

**SOUTH BAY COMMUNITY ASSOCIATION
BOARD OF DIRECTORS SPECIAL MEETING
March 24, 2021
10:30 a.m.**

MINUTES

1. Call to Order at 10:32 a.m.

2. Determination of Quorum

6 of 7 Directors present by remote video or phone conference.

DIRECTOR	PRESENT	ABSENT
Bruce Birch - Sec.	X	
Bart Clark - Pres.	X	
Dick Grieves		X
Dave Jurca	X	
Chris Spagle - Treas.	X	
Tom Sprandel - VP	X	
Bill Wight	X	

3. Approval of Agenda

Agenda amended to include Executive Session.

Moved: Dir. Jurca

Second: Treas. Spagle

Carried Unanimously

4. Approval of Meeting Minutes from Mar 15 2021

Motion: Table the approval of the March 15 2021 minutes at this time to allow the Directors to clarify the motion regarding the tennis courts under section 12 of the minutes.

Moved: Dir. Jurca

Second: VP Sprandel

Carried w/o Objection

5. President's Welcome and Comments

President Clark remarked that the numbers from the county and state level for vaccines, infection and death rates still do not support a safe reopening of the SBCA facilities including the tennis courts at this time. Today's meeting will hopefully address some of the concerns and challenges with planning and executing a safe reopening of SBCA facilities.

6. Proposal for Reopening Bay Club and/or Tennis

Board Discussion:

GM Torres presented a draft concept for a plan regarding reopening of the Bay Club facilities. The draft was developed after extensive research that included reviews of all governing agency guidelines for operating in the COVID environment, and with the help of several SBCA members who have knowledge in the healthcare field.

Several questions were raised by the membership and the Board Directors regarding

1. How will we reopen
2. What it will look like when we reopen

The Board specifically stated that at this time, we will not be addressing “When we will be reopening”, as this will be a topic for the Board once a plan has been established and all protocols and procedures have been addressed including, but not limited to, state guideline compliance, capacity, member responsibilities, enforcement policies, staffing, air quality and cleaning protocols.

Staffing was discussed at length regarding the need for additional staff, returning of furloughed staff, compulsion to perform Covid related activities, and capacity to serve. GM Torres stated that a staffing plan has been developed which addresses all of these topics. The key to this plan is whether currently furloughed staff will return and if they are in a capacity to serve. GM Torres expressed that it is likely that we will have to hire new staff to fulfill the Covid duties.

The Board noted that the draft contingency plan currently before the membership is ONLY a draft and with the understanding that it is a living document that is expected to change and mature over time based on scope, staffing, government proclamations, and other circumstances.

During the discussion, the Board agreed to modify the first sentence of item 3 under FACILITIES CARE in the draft contingency plan from “will” to “may” as noted below

COVID-related staff (C-Staff) **may** need to be hired (if not filled by any of the existing staff members volunteering to take on this role).

A majority of the Board also agreed that it would be premature to open the Bay Club facility prior to completion of the HVAC and lighting projects.

It was also noted that there is an anticipated confluence of events in the June timeframe that would fortuitously address a safe opening. The Board will continue to evaluate the scheduling of a feasible reopening date on a monthly basis.

The Board agreed that additional rules and policies will need to be drafted to address violations and consequences for non-compliance with established requirements of the reopening plan.

Motion: Approve the draft contingency plan as currently written with the understanding that it is a living document that is expected to change and mature over time based on staffing, government proclamations, and other influences.

Moved: Dir. Wight
Second: VP Sprandel

Passed 5-1 with Dir. Jurca abstaining

Dir. Jurca noted that this is a good first draft, but he questions the appropriateness of the approval by the Board at this time.

With the approval of the contingency plan, the Board acknowledged that GM Torres can go forward with drafting a plan for reopening based on the scope identified in the conceptual draft.

The Board also acknowledged a suggestion for sending out a survey to the membership asking for comments regarding the reopening. The Board will take this under advisement for the next board meeting.

The Board had a discussion on the tennis courts and noted that delegating oversight and access to a third party (whether PLA or volunteers) does not solve the issue - SBCA would not be able to monitor compliance with expected safety protocols. It was also noted that the tennis court cost to SBCA during the life of the lease is projected at \$380,000 which factors an inflation rate into the overall costs of maintenance and Reserve expenditures.

The Board also discussed the ADA concerns and noted that ADA requirements do not allow for a reservation system for a disabled person to gain access. That defeats the purpose of ADA to have access without being burdened by dependency on others, and even if allowable, using volunteers to assist poses potential liability issues if anyone is injured during the process. The Board stated that the tennis courts should not reopen until the Board has been advised on the ADA compliance issue and defers all further discussion to legal counsel.

Motion: Approve and direct safe opening of the Bay Club no later than May 18, 2021 and prior to that time necessary actions be taken and plans be formulated, with protocols and guidelines, be provided to the Board for approval.

Moved: Dir. Wight
Failed for lack of a second

Member Comments:

ADA Issues - The member who raised the ADA issue with the tennis courts suggested to the Board that there is a more pragmatic and financially prudent approach to addressing the ADA issue as opposed to seeking advice from legal counsel. He stated that he is willing to send a letter to the County Code Compliance office to help mitigate the non-compliance.

Board response: The Board has already initiated the process to seek legal counsel to discuss the ADA issues.

A member raised the following issues:

1. The web service, FreeConferenceCall, being used for SBCA telecons is inadequate due to difficulty with dialing in.

2. WA State is now in Phase III and allows 50% occupancy at health club facilities. She asked why the Board is not allowing 50% occupancy at the Bay Club.

Board response: There is a difference between usage for activity and occupancy compliance in the various rooms and confined areas of the Bay Club based on square footage. Occupancy limitations will be covered in the final reopening plan.

3. An eblast needs to be sent to the membership announcing the Town Hall meeting.

Board response: The Board noted that they had previously sent an eblast for the Town Hall, but would send a follow-up eblast as a courtesy.

4. There should be no paid staff members at the Town Hall or have a member only board meeting to get comments from the membership with no influence of the SBCA staff.

Board response: The Board will consider having a member only meeting in the future.

A member commented that there is a normal sequence of events for a development project and that this process should be used for the tennis courts in regard to the ADA issue. He suggested that we use the code requirements as guidelines for the ADA design work and reduce the cost of compliance by using a landscape architect to help with the design and compliance.

A member commented that he believed we do not need to wait for the HVAC project to be complete before the Bay Club is reopened. He also suggested that the Bay Club should be open for meetings.

A member asked if GM Torres went to other HOAs to review their opening protocols.

Response: GM Torres stated that he has been in contact with several local HOAs and that some use volunteers to support COVID activities and some have less-than-adequate cleaning supplies and procedures. He noted that a few HOAs are following our current direction on active planning and future reopening.

7. **Motion:** Move to enter closed Executive Session to consider personnel matters, communications with legal counsel, and possible violations of SBCA's governing documents.

Motion: Dir. Jurca

Second: Treas. Spagle

Carried without objection

8. **Resume Open Session at 12:52 p.m.**

Motion: Move to ratify motion made in Executive Session to authorize and direct GM Torres to send a response to PLA as noted.

Motion: Dir. Jurca
Second: Treas. Spagle
Carried without objection

Motion: Ask for legal counsel to advise on ADA-related issues for the tennis court.

Motion: Dir. Jurca
Second: Treas. Spagle
Carried without objection

9. Adjourn

Motion: Move to adjourn.

Motion: Treas. Spagle
Second: Dir. Jurca
Carried without objection

Meeting was adjourned at 12:53 p.m.

Next SBCA Board Meeting: Monday April 12, 2021, 2021 at 10:30 a.m.

Via remote access at <https://www.freeconferencecall.com/wall/bayclubgm>
(preferred)

or by calling the dial-in number: (339) 209-6193

Submitted by Bruce Birch, Board Secretary