

SAN LORENZO VILLAGE HOMES ASSOCIATION

MEETING NO: 1252

MINUTES



1.1 MEETING CALLED TO ORDER – The Regular meeting of the San Lorenzo Village Homes Association Board of Directors was held Thursday, 7/21/2011, President Art Wydler called the meeting to order at 7:40 P.M.

1.2 SALUTE TO THE FLAG – President Art Wydler asked a resident boy scout in attendance to lead the audience in the pledge of allegiance.

1.3 ROLL CALL- Directors Art Wydler, Wulf Bieschke Margaret Wright and Diane Wydler were present.

2.0 MINUTES FROM THE PREVIOUS MEETING- *Director Wright moves to approve the minutes of meeting # 1248 on June 16, 201, Director D. Wydler seconds, the motion carries with three ayes and one abstention.*

Director Bieschke makes a motion to approve the meeting # 1249 on June 28, 2011. Director D. Wydler seconds and the motion carries with three ayes and one abstention.

Director Bieschke makes a motion to approve the annotated agenda for work sessions on July 5th and July 21, 2011. Director Wright seconds, the motion carries unanimously.

3.0 COMMITTEE REPORTS

3.1 Community Engagement Committee- Director Wright reported that the committee appointed her as the new chair, placing Kathy Martins as co-chair, due to Martins' board resignation. The committee will be working on a "meet and greet" for the August 18, 2011 Board meeting. The theme for this event will be "Hot August Nights" . The committee is advertising to get residents to bring their vintage or 'hot rod' cars to the event. It is also working with the San Lorenzo Little League on another "Casino Night" fundraiser which will be held at the San Lorenzo Community Hall on September 30, 2011.

Director Wright said the committee will host another 'Women's Resource Night' on September 29, 2011 promoting women owned businesses in San Lorenzo. The vendor fee is \$25 if you live in San Lorenzo, \$35 if you are from out of town. She invited residents to attend all of these events. The committee meets the second Wednesday of every month at 6:30 pm in the community hall and all residents are welcome.

3.2 Friends of the Library- Director Wright reported that at the last meeting librarian, Anthony Dos Santos, discussed the youth summer reading program. The group also discussed how to get schools acquainted with what is available at the Library. They discussed hosting a tea, where new teachers in the San Lorenzo School District would be invited to come out and enjoy refreshments and to get familiar with what the San Lorenzo Library has to offer students and teachers. The group will also be hosting another book sale sometime in August.

3.3 HARD (Hayward Area Recreational District) Advisory Committee - No meeting last month. HARD will attend the Association's August 2011 meeting. The Administrator has also requested HARD send a representative to the Association's meetings on a quarterly basis.

3.4 Library Advisory Committee -Director Wright noted that there was no meeting this past month. The next meeting will be this upcoming Thursday where they will be discussing the architect who was recently hired to develop plans for the Library's expansion/renovations.

3.5 Redevelopment Committee-Director Wright reported that Village Voice has an article with information regarding redevelopment and the ongoing review of how these funds are being used by the State. *See Attachment A (Village Voice-Vol 3, Issue 6).*

The committee also discussed the vacant lot at Washington and Grant Ave. in San Lorenzo. The property has been purchased by PGE. The strip across from this site is getting a "face lift" through redevelopment funds and has new landscaping, a walk way and should be finished with lighting by August 2011.

Resident Mel Medeiros asked what happens if there are problems with the Governor's "op-in" plan for redevelopment. Will San Lorenzo re-coup these funds from the State? The Administrator said there is no guarantee that the funds will be returned if there are any problems with the Governor's proposed program. However, local jurisdictions do not have much choice. If San Lorenzo does not "opt in" then it is not guaranteed any funds at all.

Resident Keith Barros asked where this money is coming from if San Lorenzo "opts in" and who would be getting it. The Administrator noted that the money would be generated through funds acquired through the county redevelopment area and it would be paid to the state once an area "opted in". The amount of the funds acquired by each area, is dependent upon the population of the area.

3.6 Unincorporated Services Committee- No meeting, no report

3.7 Youth Collaborative- No meeting, no report

4.0 COMMENTS FROM PUBLIC AGENCIES

4.1 CHP -Officer Bauers reported the following statistics:

Type of Infraction	San Lorenzo	Total of Unincorporated County
Collisions	10	100
Tickets	113	1795
Storage/Impounds	4	61
Recoveries	0	10
Reported Stolen	0	66

Bauers stated that the CHP has been performing speed checks on various streets in San Lorenzo, including Bandoni Avenue, Via Toledo, Channel Avenue and on Bockman. This has slowed traffic when motorists see the speed trailer, however he did not know how much it helped with speeders when the trailer is removed.

Director Bieschke asked about the new signs on freeways that direct you to pull over when you see an emergency vehicle. He asked if the officers are giving out tickets when freeway traffic is difficult and prohibits a vehicle from doing so.. Bauers stated that if there is an opportunity for the motorists to move over and they do not, the officers will ticket.

4.2 Sheriff's Department- Deputy JD Stewart went over the crime statistics in the San Lorenzo and other unincorporated areas. He urged residents to call the sheriff's office if they see any suspicious activity. He invited residents to come to National Night out, August 2, 2011 from 4:00 to 8:00 pm at St. John's church.

The Administrator thanked the sheriff's office for responding to a number of homes association requests over the past month. She also encouraged residents to sign up for National Night Out. All members who sign up will get a free T-shirt.

Deputy Stewart reminded residents that any unused medication can be deposited at the sheriff's substation.

4.3 Supervisor Wilma Chan's Office- Staff member Gene Calderon reported that he has returned to the office from paternity leave. He said that the Deputy Director of Alameda County's Community Development Agency (CDA) wrote a letter to PG&E regarding the proposed pig receiver and regulation station in San Lorenzo at the corner of Washington and Grant Avenues. The county will be requiring PG&E to get a site development review (SDR) permit and will not process PGE's application until such time as it has received one. This is good news and will allow residents and the county to review PG&E's plans for site development for the area, prior to any actual building/landscaping.

Resident and County Planning Commission representative Kathie Ready, said that the conditional use permit will also allow county personnel from the CDA to make inspections as the site is being developed to ensure that everything is being done as is outlined in their original plans.

Calderon also stated that as part of the SDR, PG&E will have to conduct a public hearing on the proposed plans. PG&E has also stated that it will hold a community meeting. Calderon reported that PG&E will only be using the minimal amount of the lot for the pig receiver and the rest of the site will be available for commercial development.

Director Wright congratulated Calderon on his new baby.

Resident Keith Barros from Via Del Sol, asked how the public is notified for the public hearing for a SDR. Calderon stated that post cards are sent out to residents within 500 feet of the proposed site, however, if there is a HOA, then its office is usually notified.

Resident Lisa Gudjohnsen from Via Nube asked about her inquiry at last month's board meeting-a stop sign on Via Coralla and Via Alamos. Calderon stated that he was aware of the county's traffic engineer, John Bates inspecting the area, and said that his original conclusion was that the area did not warrant a stop sign. However he will follow up with Bates and have him revisit the site. Gudjohnsen stated that the traffic had gotten worse and there are a lot of children that walk the area, especially when school starts again, she is afraid a child is going to get hurt and wants to prevent anything from happening.

4.4 Zoning Enforcement Report- A zoning report was left for the residents by county staff..

5.0 PUBLIC COMMENT- Items Not On The Agenda-

Resident Mel Medeiros from Via Del Rey thanked the board and association staff for all that they do. He thanked Kathy Martins for "stepping up to the plate" and taking on the Administrator position.

Resident Steve Kirk from Via Coches questioned what the Alameda County Public Works department was doing in his neighborhood. They are currently replacing all the corners for wheel chair accessibility, however the curbs are already curved in nature. President Art Wydler stated that the board cannot respond to inquiries during public comment but they can direct this inquiry to the Alameda County Public Works Department.

6.0 FINANCIAL REPORT

6.1 Approval of June 2011 Expenditures including payroll-

Director Bieschke makes a motion to approve the June 2011 expenditures including payroll, Director Wright seconds, the motion carries unanimously.

7.0 OTHER BUSINESS (MOTIONS MAY BE REQUIRED)

7.1 PG&E Update- PGE representative Alicia Bert updated the Board on the status of the site at Washington and Grant. They reconfigured the placement of their project to minimize the footprint of the site and maximize the area around it to be used for future development. They are currently working with the county to further outline their plans. They do not have a landscaping design to show the board at this time, however they will be developing a wall around the site and will have some type of vegetation covering it. Bert stated that PG&E will continue to be present at the Association meetings to update the board and the community. She stated that there will be no chain link fencing once it is developed and they are planning on planting trees along the perimeter of the site. PG&E has recently received complaints about the overgrown weeds at the site and will have those taken care of by the end of the week. All preliminary testing of the pipes in the area has been successfully completed.

The Administrator asked for a schedule of maintenance once the site is developed from PG&E and recommended that the board direct her to write a letter asking for this to be done.

The consensus of the board was to direct the Administrator to write a letter to PG&E for the site's maintenance schedule once it was developed.

7.2 CC&R Update - President Wydler reported that the committee is scheduled to have its first meeting on July 28, 2011 at 6 p.m. in the Bohannon room at the Association. Wydler instructed that any members who have not already given him their email addresses, do so as soon as possible..

Resident Stephen Carbonaro, from Via Mirabel asked if the membership would be voting on any proposed changes to the CC&Rs. Wydler stated, that yes, the membership would need to agree to any of the changes.

7.3 Reorganization of the Board- Nomination for VP

President Art Wydler asked the board for a motion to nominate Vice President, which was vacated when he became President.

Director Wright made a motion to nominate Director Diane Wydler to the position of Vice President, Director Bieschke seconded the motion carries unanimously.

Director D. Wydler was seated as Vice President.

President Wydler gave a history of what has transpired with board members for the past twelve months and gave options for reorganization.

See Attachment B.

President Wydler tendered his resignation. The gavel passed to Vice President Diane Wydler and she asked for a motion to accept Art Wydler's resignation.

Director Wright moves to accept Art Wydler's resignation. Director Bieschke seconds

The motion is discussed:

Director Bieschke stated that while this process was cleared through the attorney, he did not feel entirely comfortable with this process, for fear that a precedent might be set.

Director Wright stated that as the "senior-most" member on the board, that to move forward with this reorganization in this manner was the most appropriate way to continue to be a unified, productive board. The by-laws have been written in such a way that no more than two (2) vacancies would be on the board at one time, to allow three vacancies would be a contradiction to how these by laws were written.

Director D. Wydler stated that this is a very difficult decision to make, but it seemed totally clear to her that it was never intended to have three positions voted upon at one time. This reorganization seems logical and in the best interest of the community. There would still be two (2) positions open for the December election.

Resident Kathie Ready, from Paseo Del Campo stated that she disagrees with Director Biescke's concerns. She was pleased to see the board reorganize in this manner. She was concerned with the continuity being maintained on the board. When you have new board members come in, although they may have the best intentions, there is often a long learning curve. Residents who accept a director position often find out that they cannot instill the changes they want quickly if at all. To have three (3) new members at once, could set the Association up for disaster. She is pleased that the board was taking this position of reorganization.

Residents Lois Moser from Via Sonata and resident Keith Barros from Via Paro also spoke in favor of the reorganization as proposed.

The motion is voted upon and carries unanimously.

Vice President D. Wydler asks for a motion to appoint Art Wydler to the newly vacated seat once held by Kathy Martins.

Director Wright makes a motion to appoint Art Wydler to fulfill the vacancy left by Kathy Martins. Director Bieschke seconds, the motion carries unanimously.

Art Wydler takes the director seat vacated by Kathy Martins.

Vice President, D. Wydler asks for a motion for President of the Board.

Director Wright makes a motion to nominate Art Wydler as President. Director Bieschke seconds, the motion carries unanimously.

President Wydler said that he appreciates all the input from the residents and thanked them for their comments.

8.0 ADMINISTRATOR'S REPORT- The Administrator Kathy Martins stated that she worked with Nancy Van Huffle for approximately 12 hours prior to her having to take medical leave. She has put in approximately 160 hours this past month and gave the following report:

- * An updated handbook has been completed-last update was in 1998;
- * Conducted two major staff meetings and met with most of the key staff members and went over job descriptions;
- * Updated and standardized policies, including revamping the architectural application;
- * Updated the calendar on the Association website and loaded the updated policies. architectural application on the site;
- * Standardized internal forms and reevaluated fee structures;
- * Created a SLVHA administrator email and also established emails for all the board members with links on the website;
- * In the process of upgrading and redesigning the office, some repairs to be done very soon (rotting bathroom floor in association office)-other changes are for ergonomic reasons also in the process of working on a new Standard of Operations Procedure Manual for the office.

The Administrator stated that she has spoken to Linda Pratt with COMPRE and Supervisor Nate Miley and the marijuana ordinance will be amended to allow only two (2) clinics in our unincorporated area where three (3) were allowed. The Association also has three (3) leases that have been outstanding. She has set the parameters for both the San Lorenzo Little League Lease and Lollipop Lane. She spoke with the owner of Lollipop and a new lease was voted upon and approved by the Board for the next three (3) years.

The Administrator said that she has requested that Alameda County Public Works staff come and update the Association on its department on a quarterly basis. PG&E will also be doing a site visit here in the next week for the undergrounding project on Hesperian.

The Administrator requested that residents come out and support "Badges for Buckets" at this weekend's Farmers Market as well as support the sheriffs National Night Out event on August 2, 2011 at St. John's, the first 100 residents to sign up get a free t-shirt.

The Administrator said that Nancy Van Huffel is recuperating. Her hospital time was longer than expected and she is home now emailing the office and making progress.

The Administrator thanked President Wydler for all the help he has given her in the past month.

9.0 LIENS AND VIOLATIONS REPORT

June 2011		
Number	Violation	# of Letters
1/19	Inoperable Vehicles in driveway	14
2/22	Recreational veh/trailer in driveway	5
6	Lack of Gen Maintenance	19
10	Lawn Height	142
13	Holiday Lights	5
14	No signs	0
15	Building Exterior	2
18	Lean/miss fence	0
20/7	Unpaved parking	7
21	Working on vehicles	0
23	Dogs/Cats more than 2	0
24	Barking dogs	3
25	Prohibited animals	1
26	Excessive noise	1
27	No Home Business	0
28/99	Other/ comments	11

Number	Violation	# of Letters
30	Multiple Violations	17
31	Plans needed	1
	Total	228

Director Diane Wydler made a motion to approve the liens and violations report, Director Wright seconds, the motion carries unanimously.

10.0 HEARINGS AND VARIANCES ISSUES-

President Art Wydler stated that a couple of months ago the Board attended a conference which addressed executive session, specifically relative to member discipline. The lawyers teaching the course advised that all member discipline should be done in executive session.

The Board researched the topic on the Davis-Stirling web site and found that it also recommended member discipline be conducted in an executive session. The Board finally contacted the association's attorney, who provided the same advice.

President A. Wydler stated that during a work session it was discussed how to address this. new procedure. The Association had added to its hearing notices that a homeowner could request an executive session, however this proved difficult if one homeowner requested an executive session and others at the same meeting, did not, the board would have to constantly shuffle people in and out of the meeting room. Therefore, the board determined that all hearings for CCR violations would be held in executive session.

In addition the addresses would be omitted on any agenda or minutes that bare record to these meetings and only the account number, and street number would be referenced for each property, and not the full address as was previously done.

Account #	Street #	Violation	Result
79	Via Descanso	Yard Maintenance	Asking owner to remove wood in driveway, lawn mowed. Closing
313	Via Andeta	Multiple Violations	All violations still exist. Fine owner
334	Via Andeta	Multiple Violations	All violations still exist. Fine owner
335	Via Andeta	Yard Maint	Violation cleared. Owner asked to remove/clean window coverings

387	Via Andeta	Yard Maint	Violation to be taken care of within 1 week per owner. Revisit if needed in 30 days.
389	Via Andeta	Multiple violations	Violations cleared. Closed
392	Via Andeta	Yard Maint	All violations still exist. Fine owner
757	Hesperian	Yard Maint	Violations cleared. Closed
758	Hesperian	Yard Maint-Fine Review	Fine reduced. Owner to maintain yard on a more regular basis and if not will be fined again at original amount
1062	Paseo Del Campo	Yard Maint	Violation cleared. Closed
1098	16124 Via Conejo	Multiple vios	Closed. Violation cleared
1119	Via Media	Other-Plans	All violations still exist. Fine owner
1131	Via Conejo	Inop/Stored Vehicle	All violations still exist. Fine owner
1150	Via Conejo	Multiple Violations	All violations still exist. Fine owner
1353	Via Alamitos	Yard Maint	All violations still exist. Fine owner
1384	Via Alamitos	Mutiple Vios	All violations still exist. Fine owner
1692	Via Alamitos	Veh Parked on lawn-Fine review	Owner's fine reduced if car is still on lawn in 7 days will be subject to additional fine
1760	Bockman	Yard Maint	Closed. Violation cleared.
1899	Via Media	Multiple Violation	Closed.. Violation cleared
2224	Via Palma	Yard Maint	Owner came in and mowed lawn. Monitor for the next 90 days and fine if violation reoccurs.
3404	Via Tovita	Yard Maint	Closed. Violation cleared
3854	Via Annette	Trailer	Closed. Violation cleared
4155	Via Toyon	Multiple Vios.	Closed. Violations Cleared
4841	Via Harriet	Yard Maint	Carry over 30 days-owner working on bringing yard into compliance
4849	Via Catherine	Barking dogs	Closed for dogs/opened new case for cage and other items stored out in

			front yard
5067	Via Enrico	Yard Maint-Fine Review	Owner unavailable-revisit 30 days

Variations-

1. 17491 Via Melina- Driveway addition-Board denied the application, the percentage of concrete/pavement to vegetation exceeded 50%.

Director Bieschke makes a motion to approve the hearings and variations as read, Director D. Wydler seconds, the motion carries unanimously.

11.0 PUBLIC COMMENT-Items Not on the Agenda

Resident Kathie Ready stated that the corner fence on Grant and Paseo Largavista looks terrible. It is still bare wood and unpainted.

Resident Stephen Carbonaro wanted the board to consider videotaping the board meetings so that all residents could have a chance to review and watch the board meetings. He also stated that he understood that there was a new "Code of Conduct" for the board and asked if all board members had signed off on it.

Resident Keith Barros thanked the board for giving all of its reasons and explanations for the reorganization of the board. The explanation given to the members was important.

12.0 BOARD REPORTS

Director Diane Wydler thanked the new Administrator Kathy Martins, for all her hard work over the past month.

Director Wright asked residents to come out to the farmers market this weekend. The Alameda County Sheriffs Department will be doing a fundraiser for the Special Olympics called "Badges for Buckets" every \$500 they collect will send one athlete to the event.

Director Bieschke also welcomed Martins to her new position and thanked her for putting in so much time during the past months.

President Wydler said that COMPRE funding has been restored to the east bay office. One of the main reasons that it was refunded was because of the outrage and letters from the community. Wydler encouraged residents to continue to voice their concerns on issues. It does make a difference.

President Wydler reported that he and Director Diane Wydler attended the last Board of Supervisor's meeting where Nancy Van Huffle was given accommodation for her 23 years of service as the Administrator of the Homes Association.

13.0 ADJOURNMENT- President Art Wydler adjourned the meetings at 9:52 p.m.

Respectfully Submitted,

Margaret Wright, Secretary/Treasurer

Recorded and Transcribed by: Kathleen Harrigan

Reviewed by: Kathy Martins, Administrator

FINAL

Attachment A-Read From July 9, 2011 Village Voice

For some time now the Governor has been trying to put an end to Redevelopment Agencies. For a town such as ours the Redevelopment Agency is the driving force behind many of our proposed improvements. Should the Governor be allowed to accomplish his goal we would then be lumped into the entire county when requesting funds and a small town of 26,000 would receive very low priority if any at all.

Currently our projects under Redevelopment are the Lorenzo Theater, The San Lorenzo Library Expansion, The Senior Housing project, The Hesperian Streetscape and Façade improvement and last but certainly not least the Village Square Project. Without these much needed Redevelopment monies most if not all of these projects are in jeopardy.

In order to keep our Redevelopment monies we would have to “opt-in” to the tune of millions of dollars per year. Alameda county would pay an estimated 10 million alone in the first year with our portion being roughly 2.4 million. For many this seems to be a price we are willing to absorb to keep our Redevelopment monies in our coffers.

The California Redevelopment Association is filing a lawsuit with the supreme court to request an injunction and stay of the Redevelopment Agencies. The dissolution of Redevelopment is officially scheduled for October 1st, so that leaves anything not currently in contract in a holding pattern.

The one piece of good news and maybe a light at the end of the tunnel is that Bohannon has a letter of intent from a restaurant interesting in buying the site of the original Mervyns. Although this is not a binding contract this restaurant would provide 150 jobs, and over 100,000 of tax increment per year into our Redevelopment Fund. Since this side of Hesperian, the West side, is not relying on any Redevelopment funds this is indeed optimistically good news!

The next Citizens Advisory Committee meeting for the RDA is scheduled for October 5, 2011 at 6:30PM.

For further information see Assembly Bill ABX1-26 and ABX1-27

Attachment B-Prepared and Read By Art Wydler, Board President

FILLING UNFILLED POSITION-the Board currently has only 4 members. We can leave the seat vacant temporarily, appoint a replacement or hold an election.

To announce the vacancy in the most public way would be to announce it in the Village Brief, we would have to wait until August when the next issue is mailed.

Giving people 30 days to submit paperwork, would extend the window until end of September

Normal filing date to run for the board is November, with an election in January

We have contacted all previous board members to see if they had an interest in being appointed to the board to fill a vacancy, but they all declined. 2 people indicated they would be willing to fill a short term vacancy of 6 months.

If only 1 person filed papers for nomination, we could fill the position by acclamation in December. The board felt it could function with 4 members; we checked with the Association attorney, and under the circumstances, he agreed. If the board finds it becomes dead locked over issues, we would then be forced to appoint or elect a 5th member immediately

NEXT – This process will require several steps, so I want to outline the entire process before we proceed.

Because of the disruptions during the past 2 plus years, the board consistency and continuity has been disrupted.

In 10-2009 Wulf Bieschke resigned for medical reasons. He had 2 years remaining on his term.

In 2009 Brenda Carr took his place by acclamation (she would have had a 2 years on her term)

In 12-2009 Richard Ogg resigned for personal reasons. He had 2 years remaining on his term.

In 1-2010 I was appointed to fill Ogg's remaining 2 years.

In 2011, Brenda Carr was recalled. She had 1 year remaining on her term and Wulf Bieschke was elected to fill Brenda Carr's remaining term of 1 year

In December 2011, Mel Medeiros' term ended out of office and Diane Wydler was the only candidate to file papers for election so she took his place by acclamation, to a 3 year term.

Last month, Kathy Martins resigned, to accept the interim position as Administrator, she had about 1.5 years remaining on her term.

So currently, there are 4 remaining board members:

Art Wydler and Wulf Bieschke who have the remainder of this year as their term, about 6 months.

Margaret Wright has about 1.5 years remaining on her term.

And Diane Wydler has been on the board for 5 months and has about 2.5 years remaining on her term.

Our by-laws intend that elections of board members occur annually on the following schedule – 2 directors, 2 directors and then 1 director. It was set up this way so there is never a situation where a board is composed of 3 brand new members, without experience, and only 2 experienced members remain. **It also prevents 3 candidates running as a slate and taking control of the board.** Finally, It takes almost a year to get familiar with all of the duties, policies and procedures of the board and feel comfortable as a member of the board.

This leaves us in the position of filling 3 positions, preferably by election, between now and the end of this year and could result in the new board being comprised of Margaret Wright with 4 plus years experience, Diane Wydler with 1 year experience and 3 new board members with no board experience. Your current board feels this is unhealthy for the continuity and performance of the board.

Our By-Laws, Davis-Stirling and the Corporations Code all allow for the Board to appoint any member to fill the remainder of a directors unfilled term. We contacted our Association attorney and he concurs with our reading of the listed governing documents.

With that in mind, there is a recommendation (1) that I resign from the Board, immediately, effective tonight; (2) that the remaining 3 members of the board appoint me to fill Kathy Martins currently vacant position for the remaining 1 plus year of her term; the board then reappoint me president.

If this passes, I would ultimately serve a term of 3 total years (the normal term of office) and the upcoming election would then fill my vacancy and Wulf Bieschke's vacancy for 2 open seats that are for the regular 3 year terms.

This will get the association back on the intended cycle of having directors elected annually on a 2, 2, 1 cycle; it will prevent the unacceptable of having 3 new directors taking office at the same time and will prevent more disruptions and discontinuity than has already occurred during the past 2 years.

Members of the board, the administrator, along with the concurrence of the Association attorney believe that these actions should be taken in the best interest of the association.