

Alvarado Community Association, Inc.

Board Meeting Minutes

July 13, 2021

Call to Order: The duly noticed meeting of the Board of Directors of the Alvarado Community Association, Inc., held at the Alvarado Community Park, in the city of San Diego, state of California, was called to order by the President at 5:32 PM.

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

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

Others in attendance: Management representative, Katrina Wong with Associated Professional Services (APS); Officer Melissa Link with the SDSU Police Department; and Jefferey Nguyen with the office of City Council Rep. Sean Elo-Rivera.

Prior Board Meeting Minutes: Stacey moved to approve minutes from the prior Special Clubhouse Committee Meeting on May 8th, 2021 and Organizational Board Meeting after the Annual Meeting on May 15th, 2021. Motion seconded by Wes. With no abstentions and no oppositions, the Minutes from the May 8th, 2021 and May 15th, 2021 meetings were approved.

Public Comment: No issues brought before the Board.

Presentations:

Officer Melissa Link, San Diego State University Police Department Community Report – Officer Link reported the summer concert series will take place starting in August at the Open Air Theater. Full capacity concerts will also recontinue at Viejas Arena. Officer Link is leaving the SDSU Police Department to pursue a master’s degree. Her replacement will be announced soon.

Jefferey Nguyen, Council Representative on behalf of Representative Sean Elo-Rivera – The Councilmember’s office is exploring a new parking policy no longer mandating businesses to provide parking aimed at increasing walkability for lack of parking available. The office is also continuing its homelessness outreach program focusing efforts on harm

reduction and housing availability. August will be a legislative recess where no legislation shall be passed.

Jose thanks Jefferey for facilitating communication between the city councilmember's office, the Board, and the City Attorney. Given that the City Attorney's office has not changed its position regarding undergrounding for Alvarado, Jose noted the Board will explore other options.

Contact: JeffereyN@sandiego.gov

Ongoing Business/Committee Reports:

Treasurer's Report: Ken is still waiting for the April and May 2021 statements from APS Financial Department. The delay is due to APS' financials department working on reconciling them to the recently completed Tax Audit. The Reserve study preparations is also delayed without the most recent financials.

Assessment Delinquencies – APS reports Ciceron Law has recorded liens on the 3 parcels the Board previously approved. One of the three has paid the outstanding balance in full as of July 12th. Collections will continue to send parcel numbers as they become eligible for Board approval to record liens.

Property Manager's Report: Nothing further to report at this time.

Architectural Review Committee Report - July 2021:

Houses approved and currently in destruction/construction mode:

Lot 25 – new home construction started 12-21-20

Lot 74 – Major remodel of existing structure – **REQUESTING one-year extension for major remodel:**

Wayne motions to approve granting the one-year extension. Wes seconds. With no opposition, the Board grants Lot 74 the one-year extension requested. 04-13-2021

Lot 107 – Major Remodel started April 2019 – Request for one-year extension approved – Permits issued 11-30-20

Pending:

Lot 27 – new home construction approved

Lot 28 – new home construction approved

Lot 63 – backyard cabana/garage freestanding addition

Approvals:

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

Lot 15 - Repaint House, Replace Gutters, Resurface Driveway

Lot 26 – repaint front door & side window if needed

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

Lot 36 – additional solar panels

Lot 38 – resurface driveway

Lot 47 – replace windows

Lot 50 – approval of temporary shelter for feral cats & additional solar panels

Lot 51 – solar

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 73 – insurance requested removal of trees next to house

Lot 84 – curb cut to access back yard

Lot 124 – resurface driveway

Lot M 30 – conversion of garage at side yard

Lot T-6 – replace fencing

Completions

Lot 15 - Repaint House

Lot 23 – replace roof

Lot 49 – Replace current front retaining wall & front yard landscaping

Lot 123 – remove dead pine tree

Lot 124 – resurface driveway

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.

Gate Operations Committee Report: Steve reports the gate arm stopped working earlier in the day. Recently one of the gate arms was broken when a guest of a resident drove into the arm. The Board resolved to issue a warning instead of fining the individual at this point. Steve also noted the gate attendant agency has hired another attendant who is undergoing training with the lead attendant. Shifts will no longer be as long as they had been.

Common Area Maintenance: Jose reports the sculpture in the common area vandalized/broken. This is the latest incident in a series of vandalizations. Previously, the bolts were removed from the community playground climbing structure. Jose and Wayne had the structure restored the same day. Had this issue not been quickly noticed, and the Board not able to fix it so quickly, a child could have been seriously hurt, raising a concern of potential liability. Susan believes this is intentional vandalism. These acts of vandalism have gone on for years. Though a camera system may be expensive to maintain, the potential cost of liability from injury is far more expensive. Austin points out that even if the Board were to set up a camera, it is difficult to capture the park area where most of the vandalism has taken place. Wayne confirmed that Paul Feuer is performing regular, documented inspections of the park and park equipment. Steve suggests reinforcing the playground bolts with Velcro to make them hard to tamper with. The Board thanked Steve for putting the

art statue back together.

CACC: Jose reports the planning board is preparing its capital improvement project wish list. Jose volunteered to participate in the committee along with members of the Kensington, Talmadge, and Navajo Area planning groups.

One of the items on their wish list is to add a second lane/ramp from Montezuma onto Fairmount. The second item is to increase bike accessibility in the SDSU area to lessen traffic. This includes eliminating parking and painting new bike lanes. Jose has requested these two things be accomplished before the beginning of the fall semester. While both items are expensive, the planning board is acting on Senator Atkins' advice for the three groups to push the Mayor and Councilmember's office to funds these projects using extra funds from the increased gas tax.

Streets Committee Report: Wes reports the ongoing street pavement project is complete, potholes are repaired, and signs have been repainted. The streets should be good for the next 15 years. All outstanding bills to contractors have been paid. All streets projects planned for 2021 have been completed.

Undergrounding Update: Jose quickly summarized the history behind the undergrounding issue: September 2020 - Jose sent a response letter to the initial letter excluding the Alvarado Community from SDG&E's undergrounding efforts. November 2020 – Sana of the former Councilmember's office reported the office would respond to Jose's letter during the Board meeting. July 2021 – Jefferey updated that the City Attorney's office maintains their position so no response letter will be sent.

Jose wants to reaffirm the Board grants him authorization to seek legal counsel to file a claim, a precursor to a lawsuit against the City. Jose has a contact who is experienced in litigating against the City. Jose and Ken wish to have this contact give her initial assessment of the Association's position. If she cannot take on the case, she will direct the Association to a litigator who can.

Stacey motions to reaffirm prior agreement to seek legal assistance in assessing Alvarado Association's legal position against the City of San Diego, with an initial cap of \$5,000 in fees. Wes seconds. With no abstentions and none opposed, the motion passes.

Safety/Security Committee Report: Eric reports a massive homelessness encampment

near southeast Montezuma and Fairmont (not in Alvarado Estates). Eric took a video of the encampment, improved the quality, and posted it to both YouTube and the NextDoor App. There were also reports of campfires at the encampment from Kensington neighbors. As a result of the reporting from so many members of the neighboring communities, the encampment had been cleared and cleaned.

Communication/Technology: Austin's new video camera system was tested recently when police authorities asked him to provide footage for a criminal investigation. Though his footage was ultimately unhelpful to the police investigation, it did prove that the cameras do work to read license plates as intended. There are still issues with the camera down on Yerba Anita, so Austin will go and check it this week. Susan reports there will be a newsletter coming out as soon as members submit their content to be included.

Community Clubhouse Ad Hoc Committee: Wayne reports the committee has raised \$259,000 so far with an additional 22 owners pledged to make donations. If the pledges are fulfilled, this will push the project over \$400,000. This demonstrates community investment and that the committee can raise the funds needed to build the clubhouse without doubt.

Clubhouse Legal Update: The Association's legal team at Epsten have advised that the Association membership will need to vote on the Clubhouse because the cost to construct will be more than 5% of the annual budget. Epsten will prepare the secret ballots along with supplemental information necessary to clarify the vote.

Epsten referred Jose to another firm- Seltzer, Caplan, McMahon, and Vitek, ALC – to assist on the question of how, as a 501(c)4 organization, the Association can keep the clubhouse to members-only. If the Association pursued the Clubhouse and classified it "public" the same way access to the community park is public, this could be challenged and end up endangering the Association's 501(c)4 tax status. The Board considers maintaining the Association's tax-exempt status is paramount and that they intend to take every caution to ensure compliance with the Association's legal requirements. Jose spoke to Seltzer, Caplan and reported the firm is seeking a \$5,000 retainer for this work. Ken motions to proceed with Seltzer, Caplan's \$5,000 retainer. The motion was seconded and passed unanimously. Ken will prepare a memo for the lawyers to focus their approach in order to contain legal fees. Jose and Ken will do an initial conference call with Seltzer, Caplan regarding the scope of the project.

Ken reports there is currently \$243,000 in the special Clubhouse bank account. Wayne received another \$50,000 from Charco Construction who designed the former proposed clubhouse. This brings donations to \$310,000 with over \$100,000 expected from pledges.

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

Family Movie Night Under the Stars— Saturday, August 21, 2021 – “Back to the Future” starts at 8 pm

Concert in the Park or Ice Cream Social— Saturday, September 18, 2021

35th Annual Picnic & Halloween Party— Saturday, October 30, 2021 – 3:00 to 6:00 pm

New Business

Updating Governing Documents: Jose reviewed the current governing documents and found one reference to “private streets.” Jose requests approval to change the language in all documents to reflect the public nature of the streets and community park. Wayne will draft new rules and circulate prior to Board adoption.

Clubhouse Donation: David and Debbie Hopkins attended the meeting to present their \$100,000 donation check to the community clubhouse effort in person. They get the honor of naming the pavilion.

Calendar: Next Board meeting scheduled for Tuesday, September 14th at 6:00 PM at the community park.

Adjournment: There being no further business, the Board meeting was adjourned at 6:50 PM.

Minutes respectfully submitted by K. Wong.

Secretary Certification:

Minutes approved during the Board Meeting held on_____.

Signed:_____, Stacey James - Board Secretary