

HAC Rules and Regulations Working Session via Zoom Chat Transcript

October 14th, 2021 6:00PM

00:20:33 iPhone: How about not scheduling the event on one of the largest sporting events of the year? [What I saw on the news was exciting!](#)

00:21:06 Simhan Mandyam: Let create a official survey mimicking the Rules & Regulation , OFFICIAL

00:21:41 Carolyn Phillips: I've told you what we should try. We need to provide the community with a true redline. We need o provide the community with a reason for each change. We need to mail these items out to the members. No post cards with one week notice. No emails with five days notice. You don't get a good response because you are not giving people the time to respond, to even comprehend.

00:21:44 iPhone: Stop citing percentages that are unrealistic

00:21:51 Simhan Mandyam: When did "Maisha" survey is OFFICIAL, as I understand it was a "UNOFFICIAL"

[The comments in the survey Maisha facilitated on the rules were included in the spreadsheet of all comments received by 12 noon on 10/14. There are no Official or Unofficial comments. There are just comments, all are counted.](#)

00:21:57 Carolyn Phillips: Sandi Boyd is not interested in the redline. why?

[You have been invited by a member of the HAC to do this work. No one else has volunteered. We have no staff. We have, however, done other relevant work that moves the conversation forward.](#)

[Tom has created a narrative document that provides his best summary of all of the changes. I have created a summary of all of the comments that document the source of the rule being responded to by comment topic. If you look up the source in the GSL \(I used the version on the web for new buyers\) you see the existing rule that is relevant to that comment. Where a rule is new that is noted also. This work is focused on the areas where we need to make \(or not make\) revisions to the existing draft recommendations. For that reason, it is my view that it is the most useful approach.](#)

[This material has been made available on the web for all to review. See also my response to Miriam at 29:49.](#)

00:22:41 Simhan Mandyam: Why is Sandi NOT interested in "Redline" , because it will expose who is behind

[Authorship documented would likely only show you Tom's and prior Site Authority work, with the possible exception of the community room and gym section which may show E and S Ring or KWM.](#)

00:23:06 Miriam Olson: Yes, please address Carolyn's redline request

See above. Also creating a redline on a document that already has substantive comments just adds to the confusion. People evaluated the proposed document in an wholistic way and gave us much more constructive input than we would have received is they had only looked at the new material. See my response to your suggestion that we follow Carolyn's suggestion to collect data on complaints.

00:23:37 Simhan Mandyam: Let me help you create a OFFICIAL SURVEY

00:24:19 Simhan Mandyam: I have sent a sample top Sandi and HAC Board no body got back to me on that

00:24:35 iPhone: Redline

Reasons behind changes

Ample to me to respond

Official notification by mail

00:25:24 Simhan Mandyam: KEVIN I HAVE CREATED THE SURVEY WITH SANDI DID NOT GET BACK TO ME

00:25:49 Simhan Mandyam: You cannot make assumptions

00:26:26 iPhone: 20 people out of 272 Is not a majority!

Homeowners must clearly state they don't want to respond. No response is not an admission of support.

00:26:50 Simhan Mandyam: You are correct Kevin....we have a issue with process

00:27:04 Simhan Mandyam: Get a HAC Board VOTE on every idea

00:27:51 iPhone: I want to see a red line as I recent from every other organization I belong to.

No response is not an agreement.

00:28:22 Simhan Mandyam: I can help you folks create Survey.

00:28:34 Simhan Mandyam: Do not decide on technology Kevin

00:29:22 Carolyn Phillips: An actual redline is the only possible document to provide to people. I have no idea what a conceptual redline means , Also we should correct the old rules that are inappropriate and make no sense.

Yes, we should

00:29:49 Miriam Olson: Carolyn made a great suggestion at the poolside community meeting. In essence, can we track community complaints / issues that are an issue for community

members for say a year. We can then determine what issues truly exist. Carolyn, perhaps you can speak to this?

Doing what Carolyn suggested on the 2nd would create an additional burden on the UGCAM office to formally track and compile the data. It would not provide us with the thoughtful commentaries we have already received from many residents that I feel we should honor.

Honoring the comments means discussing them, determining the way forward on each issue - possibly using a panel of community members who agree to participate, and responding with edits to the draft document. We are already 3 months late doing this due to the additional work requested by some in the community. This review will lead to another and maybe quite differently structured process to review the proposed recommendations. I have suggested that the draft, created after this review of the input received to date, is the most appropriate reference document for the creation of a redline document.

00:30:47 Miriam Olson: We dealt with pool rules. CHECK

We dealt with dog park rules. CHECK

00:32:17 Simhan Mandyam: Kevin call me we will talk technology

00:32:45 Simhan Mandyam: DO NOT DECIDE ON TECHNOLOGY at this time, we have more issue with foundation of the Rules & Regus.

00:32:53 iPhone: Nonsense! Maisha's survey contained less than 25 people.

This reference was to the Halloween movie survey which I was told received 100+ responses.

00:36:51 Simhan Mandyam: Please do not use HAMMER , thinking you only see nails

00:38:10 Simhan Mandyam: WHO IS SETTING DEADLINE

Timeline is based on providing recommendations to the Site Authority for review with adequate lead time to be presented to the March Site Authority Board Meeting. This assumes approval of a revised set of recommendations which have been developed in a more open manner by a majority of the HAC.

00:40:11 Simhan Mandyam: Why HURRY?

Because there is other important work to be done: reserve study update, budget, 32 acre development impacts. But most importantly we have community members who have taken the time to respond to the proposed draft and they deserve to have their comments heard and debated. Yes, the HAC could have set aside the efforts of the volunteers who worked on this project for two years and all the commentators. I feel that doing that dishonors all of their efforts. We need to make revisions or not based on the feedback we have received from 4 sources now: public comments, rules survey facilitated by Maisha Olson, the Town Hall, and the response to this meeting. It is not

possible to disaggregate the responses (basically to tell how many responders have participated multiple times) because I do not have access to the names. My current working estimate of the households participating is about 20% which is around 50.

00:40:33 iPhone: You have not had any community support. 24 residents with an opinion does not indicate a majority when others have not responded.

00:42:24 Simhan Mandyam: Sandi , Why and What is is the URGENCY ?

00:42:39 Simhan Mandyam: Please DO NOT decide on Technology NOW

00:43:20 Simhan Mandyam: Tom, Is Kennedy Wilson driving this ?

No KWM is not driving this process. They provided input on their policies where relevant at Tom's request.

00:43:38 iPhone: I completely REJECT google documents for this query on interest. I want to see an official letter sent to my address as the sublease requires.

This is required in the GSL when a change to the official document is being considered. We are only considering recommendations. The Site Authority would be required to do these steps with whatever their final document looks like. We have a moral requirement to obtain as broad a participation as possible. That is why we discussed additional approaches that might increase involvement at this session.

00:44:10 Simhan Mandyam: All communication has to be on USPS

00:44:26 iPhone: Kennedy Wilson has no influence on my ground sublease.

00:45:11 Miriam Olson: Sandi doesn't want our input in a timely manner. I don't want a reply at a later time. These changes are HAC committee driven, and not a good use of the HAC time.

Miriam, in the room we saw the shared screen and not your comments. So we didn't know what was being said. And yes, I am interested in input...which is why we had a long discussion of how to obtain more engagement. As an older member of the community, I don't assume my approach is broad enough to reach all of the community.

00:45:16 Simhan Mandyam: We DO NOT HAVE Ground Sub Lease with Kennedy Wilson, my agreement is with Site Authority [Period]

00:45:42 Dusty Russell: What I'd like to know is how much input UG CAM gets on any other decision being considered. How many households typically respond to any other surveys, etc... It seems like we're shooting for an undefined level of input. What's the sufficient level of community input needed.

We usually receive very little input. Getting people willing to volunteer to run for the HAC has historically been hard, participation in the public forums has been low. Having received constructive comments from about 20% of our households is not bad. We did better with the on-line survey on streetlight choice survey which I made happen in cooperation with KWM (and with technical support from the Olson's) in response to the

negative reaction to a lighting change KWM had made. About 35% weighted in. Attendance at HAC meetings pre-Zoom was usually 5 to 10 people, unless a topic or event engaged more (which rarely happens).

00:46:46 iPhone: Like other hoa and tenants in common, where is the organizational attorney advising members of HAC on pitfalls and liabilities? I see a majority if inexperienced members.

Please remember we are not an HOA. We are governed by none of the statutes that govern HOA behavior. Therefore, we have no attorney. Because our budget requires Site Authority staff and board approval, I don't believe the expense of an attorney would be approved even if the community is willing to pay for one.

00:47:16 Simhan Mandyam: I have asked for " Unintended Legal COsequences" of these rules

00:48:16 iPhone: Have a feeling Tom?

It's not up to you to have feelings.

Or expect us to trust your judgement.

00:49:14 iPhone: Nonsense. We have leases.

Indisputable leases recorded with the county.

00:49:58 iPhone: KW is not interested in your opinions or concerns.

00:50:22 iPhone: Face the facts... we are dispensable

00:52:32 Dusty Russell: The rules and regulations creep away from matters of actual public safety. That's why you're getting pushback from the community on this. If you can't clearly tie an item to a matter of public safety, remove it. Also, if you can't clearly articulate how you're going to enforce (objectively!) each rule, remove it. An, if you're going to enforce against alleged "violators" then there must be a clear appeals process.

Agree Dusty. That is not the thrust of the current GSL rules, however.

00:53:12 Miriam Olson: Agree 100%

00:54:31 Dusty Russell: Bravo, Kevin!

00:54:46 Simhan Mandyam: I told you the rules are for 1% not for the 99%

00:56:39 Dusty Russell: There are laws against leaving dog poop behind.

I wish they applied to us. According to a quick web search, California does not have a state law requiring the removal of dog feces. There is a county ordinance which may apply to us. We can explore this, but usually our CSUCI police can only enforce state law. It is a Catch 22 we find ourselves in often.

The Feces Law

Ventura County Ordinance **Section 4461**, CRPD Ordinance Section 222, and COSCA Ordinance Section 223 state that the removal of feces of animals that defecate on District/Agency property shall be the responsibility of the owner or custodian of said animal. Nov 23, 2016

00:57:15 iPhone: HA! Jake cites randomly and as he chooses, not equally or effectively

00:58:03 Simhan Mandyam: We have fundamental issue with "Versions" of Ground Sub Lease

00:58:26 Dusty Russell: ^ I agree with Simhan

Yes, we do. Separate issue from rules. Very relevant to the 32 acre development.

00:59:16 Dusty Russell: Rule 1: Don't be a jerk. Rule 2: Read rule one. There, meeting over.

00:59:21 iPhone: Anyone that has been cited can name 5 or more others that were not cited for the same offenses.

00:59:34 Simhan Mandyam: HA HA Love it Russel

00:59:45 Dusty Russell: ^Agree with iPhone user

01:01:06 iPhone: This is not a standard HAC meeting. You are off topic. Back to the rules.

01:01:07 Miriam Olson: If we want Jake to enforce all rules on the books, the CAM fees will skyrocket

01:01:35 Simhan Mandyam: WOW WOW Please do not make decision...

01:01:58 Simhan Mandyam: Get a Motion and take a vote

01:02:03 Miriam Olson: We all pay for this?

I was not on the HAC when mediation was added to the budget. However, I support paying for the service so that community members cannot use cost as a way to avoid engaging in neighbor-to-neighbor conflict resolution. Would like to avoid, if possible, the result we have seen where one neighbor gives up and moves. These issues usually have high emotional content on both sides and given that, untrained intervention has minimal chance for success. I don't see any other path forward. The current budget line is \$2000 and will only be spent if there is an unresolved conflict that can be addressed with this service.

01:02:09 iPhone: BS- NO mediation at tens of thousands of dollars.

01:02:15 Simhan Mandyam: THANK YOU Carolyn

01:02:26 Miriam Olson: Agree!

01:02:27 Simhan Mandyam: I do not to spend any money

01:02:33 iPhone: Bs Stop this behavior stop it now

01:03:00 iPhone: Welcome to CAM fees at \$1200

01:03:07 Dusty Russell: You have two choices. 1. Implement Police-state style enforcement nailing everyone who picks their nose. Or 2: "Complaint-driven" enforcement which results in subjective enforcement. Sounds like a major potential for discriminatory enforcement.

The third way is self-enforcement where there is adequate acceptance of community norms that minimize the need for overt enforcement. Hope that all would do what the GSL version of your "don't be a jerk" comment says: No use...shall be permitted which...interferes with the quiet enjoyment of the Homeowners residing on other Lots or of persons using the Common Areas. (GSL E.3.2)

01:03:14 Simhan Mandyam: iPhone..we knew it

01:04:12 Dusty Russell: No black-out curtains = discrimination against people who work nights or have nap-taking children.

01:04:24 iPhone: Because in days of old the curtains were black oil cloth. Today they are not.

01:04:50 Simhan Mandyam: Good point Carolyn

01:05:24 iPhone: They were often placed on exteriors

01:06:28 Simhan Mandyam: Whast is appropriate?

01:08:01 Simhan Mandyam: Take a VOTE

01:08:29 Simhan Mandyam: Make a motion and take a VOTE by HAC Board members

01:11:04 Dusty Russell: Submitted mine at 2:40pm. You'll see 'em.

01:11:56 iPhone: So you will address contents that have 6 responses out of 272 homeowners.

01:12:12 iPhone: We're being railroaded.

01:12:44 Simhan Mandyam: YES

01:13:34 iPhone: Obviously Completely unprepared

01:13:35 Simhan Mandyam: We need "REDLINE"

01:13:51 iPhone: Where are our redline documents?

01:14:44 Simhan Mandyam: Guys why don't you develop a "Process" to address the review process,

01:14:53 Simhan Mandyam: then decide on the detials

01:14:55 iPhone: And you wonder why people would rather see a movie or dodger game?

01:14:58 Simhan Mandyam: details

01:15:45 iPhone: My other community stars window coverings shall be white or ivory

01:16:05 Simhan Mandyam: HAVe you considered who live in those homes?

01:16:06 iPhone: If seen from the street

01:16:31 Simhan Mandyam: HA HA I have asked Site Authority they DO NOT HAVE A MPA

01:16:36 Simhan Mandyam: MAP

01:16:42 Dusty Russell: 1.8 "Common Area" shall mean all portions of the Leasehold Parcel outside the boundaries of the Sublease Parcels, together with the roads, sidewalks, lighting, drainage facilities, utilities, landscape and hardscape, pathways, bike ways, recreational facilities, open space, playing fields, or similar improvements thereon designed for the use and benefit of the occupants of University Glen.

01:16:51 Dusty Russell: There is! Section 1.8!

There are three definitions of the common area in the GSL. In addition to 1.8, we have the maps filed with the Ventura County Recorder in Exhibit A, which are referenced by phrasing of 1.8 and Exhibit E 1.4. Note that 1.8 and the maps are in conflict with E.1.4. This is why my words on this subject were so careful. Directions provided to UGCAM implement Exhibit E 1.4.

01:17:05 iPhone: See dustys post

01:17:55 Simhan Mandyam: I have asked for a "Ventura COunty Assessor " and Site Authority thru FOIA CAM area square footage..they DO NOT HAVE IT

01:18:08 Simhan Mandyam: Exactly

01:18:20 Miriam Olson: They aren't concerned with the 4 (maybe 6) residents who are in attendance.

Miriam, those of us in the room could not see your comments. We were viewing the shared screen. It was not until Wendell spoke up that I realized how few people were there. Sorry that in-person is still not safe for all members of the HAC.

01:18:35 Simhan Mandyam: TOM why are HAC deciding this ?

01:20:00 Simhan Mandyam: Why are we addressing inside portion of HOMES, what if a person living cannot afford to have a "Proper Window Traetment"?

01:20:55 Dusty Russell: Carolyn ^ Exactly.

01:22:44 Miriam Olson: Disagree about removing loitering !

01:23:51 iPhone: How about professional guidance not I heard, he/she said, I experienced this or that. Professionals give responsible answers.

01:24:28 Carolyn Phillips: Penal Code 647(h) is the California statute that makes it a crime to loiter on someone's property with the intent of committing a crime. The section applies to

anyone who:

“Who loiters, prowls, or wanders upon the private property of another, at any time, without visible or lawful business with the owner or occupant.”

- 01:24:52 Miriam Olson: This is a rule that should be kept.
Disagree because of the potential for discrimination, but I hear you.
- 01:25:50 iPhone: You determined this would be from 6-7:30, and we're off track
- 01:27:04 iPhone: Invite them in fir a bbq
- 01:27:05 Dusty Russell: On private property is one thing. In the Common Area is another thing.
- 01:28:32 iPhone: I'll listen to the recording. This is ridiculous.
- 01:29:16 iPhone: Good night all
Thanks for attending the working session.
- 01:29:39 Miriam Olson: Good night iPhone
- 01:29:57 Dusty Russell: Give them a solid "moon" until they go a way.
- 01:30:13 Simhan Mandyam: good night iPhone
- 01:30:50 Dusty Russell: *Applause for Kevin.
- 01:31:36 iPhone: We are hear to discuss what was previously presented. And now we are looking for MORE rules?
- 01:31:39 Dusty Russell: * More applause for Kevin.
- 01:31:54 Simhan Mandyam: HURRAH Kevin!
- 01:32:10 Miriam Olson: Police are a great resource, and they can 'counsel' window offender.
- 01:32:24 Simhan Mandyam: Call 911 and report and let them register a case
- 01:35:34 Simhan Mandyam: Houston We have a Problem !
- 01:36:04 Simhan Mandyam: I asked this question at the beginning ...
- 01:36:31 Simhan Mandyam: Back to square One
- 01:36:58 Simhan Mandyam: Agree Tom Thank You, we have a clear idea who is driving this initiative
- 01:38:57 Simhan Mandyam: What is Ugly & What is Beautiful?
- 01:39:16 Simhan Mandyam: Beauty is beholder eyes
- 01:39:32 Dusty Russell: Keep it focused on safety! Your individuals views on what's "good taste" and bad taste is irrelevant.

01:39:57 Simhan Mandyam: No Check the CAM Area CAM Area ends at the ARCH of my townhome

01:40:58 Simhan Mandyam: We are back in What constituters a CAM Are.. I have asked for this for past 3 years..Site Authjority does not have a plan.

01:41:44 Miriam Olson: Nothing is on the sidewalks except overgrown bougainvillea, every now and again.

01:42:49 Simhan Mandyam: Before you start writing rules for CAM Area, get a plan of defined area

01:43:13 Simhan Mandyam: Not for Townhome

01:43:19 Dusty Russell: ^ Agree with Simhan

01:43:54 Simhan Mandyam: I have clarified the details....please be careful before you thread on deciding,...get a Assesors office.

01:45:36 Miriam Olson: Fire Dept is capable of cutting a lock. Agree with Carolyn, do not over regulate!

01:45:42 Simhan Mandyam: I had a clarification from Jake on CAM Area

01:46:06 Simhan Mandyam: ..he has told me my CAM area start at the end of ARCH of my doorway

01:47:39 Simhan Mandyam: PUT A CAMERA AROUND YOUR HOUSE

01:47:43 Dusty Russell: As much as I have issues with the proposed addendum rules and regs, I do appreciate all of these committee members for volunteering their time to talk these things through. Thanks to the committee!

Thank you and Chelsee, for all of your thoughtful comments.

01:51:12 Dusty Russell: Maybe use the Movie night as an opportunity to engage the community.

01:52:14 Simhan Mandyam: I have given my inputs

01:53:24 Simhan Mandyam: Thank you Carolyn...Let not one person or two make decisions

01:53:36 Dusty Russell: *Applause for Carolyn.

01:55:03 Simhan Mandyam: Kevin Rocks !

01:55:15 Simhan Mandyam: Kevin got his Mojo back

01:55:43 Dusty Russell: People think the enforceability is not doable. That's why people aren't engaging. People are using their common sense in the common areas...

01:56:00 Miriam Olson: Can we send out an email to all residents, and have them opt-in for receiving future emails?

That is the intention of the first survey.

01:56:19 Tobey Wheeler: Even if you have the success rate you received for a movie night you still do not have a majority.

Agree we may never have a majority response. Ultimately the Site Authority will do what they decide to do. We can only influence as they are willing to listen. And all we can do is honestly report what we have as input, which we will do.

01:57:26 Tobey Wheeler: The number of movie response is not even 40% of residents.

Thanks for participating in tonight's working session.

01:57:53 Dusty Russell: Please see the Russells input from June 16th and October 14th. Thanks.

Have reviewed and when I complete this will update the spreadsheet with your additional comments. Thanks to both of you for taking the time to make them and for participating in tonight's meeting.

01:58:22 Simhan Mandyam: Wydell please keep the list confidential

01:58:31 Simhan Mandyam: Wyndell

01:59:04 Dusty Russell: Wendell: Keeping it real.

01:59:29 Simhan Mandyam: Send me I will give you my input

02:06:52 Simhan Mandyam: I have already given my comments

02:07:28 Simhan Mandyam: Please share the video recording with everyone attending

02:08:24 Miriam Olson: Allow people to opt out of emails

That is a part of the first survey. Thanks for participating in tonight's working session.

02:08:46 Simhan Mandyam: Nov 14th

02:09:25 Simhan Mandyam: Send me a note Kevin/Wendell

02:09:52 Simhan Mandyam: Who is everybody?

Thanks for participating in tonight's working session.