

DRAFT MINUTES
SOUTH BAY COMMUNITY ASSOCIATION
SPECIAL BOARD OF DIRECTORS MEETING
February 6, 2020
10:00 a.m.

Determination of the existence of a quorum
4 of 7 Directors present.

Motion to Approve the Agenda

M: VP Shadrick

S: Dir. Jurca

C: 4-0

- I. Introduction of Board Members, Parties and their Representatives, and Witnesses
- II. Hearing regarding Grotto Wall
 - a. A. Opening Presentation by Complainant (TLV Board) (10 minutes)
 - i. Complainant opening statement available
 - b. B. Opening Presentation by Ms. Lewis (20 minutes)
 - i. Rebuttal documents are available with drawings. Complainant provided documents that dispute claims of Ms. Lewis's representative. Complainant and Hicks presented conflicting arguments and evidence, viewed by Director Jurca as he responded. Ms. Lewis and Mr. Hicks indicate with a photo that the complainant's plantings are higher than the wall in question on the Lewis property. Getting back to the question of the wall, there was clarification regarding the grotto and the reconstruction/repair of the wall due to it falling apart and being in need of repair. The structure (wall, grotto?) was built in 2011 according to Ms. Lewis. Dir. Jurca asks where he might find a reference to the "structure" in the landscaping plan. GM Torres noted that the plan had no reference to a "decorative piece" in any detail. A neighbor (Ponto) 2 doors down from the Lewis home noted that they saw no grotto when they moved in in 2014 and then saw it after returning from a vacation. Rebuttal from the complainant notes that the complaint came from "the board" designating it as an illegal wall.
 - c. C. Rebuttal Presentation by Complainant (5 minutes)
 - i. Ms. Richards notes that the wall was constructed in 2018 or 2019. Another neighbor showed the permit granted in 2011 that expired on 8-20-2011 with no extension
 - d. Rebuttal Presentation by Ms. Lewis (10 minutes). Ms. Lewis and her helper notes the deep emotional issue she has with remembering the Korean War amputee veterans who asked her to remember them after they died. The grotto serves as the structure of remembrance. Further, there is the contention that the "wall, grotto" is shorter than the border plantings in the complainant's property and thus it is claimed that the wall is irrelevant to view issues. It was claimed by Mr. Hicks that neighbors have an illegal pump and others are not being held to the same standards. Ms. Lewis adamantly noted that she is prepared to go to court to get a court order to keep her grotto. Pres. Sheldon asks if a reduction of the wall's height to 36 inches would be acceptable. Mr. Hicks agrees that he sees that option as reasonable. Ms. Lewis prefers to leave it as is. A

neighbor (Viet Nam veteran) complains vehemently concerning the references to veterans as a perceived way to generate sympathy. Further, he noted that the structure in question is a wall, not a grotto.

III. Hearing regarding Animal Feeding

- a. Opening Presentation by Complainants (TLV Board and Ms. Richards) (10 minutes)
 - i. TLV Board presentation is available as a prepared statement read aloud. A copy will be entered into these minutes as an appendix when the statement is provided by the TLC board. Ms. Richards expanded on the alleged bird and wildlife feeding activities. A hard copy of the ARC Permit was provided to the board. She expanded on the damage to her property and injury to her coy (fish) has taken place due to racoon activities. Infestation by rats ensued while Ms. Lewis fed racoons on the ground. Her presentation is a prepared document that should be acquired by the board and entered into these minutes as an appendix. She expressed health and safety concerns.
- b. Opening Presentation by Ms. Lewis (10 minutes)
 - i. Mr. Hicks states that he agrees with the coy complaint and the problematic racoons. Ms. Hicks contends that her feeding of the racoons was her attempt to distract the racoons away from the coy pond. Ms. Lewis notes that multiple dead animals were found on her property due to the poison placed around the area by neighbors. Ms. Lewis states that she has not fed racoons for several months, since summer of 2019. She states that she will resume and continue to feed birds. Dir. Jurca asks if Ms. Lewis will limit her bird feeding activities to one feeder compared to her use of multiple feeders.
- c. Rebuttal Presentation by Complainants (5 minutes)
 - i. One of the consequences of bird feeders was a revision of the design standards to discourage the feeding of birds and wildlife in such a manner as to attract large numbers of birds and wildlife to the area. Neighbor who is a biological scientist and master gardener claims she has never intentionally poisoned animals. Further, she notes that bird seed getting to the ground attracts rodents.
- d. Rebuttal Presentation by Ms. Lewis (5 minutes)
 - i. Mr. Hicks states that he supports full compliance with the TLV board's requirements regarding the feeding of racoons and other wildlife. Mr. Hicks states that Ms. Lewis will not feed racoons in the future and that she has already ceased. Her helper claims that the veteran neighbor pointed a paint gun at the Lewis property. The veteran neighbor claims that statement is a lie. Ms. Ponto described how she resolved her rat infestation problem in her garage. TLV position is that the wall was never approved.
Motion to enter executive session.

M: Pres. Sheldon

S: Sec. Clark

C: 4-0

IV. Board Deliberation (in closed executive session)

Return to regular session at 11:17 a.m.

Motion to go into recess until Friday, 02-07-2020

M: Pres. Sheldon

S: Dir. Jurca
C: 4-0