thus giving the Secretary, President, Vice President, and members of the community with an interest in a specific topic, ample opportunity to work out the details. Mr. Carriere seconded the motion which carried unanimously.

- **Petition for Special Meeting on Landscape Plan**: Ms. Baca announced that the special meeting (to be held in compliance with the petition) was scheduled for July 27, following the regular Board meeting, however, the meeting has been re-scheduled for Wednesday, July 19<sup>th</sup> at 10 a.m. in Casa Fiesta.

10. **COMMENT PERIOD FOR MEMBERS:**

- Susan Reddington, unit 238, appreciates the proposal for member forums, and noted that several months ago she submitted a letter regarding the landscape plan, with seventy-one signatures, to the Board. It has not been acknowledged yet at an open Board meeting. She feels there has to be a link between the resident opinion and Board votes. She will re-submit the letter again for the next meeting.
- Liz Tarozzi, unit 261, feels this is the best meeting she has been to. She appreciates Fran Baca's willingness to listen to the membership and feels we need to back off on how we treat the Board members – they are our neighbors too. She likes the idea of meeting in small groups.
- Heather McClaren, unit 88, has been asking for clarification on Rana and does not believe the plan should be voted on until those who oppose it are heard and we understand the financial impact. She noted she has talked to Fran Baca and appreciates that she listens. She added that she does not feel any landscape variances should be granted until this is settled. She has a planting proposal and would like it to be heard at an open forum.



**COMMENTS PERIOD FOR MEMBERS**, continued

- John Ryder, unit 148, objects to limiting pickleball play to residents only. Eliminating outsiders prevents professionals coming in to teach pickleball, or ESPN from holding the Pickleball National Championship here. He also objects to the parking rule that restricts residents with a carport from parking anywhere but their carport. This indicates they may not park in front of the main building to get mail or drive over to visit a neighbor. He feels there are shades of grey in the new parking rules.
- Haze Braudrick, unit 268, has concerns about the bridge as an exit in case of an emergency and would like the Board to pursue other egress.
- Paula Osorio, unit 66, appreciates the idea of open forums on a range of issues, and proposes that liaisons from various sections of Hacienda Carmel be involved in creating forums to address subjects that may be of special concern to their particular area.
- Joe Osorio, unit 66, feels there is a question of discrimination raised when the pickleball players are restricted to residents only, and the swimmers and those using the fitness room are not.

Ms. Harnish explained that restricting pickleball is not discriminatory in that the pool and fitness rooms are designed for particular activities, whereas the pickleball group is utilizing a common area that is not designed for that specific purpose, but rather as a community meeting area, one with windows and a stage.

11. **ADJOURNMENT**: The meeting adjourned at 12:05 p.m. The next regular Board meeting will be held on Thursday, July 27<sup>th</sup>, 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.