

MINUTES
BOARD OF DIRECTORS
COMMUNITY OF HARBOR BAY ISLE OWNERS' ASSOCIATION
OCTOBER 3, 2011

BOARD PRESENT: Mike Robles-Wong, President
Maureen Leitz, Treasurer
Dennis Pagonos, Secretary
Bill Pai, Director
Gary Lym, Director
Ken Manley, Director

STAFF PRESENT: George Kay, Executive Director
Jacqui Galvez, Administrative Assistant

OTHERS PRESENT: See attached sign-in sheet.

CALL TO ORDER / APPROVAL OF AGENDA

Mr. Robles-Wong called the meeting to order at 6:45P.M. The Board reviewed the agenda and moved to approve as submitted. **Mr. Robles-Wong** introduced **Mr. Ken Manley** to the Board as the newly re-elected representative for Village 3-B and welcomed him to the Board of Directors.

VOTE: carried unanimously.

OPEN FORUM

Mr. Robles-Wong stated to the Board and to the audience that the City of Alameda has moved discussion of the Mif Albright Land Swap to its meeting on December 13th. He added that the audience may make any comments on the issue during Open Forum but stressed that no action would be taken tonight.

Ms. Sandy Sullivan, homeowner and Board President from Bay Isle Pointe, encouraged the Board to take a stand on this issue and become educated on the issue post haste. She stated she represents a lot of homeowners who are against the deal and stresses that it is not just a golf issue. She feels very uncomfortable that the Board doesn't appear up to speed and is underestimating the impact of this deal on a variety of fronts.

Ms. Ann Moxley, homeowner and former Board Member from Bay Isle Pointe, supported all of Ms. Sullivan's comments and added that the email blasts from the Community office are late and give residents short notice of events such as the meeting at the Casitas Clubhouse, and that the email containing information from HBIA didn't make sense. She reminded the Board how quick they were to react at the previous proposed housing development.

Ms. Eileen Bitten, homeowner and Board member at Brittany Landing-The Harbor, stated that the Brittany Harbor Board has voted to officially take a stand against the development, and so have Bay Isle Pointe and Brittany Landing-The Bay. **Mr. Robles-Wong** questioned if other associations have done the same and asked **Mr. Kay** to inquire of the other associations.

Mr. Jim Solar, homeowner and former Board member at Bay Isle Pointe, stated that the CHBI BOD has been negligent in not acting as a Board whose job it is to protect property values.

Ms. Cece Pereira, homeowner and committee member from Bay Isle Pointe, wanted to know for sure when this issue would be addressed by the CHBI BOD and stated that waiting until the November meeting would

be too late, and that if Tim Hoppen and HBIA are unwilling to meet with the CHBI BOD, then we should act regardless.

Ms. Mary Theresa Anderson, homeowner and Board President at Clipper Cove, stated that her belief that it's the CHBI BOD's responsibility to keep the homeowners informed, not just on the issues but also any relevant meeting either here at Harbor Bay or at the City of Alameda. She added that it would be a good idea to survey all 2,973 homeowners and publish the results.

Ms. Sullivan stated that she is looking for action from the CHBI BOD and wanted to hear from others members of the Board. She stated there's lots of information out there, including a website hosted by Ron Cowan.

Ms. Moxley stated that the CHBI BOD should be notifying homeowners of changes to meetings of the City Council regarding this topic.

Mr. Robles-Wong stated that in his original letter to homeowners he encouraged homeowners to attend the City meetings and protest. He voiced his belief that he may have sent the meeting notice at the Casitas Clubhouse in error. Ms. Sullivan believed it was totally appropriate to do so.

Mr. Mike Fischer, homeowner at Freeport and former acting fire chief, asked the Board if legal counsel has been retained. **Mr. Robles-Wong** stated that counsel has been retained in the past to inquire about CHBI's legal standing. It was determined that the CHBI BOD is very limited in what they can do as a non-profit organization. An attorney is on stand-by as needed.

Mr. Bill Leitz, homeowner at Bay Isle Pointe and CHBIOA Director of Security, suggested that the November meeting of the CHBI BOD should have only one topic-the land swap. He suggested doing a simple survey via mail or email and have the results available for review at the November meeting.

Ms. Shirley Ames, homeowner at Brittany Landing-The Harbor, stated she's affiliated with the Mif Albright Golf Course and has been involved in this negotiation for the past 18 months. She stated that HBIA is planning on building 3-story buildings with parking.

Mr. Mike Linstedt, homeowner at Woodbridge, questioned whether the CHBI BOD was acting in the best interest of the 2,973 homeowners and feels that Mr. Robles-Wong has a conflict of interest... Mr. Robles-Wong responded that the responsibilities of the master board differ greatly than that of the project associations.

Ms. Reyla Graber, homeowner at Clipper Cove, questioned the equality of sending out a two sentence email about the meeting at the Casitas Clubhouse versus a two-page memo from HBIA.

Ms. Jennifer Williams, homeowner at Woodbridge, asked that the Board send out as much information as possible regarding this issue and to post any available documents online prior to any meeting so that they can be reviewed.

Ms. Michele McGarraugh, homeowner and Board President at Sandpiper Cove, stated that Mr. Robles-Wong had no control over the meeting at the Casitas Clubhouse and that everyone who attended the President's Council meeting agreed that the notice regarding the Casitas meeting should be sent out. She also reminded the audience to make sure that the Community Office has the correct email address on file and to make sure to spread the word to friends and neighbors who may not already be on the list.

Mr. Bassey Obot, homeowner at Woodbridge, stated that his concern is that of safety and asked if there was a way to reach out to the other residents of Bay Farm Island and be able to include them on future meetings.

At 7:45pm, Mr. Robles-Wong concluded Open Forum.

CONSENT CALENDAR

The Board moved and seconded to approve the consent calendar as submitted without discussion.

VOTE: carried unanimously.

A. Approval of Minutes

The Board moved and seconded to approve the minutes from the meeting on August 15, 2011 as presented.

VOTE: carried unanimously.

B. Committee Reports

i. Architectural

- i. Minutes for the meetings of 8/8/11 and 8/22/11 were reviewed.
- ii. Architectural Year-to-date work load chart and graph were reviewed.

ii. Cooking Committee-No report submitted.

iii. CLASS-No report submitted.

C. Executive Director's Report

i-iv. Reports from General Administration, Security, Management Services, and Maintenance were accepted as presented.

D. Financial Report

i-iii. The controller's report, the financial reports, and the delinquency report were all accepted as submitted.

E.D. COMMENTS

2012 Budget Status-Mr. Kay reported that the first draft of the 2012 Budget is done and will be meeting with **Mr. Robles-Wong** and **Ms. Leitz** to review it. The budget will be presented for review and acceptance by the entire Board at the next meeting.

Lagoon Status-Mr. Kay reported receiving reports that the restaurants in the Landing may be dumping food waste into the lagoon. Mr. Joe Landaeta, Director of Maintenance has sampled the lagoon in the questionable areas and has found no evidence of grease or cooking oil. Traces of petroleum from the irrigation run-offs from the bike paths and two types of algae were found. Staff has manually removed the algae and applied enzymes to eliminate the smell. Overall, the lagoon is in good condition and will only improve with the coming rains.

2011 Tillman Picnic and Softball Game-Mr. Kay reported that the Tillman Picnic went off well, the only hitch being the weather. The Community of Harbor Bay Isle donated \$1000 to the Midway Shelter.

Fall E-waste and Document Shredding Event-Mr. Kay reminded the Board that the Fall E-waste and Document Shredding Event was scheduled for October 15, 2011 from 9:00am-2:00pm.

Capital Gains-Mr. Kay reviewed his conservative investment approach with the Board and advised them that the treasuries bought one year ago valued at 1.65 above CPI have grown with \$28,000 in capital gains.

OLD BUSINESS

Meeting Dates for CHBI BOD Meetings-The Board tabled discussion on this topic until the January 2012 meeting.

NEW BUSINESS

Request to Participate in Fresh Air No Butts Walk-Ms. Serena Chen, event coordinator, informed the Board about an upcoming event sponsored by the American Lung Association called the 2011 Fight for Air Walk scheduled for October 15, 2011 at Crown Memorial Beach in Alameda. She also informed the Board of proposed changes to the 1995 state law that prohibits smoking in the workplace. A tentative date for the Alameda City Council to hear the issue is set for November 1, 2011. No action was taken by the Board.

Land Swap Resolution-The Board tabled discussion on this issue until the November meeting of the CHBI BOD.

Correspondence – Correspondence was read quietly by the Board.

ADJOURNMENT – 8:30PM

The next regular Board of Directors meeting is scheduled for October 26, 2011.