

# UNIVERSITY GLEN HOMEOWNERS' ADVISORY COUNCIL

## Minutes of January 19, 2023 Meeting

This HAC meeting was an in-person meeting held in the Town Center Community Room.

1) **Call to Order:** Co-Chair, Mary Kennedy, called the meeting to order at 6:15 p.m. HAC members Tobey Wheeler and Sandi Boyd were in attendance. Ms. Lori Macdonald resigned from the HAC effective January 16, 2023. HAC member Carolyn Phillips did not participate. A quorum was present. Roberts Rules of Order governed the meeting.

2) **Presentation from CSUCI John Spoor Broome Library:** Alicia Virtue, Dean of the Library and Colleen S. Harris, Head of Instruction, Engagement & Assessment informed attendees about upcoming online lecture series and in-person events the library will host in the February, all of which could be found on the CSUCI John Spoor Broome Library Official Public Calendar:

<https://csuci.libcal.com/calendar/official?cid=12486&t=g&d=0000-00-00&cal=12486&inc=0>

Following the librarian's remarks, Ms. Kennedy reported on the UGlen community's opportunity to work with the CSUCI sociology department in the development of a survey of the community's views about life in a university-adjacent community.

*Mrs. Boyd moved to request that the sociology students be encouraged to prepare such a survey to be distributed to the community for their response on a wholly voluntary basis. Mr. Wheeler seconded that motion, and, there being no further discussion, the motion carried unanimously.*

3) **Public Safety Report:** The CSUCI Police Department reported about (a) their handling of multiple mountain lion sightings; (b) the incident responded to in the period following last month's HAC meeting (suspicious character dressed in black jumped a fence into the construction site); and (c) the number of citations issued in University Glen in the period following last month's HAC meeting (one parking citation). The officer noted the Department's intent to increase police presence when students who were on holiday return to campus and, in light of a stolen car report, advised residents lock their cars and take other precautions to avoid cars being stolen.

4) **Public Comments:**

a) UGlen resident Wendell Grayson commented that the HAC does an adequate job but stands to improve the level of communication to/with community members about HAC accomplishments and current/ongoing significant issues. Mr. Grayson discussed the following two specific examples that he (and likely other community members) would like status updates: (a) Site Authority making two payments into the Townhouse Reserves; and (b) the status of HAC attempt to move the Townhouse Reserve funds to a different investment vehicle.

b) UGlen resident Lori Knudson shared that her dog has been attacked four times while out in the neighborhood, discussed specifics of the most recent attack which involved an off-leash dog, and expressed her wish that the offending animals be leashed as a baseline response.

- c) UGlen resident Sandra Bolger shared her (i) observations about the vehicles being parked on the street near her home; (ii) position that it is unfair for all homeowner CAM fees to be increased based on water consumption while some homeowners are renting out rooms; (iii) suggestion that those renting out rooms (i.e. acting like landlords) should be paying a premium because they profit from renting but are charged the same CAM fee as their neighbors who aren't renting; and (iv) thoughts about fiscal responsibility, oversight and community participation in connection with the UGlen budget preparation process.
  - d) HAC member Tobey Wheeler read into the record the speech UGlen resident Patrick McClone made at the December 2022 HAC meeting. A transcript of the speech is attached hereto as Exhibit A.
  - e) Mr. Wheeler, in his capacity as a UGlen resident, commented on (i) Roberts Rules being adopted by the HAC to govern their meetings (Mr. Wheeler sets forth a process by which he believes Roberts Rules may be properly used to govern HAC meetings); (ii) the Budget Advisory Group policy/operating procedure of keeping confidential draft budgets/works in progress and discussions related thereto (Mr. Wheeler refers folks to a conversation about transparency of the BAG that can be found on the CSUCI website); (iii) his belief that the HAC should discuss the procurement of a conflict of interest statement because minutes show "people voting for something that is their pet peeve and not the wishes of the community"; (iv) the need for a focus on responsible budget planning given the CAM budget increases of \$820,631 in the last five(5) fiscal years; and (v) on an email message in which a "bully list" was mentioned and made a personal statement about not being aware or part of, or participating in, a "bully list".
- 5) **Approval of Minutes:** The minutes from the December 2022 HAC meeting, which were previously provided to the HAC for review and comment, were approved by two votes in favor of approval and one vote against approval.
- 6) **News From District 5:** None. No District 5 representative participated.
- 7) **Site Authority Representative:** John Lazarus, Executive Director of Operations – Site Authority (via Zoom) discussed the following topics:
- a) Determining the Reserve Fund Levels from FY2023-24 – expressed concern about the townhouse reserve fund levels and explained how the CAM fee/Maintenance Rent increase relates to increase in townhouse reserve contributions.
  - b) Water Rate Study – disclosed that at the request of the community, the Site Authority has commissioned a water rate study, which will be prepared by experts in the field (same folks who handle Camrosa's water rate study) at the Site Authority's expense and is anticipated to be completed in March (in time to be factored into the FY 2023-34 budget).
  - c) New Site Authority Board Members – Laura Hernandez, Martina Martinez-Bravo (alternate) Supervisor Jeff Gorrell, Vianey Lopez and Kelly Long (alternate).
  - d) Anacapa Canyon – reported that vertical construction of the single-family homes and townhouses continues. Vertical construction for single family and townhomes has begun. It is

anticipated that the model for the single-family homes and townhouse will be completed by May 2022. Occupation of the townhomes and apartments is expected to occur around the middle of 2024.

- e) University Glen Park Visioning Group – looking forward to establishing the Visioning Group that will provide recommendations as to how University Glen Park can be developed to better serve the community. The Visioning Group will be comprised of a member recommended by the HAC, a representative from each of Anacapa Canyon, Kennedy Wilson, the Site Authority, and perhaps members from the CSUCI campus. Ventura County Parks will be asked to assist.

Following his presentation Mr. Lazarus answered questions asked by Mr. Wheeler regarding the (i) University Glen Park Visioning Group and (ii) Anacapa Canyon's contribution to CAM budget items such as Fido bags used at the Dog Park and Fido House stations throughout University Glen.

*A motion made to accept the Site Authority Report passed by unanimous vote.*

- 8) **Common Area Maintenance (CAM) Manager:** The University Glen CAM Manager, Jake Friesen, reported on a number of topics including but not limited to landscape refurbishing/defensible space, ongoing investigation of water issues facing the community, townhouse reserve shortfall, and FY 2023-24 Budget. The UGCAM Manager Report to the HAC is attached to these minutes as **Exhibit B**.

*A motion made to accept the CAM Manager Report passed by unanimous vote.*

**8) Committee Reports:**

- a) Social Committee – Report included observations about the December 2022 holiday party and recommendation for next year's window (e.g. larger venue, earlier start time).
- b) Landscape Committee – Report included mention of the locations of the defensible space plant refurbishing mockups in the community and a request to be respectful of the residents in the area of the mock-ups when viewing. **NOTE: Dog Committee is looking for new members.**
- c) Garden Committee – **NOTE: the Garden Committee is looking for new members.**

*The Committee Reports were accepted via consent agenda.*

- 9) **Budget Advisory Group (BAG):** HAC Member Sandi Boyd read a prepared statement, which is attached hereto as **Exhibit C** and presented the Uses of *University Glen Generated Revenue* presentation, which is attached hereto as **Exhibit D**.

*A motion made to accept the BAG Representatives report passed by unanimous vote.*

- 10) **Community Advisory Group (CAG) and Site Authority:** Ms. Kennedy submitted for inclusion with these minutes as Exhibit E the minutes for the December 20, 2022 CAG meeting.

**11) Additional Discussion and/or New Topics:**

- a) **Lori Macdonald Resignation from the HAC** – Ms. Kennedy announced the resignation of Lori Macdonald from the HAC. Ms. Boyd recommended the appointment of Tom Bokhart to the HAC to fill in the spot vacated by Ms. Macdonald including Ms. Macdonald's position as one of the HAC BAG members.

12) **Adjourned:** The HAC meeting was adjourned to review Property Improvement Applications in executive session.

**UPCOMING MEETINGS:** HAC: [Feb 16, 6 pm](#) ▪ CAG: [Feb 23, 4 pm](#) ▪ Site Authority: [Feb 27, 11:30 am](#)

## Exhibit A

### **Patrick McClone's Public Comment**

**(read into the record by Tobey Wheeler)**

To whom it may concern,

I cannot attend tonight's HAC meeting...airport pickup. Could someone please read the following into the record:

"As I have said before, the #1 job of the HAC is for architectural guidelines. And, the HAC can make amendment suggestions from time to time. What is happening now is NOT EVEN CLOSE TO MY GROUND SUBLEASE. Social, Landscaping, budget committee, dog park committees...etc. My money is flying out the door for pet projects run by Jake and Kennedy Wilson. How else can you explain a @\$13,000 pot of money that Jake and Kennedy Wilson can dip into whenever they want? Anybody up for a movie? Who wants to paint?? Who wants a dog treat? How about free tamales? Ever been to Disney Land?? And, how about the "other" line item for @\$12,000?? @\$25,000 of my/our money for Jake and Kennedy Wilson to play with. Don't even get me started on @\$179.00 per month in 2006 to @\$380 per month in 2022 and now a possibility of @\$470 per month CAM fees. Where has the money GONE?? Can anyone say comingled??

Why is my money going towards non-maintenance items?? I understand there is an SA representative here. This is for them...Get your act together. You messed up. The latest survey shows us at @\$3 million BELOW where we should be in terms of lifelong maintenance. I know the SA has been chasing the money for years EVER since Eric Blaine was in charge. (Must be nice to live in Dos Vientos!) I know. I have reviewed minutes. I have done my part. We have done our part!! Paid monthly and followed the Ground Sub Lease to the T. And, NOW you may want to depreciate my home's value, take away leased agreed repairs and/or hit me with a "special assessment??"

Every nickel should be for maintenance NOW and for FUTURE repairs. I don't need/want painting classes, dog treats, goodie bags, tamales, ping pong lessons, pickleball wrist bands, donuts, movies, socks, guest speakers, expensive tickets to over priced theme parks...etc!.

What started out as a God send neighborhood has turned into a goat rope. What a mess! My next step is the SA meeting. How do we not have a lawyer??"

Semper Fidelis, Patrick McClone....a disappointed resident who will not recommend folks to live here.

## Exhibit B

### **UGCAM Manager Report to the HAC – January 19, 2023**

1. Regarding the landscape refurbishing/defensible space requirements. UGCAM met with Larry Williams of VCFD Fire Prevention Officer and Aaron Greer, State Fire Marshal regarding defensible space requirements with regard to new landscaping. UGCAM worked with Gothic Landscape to develop a mock-up of several options to meet the state mandated 0 to 5-foot defensible space. Williams suggested the legislation is on the desk of the governor pending review of the finance committee at the state level. The original legislation is to go into effect for existing homes in VHFHSZ (Very High Fire Hazard Severity Zone) on January 1, 2024. UGCAM presented the proposed plant palette we developed based on the State Fire Guidelines. (This plant palette has been shared with the members of the HAC Landscape Committee). UGCAM's mock-up is at 304 Smugglers Cove. The shrubbery was removed, and the fire resistant plantings and groundcovers have been placed. We shared the before and after photos of the mock-up area with Mr. Williams and Mr. Greer. They were generally pleased with what was presented. They requested another mock-up to further clarify the planting scheme. Mr. Williams and Mr. Greer complimented us on moving ahead with a plan to meet the 0 to 5-foot defensible space plan. Mr. Williams and Mr. Greer offered contacts in the fire safety community who may be helpful to pursue grants to address fuel (shrubs) removal and educational opportunities which may assist in paying to become compliant. The discussions during this meeting are being documented to support the community's path forward. UGCAM will continue to keep the community informed and keep the HAC's landscape committee in the loop.
2. During the Budget Advisory Group BAG meeting on January 10<sup>th</sup>, the discussion for the majority of the meeting was discuss the concern over the potable water and sewer bills.

UGCAM continues to have conversations with CSUCI about the status of the water meters, how they read, can the meters be read daily, etc. This includes review of the fire hydrants in UG.

It was pointed out by the owners of the apartments that their experience is that if there is an increase in water usage usually it can be traced to leaking toilets. With that in mind, UGCAM is working to invite a group of 25-30 volunteers who are homeowners to have UGCAM coordinate a dye test of the toilets in the volunteers' home to determine if there is a statically significant number of toilets that are leaking from the toilet's tank to the toilet bowl. Generally, this type of leak is not easily determined without dye test. Based on the results of our test sample additional suggests may be forthcoming. Watch for communications requesting assistance from the community. We will continue to keep the community apprised as further information is gathered.

3. The BAG continues to discuss the best path forward to address the Townhouse Reserve shortfall.

4. UGCAM is scheduled to provide an initial Budget for 2023-2024 by February 1, 2023.
5. UGCAM met with a member of the HAC Social Committee and shared the budget developed by the HAC Social Committee's 2021-2022 Chair and Mission Hills Management. The budget for community wide activities during 2022-2023 is listed as \$10,325.00. To date \$4,572.67 has been spent. To date this is \$6.80/door for the entire year. Of this TH & SFH portion paid was \$1,874.79/272=\$6.80/year Mission Hills \$2,697.88 \$6.80/year. The Holiday Party \$2,940.01. It was reported 166 persons attended the Holiday Party.
6. The HAC's garden committee is looking for new members to participate on the Garden Committee. Contact the UGCAM office if you are interested.
7. With the recent rains, UGCAM is working with CSUCI and Mission Hills to address the sediment/standing water in the concrete swale behind the Hillcrest Apartments and below the water tanks.
8. Gothic Landscape reports they are planning on addressing the weeds in the near future with a pre-emergent herbicide/fertilizer.
9. Gothic Landscape is planning on completing the remaining 30% of the annual tree trimming project in the coming months. Crown trimming of American Sycamore trees along Channel Islands Drive and the round-a-bouts will be the focus of the portion of the annual tree trimming project.  
If owners have specific tree concerns, we request you email UGCAM with your issues.
10. Gothic Landscape is planning on completing the remaining 30% of the annual tree trimming project in the coming months. Crown trimming of American Sycamore trees along Channel Islands Drive and the round-a-bouts will be the focus of the portion of the annual tree trimming project.

11. Financial Report

Operations			
	Dec-22		
			Month
	Income		\$ 164,068.77
	Operating Expenses	Negative Variance	\$ 166,018.25
	Variance	Negative Variance	\$ (1,949.48)
	From July 1, 2022		Year to Date
July	16329.73		
August	9089.19		
Sept	-18598.16		
Oct	-6856.94		
Nov	11114.79		
Dec	-1949.48		
		Positive Variance	\$ 9,129.13

## EXHIBIT C

### **BAG Report January 19, 2023**

The BAG met on Jan 10, 2023. Because the Site Authority was not present at this meeting, the discussion focused on the overage we are facing in water costs this year. It is clear that there are no leaks in the apartments because meters exist in that space to detect water leaks. Ben Gordon of Kennedy Wilson Multifamily said that in his experience the most common cause of excess water usage is leaky toilets. We have 3, and in some cases 4, toilets in our 272 homes. That is at least 819 toilets that could be leaking. Slow leaks are easy to miss.

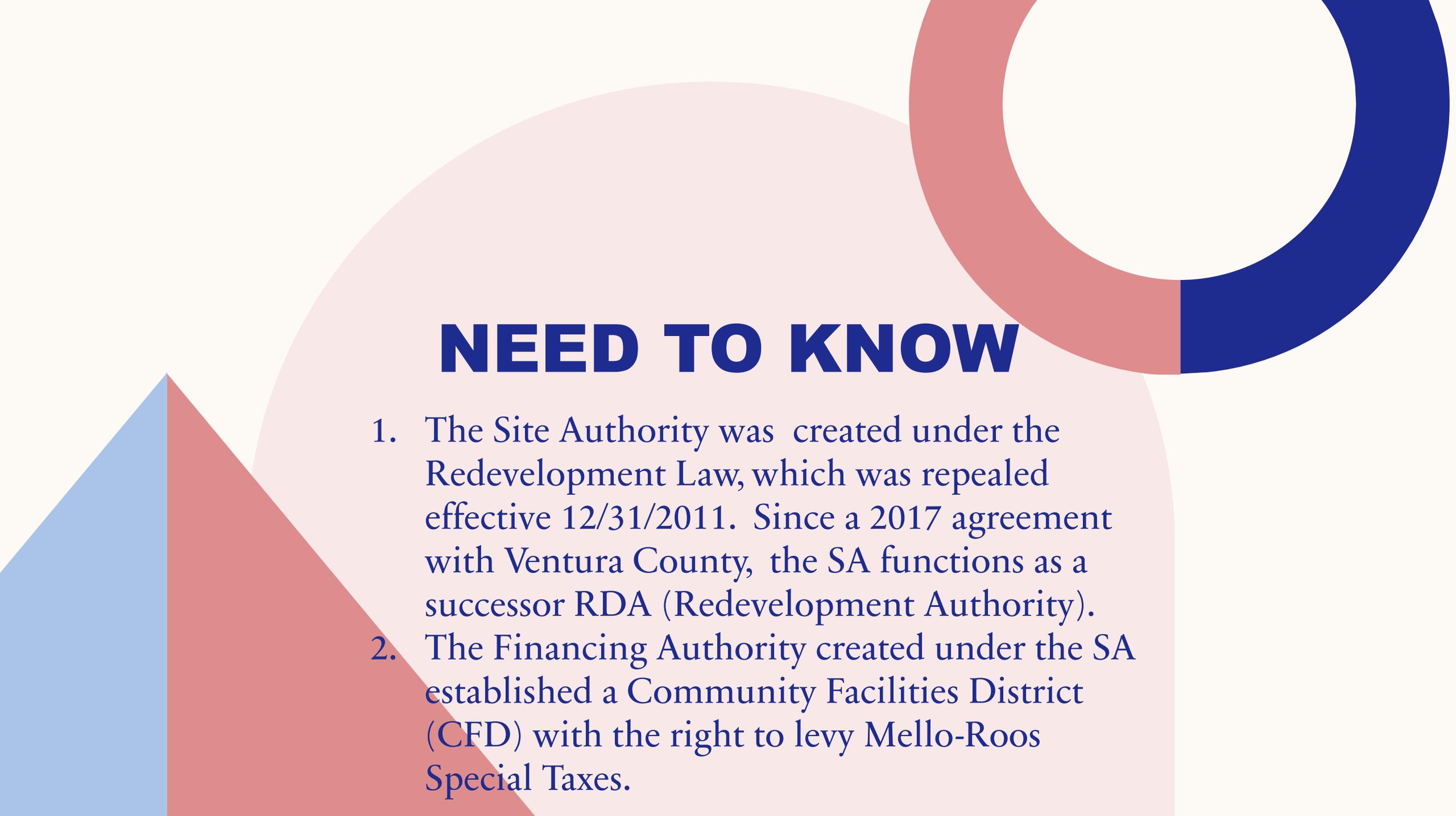
The BAG asked Jake to determine the scope of this problem and hopes that everyone will cooperate with his pilot study.

The BAG reminds everyone that the repair of these toilets is an individual responsibility of the owners.

EXHIBIT D

**Uses of University Glen Generated Revenue**

**USES OF  
UNIVERSITY  
GLEN  
GENERATED  
REVENUE**



# NEED TO KNOW

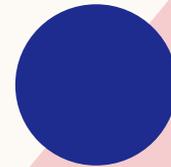
1. The Site Authority was created under the Redevelopment Law, which was repealed effective 12/31/2011. Since a 2017 agreement with Ventura County, the SA functions as a successor RDA (Redevelopment Authority).
2. The Financing Authority created under the SA established a Community Facilities District (CFD) with the right to levy Mello-Roos Special Taxes.

# REVENUE SOURCES

Property Taxes

Mello-Roos Special Taxes

Maintenance Rent



# PROPERTY TAXES

The Site Authority receives:

1. Incremental property taxes generated by the RDA (aka the Site Authority) by building University Glen.
2. Amount received is net of the required pass-through payments to other agencies.
3. This continues until all debts incurred by the RDA are paid by the SA acting as a successor agency.
4. Must be spent solely on remaining debt which is the Infrastructure Bond now 2017c.

# MELLO-ROOS TAXES

1. Amount due for each door was determined by square footage of your home times the maximum rate allowed. This has been increased and will continue to be increased by 2% each year. This is also the max allowed.
2. This tax is only paid by our 272 doors.
3. Must be spent solely on items included in the founding resolution of the CFD which are represented by the infrastructure bond 2017c.
4. Changes to the scope of work to be included and the financial obligations of the rate payers require approval of the district (CFD).

# MAINTENANCE RENT

1. The Site Authority delegates the drafting of the budget to UGCAM and the BAG, but it is submitted to the SA at the end of January and they retain final authority over the contents. Budget is final when approved by the Site Authority usually at their May meeting.
2. Maintenance Rent amounts, aka Common Area Maintenance Fees, are determined by the costs assessed to each type of door. Common Area operating expenses and reserves are paid for the by everyone including Kennedy Wilson Multifamily. Single-Family and Townhome owners also pay the expenses and reserves applicable to each.

# THANK YOU

This presentation represents the work of Sandi and Steve Boyd, Tom Bokhart, Kevin Benn, and Kevin Olson.

EXHIBIT E

**Minutes from the  
University Glen Community Advisory Group  
December 20, 2022 Meeting**

## **UNIVERSITY GLEN COMMUNITY ADVISORY GROUP**

Tuesday, December 20th, 2022

In Attendance: Jake Friesen, Mark Hewitt, Christina Sotelo, Mary Kennedy, Ben Gordon

Jake Friesen called to order at 4:05 pm

### **Kennedy Wilson (Ben Gordon):**

- A. Construction continues at the 32-acre site. The current focus is on the amenities building, the clubhouse, the fitness center, the market rate apartments, and the age-restricted apartments. They expect first deliveries late third quarter or early fourth quarter before the market rate product. Kennedy Wilson's construction partner will start building their first units in January. Six-month construction timeline. Total of 8 units, 2 single-family homes, and 6 townhomes. Which will be used as the model homes, sales office, and segway into continued construction. There is a website, Anacapacanyon.com with an interest list. You can submit your email with questions you have, and someone will reach out to you.
- B. Mark Hewitt inquired about the market-rate apartment models. Ben Gordon replied they will be open around October 2023. The age-restricted apartments are expected to be completed near the end of 2023 or early 2024.
- C. Mary Kennedy addressed the water leaks in University Glen and asked if Anacapa Canyon is taking any precautions for water issues. Mr. Gordon acknowledged he is aware of the water leaks in the existing University Glen. He replied it is extremely challenging to find the source of that due to the lack of meters. In Phase 2 they will be fully metering the community, all townhomes, single-family homes, and apartments will have their own sub-meter. There will be one sub-meter for the age-restricted community. This will allow them to gauge water usage on a more isolated basis to prevent any future leaks or early detection. Mrs. Kennedy inquired about the Phase 2 Ground Sublease Agreement. Mr. Gordon replied the Ground Sublease Agreement will be available to prospective buyers and accessible on AnacapaCanyon.com. Jake Friesen assured the Site Authority will post a link to the Anacapa Canyon Ground Sublease Agreement on the University Glen website when it is accessible.

### **Homeowners Advisory Council (Mary Kennedy):**

- A. Mary Kennedy inquired about the Community Advisory Group meetings being in person going forward. Jake Friesen agreed. He stated the next meeting will be held in the community center. Allowing Ben Gordon and others to participate virtually if needed.

### **Site Authority (Jake Friesen on behalf of John Lazarus):**

- A. The homeowners' manual will be ready for review by the Homeowners Advisory Council in January. The Site Authority clarified that it is only an attempt at a distillation of the

Ground Sublease and helping homeowners to understand how they access services and the obligations of both them and the Site Authority. John Lazarus or anyone is not able to unilaterally modify the Ground Sublease since it's a contract.

- B. Solar panel for townhouse language is in review with University Council and running slowly.
- C. Anacapa Canyon continues to move on schedule with the vertical construction of townhomes and single-family homes
- D. Late fees will be applied once again starting January 1<sup>st</sup>, 2023. Any balance that is over one month rate for the single-family or townhomes is considered excess and will be charged a \$50 fee. Which will be due the following month.
- E. University Glen representatives for the Visioning Committee for possible improvements in University Glen Park would be University Glen, Mission Hills, Anacapa Canyon, and the Site Authority. Ventura County does not have jurisdiction, but their opinion is welcomed.
- F. The Town Center parking lot maintenance will be completed by the end of December.

#### **UGCAM Report (Jake Friesen):**

- A. The Homeowners Advisory Council requested that UGCAM communicate with the University regarding the lighting at the footbridge. The University provided a drafted guideline regarding footcandles and does not address pathways. Jake Friesen requested the Homeowners Advisory Council create a working group to investigate the best way to proceed. The cost will come into discussion and community input from other areas need to be taken into consideration.
- B. There was a communication of an herb garden that is in the community park. Everyone can use it but please harvest responsibly.
- C. The CSUCI Dolphin Pantry is available for food and toiletries for members of the community. You can also donate items as well to Dolphin Pantry Services.
- D. The Homeowners Advisory Council requested information on water pressure issues. The CSUCI plumbers stated regarding pressure regulators, "the water pressure in the upper University Glen is 60lbs per square inch, the town center is 75lbs per square inch. The uniform plumbing code states, pressure below 15 PSI requires a booster pump and above 80 PSI requires a regulator valve." The information came from the uniform building code section 608.0.
  - a. Mark Hewitt purchased his own pressure gauge from Amazon for \$23.00. His house tested at 55 PSI.
- E. As requested, information has been posted on the University Glen website. Information on whom to contact if there was any vehicle damage done by the Anacapa Canyon construction. It has been posted under the Owner Resources drop-down.
- F. UGCAM distributes its E-Blast news monthly. The QR codes posted on the mailboxes are the web version of the E-Blast news. The meeting minutes will be posted on the University Glen website once approved by the Homeowners Advisory Council.
- G. 160 people attended the Holiday Party.

- H. 70% of the budget has been completed for the annual tree trimming. The remaining 30% will be used for specific trees. The Sycamore trees need trimming, which is a protected species. UGCAM is working with the arborist with Gothic Landscaping on how to approach the trimming. The trees have bark beetles. The bark beetles cause the bark to look rotten, but the trees are healthy.
- I. UGCAM has signed a proposal from Gothic Landscaping for the landscaping refurbishing project. Using guidelines based on the zero-to-five-foot defensible space recommendations from the California State and Ventura County.
- J. UGCAM is working on the waste bin enclosures for the waste requirements. It will be completed by the end of January. This would be for two enclosures for the 64-gallon bins in the single-family and townhouse portion. One 64-gallon bin with a gate and enclosure for Mission Hills Apartments. The cost will come from the common area reserves.
  - a. Mark Hewitt requested the Site Authority mention the water budget issue at the next Site Authority Board Meeting. He will follow up with John at the next Community Advisory Group meeting.
  - b. Mark Hewitt asked Ben Gordon if there will be any pathway lighting bollards in the new development. Mr. Gordon will forward the details once he receives them.

**Closing Remarks:**

Adjourned by Jake Friesen at 4:35 pm