



Regular Meeting Minutes May 13, 2019

The California State University Channel Islands (CSUCI) Site Authority (SA) met on Monday, May 13, 2019 at 11:30 a.m. on the CSUCI campus in the Handel Evans Conference Room in the John Spoor Broome Library, Camarillo St., Camarillo, CA.

Site Authority Board Chairperson R.J. Considine called the meeting to order. The secretary called roll and a quorum of members was present.

Members present: Chairperson R.J. Considine; Trustee Silas Abrego; President Erika Beck; Supervisor Kelly Long; Supervisor Linda Parks, and City Councilman Ken Simons.

Alternates present: Vice President Ysabel Trinidad; Mayor Pro Tem Carmen Ramirez.

Others present: Stephanie Bracamontes; Tom Hunt; Nathan Bowden; Elaine Crandall; Laurie Nichols; Caroline Doll; Police Chief Michael Morris; Jake Friesen from Kennedy Wilson; Bill Robe, Chair of the University Glen Community Advisory Group

OPENING STATEMENTS

Site Authority Chairperson R.J. Considine called for public comments (Pursuant to Government Code section 11125.7).

Public Comment Period

University Glen resident Tom Bokhart spoke about the recently completed reserve study that was commissioned by the Site Authority. Mr. Bokhart stated he purchased a townhouse from the Site Authority a little over a year ago as part of the Site Authority's sale of townhouse units that were previously rentals. Mr. Bokhart stated the recently completed reserve study indicated a shortfall attributable to the townhomes of approximately \$440,000. Mr. Bokhart noted that this shortfall was not disclosed to him at the time he purchased his home and expressed his concern that the shortfall was accumulated for many years while the Site Authority owned the townhomes. He does not believe it is appropriate for the Site Authority to now pass on that shortfall to the 88 townhome owners who recently purchased their homes. Mr. Bokhart requested that the Site Authority engage with the community on this issue and determine a fair solution in the months ahead.

University Glen resident Sandra Bolger raised a concern about the sidewalks in the community. Ms. Bolger stated she has seen children, an elderly gentleman, and others in the community trip on the sidewalks, including four incidents in front of her house since July 2018. Ms. Bolger also raised a concern about a retaining wall in front of her house. Ms. Bolger indicated the retaining wall is cracked in multiple locations and shows some

movement, despite having been previously repaired, and asked the Board to address the issue.

University Glen resident Tobey Wheeler raised a concern with the lighting on his block. He remarked that on one day in February he had noticed that over half of the exterior lights on his block were inoperable. Mr. Wheeler stated he subsequently attended the February 21st Homeowners Advisory Council meeting at which it was announced that the Common Area Manager had hired a new electrician at four hours per month. Mr. Wheeler expressed concern that this amount of time is insufficient to meet the maintenance needs of the neighborhood and noted that it then took 51 days for the lights to get fixed. Chairperson R.J. Considine asked if the lights are now fixed, and Mr. Wheeler confirmed they are, adding that 51 days is too long. Chairperson Considine also asked if Mr. Wheeler was aware of whether the issue was with the bulbs or a malfunction of the light devices themselves. Mr. Wheeler indicated he had not discussed this with the electrician and did not know the answer.

Mr. Wheeler also expressed concern about a recent notification he had received regarding a violation of community rules. Mr. Wheeler noted his was one of many citations that had been issued since December, and he suggested that this process could have been handled differently. He suggested a letter to the community with examples of what is not allowed together with a timeframe for residents to make corrections would have been preferable to individual citations. Mr. Wheeler asked the Board to look into the citation program.

University Glen resident David Watts noted that the landscaping in University Glen was really bad for a period of about three weeks. He noted the problem has been solved, but asked that measures be taken so that this does not happen again. Mr. Watts also noted he has heard through other homeowners that there are concerns about the reserve study and finances. He suggested that the concerns could be addressed by publishing the reserve study and financials so that homeowners can review them. In response to a question from Chairperson Considine, Stephanie Bracamontes stated that the financials had just been published for March and April, and that the past December's financials had been published as well. Mr. Watts stated he had not seen consistency on this over the years, and Chairperson Considine noted that changes have been made and they are starting to see some improvements in this area.

University Glen resident Darcy Lober noted she had been before the Board at its February meeting to discuss ongoing problems with a neighbor as well as a notice of non-compliance she had received for having potted plants located in the common area. Ms. Lober noted that she applied to have the pots remain in the common area, but she received a decision from Jake Friesen, the Common Area Manager, that they were not allowed. Ms. Lober asked for confirmation from the Board that this was its decision, after having looked at her claims and considered her suggestion to stop the citation. Chairperson Considine indicated the Board had looked into this and assured Ms. Lober she was not being ignored. Chairperson Considine noted that the Site Authority can still learn more about how to deal with these issues. Ms. Lober then read a statement aloud recounting multiple instances in which she saw Mr. Friesen inspecting the area around her house. During one instance in March, Ms. Lober indicated Mr. Friesen confirmed he had instructed landscapers to remove flowers planted in landscaping outside of her home. As a result of a separate encounter in May, Ms. Lober was asked to remove a birdhouse from a tree. Ms. Lober stated she feels undue attention is being paid to her and her house, and she feels she is an unfair target and being

harassed. She also noted that spraying for weeds has also killed several plants and tree seedlings. She requested that this stop immediately.

Supervisor Linda Parks noted that she has received emails from Ms. Lober, Mr. Bokhart and Mr. Wheeler, and the issues raised are being sent to the Chairperson for review, who has been looking into them. Supervisor Parks expressed understanding of the residents' concerns and noted that she supported Mr. Wheeler's concept of issuing a letter instead of citations. Chairperson Considine clarified that not all instances of rule violations have ended with a citation, and that residents are notified ahead of a citation, based on his understanding. Chairperson Considine agreed that many of the points raised were good, and the Site Authority is working to solve these issues.

Councilman Ken Simons asked Mr. Wheeler whether the notice of violation he received referred to anything specific he was violating. Mr. Wheeler stated that he received two sublease sections and three pictures as part of the notice of violation for placing pots in the common area. Mr. Wheeler explained that he did not realize the space in which he had placed pots was community space, and that he had placed them along a walkway to his house to provide a barrier from a dropoff. Councilman Simons asked Mr. Wheeler if he agreed that he was not aware of the rules that were the subject of his citation because the rules were not properly described to him, and Mr. Wheeler agreed.

Councilman Simons asked Ms. Lober what pesticides she would like to cease being used and what she would recommend in its place. Ms. Lober indicated that Roundup and a newer formulation of pesticide, Pilot, were being used and note that she has previously asked the Board to discontinue use of Roundup. Ms. Lober recommended weed wacking to remove weeds at a time when it makes sense to do so for fire safety and to stop seeding. Chairperson Considine noted that, because of many of the community's comments on landscaping, the Site Authority is collecting bids for a new landscaper in the community with the selection of the landscaper still pending.

Councilman Simons asked Mr. Bokhart to explain his proposal for the reserve shortfall Mr. Bokhart had noted. Mr. Bokhart suggested the Site Authority reimburse homeowners who purchased townhomes from the Site Authority for the undisclosed reserve shortfall attributed to the townhomes. As an alternative, Mr. Bokhart suggested the Site Authority deposit a bulk amount representing all 88 townhomes and put it into a reserve fund balance on behalf of all homeowners. Trustee Silas Abrego requested that the Board be provided a report on alternatives to handle this issue.

Trustee Abrego then asked who is responsible for landscaping, concrete for retaining walls, and electrical work. Ysabel Trinidad stated that these services are currently provided, and have been provided for the last three years, through the CSUCI Facilities Services team. Ms. Trinidad further stated that the Facilities Services team presented a bid for landscaping work when they originally established care for landscaping for University Glen, and the bid took into account how many staff and supervisors were needed to take care of the area. Ms. Trinidad noted that scheduling of work for the University Glen area is separate from work done on campus. With respect to retaining walls, Ms. Trinidad noted that for a homeowner's retaining wall, a portion of the responsibility for the maintenance of the wall is with the Site Authority and a portion is with the homeowner. Ms. Trinidad stated that if maintenance is needed for the Site Authority portion of the wall, the work is bid out. Supervisor Long asked about the process for repairing retaining walls and how the homeowner is engaged. Ms.

Trinidad stated that repairs to retaining walls tend to be on the street facing side, but noted she was aware of some examples where coordination with the homeowners was needed to gain access to the wall.

Supervisor Linda Parks also requested a list of sidewalks needing repair and requested that the Site Authority look at the option of not using glyphosate on the landscaping, noting that the County of Ventura is studying what can be done to eliminate the use of this chemical.

University Glen resident Kevin Benn read a prepared statement on behalf of homeowners, noting widespread dissatisfaction with the administration of the landscape services contract. Mr. Benn stated that the current cost for landscape services on a per household basis is well above fair market value, and that the CSUCI Facilities Services team does not provide the services required under their agreement. Mr. Benn expressed concern that the past payment for landscaping services amounted to an inappropriate transfer of funds from the University Glen CAM to the University, and that the Board has not acted in the best interest of the homeowners. On behalf of 61 homeowners, Mr. Benn presented a petition to the Board asking it (1) immediately stop citing homeowners who have attempted to make up for the landscaping deficiency through good faith efforts, and start a dialog with residents on what is appropriate landscaping, (2) require CSUCI Facilities Services to remove weeds and dead plants, replace missing plantings, mulch, and repair the irrigation system prior to the end of their contract, and (3) refund the portion of the cost of the landscaping contract that was above fair market value.

Councilman Simons asked Mr. Benn what process was used to determine fair market value. Mr. Benn responded that it was based on another home he had owned in the community, which was a single family lot. Mr. Benn further indicated he believes a fair market value would be based on the average cost of bids from the new landscape contract bidders, minus the portion of the bids that accounts for incurred maintenance not performed by Facilities Services. Mr. Benn stated he did not have access to those bids, however.

Mr. Friesen noted that glyphosate is no longer in use in University Glen, as of March 1, 2019. In relation to the landscaping contract, Mr. Friesen indicated that CSUCI Facilities Services had provided the CAM Manager with notice of its intent not to renew the landscaping contract, and both sides agreed to carry the agreement through to the end of the University's fiscal year (July 1). Mr. Friesen indicated they put the landscape services out to bid on March 29, 2019, and received six bids total. Mr. Friesen noted that the timing on this new contract coincides with what the reserve consultant indicated is the general usable life of the landscaping of 10 to 15 years. Mr. Friesen noted the landscaping was installed in 2006 to 2008. Mr. Friesen stated that they have requested bids from a landscape designer to do five mockups in the neighborhood. Before moving forward with the mockups, Mr. Friesen noted they will be evaluating the bids against the amount suggested by the reserve study group for refurbishing the landscape (\$500,000) to determine if that is sufficient. Mr. Friesen indicated that the CAM Management Office is focused on how they're moving forward with the new landscape provider and the long term refurbishment of the landscaping in the University Glen. On sidewalk trip hazards, Mr. Friesen indicated that the work to repair those hazards had been taken out to bid and that bids were expected in by May 22, 2019. He further stated that they are pushing to have the trip hazard work completed by the end of the fiscal year.

Councilman Simons asked Mr. Friesen, if there is a contract that was not performed in a satisfactory manner, is the Site Authority pursuing damages or mitigating the issues to avoid

paying double for services. Mr. Friesen indicated he is working with Stephanie Bracamontes and Elaine Crandall on this. Mr. Friesen did request from the landscape bidders an estimate of how much it would take to bring the landscaping up to a level where they would maintain it, which could potentially give them a way of determining an amount to address mitigation.

Trustee Abrego asked whether, when bids are requested for services and a scope of work is developed, there is a subcommittee of residents that provide input. Residents responded no.

Supervisor Long suggested this be put on the agenda for another time.

Chairperson Considine closed the public comment period.

Board Member Comment Period (Considine)

Vice Chairperson Long called for Board Member comments. No Board Member comments made.

INFORMATION AND ACTION ITEMS

Chairperson Considine moved next to the information and action items on the agenda.

Information Item: Campus Update by President Erika Beck

President Beck noted that the campus is setting up for Commencement ceremonies, to be held Saturday. The ceremony will be held in the Central Mall for the first time, having outgrown the prior space. President Beck shared that this year's graduating class of 2,700 students set a new record, and that 20,000 to 22,000 people were expected to attend the ceremonies, which will occur at 9am and 3pm on Saturday, May 18th. President Beck announced that, as part of the 9am ceremony, she and Trustee Abrego will be conferring honorary doctorate degrees on Sarita Brown and Deborah Santiago, the President and CEO of Excelencia in Education respectively. President Beck praised the work done by Exceclencia in Education around the country in helping facilitate Latino and Latina student success. President Beck also announced that, as part of the 3pm ceremony, she will be conferring honorary doctorate degrees on Larry Gould, former CSU Trustee and Site Authority Board Member, and Janice Bryant Howroyd, CEO and founder of the ActOne Group. President Beck noted that ActOne encompasses Apple One, the largest talent recruitment agency in the country, and Ms. Howroyd is the first African-American woman to build and own a billion-dollar company.

President Beck next announced the addition of a new Chief Information Officer at CSUCI, Jim August, and the upcoming addition of a new Dean of the John Spoor Broome Library, Dr. Alicia Virtue, who will begin in June. President Beck also reported that CSUCI's nursing program ranked eighth best in the state of California, up from number 11 previously. Other ceremonies related to graduation include the Veterans Medallion ceremony held the previous Friday, Honors Convocation held the previous Saturday, the Nursing School pinning ceremony scheduled for Thursday at 4pm, and the School of Education pinning ceremony to be held on Friday at 4pm in the plaza.

Supervisor Parks congratulated the President and noted she remembered the beginning of the Nursing program. President Beck stated that the Nursing program is taking off with multiple cohorts including cohorts in Santa Barbara.

Action Item: Approval of 2019-20 Operating Budget, CAM Budget/Rate Change and Capital and Reserves Budget

Ysabel Trinidad presented the Site Authority operating budget and a CAM budget rate change for approval. Ms. Trinidad noted that adoption of the operating budget at this meeting is necessary since it is the last meeting before the beginning of the new fiscal year on July 1. A revised copy of the budget was provided to the Board that adjusts for debt service under the east campus development of \$117,420 to offset both revenues and expenses. Ms. Trinidad stated that the proposed operating budget had been developed to ensure that the Site Authority is positioned to manage a growing portfolio of operations and positions the Site Authority to maximize future business opportunities to support the developing needs of the CSUCI campus. Total revenues are budgeted at \$12.1 million and expenditures at \$11.6 million, with a total net operating income of \$639,000. The budget materials include a narrative description of each of the budget categories. Ms. Trinidad also noted that the common area maintenance budget is included in the operating budget for approval, and that the proposed CAM rate increases and budget were vetted by the Community Advisory Group at a recent meeting. Ms. Trinidad then took questions from the Board.

Trustee Abrego asked if there was a set aside in the budget for matching requirements the Site Authority would have for proposed FEMA projects. Ms. Trinidad noted that the funds are in capital reserves and that they would likely not know about any potential FEMA aware for a year.

Chairperson Considine asked if it would be possible to set aside the piece of the budget relating to the issues brought up in regard to the CAM budget and then approve the balance of the budget. Ms. Trinidad note that the CAM budget is identified separately so that is possible. Supervisor Long sought clarification on whether the Board could approve the budget going forward and then modify the budget at a later meeting pending the receipt of additional information. Chairperson Considine confirmed the budget could be modified at a later time. The Board discussed amending the budget if need be at a meeting in June or July. Supervisor Long noted the need to have the full budget approved in order not to ensure certain items can be paid, and also stated that in doing their best for the community, they need to look at the budget to see if adjustments are needed.

Chairperson Considine called for a motion. Supervisor Long moved to approve the operating budget as presented and reviewed the budget at the next Board meeting. The motion was seconded by Councilman Simons and the motion carried unanimously.

Next, Ms. Trinidad presented the 2019-20 Site Authority capital and reserves budget request for Board approval, again noting the necessity for approval at this meeting, the last before the beginning of the next fiscal year. Ms. Trinidad noted that the specific capital projects and costs are included in the materials provided to Board members. Funds to cover these expenses will be covered by the CAM reserve or a one-time contribution from the Site Authority infrastructure reserve. Ms. Trinidad noted that the capital projects list was vetted with the Community Advisory Group. In addition, debt service from the infrastructure bond principal payment will be serviced in part by the Site Authority debt service reserve. Ms. Trinidad state that the reserve balance of \$3.8 million for debt will provide a resource to service principal debt over the next couple of years and serve as a buffer while cash flow

increases to cover the expense from operations. Ms. Trinidad then took questions from the Board.

Trustee Abrego asked for further information about the proposed expenditure of \$528,000 from CAM reserves and whether there is an obligation of how much reserve is supposed to be maintained. Ms. Trinidad noted that a CAM reserve had been set up that will be the deduct for the coverage of the \$528,000 expense. Ms. Trinidad further clarified that there are different types of reserves, and that the reserves to which the homeowners are speaking relate to the reserve study that was completed late last year. That study provides a ten-year outlook to maintain facilities, building systems, electrical and similar systems throughout the community. That reserve study is a recommendation on the level of reserve funding that should be in place every year over the next 30 years to fund what should be in place in the study. Ms. Trinidad noted that this may be part of the homeowner concern about potential underfunding of reserves. Ms. Trinidad noted that the consultant that provided the reserve study noted the Site Authority reserves were funded at various percentages. Ms. Bracamontes provided more detail on the levels of the reserves, stating that Common Area reserves were at 81%, Single Family reserves were at 81%, and Townhome reserves were at 61%.

Councilman Simons clarified that the reserve study is not the same as the reserve budget that they are being asked to approve. Ms. Trinidad confirmed. Councilman Simons noted the reserve study was requested in order to be more inclusive of the homeowners with the goal of getting on the same page as the homeowners. He stated that they're not quite there yet, possibly because the operations are different in University Glen from an HOA, with which many people are familiar.

Councilman Simons moved to approve the capital and reserves budget, Supervisor Long seconded, and the motion carried unanimously.

Information Item: University Glen Advisory Group Update (Robe)

Bill Robe stated he was glad to see a lot of residents at the meeting but disappointed because the purpose of the Community Advisory Group was to try and keep items moving without the need for residents to have to attend Site Authority Board meetings. With respect to the CAM budget, Mr. Robe stated that, for the first time, a budget advisory group including two member from the Homeowners Advisory Council and one representative from Kennedy Wilson was created and participated in the budget process. Mr. Robe noted that the budget advisory group was comfortable with the budgets. Mr. Robe also noted that the budget is now outlined in a manner that you would expect if you were in an HOA, where items are separated as much as can be so people can see what is going on in the community completely independent of the campus. Mr. Robe indicate this tied into the decision to get a different landscape maintenance provider so that it was independent of the campus. Mr. Robe then noted there had been some resignations in roles affecting University Glen, and that Elaine Crandall had stepped in, together with Jake Friesen and Caroline Doll, to work on University Glen issues. Mr. Robe expressed confidence Ms. Crandall will do a good job, having worked with her previously, but noted that the recent resignations had created a hole allowing some of the things raised in the meeting to fester because no progress was made on them. He is hopeful they can now start making progress.

Mr. Robe expressed his belief that the way the budget was developed did include the residents of University Glen. He noted that the last Community Advisory Group meeting

began with a presentation from the group that did the reserve study. They explained what a reserve study is and how it is calculated. Representatives from the reserve study firm noted that 81% was pretty good. Mr. Robe noted that the attached home reserve level of 60% is concerning to the residents. He further shared that Sandy Boyd, who served on the budget advisory group, made a presentation at the same Advisory Group meeting based on her concern that the reserve amount for the attached homes is low. Ms. Boyd requested that the Community Advisory Group recommend to the Site Authority that it allow the budget advisory group to oversee a project that would explore this reserve issue further and look at options. Mr. Robe stated that the Community Advisory Group is not recommending that yet, given that the Site Authority Board is still getting up to speed on the issue. The Community Advisory Group did suggest that the proposal go back to the Homeowners Advisory Council for further discussion.

Regarding landscaping in the community, Mr. Robe observed that there have been homeowners coming to the Community Advisory Group asking for more thorough enforcement of the rules and regulations. At the same time the landscaping has gotten bad and he's heard more complaints about the landscaping than ever in his 15 years in the community. Homeowners are putting things in the common area to make up for the landscaping conditions, while Mr. Friesen was enforcing rules on placing items in the common areas. Mr. Robe expressed that this was bad timing but he was hopeful that they would work their way out of the issues. He noted there are solutions to the problems and there is now a team in place to help address the issues. Mr. Robe stated that the Community Advisory Group will start meeting monthly, after having gone to quarterly meetings, to more closely track progress. He stated his organization needs to get more active and get back on track after a hole was left for four to five months. He asked community members to give the group a chance and requested patience.

Supervisor Long asked whether the Community Advisory Group has a process in place to look at potential violations and their correction. For example, with an HOA, they might do a walking tour in July and send out a notification to residents that they have a certain number of days to remedy potential violations. Mr. Robe responded that there is a very complete set of rules and regulations in the ground sublease, and there's been a history of 10 to 15 years of not enforcing those. It's not uncommon now for residents to ask why enforcement is happening now. Mr. Robe stated the reason is because there is a group of residents now asking for enforcement of the rules and regulations. Supervisor Long asked if the Advisory Group will be working to be more transparent as they follow up on items. Mr. Robe clarified the Community Advisory Group is made up of representatives from homeowners, Kennedy Wilson and the Site Authority, and it tries to look at problems in the community to see if they can be resolved before needing to come before the Board. Many things have been resolved that way, but this issue has not been.

University Glen resident Darcy Lober then spoke, noting that as a resident in the community for the last 12 years, she disputes some of the comments made by Mr. Robe. Ms. Lober asked whether the Community Advisory Group has any of the past reserve studies that were performed between three and five years ago. Mr. Robe noted that would be a Site Authority function, not the Advisory Group's. Ms. Lober asked the Board if the Site Authority had reviewed prior reserve studies. Councilman Simons noted he had not seen any such study in the two years he has been there. Ms. Lober noted the past reserve studies were done by a third party, and it would be useful for the Board to review them.

CONSENT AGENDA

Chairperson Considine then called for Board comments on the consent agenda comprised of the following items:

- ACTION: Approval of Minutes of February 25, 2019 Meeting
- INFORMATION: Home Sales Report
- INFORMATION: CI Power/Southern California Edison Update
- INFORMATION: FEMA Grant Submittal
- INFORMATION: Update on 32 Acre Development Project
- INFORMATION: Site Authority Operations Report
- o East Campus Community Improvements / Landscaping
- INFORMATION: Financial Report

Home Sales Report (Caroline Doll)

Caroline Doll reported that the Site Authority exercised its option to purchase a detached home, which was purchased by the Site Authority in February for \$395,000, and resold in April for \$480,000, generating income of \$68,000 for the Site Authority. Ms. Doll also noted that one townhome sale was set to close that day, and three other homes were in escrow. In addition, one homeowner is calculating capital improvements on her home that will go into her maximum resale price; her home will be listed soon. Ms. Doll noted two other homeowners are also planning to sell.

CI Power/Southern California Edison Update (Hunt)

Regarding CI Power, Supervisor Long noted that a request was pending with Southern California Edison (SCE) to extend the existing contract from one to two years. Supervisor Long asked whether SCE had provided a timeframe for getting back to the Site Authority, to which Ms. Trinidad responded that staff had written SCE another letter to follow up.

There being no other comments on the consent agenda, Supervisor Long moved to approve the consent agenda, seconded by Councilman Simons, and carried unanimously.

Before adjourning, Supervisor Long confirmed that staff had the action items for the next meeting.

ADJOURN: There being no further business, the regular meeting of the Site Authority Board was adjourned at 12:45 p.m.

APPROVED BY:

California State University Channel Islands Site Authority

Secretary to the Site Authority

Dated: _____

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ADJOURN: There being no further business, the regular meeting of the Site Authority Board was adjourned at 12:45 p.m.

APPROVED BY:

California State University Channel Islands Site Authority



Secretary to the Site Authority

Dated: 08/28/2019