

Alvarado Community Association, Inc.

Board Meeting Minutes

November 10, 2020

Call to Order: The duly noticed meeting of the Board of Directors of the Alvarado Community Association, Inc., held via WebEx Tele-videoconference, in the city of San Diego, state of California, was called to order by the President at 6:05 PM.

Roll Call/Quorum Establishment: Quorum was met with 10 of 11 Directors in attendance.

Board Members present: President--Jose Reynoso, Secretary—Stacey James, Treasurer—Ken Klayman, and Vice President—Wayne Breise. Board Members: Wes Hinkle, Susan Crisafulli, Steven Neu, Austin Hong, Miguel Espinosa and Eric Poliak.

Others in attendance: Management representative, Katrina Wong with Associated Professional Services (APS.), John Steffen with the San Diego Police Department, and Sanna Loando with the San Diego City Council office.

Prior Board Meeting Minutes: Stacey moved to approve minutes from the prior October board meeting and September annual meeting. Motion seconded by Wayne, carried, and the Minutes from the September 12, 2020 Annual Meeting and from the October 13, 2020 Board Meeting were unanimously approved as presented.

Public Comment: No issues brought before the Board.

Presentations:

Officer John Steffen, Community Relations Officer with the San Diego County Police Department – Officer Steffan reports no new crime in the Association’s area. SDPD is holding CARPUS (College Area Public Safety Group) meeting on December 1st at 4pm to be held via Zoom.

Sanna Loando, on behalf of San Diego Council President, Georgette Gómez – Legislative Update: council is dealing with numerous homelessness related items including extending shelter at the convention center and securing hotels for homeless individuals to be transferred into. Council replenished emergency rental assistance program. Council is working on housing code update to bring city up to date with recent state legislation on accessory dwelling units, etc. Mayor’s Complete Communities Initiative was approved to meet state requirements on measuring development and incentivizing affordable housing

near transit. The program is optional. Council passed comprehensive surveillance ordinance.

Undergrounding Update: City attorneys reviewed the Association's letters and supporting materials. The City attorney's office maintains that they have not seen sufficient documents to demonstrate that the side pedestrian gate must allow public access. They conclude that it is more likely that the Association was required to allow emergency access via the gate. The Council policy for gated communities state that public access may not be denied for public facilities (such as park or open spaces) located on the inside of the gate. Per community's CC&Rs, the community Lot is owned by the community and intended for the exclusive benefit of the members. It has the power to restrict use of common areas including the community lot and the controlled access entry point – this means the public does not have the right to enter the community because the Association controls entrance to the community, therefore the City Attorney's Office maintains that it is private. They believe the tax-exempt status is based on incomplete information. They will provide all conclusions in a written response in the next month or two under the new administration.

Ken asks if Association declared lot open to the general public, would that make them eligible for undergrounding? Sanna responds that the City of San Diego would still have to declare it a public space, which it has not. Jose asks what about city engineers' written approval of the reasoning behind final gate design? The association did not include it in their submission because city development services should have it. According to the former Association president, the engineer's written approval, required by the city council, was made specifically so they could mandate public access through side gate. The Board asked Sanna to put this matter on hold until the Board can acquire this document via a public records request so they can strengthen their case before the new administration. Sanna will relay this to their office and the memo will likely not be issued before the new council member takes over in January.

Ongoing Business/Committee Reports:

Treasurer's Report:

Draft 2021 Budget - Ken presented his updated 2021 annual budget, dated October 18. This draft includes modifications approved by the Board during the October Board meeting. Ken highlights the addition of the 2019 surplus of \$11,905 (as determined by auditors) used to reduce required assessments. Ken took \$4500 from Safety committee budget and increased the Gate committee budget to account for expanding gate attendant hours. Overall increase in assessments from 2020 is about 2.31%.

Ken wants the budget format to be annualized rather than broken out by month. The Board concluded that using the surplus to reduce assessments is considered a "special project" that is compliant with the resolution adopted by the membership during the September 2020 Annual Meeting.

Ken motions to approve the annual budget as presented and submit the document to be included as part of the annual budget and policy disclosures packet distributed to membership. Wayne seconds, and the Board unanimously approved the 2021 budget.

Ken pointed out an accounts payable issue on the October financial statement. Ken has notified APS to address and correct the statement. Ken authorized Wells Fargo to liquidate \$100,000 from the money market account and transfer to their Alliance operating account. \$40,000 of this was paid to Hazard and All-Pro for street work. The remaining \$60,000 will be used to pay the rest of the bills/expenses until end of 2020.

Property Manager's Report: Katrina reports that she will be attending a legal symposium hosted by Epsten, APC in early December. She will put together a write up of information conveyed at the event that may affect any changes the Association needs to make for the coming year. Katrina also reminds the Board of Marshall Lewis' resolution for changes to the Association's Election Rules. Katrina will recirculate Marshall's memo for the Board's review.

Jose made a resolution to amend the ByLaws, Section 2.2, to read "the annual meeting of the Owners shall be held on the third Saturday in May at a time and place established by the Board" subject to Davis-Stirling. The purpose of this change is to be able to hold the meeting in the community park, which is more feasible in May weather. Ken seconds, and the Board unanimously passes a resolution to change the Bylaws and move the annual meeting from March to May.

Architectural Review Committee Report - August 2020:

Houses approved and currently in destruction/construction mode:

Lot 107 – Major Remodel started April 2019 – Request for one-year extension approved

Lot 74 – Major remodel of existing structure

Pending:

Lot 25 – new home construction approved

Lot 63 – backyard cabana/garage freestanding addition

Approvals:

Lot 5 – completion of front yard landscaping and stucco wall & solar

Lot 29 – remove exterior wood and replace with stucco similar color

Lot 49 – Replace current front retaining wall

Lot 50 – approval of temporary shelter for feral cats

Lot 52 – Repair & replace rebuilding of roof parapets and some siding, dirt excavation and waterproofing of the subterranean walls by the front door.

Lot 53 – Solar

Lot 58 – Solar

Lot 61 – resurface driveway

Lot 65 – outdoor kitchen on side yard patio (assume 5 ft setback was given during original remodel)

Lot 67 – new roof & solar

Lot 70 – new roof

Lot 71 – POD on street during remodel for 30 days

Lot 73 – insurance requested removal of trees next to house

Lot 83 – New roof, solar & paint on guest house to match main house

Lot 124 – add boulders to existing boulders in front yard & cover utility pipes with painted fascia

Lot 126 – Front/side yard lighting - 16 wall sconces & 4 pillar lamps

Lot M 30 – conversion of garage at side yard

Completions

Lot 32 – overgrown vegetation and dead brush/trees need to be removed

Lot 59 – removal of 3 pine trees requested by insurance company, plus removal and lacing of pine trees on south portion with neighbor's approval

Requests:

Lot 26 – regarding Lots 25, 27 & 28 and any walls in plans to build – owner to be kept in loop regarding any building with regard to privacy, view & lighting.

Lot 28 – variance for both side yard setbacks

Lot 60 – needs to follow city rules and sign the Project Requirements form – middle of the night construction disturbing neighbors

Lot 107 – Major Remodel started April 2019 – Request for one-year extension – Permit being held up due to Historical review – Letter from HOA sent to City

Gate Operations Committee Report: Steve reports operations are normal. Cleaning services have been contracted to clean the gate attendant's office and restroom, subject to a trial run through December.

Common Area Maintenance: Jose had the vegetation trimmed along the back of the park. Jose got a new sign with Dog Park rules and will have it placed on the gate. Pauly reports too many pet owners are not picking up after themselves. Susan will place a dog park etiquette reminder in the newsletter.

Temporary Access Codes: Jose wants to remind people that they need to request temporary codes for vendors, guests, etc. instead of giving out their regular codes. Susan will include this reminder in the newsletter. David is concerned that people will not get into the habit of using temporary codes and that permanent codes are too freely circulated. Austin approves of the reminders rather than changing the existing gate code system. Stacey suggests using a secondary code that owners can change regularly. She also suggests a reminder for how to buzz people in from a phone keypad be included the newsletter so there is less need to give out codes.

CACC: Jose reports zoom meetings with the city planning department are ongoing. The CACC is not meeting in December.

Streets Committee Report: Palo Verde and Yerba Santa cul-de-sac street projects

are delayed by SDG&E and pending approval for undergrounding laterals that will require trenching – at least an 8-month delay. Wayne has been unsuccessful in finding a contact to move process forward. Streets can only be paved after the trenching is complete. Wayne hopes trenching takes place within 90 days.

Jose reports flooding from behind gate due to pipe across the street that goes down into Yerba Santa being clogged again. Pauly checked on the pipe and it is perfectly intact, but there is a lot of debris from the drain across the street from gate. Jose and Pauly are working on lowering portions of the pipe, moving the drain box, and putting in new concrete to prevent future flooding.

The storm drain cover at bottom of Palo Verde is rusting away. David put a wooden reinforcement there to hold for now. Jose alerted the mail workers to avoid driving over the grate. Jose suggests having Hazard replace the grate cover as part of their street service.

Safety/Security Committee Report: David is out of town. Wayne states there is no update to report.

Communication/Technology: Susan is working on the newsletter. Susan will include Dog Park reminders about cleaning up after pets, reminders about temporary access gate codes. Stacey will send Susan material to include regarding walking and biking lanes. Susan would like articles sent to her by next week.

Austin and Susan had troubles with emails bouncing back - issue appears resolved.

Social Committee Report: *** Dates Subject to Change ***

Ice Cream Social & Concert— Saturday, November 14th @ 3 – 4 pm – HOA hosted ice cream truck with the Skylarks performing.

Club House Committee: Susan requests that the Board reviews and finalizes the Clubhouse Committee's survey to be sent to owners to gauge membership support. The committee intends to use APS, as an outside, third party, to mail out surveys, take in responses via prepaid return envelopes and tally the results to gauge support. Committee wants to collect surveys 10 days after mailing.

The Board discussed concerns with the language of the survey not clearly explaining it is intended to gauge support as a first step, rather than appearing that the project is moving forward. Susan requests that the Board submits feedback in writing over the next week to Wayne, Eric, Susan and Michelle, the members of the Clubhouse

Committee. Jose suggests that the Committee sends back the revised survey via email and the Board will have the opportunity to approve the final version via email. Ken points out that assessments likely will be impacted due to higher maintenance costs and replacement costs to the reserves, which is not addressed in the survey. Wayne believes this cost may be able to be accommodated in the existing budget without impacting total assessments. Ken and Wayne agree this will have to be a new line item in the budget that may or may not impact assessments. Jose highlights that the 501c7 status may require the Association to pay property taxes on the Clubhouse, which could impact the maintenance costs. There is a suggestion to add the following disclaimer to the survey: *Clubhouse construction will be funded by donations only, but there will be an annual recurring cost for maintenance, reserves, and property taxes, etc. However, these annual recurring costs may or may not be fully absorbed into existing budget and therefore may or may not impact overall assessments.*

Calendar: Next Board meeting is currently scheduled for Tuesday, January 12, with details to be confirmed closer to the date as a result of the pandemic. An Executive Session meeting will take place Monday, November 16th, 2020 at 6pm via Webex to discuss setback variance decision.

Adjournment: There being no further business, the Board meeting was adjourned at 7:36 PM.

Minutes respectfully submitted by K. Wong.

Secretary Certification:

Minutes approved during the Board Meeting held on _____.

Signed: _____, Stacey James - Board Secretary