

**EUCALYPTUS GROVE HOMEOWNERS ASSOCIATION**  
**BOARD OF DIRECTORS MEETING MINUTES**  
**THURSDAY, APRIL 18, 2024 (6PM) Via Zoom**

**1. CALL BOARD MEETING TO ORDER – CONFIRMATION OF QUORUM**

Meeting was called to order at: 6:03pm

**Board Members present  
(membership changed during  
this meeting; this role is from  
the start of the meeting):**

Colin Smith - President  
Christine Hall - Vice President  
Tamara Simmons - Secretary  
Joe Mora - Member-at-Large

**Managers & Employees  
present:**

James Nguyen of Bartlein  
Bob Bartlein of Bartlein  
Julia Ambat, Scribe

**Homeowners present:**

Craig Nicholson #247  
Catherine Levya #369  
Kathleen Taylor #271  
Annette Winter #260  
Bill Rauch #351  
Tami Jauchen #264

**Opening & Counting of ballots received by Tom Doty, Inspector of Elections  
Receipt & Acceptance of Owen's resignation; Appoint Treasurer**

Tom Doty reported the following vote tally: Craig received 89 votes, Tamara received 59 votes, and Colin received 69 votes, with a total of 99 ballots cast.

Joe proposed a motion to accept the ballots as read, which was seconded by Chris and unanimously approved.

**Election of Officers**

President: Joe nominated Craig for the position, seconded by Chris. Tamara then nominated Colin for president, with Colin seconding the nomination. The votes were as follows: Craig, Joe and Chris voted for Craig. Tamara and Colin voted for Colin. Therefore, Craig was elected as president.

Treasurer: Joe moved to nominate Chris as treasurer, with Craig seconding the motion. This nomination was unanimously approved.

Vice President: Chris moved to nominate Joe for the position of vice president, which was seconded by Craig and unanimously approved.

Secretary: Joe moved to nominate Tamara's name for the role of secretary, seconded by Chris. This nomination was unanimously approved.

Colin was appointed as member at large .

**2. REQUEST BY OWNERS IN ATTENDANCE / VIA CORRESPONDENCE / PHONE –**

Open Forum (unless it's an emergency, it'll be put on next month's agenda); Bd to consider request & possibly vote. Each unit has about 3 minutes to address their concern to the Board.

Tami: Tami's matter is discussed in agenda item 6b.



Craig: Craig reported an incident that occurred on April 1st, where there was a flood at the pool due to a malfunctioning urinal in the men's restroom, resulting in water gushing out. He promptly contacted Joe, who dispatched Jose to shut off the water. Craig also spoke with Ashley and expressed his desire to provide a vendor evaluation, commending her for her assistance in shutting off the water. Ashley's quick action in locating the external lever helped minimize the damage. In response to Chris's inquiry, Craig explained that Joe engaged James to handle the cleanup, which was completed on April 2nd.

Bill: Bill's topic is discussed under old business item 6m.

### 3. APPROVAL OF PRIOR MEETING MINUTES (3/14/24)

#### a. Regular Session.

Joe moved a motion to accept these minutes. Colin seconded. This was unanimously approved.

#### b. Executive Session Summary (fine recommended & payment plan & litigation)

Chris requested that the executive session minutes be marked confidential on each page. Colin then motioned to accept the minutes as presented, with Joe seconding the motion. Colin provided a summary of the discussions, which included unauthorized construction, membership discipline matters, and deliberations concerning a water leak. It was agreed unanimously that the confidentiality designation should be placed at the top of the template.

### 4. TREASURER, OFFICERS & COMMITTEES

#### a. Reading of the Treasurer's Report.

Operating Expenses are about 9.5+% below budget thru end of last month on cash basis

Suggested Motion: Move to approve the Treasurer's report and confirm the Board has reviewed all financial information each month as required by Civil Code Section 5500 including, but not limited to, the Association's check register, monthly general ledger, and delinquent assessment receivable reports. Furthermore, as required by Civil Code Section 5380, the Board has approved all transfers of funds to and from the Association's bank accounts, and has approved any two authorized signers on the Association's bank accounts to transfer funds from reserves in an amount necessary to pay for expenditures as described in the Association's budget or otherwise approved by the Board.

Bob read through the treasurer's report. Colin moved to approve the Treasurer's report as read. Chris seconded. This was unanimously approved.

#### b. Landscape recommendations & proposals – bids for tree work

Joe discussed a bid received from Action Tree for tree removal, which exceeded the anticipated amount. James obtained a second quote from Mark Crane, another vendor familiar to Joe, who recommended their services based on past experiences. Although Action Tree revised their bid, it remained higher at \$31,000 compared to Mark Crane's \$28,000 offer. Tamara motioned to accept Mark Crane's bid of \$28,500 for the required work, which includes topping six trees and removing four trees, particularly those adjacent to the recently fallen tree. Colin seconded the motion. The proposal was unanimously approved, with Joe abstaining.

Joe also provided an update on the ongoing process of installing root barriers, noting the persistence of weed growth due to recent rain.

#### c. Committees (EV, Architectural, Website, Solar, Events, etc.)

Chris proposed the establishment of a grounds committee to address general maintenance and upkeep concerns, which would convene quarterly to meet with the caretaker and gym staff. Colin seconded the motion. Tamara highlighted the need to consider Jim's availability for committee meetings. Chris noted the concept of a Community meeting came from Jim. Colin tasked James with recruiting community members to join the committee, while Chris agreed to draft a brief description outlining the committee's purpose. The motion to create the committee's purpose. The motion to create the grounds committee was unanimously approved.



d. Caretaker or pool report

e. Vendor evaluations

Joe expressed dissatisfaction with Big Green's performance in trash maintenance, citing inadequate cleaning and staffing levels compared to previous service providers. He suggested giving Big Green one more opportunity while seeking a new quote from Master Clean. Colin proposed including an agenda item for the next meeting to review quotes for cleaners on a yearly contract basis. Chris emphasized the importance of regular oversight to ensure service quality, noting the need for consistent monitoring.

Colin moved a motion to commend Ashley Brocco for her prompt response to the water leak in the pool bathroom, which was seconded by Joe and unanimously approved.

5. **OLD BUSINESS (Board to consider, review and possibly vote on...)**

a. 7626 rebuild from fallen tree & insurance claim: status of rebuild; deductible proportions; adjuster's information to respective owners

James provided an update on the rebuilding process following the fallen tree incident. He met with the structural engineer and architect and submitted the necessary plans and proposals to the city for approval. Currently, they are awaiting the city's approval of the building permit before they can commence work on the roof, which is prioritized before any other repairs. Joe inquired about the delay in obtaining permits during an emergency situation, to which James explained the process was prolonged due to the time taken by the engineer and architect to finalize their plans, in addition to city procedures.

The association has a \$10,000 deductible, which will be divided proportionally among the seven affected units. James recommended the Association cover the \$10,000 deductible. Colin motioned the Association to absorb the \$10,000 deductible for this claim, a motion seconded by Joe, and unanimously approved.

Once the association adjusters submit their proposals and costs, James requested permission to share this information with individual unit owners for their insurance purposes. Chris motioned to authorize James to provide the insurance adjuster's information to the affected units, seconded by Joe, and unanimously approved.

James also sought approval to pay the permit fee once the city approves it. Colin motioned to grant James permission to pay the permit fee, seconded by Chris, and unanimously approved.

b. Leak from #364 into #264 & #131 - ins funds disbursed to #264 & #131; w/hold #364; Deductible Release Trowbridge's insurance has submitted a release to the board for consideration. If signed, it will release the \$10,000 deductible to the association. Tamara moved to approve the release of liability to receive the funds. Colin seconded. During discussion, concerns were raised about the terms of the release and its implications. Tami clarified that by signing, Trowbridge would be released from any liability, according to her personal attorney's advice. After deliberation, Colin motioned to send the release to the lawyers for counsel, including a mold test. This was seconded by Chris and unanimously approved.

Colin moved to reimburse Tami the deductible and the DNO, totally \$8,880.04. This was seconded by Joe. Tami suggested verifying the calculations to alleviate any concerns. The motion was unanimously approved.

c. Repairs: roof; dryrot; painting; gutter cleaning; approval and/or ratification of proposals & invoices (if any); Craig raised the issue that invoices exceeding \$10,000 used to be reviewed at board meetings and suggested reinstating this practice. Chris pointed out that they have consistently reviewed invoices all along. Craig highlighted a \$37,000 invoice paid last month without discussion. He then inquired if there were any invoices requiring board approval this month. James informed the board about a \$29,516 invoice for gas lines at 7610 received that day. He mentioned that it's been the board's practice that if the invoice equals the proposal, then it could be paid with a board member's approval between meetings. Chris motioned that once a proposal is approved and the work is completed within the agreed amount, the



invoice can be paid without discussion, provided it does not exceed \$10,000. Craig stressed the importance of evaluating the work done during discussions. The motion was unanimously approved, with Tamara abstaining.

Approval was sought to transfer \$29,516 to pay for the invoice. Colin motioned to transfer the amount from reserves, seconded by Chris. Craig queried about the responsibility for repayment, to which Bob clarified that since it's from reserve items, the board does not need to reimburse it. The motion was unanimously approved.

- d. Updating the gov docs; 2<sup>nd</sup> draft of bylaws & CC&Rs; draft of ballot sent; deadline for comments 4/15/24 James distributed the draft ballot for owners to review, receiving feedback from five owners with various opinions. Chris proposed a motion to discard the ballot suggested by Bartlein and recommended a new draft focusing on the maintenance matrix's current exclusive use list. Further discussion ensued on the ballot's content, leading to the unanimous approval of drafting a new ballot based on received feedback, including a voter information packet. Joe motioned to have the Scribe prepare a voter information packet by May 2nd with board input (and earlier if possible). Chris seconded. This was unanimously approved.
- e. Gas lines projects – installing tags on each line (Jim Dewey); New gas lines installed at 7610 Discussion regarding the installation of tags was postponed due to Jim's absence.
- f. Repairs & bids: DG paths; V-Ditch; Sidewalk; (if any) Craig proposed tabling the discussion. Colin seconded. This was unanimously approved.
- g. Consolidated Overhead upgrades to gates, gym & pool access control Joe moved a motion to table the discussion. Chris seconded. This was unanimously approved.
- h. Pool facilities & sauna; other related issues; handicap seating; plexi glass / mesh for pool gate After deliberation, Craig moved to accept the current bid from Beachside for \$1,168 with an amendment to consider using less or lighter plexiglass in order not to affect the closing properties of the door, which was unanimously approved. Colin then motioned to recess the meeting and proceed into executive session. Craig seconded. This was unanimously approved.

Executive session recessed at 8:32pm.

Chris moved a motion to table items 5.i-l. Joe seconded. This was unanimously approved.

- i. Signs: Address, pathways, directional, speed limit, no trespassing, pool area
- j. EV charging stations
- k. Inspection of elevated walkways & balconies – by Focused Group
- l. Pedestrian pathway improvements mailbox kiosk across from 7632
- m. Utility closets at 7628 #117 Colin motioned to allow Bill to address the situation at #117, with Craig seconding the motion, which was unanimously approved. Bill provided recommendations for handling the necessary work, suggesting that Beachside inspect the framing to ensure its solidity and requesting that Don complete any repairs on the closet interior which may structurally affect the building. He noted the current bid focuses on cosmetic improvement rather than addressing structural issues.

Craig proposed revising Beachside's proposal to include any necessary structural repairs, mold mitigation, and drywall work. This was seconded by Joe. James reminded the board that Don previously inspected the area and found no structural issues, but if needed, he would replace door jambs and address any additional damage. This motion was unanimously approved.



- n. Bike rack by 7628
- o. Fire safety – quote for radios / walkie-talkie;
- p. Air table

6. **NEW BUSINESS (Board to consider, review and possibly vote on...)**

- a. Allocation of reserve interest and taxes ([Civil Code 5510](#), Adams-Stirling opinion on [reserve interest & taxes](#)).
- b. Equal Access allowed and required by law ([Civil Code 5105](#)).
- c. Review of budget
- d. Resolution to borrow from reserves  
Colin motioned to resolve to borrow funds when needed. This was seconded by Joe. Craig sought clarification on the extent of borrowing. Bob explained that borrowing from reserves falls under Civil Code 5515 for short-term use, such as for significant insurance premiums. Discussion ensued regarding the notice requirements. The vote aimed to enable borrowing in accordance with Civil Code 5515, a practice already adopted by many associations Bartlein works with for efficiency. All were in favor except Craig.
- e. 7640 slope by #135; owner & 2 bd members met with Carter Construction 4/10/24; see attached letter Tamara moved to approve Joe's work to shore up the slope. Colin seconded. This was unanimously approved with Joe abstaining. Discussion occurred regarding the engineering inspection report by Todd Sauter of Carter Construction in response to a request by Unit 135. The report was considered by the Board. Tama moved a motion to allow Joe to repurpose ties from the tree fall at 7626 for continued improved erosion control and landscaping as needed in this area. Colin seconded. Motion passed with Joe abstaining. Chris moved a motion to conduct a floor survey of Unit 135 as a baseline to detect movement. Tamara seconded. Motion passed.
- f. Repair balcony 7640 #270 & #370; see Beachside quote
- g. 7630 #260 Window installation issue with retrofit type  
Colin motioned to hear comments from Annette, second by Tamara. Annette reported leakage near the window. It was suggested to replace all trim and potentially siding. To ensure proper water tightness, siding and trim should be replaced along with any retrofit-type windows. Chris motioned to inspect any windows before replacement going forward. This was seconded by Tamara. This was unanimously approved.
- h. Gate code change?
- i. #315 – vehicle towed with expired tag from 24 hr space; request for reimbursement  
Craig motioned to disallow the request for reimbursement. This was seconded by Tamara and all were in favor with Chris and Colin abstaining.
- j. Replacement of stair treads & brackets
- k. Parking policy – overnight in vehicle
- l. Hosting zoom meetings
- m. Board instructions



n. Other items to be put on next month's agenda

James reports a proposal from Beachside for balcony repairs at Units 370/270 for building 7640 for \$9,320 to consider. Colin moved to approve the proposal. Chris seconded. Motion passed with Tamara absent.

7. **EXECUTIVE SESSION**

If needed: (Executive Session may only be used to discuss litigation, contracts with 3<sup>rd</sup> parties, member discipline, personnel, upon an owner's request to discuss payment of assessments, foreclosures, disability requests, legal advice, censure of a director, or mental illness of a member); levying fine; disability

- Late payers through end of last month (balances of \$500 or more):
- Internal Dispute Resolution / Levy fines / Bankruptcy / Foreclosure / Small Claims / Write off

8. **ADJOURNMENT 9:09 (Scheduled meeting 5/9/24 @ 6PM via Zoom)**

Prepared By: Julia Ambat (Scribe) 5/6/24

