

Sand Dollar Beach Homeowners Association

Draft Minutes as at 10/19/10 – approved on 10/22/10.

Board Meeting: Friday, September 10, 2010; Held at Aptos Community United Methodist Church, 221 Thunderbird Drive, Aptos CA 95003.

Board members present: Pat Emmons, John Linkletter, George Sousa Bill Russell

Board member absent: Bill Priest

Also present: - Harold Lucht, Zonia Sandoval Waldon, Claire Hildreth, Gene Ciabattari, Mary Ann Basler and Terry Dager

The meeting was called to order at 10.00 am.

All approvals are unanimous unless stated otherwise.

Minutes:

The minutes of the board meeting of 7/23/10 were approved.

President's Report:

A complaint had been received regarding a tree on Lot 18. Pat has talked to the owner who agreed to take care of it. Pat has been in discussion with the Canon Del Sol Association President regarding several complaints about the transmission tower for the SCADA system recently erected by county. They plan to take up the issue directly with the County.

Pat referred to a recent article in the newspaper by Ellen Pirie describing an initiative by the County to impose restrictions on rental properties. It was agreed to revisit our ongoing discussion on dues and fines after the county has finalized and implemented their plans. (Further discussion on this subject follows).

Finance Report: In Bill Priest's absence, Bill Russell reported that the revenue and expenses year to date are on budget. Discussions are still underway on how the major sewer expense will be funded as a combination of a draw on reserves and a special assessment.

Townhouse Committee Report: The financial accounts are also on track. Zonia said that the roofs have recently been inspected as a follow up to some concerns that were raised when the gutters were done. If repair work is needed, the roof material will then be submitted to the board for approval. The Avelar reserve report will be available for review by the next meeting.

The TC is currently working with the County to obtain permits for the maintenance of the staircases. It has not been finalized yet how the work will be paid for, and it may be completed in stages.

At the recent community meeting (chaired by Cynthia), the situation with the beach garbage cans was raised. It appears that renters are tempted to put their excess garbage in the beach cans to avoid additional fees. Rita Law of K&P agreed to change the process, and it is anticipated that this will make a significant improvement. The noise issues were also discussed and it is likely that First Alarm will be asked to take a more active role in addressing this. Cynthia had circulated several documents providing further detail on these discussions, but unfortunately not all board members had been able to review these in advance of the meeting.

Facilities Committee: The sewer discussions with the County engineer are now progressing well. John reviewed the facilities report (attachment 1) which had been sent to the board in advance of the meeting. A final budget figure for the sewer replacement is expected within a month. The County will also inspect the sewer lines under the townhouses and Zonia will involve Mike Sasso with this.

The drain maintenance proposal at lot 17 was discussed. It was reported that Bob Arnold has reviewed the proposal and given his support. The Facilities Committee recommended that the proposal be approved. Claire raised an objection firstly that she was not notified in advance, and secondly that she is concerned that the proposed changes will add to the current problem with the common area drainage next to her property. The proposal was approved but subject to getting an easement such that the property owner is responsible for any ongoing maintenance to any elements of the drain that encroach on the common area. Approval is also contingent on confirmation that this will not make the drainage problem at Claire's property any worse. The board acknowledged that Claire should have been informed earlier and JL apologized on behalf of the committee.

Action: JL

The proposed median clean-up day will be postponed until after the weeds have been sprayed, which a homeowner generously volunteered to do. John will ask Mike Driscoll to lead the project which will be funded by donations!

Action: JL

The broken pipe adjacent to lot 54 is still outstanding, but it was agreed to postpone this at the present time.

Unfinished business

ARC Report: Maren was not in attendance but had communicated in advance that there are no applications outstanding at this time.

Landscaping Committee Report: – Ginny was also absent but had presented a budget estimate for 2011 in advance (attachment 2). It was agreed that discussion on this would wait until the overall budget review process has begun.

Security Committee Report: Harold said that activities over the Labor Day weekend were mild in comparison to previous years, although he said that the trailer issues continue, this time with even bigger trailers! It seems there is currently no way to enforce any restrictions on this activity! He also reported that there were more than 30 cars

parked outside the 11 rental units on Shoreline, and that the renters of one unit had 9 cars. As a result, there were double parking and red zone violations. Also, children were playing unsupervised in the intersection. The entry gate was also tagged and broken.

Harold had attended the Vacation rental ordinance meeting and had circulated his notes in advance of the meeting (attachment 3).

The “Visitor behavior” committee was discussed and it appears that there is significant confusion on the charter and how it relates to the recently formed security committee. It was agreed to ensure that any proposals should be consistent with the new ordinances, which it is anticipated will be issued shortly by the County. Also, it was proposed that First Alarm would be asked to take on more responsibility than is currently the case. The Board determined that ONE ad-hoc committee is appropriate, and that Harold will co-chair this with Cynthia, with Cynthia leading, amongst other things, the running of the committee, agenda setting, logistics etc. As was already agreed, the board asked again for a proposed charter and scope of activity and looked forward to one set of recommendations, following the publication of the County’s new rules.

Action: Cynthia / Harold

Harold then reviewed the document he had circulated to the board in advance (attachment 4) with his recommendations.

Harold, with the board’s support, will now pursue what restrictions, if any, are available for enforcement of restrictions to beach access.

The change to the gate code process was agreed.

It was agreed that more work is necessary to determine how to publicize and enforce a community speed limit. Mary Ann suggested that speed bumps be installed.

Open Forum:

A question was asked on whether the sewer plans had been finalized particularly with regard to the location of the pipe. It was confirmed that this was still under review.

Mary Ann passed round the recognition that Jack had received from the State.

Mary Ann volunteered to join the Nominating Committee as she had noticed on the website that there was a vacancy for an additional member. The board thanked Mary Ann for her offer and agreed to appoint her.

The meeting adjourned at 11.45am.

The board left to reconvene in executive session at Pat Emmons house for further discussion on the sewer replacement project.

The next meeting will be held on Friday October 22 at 10.00am at the same location.

Attachment 1:

I am pleased to say that things are progressing nicely albeit slowly with the County of Santa Cruz regarding our sewer line replacement. Rachel Lather has hired a new engineer (Martha Sheddson) and she is working on our project as I write this.

Pat Emmons and myself met with John Swensen of the County last week about the re-lining of our sewage tanks. He told us work will start the first week of October and should be completed in a week after the start. The tanks are empty now and sewage is being diverted to Canon Del Sol's system.

A new SCADA Antennae was put up in the area where our tanks are located. The County has been getting complaints about it from our neighbors at Canon Del Sol. A new electronics SCADA panel was also installed and SCADA is fully functional at this time. SCADA is alarm surveillance system. (Supervisory Control And Data Acquisition)

We will not have to come up with any Association Monies for these 2 projects. We have sufficient reserves with the County to cover them. A dollar amount was promised by Rachel Lather within a month for the final cost of the sewer project. We can then decide on the amount of the assessment.

Access to the sewer pipes needs to be

A french drain and drainage system was approved by the Sand Dollar Board for Lot 17 via e-mail. Formalization and discussion will take place at the 9/10/10 meeting.

We were planning a median clean up/association party for a weekend sometime in October. Joe Marchini will not be available to help us until the middle of November. He has offered his truck and he has offered to spray the median with weed killer. He advised me that Mid-November would be the best time to spray.

We still have an issue with a broken pipe that is hanging off the hillside adjacent to the Sand Dollar Beach Property (Lot 55). This is not our property, we have no authority to remove it, and the pipe has been non-functioning since the 70's. Mike Driscoll has given us a bid of \$100.00 for removal, but we need authorization from our neighbor. (Mr. Desai)

John

Attachment 2

Proposed Landscaping Budget 2011:

Supplies and Services: \$3,200.00

includes:

*Area A, extend berm and new plantings behind

lot 11 home to SD border: \$400

*Area B, new plants: \$500.

*Area C, new plantings by entry path to

garden between lots 48 and 49; erosion planting behind lot 53;

new plantings behind lots 50, 51, and 52: \$1,100

*Area D and E, new shrubs will be needed after sewer work is done (not included in this budget at this time; awaiting board direction with sewer plan)

*Area G, new plantings around trimmed Pine: \$200

* dump fees and fertilizers needed: \$1,000

Trees and Erosion: 2,600.00

Includes:

*Area A, Heavy trimming by outside contractor on 3 Pines, 2 Cypressess, 2 Oaks: \$800; Arborist work required on Monterey Pine behind lot 7: \$700

*Area C, Tree and shrub trimming by outside contractor: \$700;

* Area G: Heavy trimming of Pine: \$400

Total for 2011: \$5,800.00

N.B., 1.) the irrigation clocks are old. We have not budgeted for a new one if one is needed, but the cost would be \$800.00 each. 2.) we have not budgeted for landscape repairs to be made after the new sewer work is completed.

Attachment 3:

REPORT

8/12/10 Vacation Rental Ordinance Meeting

In attendance;

Supervisors Leopold & Pirie, Olga-Leopold's assistant, Planning Dept. Representative, and other staff. There were approx. 17 individuals representing vacation rental owners, property managers (including Bailey Props. and Kendall Potter) and residents.

The meeting was impressively well managed by Supervisor Leopold and refreshingly void of drama.

A Document was distributed, outlining vacation rental statistics by neighborhood (see attached).

Sup. Leopold heard comments, pro and con, on the key components of his proposed Vacation Rental Ordinance dated 6/15/10. (This was previously distributed to SDB Board. Refer to it for topics).

There was no discussion to ban vacation rentals or to abandon vacation rental ordinance efforts.

Vacation rental owners and managers addressed compliance feasibility and details of Ordinance components. Residents cited successful solutions of other California vacation rental communities.

I did not feel this was the appropriate forum to discuss secondary issues that were specific to SDB.

There was no indication this group would be convened for subsequent meetings.

Comments and proposal will now be forwarded to Planning, Zoning and County Council, with a November deadline for a first draft.

Upon completion of the final Draft, there will be a public meeting scheduled.

Attachment 4: SECURITY ISSUES FOR BOARD CONSIDERATION, 9/10/10

Public Access Limitations

SDB currently has NO public access limitations. This is inconsistent with other nearby communities and the 2 adjacent State Park facilities. As a result, SDB is the prime and free beach access for after hours and off-season public visitors. This creates a number of security issues. Preliminary research indicates County will allow certain restrictions. I request Board approval and support to begin research and communications with County and Coastal Commission to limit beach access hours, seasonal access limitations and public parking restrictions on Sand Dollar Dr. and Seahorse.

Gate Code Change

Our current gate code policy has a number of shortcomings and can be difficult to maintain. Therefore I request Board approval to make the following changes on Daylight Savings time change, Nov. 7, 2010.

- 1) Establish a Community Services Code for emergency services, mail, PG&E, water, regular deliveries, etc. This code will not change and will not be given to owners.
 - 2) Establish secondary code to be used for owner's service personnel. This code would be limited to Monday-Saturday, 8am-6pm operation. It will continue to change seasonally at Daylight Savings Time or more frequently if necessary.
- Claire will continue to administer.

Directives For First Alarm

SDB security is not as effective as it could be. The reasons: 1) First Alarm has NO directives. 2) Owners may not know what authorities to call and if they do, the numbers may have changed or there is no answer.

Therefore I propose and seek Board approval for the following:

- 1) Create directives for First Alarm that allows them to autonomously deal with disturbances, law and ordinance violations and document CC&R violations for subsequent Board action and fines. (see attached First Alarm Directive rough draft)
- 2) Reporting procedure change.
 - a) For all bona fide threats to life, health and property, call 911.
 - b) For all other issues call First Alarm and allow them to determine course of action.Some advantages are, they may get a faster response from emergency services, we will have accessible incident records, they answer phones 24/7 and the number never changes. Said changes to take effect, January 1, 2011.

Establish neighborhood speed limit

As we all know, there are no sidewalks in SDB. Owners and (more than normal) public pedestrian traffic is forced to walk in the street. I frequently witness vehicles driving faster than need be or is safe. I request the Board impose a community speed limit of no faster than 15mph.

END

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