Coastal Property Owners Association of Santa Cruz County

Board Meeting Minutes

Meeting Minutes

Wednesday, August 21, 2019

Attendance: Steve Forer (President), Keith Adams (Immediate Past President), Reed Geistreiter (Treasurer), Richard Berg

Absent: James Marshall, Gene Bernard, Dave DeBore

Guest: Geoff Flavel

1. *Call to Order*: The meeting was called to order by Steve Forer @ 7:00 p.m. on 8/21/19.
2. *Approval of Minutes*: Keith Adams reviewed the minutes of 4/9/19. It was M/S/P (4:0) to approve the minutes as submitted.
3. *Treasurer’s Update*: Reed Geistrieter presented the most recent CPOA Statements:
4. *Reserve Account*: balance of $36,217.21 (as of 7/31/19) held in a money market fund at Charles Schwab
5. *General Checking Account*: Current balance of $5,626.97 (as of 7/31/19)
6. *Major Expenses*:

$ 5,872.00 Insurance Director’s E&O (limits increased to $2M)

$ 20.00 State of CA Tax

$ 2,309.70 Website re-design, PPD Multimedia Inc

$ 200.44 Retainer

$ 8,402.14 TOTAL PAID EXPENSES 1/1/9 – 7/31/19 *Income Received* (Dues): $ 5,159.65

Interest $161.02

Total Assets: $41,884.18 (as of 7/31/19)

It was M/S/P (4:0) to approve the Treasurer’s report as presented.

1. *Signature Authority on CPOA Checks:* Reed Geistreiter inquired about the current CPOA policy requiring two signatures on all CPOA checks. Can the checks be signed by either the Treasurer or President to pay for CPOA Board approved expenses? What is the dollar limit for un-approved expenses? The following resolutions were passed:
   * + - 1. It was M/S/P (4:0) to require only one signature on checks for CPOA Board approved expenses.
         2. It was M/S/P (4:0) to allow the treasurer to pay for expenses < $500 without CPOA Board Approval, provided those expenses are accounted for on the CPOA Financial Statements.
         3. It was decided to defer any decision on proxy e-mail CPOA Board votes, pending review of the Bylaws. Present policy is unanimous vote of available CPOA Board members. (see agenda item # 16 CPOA Bylaw information)
2. *Annual CPOA Meeting:* Steve Forer explained that the CPOA Annual meeting is all set for Seascape September 15, 2019, 2- 4 p.m. in the Seascape room, which should hold about 300 people. Professor Gary Griggs is the keynote speaker who will speak about the past, recent and future sea level rise, impact on coastal erosion, stability of ocean bluffs, cliffs, and sand migration.  Following his presentation, there will be an opportunity for questions and answers. His presentation is expected to last approximately 45-60 minutes, allowing for 30 minutes for questions and answers after his presentation, to be following by our CPOA Annual Business meeting. Initially, we had thought Seascape would comp the meeting room and possibly the refreshments as they had done last year for a smaller group. The Seascape room which is much larger, was reserved for CPOA in early July, but Cassie Olsen, the catering manager never confirmed if Tim McGregor, Seascape General Manager was willing to wave the room rental and catering fees. Steve Forer had left multiple messages for Cassie Olsen, but she never got back to him to confirm that the fees would be waved. Then on August 20th, Steve received an e-mail from Cassie indicating they had other parties interested in the room so they would not be able to wave the rental and catering fees which are normally about $12,000 +, but would offer the room for $1,000 plus a minimum of $8,000 for catering guarantee. This would bring the cost of the room to $9,000 for only two hours. Steve contacted Tim McGregor, GM, and was able to get a more reasonable proposal from Cassie for $4,692.45 (room, catering, service fee and tax included). Other venues such as Chaminade wanted $15,000 for room and catering.
   * + - 1. *It was M/S/P (4:0) to approve $4,692.45 for the event, and authorize Steve Forer to sign the contract with Seascape Resort, since we had already mailed out over 2,000 letters and invitations, and were committed to having the event at Seascape.*
         2. Annual Business Meeting **Agenda**:
3. *Ballot, Election of Officers*. We have one open CPOA Board seat, and the bylaws allow us to have up to 9 CPOA Board members. The original plan was to have a general ballot to confirm election of all CPOA Board members and allow for new nominees to fill the empty seats. However it was decided that would not be a good idea. Steve Forer will check the CPOA Bylaws for direction. (see item 16)
   * 1. *Update on the County’s proposed Local Coastal Plan:* Steve Forer raised the question, if we are successful in being able to get a copy of the revised LCP by 9/14/19, should we make copies available at our annual business meeting.

*After much discussion, it was decided not to provide copies of the revised LCP at the CPOA annual business meeting, but instead to post it on the CPOA Website, and provide members with a summary of critical issues and talking points so that they could write letters or meeting with the County Supervisors.*

* + 1. *Call to action to urge CPOA members to attend the County Supervisor’s meeting 9/24/19 at 1 p.m.*
    2. *Potential Conflict of Interest;* County of Santa Cruz accepted a grant of $200,000 from the Coastal Commission to help develop the revised LCP in accordance with the Guidelines for Sea level Rise and Residential Adaptation Guidelines. This is why Santa Cruz County is obligated to revise their LCP now rather than in 5 years.
    3. *Other Business:* Do we want to extend an invitation to the County Board of Supervisors to attend the CPOA Annual Meeting on 9/15/19. *After some discussion, it was decided to only extend an invitation to Supervisor John Leopold, since he has been more actively engaged in the LCP process, and represents the majority of Coastal Property owners.*

1. *AV Estimate from Impact Group:* Steve Forer presented the estimate from the Impact Group to provide audiovisual equipment, sound and tech support for our event at Seascape. Given the layout of the Seascape room, we will need two large 8’ screens and LCD projectors, podium, microphone, portable and table mic, and mixer. The quote from Impact Group was $2,595.30

*It was M/S/P (4:0) to approve $2,595.30 for AV Equipment to be provided by the Impact Group*

1. *PPD Multipmedia Inc, Mass Mailing:* CPOA Board had previously approved PPD Multimedia to prepare and mail out 500+ letters to CPOA members, and 1,500 letters to prospective CPOA members who have been verified to own oceanfront property. The letters were mailed out with a membership application, and return addressed envelope. This is after we had spent considerable time updating our CPOA Member roster, adding in new owners, current addresses, APN numbers, and reviewed over 4,000 potential properties to verify which ones met the criteria for CPOA members for oceanfront property. The cost of this production was $3,909.93

*It was M/S/P (4:0) to approve payment of $3,909.93 to PPD Multimedia for the mass mailing.*

CPOA members and prospective members may register and pay their dues on-line at <https://www.coastalpropertyowners.org> or mail in a check with their application. Once we start to receive the letters and membership applications via mail, Reed Geistrieter may need some assistance in separating those received from our current members versus prospective members.

1. *New CPOA Website:* our new CPOA website is now fully operations. Members and prospective members must login using their APN (parcel #). All past and current members have been loaded into the database on the CPOA website. Upon initial login, members who have not already paid their dues, as well as new prospective members will be prompted to select the membership category and pay their dues via PayPal. Then they can complete or update the rest of their application. It was suggested we also migrate our CPOA website from Hostech.com to PPDmultimedia.com, to give us better control and access to our webhost to make changes or repairs to our website as needed. Previously, we were paying about $60/year for Hostech. The proposal from PPD Multimedia is $14.99/month or $179.88/year.

*It was M/S/P (4:0) to approve the migration of our CPOA website to PPD Multimedia at a cost of $180/yr, with $74.95 due now for the rest of 2019.*

1. *Additional Pictures for the CPOA Website:* Steve Forer explained that we had accumulated a library of about 20 potential pictures of our coastline to be used on our CPOA website. Presently, we are using one picture from Sunny Cove, one from West Cliff Dr., and one from Pajara Dunes. It was suggested we also get a shot of Depot Hill, cliffs near Capitola City to show the coastal erosion. However, we may need a drone or boat to get a good picture.
2. *Bookkeeping via Quick Books:* Reed presented a proposal from Bookkeeping to Go to set up Quick Books and interface with our CPOA website. Once this is set up, when a member pays their dues through PayPal the data will automatically flow too Quick Books, so we can produce our financial statements. The Proposal was for approximately 20 hours at $50/hr, not to exceed $1,000.

*It was M/S/P (4:0) to approve the proposal for $1,000 from Bookkeeping to Go.*

1. *Membership Dues Categories:*

Regular Member $50

Supporting Member $100

Coastal Advocate $250

Coastal Guardian $1,000

Coastal Protector $,5000

Once the members join in a particular category, they are encouraged to renew their membership in the same category, but will have the option to change. Dues are **due now** and can be paid online on our website via PayPal, or vial mailed in check and application. There are 19 members who had already paid their dues in 2019, which will not be due again until 1/1/2021. Those members who are paying between 8/1 and the end of the year, will also not need to pay again until 1/1/2021. Those members who fail to renew their dues will be sent a reminder letter or e-mail, but will not be dropped from CPOA membership until they request to do so. Subsequent dues will be due in January of each year, and reminders will be sent out in November.

1. *CPOA website database*: Steve and Reed reviewed the structure of our database on our new website, which contains all current members with APN#s, updated owner’s name, and mailing addresses. However, until all current members and any new members have completed and updated their application, and their e-mail addresses entered on our CPOA website, we will continue to use MailChimp which has over 200 legitimate member e-mail addresses to send out broadcasts. Then we will switch over to using the database in the CPOA website. So Reed will need to provide Steve with the names and e-mail addresses for all those who mail in applications.
2. *County Revised LCP:* The County Planning Committee appears to have ignored most of the requested changes and public input, and voted to approve the proposed LCP on 3/11/19, and forward to the County Board of Supervisors for review and approval. CPOA submitted a subsequent letter on May 21, 2019 and met with each of the Board of Supervisors to express their concerns about the proposed LCP. The Planning Department and the Board of supervisors also received a letter from the Coastal Commission urging them to slow down the process and make additional changes to the proposed LCP. The Board of Supervisors has decided to delay the vote on the LCP until 9/24/19, to provide additional time to refine the LCP and address concerns expressed by property owners, Coastal Commission and the general public. We had requested a copy of the revised draft of the LCP to be presented to the Board of Supervisors by 9/14/19, so we could have time to make copies and review it prior to the Supervisor’s meeting on 9/24/19. We were told by Kathy Malloy, Planning Director, that there was no new revised draft, and they would be presenting the last draft of 3/11/19 to the Board of Supervisors, along with staff recommendations for alternative amendments. Steve Forer & Reed Geistreiter met with Supervisor John Leopold to express our concerns and frustration with the lack of due process and accountability by the County Planning Dept. Supervisor Leopold subsequently met with Carlos Palacios (County Executive) and Kally Malloy Planning Director, and we have been assured they will do every thing they can to get us a copy of the revised LCP by 9/14/19.
3. *Requested Legal Council Opinion re change in term and conditions for existing shoreline protection permits:* After receiving an un-official copy of the County’s revised LCP, Steve & Reed noticed that the County appeared to be trying to change the term and conditions of all existing shoreline protection permits and to require a “Monitoring Maintenance & Repair Plan” which would be reviewed by the County and renewed every five years. This would apply to those property owners with pre-existing seawalls or revetment rocks installed before the Coastal Act, with no term limits, as well and those with 10 or 20 year term limits. Therefore it was felt we needed to get a legal opinion as to whether the County and Coastal Commission have the legal authority to change the term and conditions of pre-existing shoreline protection permits. We obtained a proposal from Fenton and Keller, attorneys specializing in coastal property rights, based in Monterey, to do the research and render a legal opinion on these issues. The proposal was for $5,200, and included a conflict of interest waivers from two other involved parties. However, since we do not have an official revised LCP from the County to respond to as of yet, it would be premature to seek this legal opinion.

*It was decided to delay any action on seeking a legal opinion from Fenton & Keller on these issues until the County has issued the official revised LCP, CPOA Board Members have had time to review it, and identify any issues such as the above mentioned which we may need to seek a legal opinion on. However, it was noted by several CPOA Board Members that is was a good idea to have lined up legal counsel to assist us ahead of time.*

1. *Other Business:* One of our new members, Brett Sisney, who is redeveloping a parcel on Opal Cliffs and has a lot of issues he has mentioned in dealing with the County and Coastal Commission on obtaining the necessary building and shoreline protection permits, has expressed an interest in serving on the CPOA Board of Directors. Richard Berg volunteered to contact Brett to see if he is still interested since we have one vacant seat on the CPOA Board.
2. *CPOA Bylaws Information:* According to the CPOA Bylaws, the Board shall consist of at least 3 members and no more than 9 board members. The existing CPOA Board has the right to fill vacant seats as needed. But the Directors shall be elected at the annual meeting and shall serve a term of one year, until their successors are elected. A quorum is defined as 1/3 of the Board Members. The Board Officers are the President, Vice President, Secretary-Treasurer. The annual meeting shall be held during July or August, with mailed notices sent 15 days in advance to all current members. Any action taken by the Board without an official meeting of a quorum, shall be documented in writing and included with the next Board minutes. Actions taken by the Board shall be approved by simple majority vote of available Board members as long as there is an established quorum of 1/3 of the current Board members.
3. *Adjournment:* The CPOA Board of Directors meeting was adjourned by President Steve Forer @ 9:00 p.m. on August 21, 2019.

Respectfully Submitted: Steve Forer, President, CPOA-SC