

MINUTES VIA VIDEO CONFERENCE & IN PERSON
MEETING ID: 1448408389
BOARD OF DIRECTORS
COMMUNITY OF HARBOR BAY ISLE OWNERS' ASSOCIATION
FEBRUARY 1, 2023

BOARD MEMBERS PRESENT:

Bill Pai, President
Paul Beusterien, Vice President
Gary Lym, Secretary/Treasurer (joined at 7:00pm)
Cheryl Paterson, Director
Michael Robles-Wong, Director
Bassey Obot, Director

STAFF PRESENT:

Dawn Jaeger, Executive Director
Jacqui Vasquez, Office Manager

OTHERS PRESENT:

Jon Hamilton, CLASS
Grant Scully, Baywood Village Board President
Marian Breitbart, Brittany Landing Bay Board President
Gary Hoffer, Village 1 Candidate
Sunny Tsou, Village 1 Candidate
Jennifer Williams, Woodbridge Homeowner

CALL TO ORDER

President Pai called the meeting to order at 6:49PM.

ROLL CALL / APPROVAL OF AGENDA

Roll Call was conducted by Ms. Vasquez. The Board reviewed the agenda.

Vice President Beusterien motioned to add an emergency topic to the agenda, specifically, the proposed closure of Bay Farm Middle School. Director Paterson seconded the motion.

VOTE: Motion carried unanimously (5 in favor-Pai, Beusterien, Paterson, Robles-Wong, and Obot); none opposed or abstained.

President Pai motioned to approve the agenda with the proposed emergency addition of the Proposed Closure of Bay Farm Middle School to New Business #10E and to move item #10D-Memorial for Carol Rivano to immediately after Open Forum. Vice President Beusterien seconded the motion.

VOTE: Motion carried unanimously (5 in favor-Pai, Beusterien, Paterson, Robles-Wong, and Obot); none opposed or abstained.

OPEN FORUM

President Pai welcomed the online audience as well as the in-person audience to this first hybrid board of directors meeting.

CONSENT CALENDAR

President Pai motioned to approve the consent calendar as submitted. Director Robles-Wong seconded the motion.

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

CLASS REPORT

Mr. Jon Hamilton advised the Board of the following:

1. CLASS held a meeting with the acting city manager Erin Smith on Nov 28th, 2022 along with staff. Two key issues were discussed along with the airport expansion. This resulted in a future meeting with N field pilots and a future on site N field visit with CLASS and the city to see what noise abatement procedures and notifications are in place.
2. On Jan 10th, 2023 OAK held a pilot meeting to discuss noise abatement and many good suggestions were made by the pilots. These were later captured and a letter written to OAK management requesting follow up closure.
3. On Feb 22nd, 2023 CLASS and the city leaders and staff are available to tour the OAK N field to see in person what noise abatement notifications to pilots are in place.
4. In January, 2023, Mayor Ashcraft appointed CLASS member Jay Seaton to the Noise forum to fill Walt Jacobs seat.
5. In the January 2023 CLASS meeting, Shute and Mihaly were directed to line up noise and environmental consultants to be available once the EIR for the airport expansion becomes available.
6. CLASS announced that volunteers would be welcome to join CLASS.

FINANCIAL REVIEW

The Board reviewed the November, 2022 financials and the delinquency report provided to them.

President Pai motioned and Vice President Beusterien seconded to accept the November, 2022 financials in accordance with Civil Code Section 5509.

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

President Pai motioned and Director Robles-Wong seconded to approve the delinquency report as submitted.

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

ED Jaeger reviewed the engagement letter from Mueller & Strosberg, LLP Certified Public Accountants for the Community's 2022 audit with the Board.

President Pai motioned and Director Obot seconded to accept the engagement letter as submitted.

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

DIRECTOR REPORTS

None.

E.D. COMMENTS

1. February 8, 9, and 10 ED Jaeger will be attending the Northern California Law Seminar, part of CACM. Attendance is needed to ensure everyone knows the new laws that took effect in January. Additionally, it provides nine units of Continuing Education for the CCAM Certification Renewal. All the Association Managers and Ms. Jaeger will be attending and will be out of the office unless there is an emergency. We go every year and the education provided is beneficial.
2. Thursday, January 26, 2023, ED Jaeger sat in on the first meeting of the City of Alameda Urban Forest Plan Committee. She was able to get Michael Baefsky included on the Committee. One of her main goals is to ensure that we continue to be separate from their plan, and that Joe and Michael are there to ensure that the City doesn't try to keep planting inappropriate trees on our curbside.

3. ED Jaeger continues to work with EBMUD in determining the extent of the Community's requirements associated with the sewer lateral project. According to the CC&Rs, each landowner is responsible for utilities on their land. PipeSpy says EBMUD has indicated they want us to take the main all the way to the street on behalf of the shopping center and Ms. Jaeger has declined. EBMUD's PSL marketing states an HOA is only responsible for Common Area. Ms. Jaeger has indicated where our common area ends. The parking lot in front of the library is not our common area, and she shows even the city claiming it is public.
4. Tonight is the first night of hybrid meetings. ED Jaeger suggested that at least one board member be present at the physical location with the manager for hybrid meetings. This person, or another, should be designated by the Board to monitor the online audience during the board meeting.

OLD BUSINESS

- A. Bridge Dedication-** ED Jaeger advised the Board that the new plaques for the bridges have come in and we are ready to schedule the dedication of the Walt Jacobs Bridge. Staff will coordinate with Ms. Judy Jacobs on the specifics of planning the dedication event.
- B. Annual Meeting of Electors-**Ms. Vasquez advised the Board of the status of the Annual Meeting of Electors: no candidate statements were received for Commercial Village 1-C; two candidates, Mr. Gary Hoffer and Mr. Sunny Tsou, are running for Village 1 for a one-year term; one candidate, Paul Beusterien, is running for Village 2 (two-year term); one candidate, Cheryl Paterson, is running for Village 3-B (two-year term); and two candidates, Mr. Gary Lym and Mr. Greg Pustelnik, are running for Village 5 (two-year term). The Annual Meeting of Electors is scheduled for March 14, 2023 at 5pm. Current board members are not required to attend. The next regular board meeting after the Annual Meeting of Electors is scheduled for March 22, 2023 at 6:45pm. Officer positions will be determined at this regular meeting. Staff asked the Board if they wanted to meet again in February on the 4th Wednesday (since they were meeting on 2/1/23). The Board agreed to get back on the regular schedule of meeting on the 4th Wednesday of the month.

NEW BUSINESS

- A. January Storms Update-**ED Jaeger reported that the Community weathered the recent severe storms relatively well. ED Jaeger advised the Board that the lagoon is considered flooded when water is at sidewalk level, not just the banks. The Board thanked Ms. Jaeger for her leadership during the storms and with the City in trying to get the lagoon gates automated.
- B. 2023-01-Monetary Transfers and Authorization-** ED Jaeger reviewed Resolution #2023-01, Written Permission for Monetary Transfers (Civil Code 5502) and Delegated Authority (Civil Code 7210) to meet California Civil Code Requirements with the Board.
Vice President Beusterien motioned and President Pai seconded to approve Resolution #2023-01 as submitted.
VOTE: Motion carried unanimously (6 in favor-Pai, Beusterien, Lym, Paterson, Robles-Wong, and Obot); none opposed or abstained.
- C. Projects/Community Priorities for 2023-**The Board discussed starting up various community-sponsored events post-COVID. Staff agreed with the Board to plan for the garage sale and two ewaste/document shredding events for this year as well as a volunteer appreciation event and board trainings. The Board suggested trying a different approach to increasing attendance at the board trainings, such as shorter, multiple sessions, a standing item on board meeting agendas, providing incentives for entire boards to attend trainings. A Realtor appreciation event/Open House was also suggested; all of the events would be a way to facilitate interactions, clarify what we do at the Community offices, and recruit more volunteers.
- D. Memorial for Carol Rivano-**Baywood Village Board President Grant Scully asked the Board for permission to install a plaque commemorating Carol Rivano's years of service to Baywood

Village and to the Master Board on a rock on the lagoon path (community common area.) ED Jaeger advised the Board that there are currently no guidelines in place.

President Pai moved and Director Obot seconded to have the Baywood Village Board submit an architectural application for the installation of this plaque honoring Carol Rivano and receive approval before installing the plaque.

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

E. School Closing on Bay Farm Island- The Board reviewed the email received from a concerned homeowner regarding the potential closure of Bay Farm middle school and discussed what actions the Board should take if any at this time. The Board agreed to leave it in the hands of the School Board.

F. Communications- ED Jaeger reviewed with the Board an example of and reasoning behind implementing a Civility Clause/Pledge with our annual meeting documents along with our Conflict of Interest Statements. The Board agreed that it should be sent to everyone with the audit.

ADJOURNMENT TO EXECUTIVE SESSION-8:56PM

The Board adjourned to Executive Session.

ADJOURNMENT BACK TO REGULAR SESSION-9:44PM

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

Legal and personnel matters were discussed.

ADJOURNMENT

President Pai motioned and Vice President Beusterien seconded to adjourn the meeting at 9:44 pm.

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

The next regular meeting of the Board of Directors meeting is scheduled for February 22, 2023.

Minutes approved on _____

CHBIOA Board Member