

**MINUTES VIA VIDEO CONFERENCE**  
MEETING ID: 1489663534  
**BOARD OF DIRECTORS**  
**COMMUNITY OF HARBOR BAY ISLE OWNERS' ASSOCIATION**  
**MARCH 23, 2022**

**BOARD MEMBERS PRESENT:**

Bill Pai, President  
Paul Beusterien, Vice President  
Gary Lym, Secretary  
Walt Jacobs, Director  
Cheryl Paterson, Director

**STAFF PRESENT:**

Dawn Jaeger, Executive Director  
Jacqui Vasquez, Office Manager  
Anisa Dominguez, Architectural Standards Manager

**OTHERS PRESENT:**

Jon Hamilton, CLASS  
Brian Tremper, Board President, Freeport HOA  
Michael Robles-Wong, Board President, Costa Brava  
Mita Raval, Sandpiper Cove  
Marlene Grcevich, Bay Isle Pointe  
Dorothy "Dottie" Miller, Lantern Bay

**CALL TO ORDER**

President Pai called the meeting to order at 6:45PM.

**ROLL CALL / APPROVAL OF AGENDA**

Roll Call was conducted. Ms. Vasquez stated that Village 1-C and Village 1 are currently vacant. The Board reviewed the agenda. President Pai stated that Item 9H-Legal Proposals be tabled until the next meeting because not all of the proposals were available yet.

**President Pai motioned to move Item 9A-Appointment Village 1, Item 9E-Appointment of CAC Members, and item 9G-Freeport Request to be heard after Open Forum. Vice President Beusterien seconded the motion.**

**VOTE:** Motion carried unanimously (5 in favor-Pai, Beusterien, Lym, Paterson, Jacobs); none opposed or abstained

**OPEN FORUM**

Columbia homeowner Mikyung Pustelnik presented the Board with questions/comments on the CAC and the architectural approval process. She wanted to know why CAC meetings are not open to the public, why CAC agenda packages are not posted for the public to read, and how CAC members get to be on the CAC-what is the process and how would someone who's interested find out how to apply. Executive Director Jaeger and Architectural Standards Manager Anisa Dominguez answered the questions, stating that the CAC is a committee and not a board, and therefore are not required to adhere to the Open Meetings act or follow the same procedures as a board of directors.

**CONSENT CALENDAR**

**A. APPROVAL OF MINUTES**

**Director Paterson motioned and Director Jacobs seconded to approve the minutes as submitted.**

**VOTE:** Motion carried unanimously (6 in favor-Pai, Beusterien, Lym, Jacobs, Paterson and Robles-Wong); none opposed or abstained

**Director Paterson motioned and Director Jacobs seconded to approve the consent calendar as submitted.**

**VOTE:** Motion carried unanimously (6 in favor-Pai, Beusterien, Lym, Jacobs, Paterson, and Robles-Wong); none opposed or abstained

**CLASS REPORT-** Mr. Jon Hamilton from CLASS presented the following information to the Board:

**CLASS 2022 HIGHLIGHTS TO DATE:**

1. CHBIOA CLASS fees dropped from \$2.00 to \$1.50 per household per month for 2022 as was indicated in the 2022 budget.
2. Daytime (7AM-10PM) 5 degree left turn on takeoff suggested by CLASS in 2021 to reduce noise is under review by the FAA and likely to be implemented as standard procedure within one year.
3. Taxiway bravo resurfacing completed and unauthorized Northfield departures have returned to "normal" meaning that the North field operators continue to follow proper departure procedures, which reduces BFI jet over flights.
4. Airport expansion of 17 gates in addition to the existing 26 gates have been closely followed by CLASS and concerns of making sure that the expansion plans will not increase BFI over flights from the north field have been expressed in writing to OAK by CLASS.

**ACTIONS TO BE TAKEN BY CLASS:**

1. Continue to participate in OAK meetings regarding noise and current operations. During these meetings make sure that OAK sees clearly that Alameda residents care about what is currently happening at the airport.
2. Continue to follow any and all information presented to the public or through the public information act to learn of the expansion plans and make sure that OAK will ensure that any expansion will be in compliance with the existing agreement and not result in increased North field over flights of bay Farm Island.
3. Provide an information portal and methods of reporting noise to the residents of Alameda and bay Farm Island in particular.

**FINANCIALS**

**a) Controller's Report-**Executive Director Jaeger reviewed the Controller's Report with the Board.

**b) February, 2022 Financials-President Pai motioned and Vice President Beusterien seconded to accept the February, 2022 financials as submitted, according to Civil Code Section 5509.**

**VOTE:** Motion carried unanimously (6 in favor-Pai, Beusterien, Lym, Jacobs, Paterson and Robles-Wong); none opposed or abstained

**c) Delinquency Report-**Executive Director Jaeger reviewed the delinquency report with the Board.

**President Pai motioned and Vice President Beusterien seconded to accept the delinquency report as submitted.**

**VOTE:** Motion carried unanimously (6 in favor-Pai, Beusterien, Lym, Jacobs, Paterson and Robles-Wong); none opposed or abstained

## **E.D. COMMENTS**

Ms. Jaeger advised the Board that CHBIOA Board Treasurer Carol Rivano and CHBIOA Security Sergeant Roberto De La Torre both passed away recently. Tributes will be done for both in upcoming issues of *The Gull's Call*. Ms. Jaeger advised the Board that the Security Department would like to place a plaque in Sgt. De La Torre's honor on the bench located directly outside of the Security office at the Community Center and have it dedicated. The Board agreed.

Efforts are ongoing to recruit for the open positions.

Ms. Jaeger reported that Association Manager Olivia Cortez has received her CACM certification. Association Manager Andrea Godoy is next to receive her designation. Ms. Jaeger added that we have hired an association manager, Edwin Elias, who is anticipated to start on 4/4/22.

## **OLD BUSINESS**

- A. City Items-Update-**Ms. Jaeger advised the Board that the electrical vault on the lagoon path has finally been replaced.

Ms. Jaeger stated that the dog park issue was tabled at the last Recreation and Parks Department meeting.

President Pai reported that he has been and will continue to attend the City Council and Planning Commission meetings. The City is moving ahead with increasing housing in the City; however, they have tabled the topic of license plate readers.

Ms. Jaeger was asked if the Harbor Bay Club has been sold; she stated that they have requested an escrow disclosure package from our office, but she could not say if that request meant it had been sold.

Vice President Beusterien reported that Congress recently approved a spending bill brought forth by Representative Barbara Lee that focuses on various infrastructure projects, including \$1.5 million dollars to reinforce the sea wall at Veteran's Park.

- B. Digital Signatures-Follow-Up-**Ms. Jaeger reported that issues with the digital signatures are still being worked out, specifically, the Great Plains interface with the check-writing program.

## **NEW BUSINESS**

- A. Appointment-Village 1-**Ms. Jaeger advised the Board that Treasurer Rivano had recently passed away due to cancer. Former CHBIOA Board President and current Costa Brava Board President Michael Robles-Wong was approached to be interim Village 1 Representative to the Master Board for a term of one year. He accepted.

**President Pai motioned and Director Jacobs seconded to appoint Mr. Michael Robles-Wong to be Village 1 Representative to the Master Board for a one-year term.**

**VOTE:** Motion carried unanimously (5 in favor-Pai, Beusterien, Lym, Jacobs, and Paterson); none opposed or abstained

- B. Election of New Officers-** Secretary Lym motioned that, with the exception of the position of Treasurer, the current officers remain in their current positions for the coming year. At this time, no one stepped forward to nominate themselves or someone else for the position of Treasurer. Ms. Jaeger advised the Board that the position of Treasurer can remain vacant and that the Secretary may assume the duties in the interim. **President Pai seconded the motion.**

**VOTE:** Motion carried unanimously (5 in favor-Pai, Beusterien, Lym, Paterson, and Robles-Wong); none opposed or abstained. Director Jacobs was out of the room when this motion/vote happened.

- C. Code of Conduct-**Ms. Jaeger reviewed the Code of Conduct with the Board. She asked the Board to be sure to sign the document and return it to Ms. Vasquez at their earliest convenience.

- D. Appointment-Finance Committee-**President Pai asked for volunteers to fill the vacant seat on the Finance Committee, left by Treasurer Rivano's recent passing. Ms. Jaeger suggested that Director Paterson may be interested. President Pai asked Director Paterson, and she accepted.

**Vice President Beusterien motioned and President Pai seconded to appoint Director Paterson to the Finance Committee, alongside Vice President Beusterien and Secretary Lym.**

**VOTE:** Motion carried unanimously (6 in favor-Pai, Beusterien, Lym, Jacobs, Paterson, and Robles-Wong); none opposed or abstained

- E. Appointment-CAC Members-**Architectural Standards Manager Anisa Dominguez introduced to the Board the three candidates seeking appointment to the Community Architectural Committee-Marlene Grcevich, Dorothy Miller, and Mita Raval.

**Director Jacobs motioned to appoint Marlene Grcevich, Dorothy Miller, and Mita Raval to the Community Architectural Committee. Secretary Lym seconded the motion.**

**VOTE:** Motion carried unanimously (6 in favor-Pai, Beusterien, Lym, Jacobs, Paterson, and Robles-Wong); none opposed or abstained

- F. Appointment of Board Member for ADR-**Ms. Jaeger informed the Board of the need for a board member to be the designated person to negotiate potential lawsuits that request ADR (alternative dispute resolution.) The decisions are final, unless the lawsuit ends up going to court.

**President Pai motioned to appoint Director Paterson as the board representative for ADR. Director Paterson accepted the appointment. Vice President Beusterien seconded the motion.**

**VOTE:** Motion carried unanimously (6 in favor-Pai, Beusterien, Lym, Jacobs, Paterson, and Robles-Wong); none opposed or abstained

- G. Freeport Request-**Freeport Board President Brian Tremper asked the Board for clarification and documentation regarding responsibility for the curb strip bordering Aughinbaugh and Freeport. Freeport believes this area is the responsibility of CHBIOA. Ms. Jaeger provided Mr. Tremper their own CC&Rs Article 5.1.4 Maintenance of Common Area Perimeter Sounds Walls and Fences and Alameda County Code 6.65.030 which states that the Association is responsible for any landscaping in this area. Ms. Jaeger will provide Mr. Tremper with the appropriate contact information at the City regarding Bay Edge Road.

- H. Legal Proposals-CC&Rs, Bylaws, Amendment for Quorum-**President Pai tabled this item until the April meeting as not all of the requested proposals have been received yet.

- I. A Moment of Silence in Memory of...**-The Board shared personal memories and thoughts on Treasurer Rivano and Sergeant De La Torre, and reflected on their passing during a moment of silence.

- J. Communications-**The Board reviewed communications on its own. Ms. Jaeger advised the Board that the letter has been received from Berding & Weil Attorneys regarding accessory dwelling units (ADUs). The Community Architectural Committee will be reviewing it first and seeing how it integrates with our current rules, and will then come up with recommendations. Director Paterson, followed by President Pai and Director Robles-Wong,

asked to see the letter. Ms. Jaeger stated she will forward the letter to the entire board; she reminded them that the letter is a confidential communication and should not be shared.

**ADJOURNMENT TO EXECUTIVE SESSION-8:15PM**

**ADJOURNMENT BACK TO REGULAR SESSION-8:31PM**

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

Personnel and legal matters and delinquencies were discussed.

**ADJOURNMENT**

**President Pai motioned and Secretary Lym seconded to adjourn the meeting at 8:32pm**

**VOTE:** Motion carried unanimously (6 in favor-Pai, Beusterien, Lym, Jacobs, Paterson, and Robles-Wong); none opposed or abstained

The next regular meeting of the Board of Directors meeting is scheduled for April 27, 2022.

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

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