

**HACIENDA CARMEL COMMUNITY ASSOCIATION
MINUTES OF THE REGULAR MEETING OF THE
BOARD OF DIRECTORS
Friday, December 17, 2010**

PRESENT:

Ms. Elizabeth Husby, President & Director
Mr. Lauren Upson, Vice President & Director
Mrs. Diana Barrett, Corporate Secretary & Director
Dr. Thomas White, Association Treasurer & Director
Mrs. Marcia Beaumont, Director
Mr. Bill Bennett, Director
Mrs. Arlene Erskine, Director
Mrs. Donna Rico, Director
Mr. Myron Etienne, Counsel
Mr. Dean Maxinoski, General Manager
Mrs. Jeanne Mileti, Recording Secretary

ABSENT:

Mr. Doug Leach, Director

10 members attended the open meeting in Casa Fiesta.

1. **BRIEFING SESSION:** The Board met in Executive Session. Counsel attended Executive Session and gave the Board an update on Peninsula water issues. Items discussed are presented under “President’s Report.”
2. **CALL TO ORDER:** The meeting was called to order at 10:00 a.m. in the Casa Fiesta by Elizabeth Husby, President.
3. **APPROVAL OF MINUTES:** The minutes of the regular meeting of November 19, 2010 were considered for approval. Mr. Upson made a motion to approve the minutes as submitted. Mrs. Barrett seconded the motion which carried unanimously.
4. **PRESIDENT’S REPORT:** Ms. Husby reported that counsel attended the Executive session and updated the Board on Peninsula water issues and the increase in Cal Am rates. The Board received four letters from members regarding the change to the Ground Rule to disallow loading and unloading on the entrance corridor. Ms. Husby thanked those members for participating and for their input. The President explained that the Board has investigated the issue of parking in the corridor thoroughly. She read a list of options that have been presented and discussed: 1) Allow only a certain number of vehicles per unit at Hacienda Carmel, 2) Provide staff parking on the other side of the berm and provide transportation for them in inclement weather, 3) Install speed humps on the corridor, 4) Install a new parking area where the trees are dying to the right of the stop sign, 5) Install caution signs on the corridor, 6) Install pull-outs on each side of the corridor for loading and unloading, 7) Create loading and unloading areas on the circular road, 8) Do the work in stages for fiscal reasons, 9) Install signage for clarity of the new

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PRESIDENT'S REPORT, continued

rules, 10) Change the double yellow line to a single, broken line 11) Allow parking on the east side of the corridor only, on the sidewalk, for a period of 10-15 minutes only, 12) Do nothing.

Ms. Husby noted that doing nothing may be cheapest option, but is not necessarily the best in the long run. She asked that members make additional comments at this time regarding the corridor parking issue, and asked that comments be held to three minutes each.

- Vance Barnett, unit 113, indicated that he read the comments from members at a prior Board meeting, and with all due respect to Mr. Balles that gentleman was at fault in crossing a double yellow line and could have been sued if there had been an actual accident. He cautioned that people should have patience. In Carmel you very often find yourself stopped behind a truck that is double parked and you must wait until there is no more traffic to proceed; why not here too? Input from another member was accurate: We have had no problem and no accidents in that area for 48 years – leaving it as it is would be a good solution. He expressed concern about the property rights of the members who need to load and unload in that area and opined that there is the possibility of a law suit arising if those rights are taken away. Mr. Barnett cited his experience as an architect, a contractor and a real estate broker to indicate his knowledge of these property rights. He feels the association will lose the law suit. As an alternative, Mr. Barnett suggested a speed bump at the south end of the bridge and just before the stop sign at the bottom.
- Jeane Bahnsen-Moore, unit 126, feels that painting the curbs red and putting up a lot of signs is in direct conflict with the beautification of the corridor. She also expressed concern about taking down trees and adding parking. She stated it seems it would be a waste of money to pay to beautify the area if we plan on adding all of the other. She added that in all of the years she has been here she has never heard a complaint about the entrance to Hacienda and she does not think there has ever been an accident there.

Ms. Husby explained that the trees (just to the left on the ring road, after you have turned right at the stop sign) are indeed dead and will need to be removed. If parking is not added in that area we will need to replant anyway. The Buildings and Grounds Committee is aware of the issue.

With no more comments forthcoming from the membership Ms. Husby asked the Board to entertain a motion regarding the Ground Rule change. Mr. Upson indicated that the Board suggested a change to disallow parking on the entrance corridor. The Ground Rule now reads that parking there is permitted to load and unload only. Mr. Upson made a motion to change the Ground Rule to disallow parking in that area. Mr. Bennett seconded the motion.

PRESIDENT'S REPORT, continued

The President asked for discussion. Mr. Upson explained that the proposed change was put before the membership for the required 30-day waiting period and during that time the Board received quite a bit of input on the matter. With no more comments forthcoming the President asked for a vote on the change to the Ground Rule. The motion failed with all directors opposed.

Ms. Husby noted that she has outlined many of the suggestions made by members and asked for further Board input. Mr. Upson made a motion to install two speed humps; one up by the pedestrian trail and another further down by the stop sign at an estimated cost of \$2,500 per hump. He added that he feels the biggest issue is safety. If a driver is traveling the required 15 mph there is little possibility of having an accident. There is, however, a liability attached to installing speed bumps that needs to be carefully considered. Mrs. Beaumont seconded the motion to install two speed humps.

Mr. Bennett suggested that the majority of those speeding are going downhill, into Hacienda Carmel, and felt that only the west side of the road would require speed bumps. He added that he would hope the speed bumps installed would not be of the 'bone jarring' type, but rather would be more of a gentle swell. Mrs. Rico indicated that she does see people speeding up the hill quite frequently, and suggests we put the speed humps across the entire road. Mr. Upson explained the difference between a speed hump and a speed bump. A speed bump is a more jarring type of construction and hence have a liability attached to them. A speed hump is much broader and smoother, but they do slow traffic down just as effectively. Ms. Husby clarified that the motion is to install two speed humps, not bumps. The President called for a vote on the motion and it carried with six directors voting in favor, Dr. White opposed.

Board discussion continued with a motion by Mr. Bennett to allow parking on the sidewalk on the east side of the corridor only, for a maximum of 15 minutes, with strict enforcement of the time limit to be initiated. Mr. Upson seconded the motion with a clarification: Our Ground Rules now read that you cannot park on the curb because it blocks access to those with wheelchairs and walkers. However, if you park on the corridor and do not park on the curb you block one lane of access. Therefore, this motion would allow parking on the sidewalk in this area only (the east side of the corridor) for a strictly limited time. Mrs. Beaumont disagreed with allowing parking on the east side of the corridor only. If you only allow parking on one side of the corridor, those on the other side will complain that they have not been given the same consideration. She feels parking on the corridor should be allowed on both sides of the street, on the sidewalk, for a strictly limited time, for loading and unloading only. Mrs. Rico added that she hopes people who need to load and unload in that area will take a set time limit very seriously and that the Board will not hesitate to fine those who break the rule. The issue of moving vans unloading on the corridor was raised. Mr. Upson explained that when he moved in to his unit the moving van chose the corridor as the best spot to park and unload. They did, however, put cones around the van while they unloaded. He feels that in instances such as this, where the time needed to load or unload is expected to be more than 15 minutes, management can make a concession and precautions, such as cones, can be used.

PRESIDENT'S REPORT, continued

Ms. Husby clarified that the motion on the table is to allow parking on the east side of the corridor only, on the sidewalk, for a maximum of 15 minutes. She called for a vote and the motion failed with three directors voting in favor; Dr. White, Mrs. Beaumont, Mrs. Rico, and Mrs. Erskine opposed.

Mrs. Beaumont made a motion that parking on the corridor for loading and unloading, on the sidewalk, be allowed on both sides of the corridor for a period of 15 minutes only, the time limit to be strictly enforced with any exceptions to be approved by management in advance. Mrs. Rico seconded the motion. Ms. Husby clarified that the strict time limit would be enforced and failure to comply, without prior permission from management, would result in a fine of \$250. The motion carried with six directors voting in favor, Dr. White opposed.

Ms. Husby expressed hope that the committees and Board will continue to look at other parking issues and try to find creative solutions to Hacienda Carmel's parking problems. Mr. Upson made a motion to remove item c1 from the Finance Committee Report on the agenda. It was to be a proposal for installing turn-outs on the corridor from Granite Construction. Mrs. Beaumont seconded the motion which carried unanimously.

Ms. Husby noted that the date for the Employee Christmas Fund has been extended to December 20th. She hopes all residents will participate in giving to those who have done so much for us over the past year.

5. **OCCUPANCY APPLICATIONS:** Mr. Maxinoski presented the following applications for occupancy for Board approval:

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| Mafe Moreno | Authorized Occupant, unit 215 |
| Ira Ginsburg | Lessee, unit 28 |
| Barbara Clark | Owner/occupant, unit 101 |
| Deborah Champlin | Authorized occupant, unit 101 |

Mr. Maxinoski explained that the authorized occupant for unit 215 is a live-in caregiver, and the authorized occupant for unit 101 is the daughter of the owner. Dr. White made a motion to approve the applications. Mrs. Barrett seconded the motion which carried unanimously.

6. **GENERAL MANAGER'S REPORT:** **Dean Maxinoski, General Manager**

- **Rentals and Unit Sales:** Mr. Maxinoski reported that the rental queue is full. There were three sales last month although two of the units have not applied for occupancy yet, and two or three units are in escrow at this time. There appear to be about six units on the market at this time but sales are brisk.

GENERAL MANAGER'S REPORT, continued

- **Hacienda Projects:** Hacienda staff has changed the double yellow line on the entrance corridor to a single broken line. The maintenance staff will continue to improve the laundry rooms, there have been three completed at this time, and will start soon on redoing the exercise room.
7. **FINANCIAL MATTERS:** Dr. White reported that Reserve Fund expenditures for the month of November, 2010 were \$2,600 for new carpet in the Health Center. Year-to-date we have spent \$87,000. Mr. Upson made a motion to approve the Reserve Fund expenditures for the month of November, 2010. Mrs. Rico seconded the motion which carried unanimously.
8. **COMMITTEE REPORTS:** The following committees had reports:
- **Activities:** Mrs. Beaumont reported that the Art Group held a reception for their new show in the Casa Fiesta on December 8th. It was well attended and the show will remain up for all to enjoy. There was a very nice Thanksgiving Dinner offered by the Dining Room, which many people enjoyed. The Bake Sale and Bazaar was very successful and many thanks to all who baked, bought and donated. This Saturday we will be having the Christmas Luncheon which is a very special Hacienda Carmel event – everyone is encouraged to attend. Christmas Dinner will be offered on the 25th and the flyers should be in the boxes. New Year's Eve is always a very special event at Hacienda Carmel and all are encouraged to attend.
 - **Buildings and Grounds:** Mrs. Barrett reported that the committee met on December 7th. The grounds department is continuing to prune trees and do some cement work. Maintenance will be working on the laundry room remodels. The owners of units 39 and 40 requested permission to take out the ice plant behind their units. This was thoroughly discussed and decided that this may possibly cause an erosion problem. The matter was tabled until all committee members have a chance to view the area. The committee revisited the request by unit 9 to install an enclosure on his patio. This was approved. The plans from the landscape architect were received and the committee was impressed with the design. There will be a copy of the plans displayed in the lobby. The chairman of the ad-hoc parking committee wanted to know if the Board had made any decisions – those were made at today's meeting.
 - **Finance:** Mr. Bonfield reported that the committee met on Wednesday, November 15th. The meeting was spirited with discussions about current delinquencies and the proposal to install turn-outs on the entrance corridor, however, there were no direct recommendations made to the Board. The committee also discussed the Bulletin Board room and Mr. Bonfield asked to go on record as not having been

COMMITTEE REPORTS, Finance, continued

the individual that stripped the Bulletin Board of all notices – that was done by an unknown individual(s). He added that the Bake Sale and Bazaar, with sales and some very generous donations, exceeded last year with a total of \$1,200.

- **Ad-Hoc Dining Room:** Mrs. Rico reported that the committee held no meeting this month but she wanted to note that sales in the Dining Room are going up. Everyone seems to be very happy with the new Chef and she urged all residents to use the facility. At Mr. Upson's request, Mrs. Rico added that the Dining Room has lost seven place settings of silverware recently, which seems to have been removed from the tables. She asked that everyone keep an eye out and report anyone seen removing items from the Dining Room.
9. **NEW BUSINESS:** Mr. Bennett asked that the next Board Meeting agenda contain a request to ask for a refund from Berding and Weil for the rewrite of the CC&Rs. He feels they have taken too long in providing a draft.

Ms. Husby wished all a happy holiday season and suggested that residents join the Hacienda Carmel family in some of the special holiday events that we have planned.

10. **COMMENT PERIOD FOR MEMBERS:** There were no additional comments from members.
11. **ADJOURNMENT:** The meeting adjourned at 10:37 a.m. with a motion to adjourn by Mr. Upson. The next Board meeting will be held on Thursday, January 27, 2011 at 10:00 in the Casa Fiesta. Members are welcome and encouraged to attend. The Board will meet in Executive Session at 9:00 a.m. before the open meeting in the Egon Durr Board Room.