

**MINUTES VIA VIDEO CONFERENCE**  
MEETING ID: 1489663534  
**BOARD OF DIRECTORS**  
**COMMUNITY OF HARBOR BAY ISLE OWNERS' ASSOCIATION**  
**JUNE 23, 2021**

**BOARD MEMBERS PRESENT:**

Bill Pai, President  
Paul Beusterien, Vice President  
Carol Rivano, Treasurer  
Walt Jacobs, Director  
Cheryl Paterson, Director

**BOARD MEMBERS ABSENT:**

Gary Lym, Secretary

**STAFF PRESENT:**

Dawn Jaeger, Executive Director  
Joe Landaeta, Director of Maintenance  
Jacqui Vasquez, Office Manager

**OTHERS PRESENT:**

Matt Pourfazaneh, CLASS

**CALL TO ORDER**

President Pai called the meeting to order at 6:47PM.

**ROLL CALL / APPROVAL OF AGENDA**

Roll Call was conducted. The Board reviewed the agenda.

**President Pai asked that an agenda item, Old Business Item 8c-Integrated Pest Management Plan, be moved for discussion to earlier in the agenda, right after Open Forum. Director Jacobs motioned and President Pai seconded to approve the agenda.**

**VOTE:** Motion carried unanimously (5-0)

**OPEN FORUM**

There were no items for Open Forum.

**CONSENT CALENDAR**

**A. APPROVAL OF MINUTES**

**Treasurer Rivano motioned and President Pai seconded to approve the minutes as submitted.**

**VOTE:** Motion carried unanimously (5-0)

**Treasurer Rivano motioned and Vice President Beusterien seconded to approve the consent calendar as submitted.**

**VOTE:** Motion carried unanimously (5-0)

**CLASS REPORT-** Matt Pourfazaneh was present to update the Board:

- North Field Non-Compliance. As reported in April, the non-compliant departures from Northfield had increased noticeably. We discussed the issue, at a Zoom meeting, with the noise office management, FAA tower chief and the FedEx rep and their explanation was that there were a few taxiways under repair and ongoing maintenance that led to the corporate jets taking off from the Northfield. However, they promised to increase their

training of the tower staff and be more persuasive with the corporate pilots. CLASS also sent a letter to the violators (8) on behalf of the Harbor Bay Isle community.

- In addition to encouraging the community residents to voice their concern regarding the Airport Expansion Project and comment on NOP (Notice of Preparation), Shute Mihaly & Weinberger sent a formal letter on behalf of the CLASS to the port officials.
- The 2019-2020 taxes were filed, and financial data transfers are nearing completion.
- Discussion was initiated regarding the long-term stability and health of CLASS operations and development of a succession plan. This is necessary due to lack of qualified volunteers.

### **FINANCIALS**

- a) **Controller's Report-Treasurer Rivano motioned and Vice President Beusterien seconded to accept the financials as submitted, according to Civil Code Section 5509.**

**VOTE:** Motion carried unanimously (5-0)

- b) **April 2021 & May 2021 Financial Review-**The financials were reviewed by the Board.

### **E.D. COMMENTS**

Ms. Jaeger stated that the office is open by appointment only. With COVID and now the Delta Variant, we are trying to keep everyone safe while performing our jobs.

### **OLD BUSINESS**

a) **Alameda General Plan/Planning Commission/City Council-** Ms. Jaeger stated that both President Pai and Director Jacobs attended the planning meeting. There is still time to comment on the plan until 6/25/21. The City Council will be hearing the issue in July.

b) **Private Sewer Lateral Status-** Ms. Jaeger reminded the Board that the Corrective Action Work Plan is due to EBMUD by 7/12/21.

c) **Integrated Pest Management Plan-** Director of Maintenance Joe Landaeta reviewed the IPM plan with the Board. He stated that CHBIOA has eliminated the use of Round Up from their "toolbox." However, there are more weeds as a result and more costs associated with controlling and/or removing those weeds. He also suggested that sub-project boards notify their landscapers that we expect them to adhere to county requirements and post before spraying.

### **NEW BUSINESS**

A. **Re-Opening Plan** – Ms. Jaeger informed the Board that multiple associations are requesting in-person board meetings be reinstated. They also want the option for a hybrid meeting with the availability to participate in person or virtually. Davis-Stirling requires that there be a physical location for homeowners to be able to attend and be heard/hear the meeting. Ms. Jaeger will continue to assess the requirements and logistical costs of implementing a hybrid model. The Governor's Executive Order allows for virtual meetings.

B. **Harbor Bay Club-** Ms. Jaeger discussed with the Board the idea of purchasing the Harbor Bay Club, renovating and running it, in an effort to ensure that it stays a recreational facility and is not subject to being converted to new housing.

**Treasurer Rivano motioned and Vice President Beusterien seconded for Ms. Jaeger to research the costs and requirements of purchasing, renovating, and operating the Harbor Bay Club and report back at a future meeting.**

**VOTE:** Motion carried unanimously (5-0)

C. **Reserve Study Contract-** The Board reviewed the proposal from Murray Joseph & Associates for a full field evaluation for \$1,594.00.

**Treasurer Rivano motioned and President Pai seconded to accept the proposal as submitted.**

- D. Develop Political Activism Policy-** President Pai advised the Board of the continued requests from members of the community and outside the community asking the Board to take stands on political issues. Treasurer Rivano stated the Board should only review political issues that involve property values. President Pai and the Board agreed to continue on a case-by-case basis, following the policy of upholding property values.
- E. Resignation of Director Drummond-** Ms. Jaeger advised the Board of the resignation of Nicholas Drummond effective immediately.
- F. Introductions of New Staff-** Ms. Jaeger advised the Board of recently hired employees.
- G. Update CC&Rs-** Ms. Jaeger advised the Board of the possible need to amend the Community's CC&Rs. She stated that the Harbor Bay Landing Shopping Center as well as the Harbor Bay Club are not required to follow the Community's rules because they are commercial entities. However, they should be made to abide by, at the very least, health and safety standards. Ms. Jaeger recommends doing this prior to any re-zoning of the commercial space.

**Director Jacobs motioned and Treasurer Rivano seconded for Ms. Jaeger to look into amending the Community's CC&Rs as necessary to bring them up to current standards.**

**VOTE:** Motion carried unanimously (5-0)

- H. CLASS-** Mr. Pourfazaneh's request for CHBIOA to help CLASS and manage their operations was discussed. Ms. Jaeger received an opinion from the attorney that such an action would violate the Community's governing documents. Director Jacobs stated that this could be added to the CC&Rs, if we are planning on amending them as noted in Item G above. The Board directed Ms. Jaeger to talk with CLASS's attorney Carmen Borg for options where CHBIOA can manage CLASS moving forward.

- I. Correspondence-**The Board reviewed correspondence on their own.

#### **ADJOURNMENT TO EXECUTIVE SESSION-9:10PM**

#### **ADJOURNMENT BACK TO REGULAR SESSION-9:18PM**

The following was read back into the minutes after Executive Session was adjourned and Regular Session was re-convened:

Personnel matters were discussed.

**President Pai motioned and Treasurer Rivano seconded to adjourn the meeting.**

**VOTE:** Motion carried unanimously (5-0)

The next regular meeting of the Board of Directors meeting is scheduled for July 28, 2021.

Minutes approved on \_\_\_\_\_

\_\_\_\_\_  
CHBIOA Board Member