

**Glenshire Devonshire Residents Association
Board of Directors Meeting
Minutes
June 13, 2018 6:00 P.M.
at Glenshire Clubhouse 15726 Glenshire Dr, Truckee, CA 96161**

- I. Call to Order and Roll Call
Board members present: Jamie Brimer // Peter Tucker // Devin Bradley // Pam Stock // Martha Frantz. Staff present: Dan Warren // Lori Kelley.
- II. Pledge of Allegiance: Done
- III. Property Owner Comments: None
- IV. GDRA Board Member Comments: None
- V. Presentation: None
- VI. Workshop and Discussion
Discussions will use the following format: (a) staff report, (b) board discussion (c) GDRA Homeowner comments (*comments can be limited to 3 minutes*) (d) board deliberation and action.
 1. Discussion of enforcement of CC&R 6.07: Trash containers may be visible on trash collection days only.
With the new green waste and recycle tote program storage of the totes may be a visual nuisance unless they are stored in garage or behind a fence. The board of directors should consider how active they want to enforce this CC&R or if there may be other solutions
 - GM reminded that it's a new program and how board has a lot to consider with visible container rules.
 - Marty mentioned green bags end June 30th.
 - Board discussion:
 - concern significant amount of bins will visible
 - concern of getting bins stored during winter months
 - may have to understand that some residents have no means to store bins
 - thinks we will ultimately require bins to not be visible, and giving a reasonable time frame for members to build enclosures who don't have one
 - feels they can be stored just as current trash cans are, inside of fence
 - wait until problems occur before making decisions
 - how recycle bins will draw wildlife
 - Member input:
 - No room to store and park 2 vehicles
 - Suggest board gives leeway to create a screening feature
 - Town imposed issues, and feels the homeowners of Glenshire shouldn't be penalized, and put this back to the town
 - Why do we need to have green bins all year (reply: town will pick up and re-deliver for a fee)
 - Board decided to let it ride for a bit and see how it goes, then re-visit in the future
 2. Absorbing ACH (electronic transferred payments) fees to streamline payment and collection issues, and to move away from physical check processing consuming staff time and excess paper

consumption. Possible savings of over \$200 a year, increased accuracy, possible higher on time payment rate.

- Board discussed
- Members gave positive input
- Motion by Peter: Approve this for a year trial with progress report at six months and that fee stays within 75 cents per transaction. Approved 4 - 1.

3. GDRA Board of Directors review of Short Term Rental Committee's recommendations for possible new rules and or CC&R amendments pertaining to Short Term Rentals in Glenshire
 - The GDRA Short Term Rental Committee has been working for almost a year to see if our CC&R's properly protected the Association's goal to maintain a residential atmosphere, particularly when pertaining to the recent popularity and growth of Short Term Rentals.
 - The Committee has submitted a list of possible changes that the board should take under consideration (SEE ATTACHED:STR Committee Recommendations to GDRA Board 06.12.18)
 - Board discussed
 - Peter read "Additional Recommendations to the Board" (not on original STR Recommendations to GDRA Board from 6/11/2018 meeting)
 - Jamie mentioned member felt people didn't show up to STR meeting 6/11/18 because they were informed at 2017 board meeting that existing STR rentals would be grandfathered in. Jamie also explained member stated prohibiting STRs is against CC&Rs.
 - Peter explained about 4740 completely prohibiting STR's. Because there will be no prohibition, 4740 does not apply. Marty reiterated that we are now restricting and not prohibiting.
 - GM read some GDRA rules that are already in place that will apply to STRs (askDan). Board mentioned rules need to be clarified to open flame outdoors or GDRA property (and not anywhere) and this could be a slippery slope. Suggested gas fire pits must have timers.
 - Board feels clarification of when fires need to be restricted
 - Member suggested to follow Cal Fire codes re: burn permits
 - New wording for #3 after discussion: Any renters participating in a short term rental are prohibited from having open flame outdoors on rental property or GDRA property while owner is not present. This includes but is not limited to wood fire pits, smoking, fireworks, charcoal barbecues not including propane or natural gas barbecues or gas fire pits with minimum 3 hour timer in well maintained condition.
 - Rules not needing CC&R change: 2, 3, 4, 9, 11, 14 and 15 were discussed
 - Member asked how many of these rules are for STR and how many for all. Peter replied, for clarity and not muddying waters, best to assume all of these will apply to STR's, which is agenda item being discussed.
 - Member commented on #11: Stating it would be wonderful for committee put out a document for members to use. Peter stated that will happen, and Devin mentioned videos.
 - #9: If CC&Rs change that you can't rent second units for STR. Peter: Calibration still needs to be determined. Jamie asked if CC&Rs are changed would this automatically change. GM replied this is up to CC&R committee in the future. Second unit rental variance discussed.
 - Motion by Marty: Regarding "Rules applying to all STRS, regardless of residence or Ownership status, that we take #2, #3 as corrected, #4, #11, and 15 and approve and post to membership for 30 days to comment: Approved 5-0.
 - Peter closed with how we need to coordinate this with CC&R revisions, and process typically doesn't get 50% of membership voting, then process goes before a judge. CC&R process will go on for 6 months to a year, or more.
 - GM mentioned that revisions mostly voted in favor of would likely be favored by judge, and revisions membership not in favor of would likely not be favored by judge.

- Marty mentioned she felt June 11th STR meeting went well.
- Member: Feels true compromise of number of days of live in STR owners should be in middle of 0 – 365 (182.5). This is only issue she has.
- Peter: None of rules will be firm until CC&Rs revisions are completed
- Member: Reiterated this is a family community, and feels 60 days is way too much and very concerned, and appreciates second homeowners are limited to 30 days but feels too much. Community members have a lot to deal with. Respectfully asks to re-look at #s for non-present owners, as this is very impactful to families living here.
- Members: Agrees with prior owner. People are full-time residents, it's understood. The survey that said "few" and not the actual #'s "30", they would've voted differently. Feels these actual #s should go out to members to make a more informed decision. Wants to see things exactly defined. He is living next to a hotel now with a short term rental. He realizes a lot of time has been spent on this Peter feels survey was incomplete because committee had not derived numbers yet, and feels we will have another opportunity to do another survey before it goes to a vote. Peter stated the committee chose 30 days because they felt 30 days would not make a viable business. Pam wants to encourage anyone to contact HOA and make complaint. GM explained 30 days is a restriction, not prohibition legally. Peter feels 30 days is a good disincentive for people to purchase homes with that in mind.
- Member: Feels long term rental is better option for sustaining family community. Member who is live in owner STR and does not want full-time roommate. Peter: Truckee is promoting long term rentals.

4. Opening pool and facility use to non Glenshire Residents (public)

- Selling facility passes may be a way to offset costs of facilities. Monetary gains should be balanced with increased staffing, facility use and maintenance; Possible need to increase parking lot size, larger pool deck, as well as increased crowds and owners not being able to access facilities when they are impacted or reserved.
- Board & GM discussion.
- Ashley, Pool Manager and GM gave input
- Tyler: Feels maintaining a budget for amenities is good.
- Member: Asked why we are discussing. Board mentioned always looking at ways to increase revenue. Feels opening up to public may disrupt family community feeling, if the demand is there. Feels fine with paying for pool even so he doesn't use the pool much
- Member: Feels opening up to public is chiseling away at special family community
- Board deliberated in length
- No motion made

VI. Community Update

Motion by Jamie to Approve 5, 7, 8, 9, 11, 13 & 17: Approved 5 – 0.
GM pulled 6, 12, 14, 15 & 16: (See below): Approved 5 – 0.

5. General Manager's report
6. Defensible space and forest health clearing on 9.6 acre GDRA lot: GM presented on important project and Truckee Fire is going to make up banners and use as a showcase
7. Design Review Committee Minutes
8. Short Term rental committee minutes
9. Copies of Correspondence
10. Monthly financial reports changing to quarterly detailed and monthly summary: GM feels this would be more efficient use of time. asked if we think we will collect the 6% over 60 day delinquent A/R.

Staff replied normally most paid by end of pool season and even more by time next billing goes out.

11. 2017 Tax return
12. Review of policy passed to place fines on properties that are not in compliance with CAL Fire and Glenshire rules on Defensible space by July 1, 2018. Fines can range from \$100 to \$1000. Policy was published in the March edition of the Shire newsletter and mailed to all property owners. Board discussed.
13. TTCF financial statement
14. Pool opening / employee status: Jamie heard we are not offering a lot for an hourly wage, and feels per discussion with Dan that we aren't competitive with other areas. GM read article that high school kids aren't working like they used to. Taco Bell starts at \$14/hr. Don't have enough employees to lifeguard at pool as there are no certified lifeguards out there. Ashley feels certifying our own instructors and paying the certification fee for lifeguards. Board & GM discussion.
15. SB 1265 removes qualification or criminal background checks from eligible board members. Allows members to reproduce signed ballots with owner's signatures. GM presented. Board directed GM to write in opposing this bill.
16. Approval of May 9 minutes
17. Approval of June 6, 2018 special meeting minutes

IX. Adjournment: 9:55 p.m.

Submitted by:



Lori Kelley, Admin. Assistant

Approved by:



Jamie Brimer, President

**SHORT TERM RENTAL RECOMMENDATIONS
TO GDRA BOARD
JUNE 12, 2018**

YEAR ROUND RESIDENTS

Living in home at least 275 days annually,
AND IRS designated Primary Home.

RENTAL METHOD: OWNER PRESENT

Owner of property at home during rental period.

STR OWNER PRESENT RENTAL DAYS ALLOWED:
UP TO 100 TOTAL*

**Total STR rental days, present or absent, may not exceed 100 in total, so if renting 60 days while not present, you may only rent 40 days when present.*

RENTAL METHOD: OWNER ABSENT

Owner of property NOT at home during rental period.

STR OWNER ABSENT RENTAL DAYS ALLOWED:
UP TO 60 TOTAL*

**Total STR rental days, present or absent, may not exceed 100 in total, so if renting 60 days while not present, you may only rent 40 days when present.*

ADDITIONAL RULES & RESTRICTIONS

- 1) No STR's within the first 90 days of owning the property.
- 2) \$150 one time impact fee.
- 3) For current permit holders, 1 year grace period from effective date.

SECOND HOME/BUSINESS STR



Living in home less than 275 days annually,
OR IRS designated Second Home.

RENTAL METHOD: OWNER PRESENT

Owner of property at home during rental period.

STR RENTAL DAYS ALLOWED: 30 TOTAL*

**Total STR rental days may not exceed 30 in total, so if renting 15 days while not present, you may only rent 15 days when present.*

RENTAL METHOD: OWNER ABSENT

Owner of property NOT at home during rental period.

STR RENTAL DAYS ALLOWED: 30 TOTAL*

**Total STR rental days may not exceed 30 in total, so if renting 15 days while not present, you may only rent 15 days when present.*

ADDITIONAL RULES & RESTRICTIONS

- 1) No STR's within the first 9 months of owning the property.
- 2) \$150 one time impact fee.
- 3) For current permit holders, 1 year grace period from effective date.

RULES APPLYING TO ALL STRS, REGARDLESS OF RESIDENCE OR OWNERSHIP STATUS

- 1) Association must be notified once at the outset of your STR activities, and provided an emergency contact name, and 24/7 contact phone number. Notification need only occur once, but emergency contact information must remain current and accurate at all times. The Association will then contact your adjacent Neighbors with your intent to STR and your emergency contact information. It is your responsibility to update the Association and your neighbors if your emergency contact or 24/7 phone number changes. Fines may be assessed if 24/7 contact is not reachable.
- 2) Quiet hours are 10pm-8am. No loud noises, raucous parties, loud outdoor conversations, Music turned off after 10pm.
- 3) Fire Safety
Any renter(s) participating in a Short Term Rental are prohibited from having an open flame anywhere on the rented property or GDRA property. This includes but is not limited to: Fire pits, smoking, fireworks, Charcoal BBQ (not including propane or natural gas BBQ's that are well maintained).
- 4) Commercial Activities (e.g. weddings, corporate retreats, team building, etc) are not allowed as part of a short term rental.
- 5) If using a management company for your rental property, they must be located within 30 a minute response time of the property.
- 6) No STR renters may use any community amenities such as the pool, clubhouse, or tennis courts.
- 7) Fines assessed for violation of allowable rental day limits will be equal to double (200%) the amount earned by such violation, and shall include any attorney's costs, research fees, and/or staff costs expended in the discovery and prosecution of such violations (COSTS) Example: You rented your second home for 50 days in the year, and earned \$5,000 for the extra 20 days beyond your 30 allowed rental days. Your fine would be \$10,000, plus any COSTS associated with discovering and prosecuting your violation. *The Association Board has discretion to suspend rental permits or levy additional fines for cumulative or unresolved complaints.*
- 8) All STR properties must be registered with the Town of Truckee in accordance with all local regulations. The Short Term Rental shall be subject to the Town of Truckee Transient Occupancy Tax in compliance with Chapter 3.24 of the Municipal Code, and the owners shall maintain guest registers to ensure accurate occupancy records. A copy of the Town of Truckee Transient Occupancy Tax must be filed with GDRA before the Rental of any unit or property.

Fine for violation is equal to double all earned income while willfully not registered, plus COSTS, in addition to any Town of Truckee fines or consequences.
- 9) Short term Rentals are subject to CC&R 8.01(f) Currently, secondary or "grannie" units are not eligible for Short Term Renting.
- 10) Aggregation or Packaging of Renters
At no time may a short term renter or long term renter sub-lease or fractionally rent their own rental term into short term rental units to separate individuals, in order to circumvent allotted rental days.
- 11) Rentor must communicate Minimum Regulations and Nuisance Ordinances to rentee.
- 12) Occupancy Restrictions, 2 people per bedroom, +1 per HUD regulations.
- 13) Annual Declaration of rental days turned into Association.
- 14) Trash "bear boxes" will be required for any property after the first validated garbage complaint to GDRA.
- 15) Appeal process through GDRA Board.

ADDITIONAL RECOMMENDATIONS TO THE BOARD

- 1) Consider capping total number of short term rentals in Glenshire
- 2) Future CC&Rs should allow GDRA board flexibility and ongoing oversight of STR Issue, without the need for costly additional CC&R changes
- 3) GDRA Board should make all STR rule additions and changes, that do not require CC&R changes, as soon as possible
- 4) GDRA should have an article on STR in the Shire and online, keeping in mind that any rule changes need 30-day notice
- 5) Consider approving "granny units" for rentals to non-family members, but only for long term rentals
- 6) Accept proposed STR recommendation grid as written

DEFINITIONS

SHORT TERM RENTAL (STR): Any rental period which lasts for less than 30 consecutive days. Any rental period to a single entity for longer than 30 days is a long term rental, and is not governed by STR rules. Long term renters of a property may not STR in any form.

OWNER PRESENT RENTAL: Renting a room or rooms in your house, or an ancillary building. *Example: you are renting your guest room for the weekend, but are also in town and living at your house that same weekend.*

OWNER ABSENT RENTAL: Renting a room or rooms in your house, an ancillary building, or entire house while physically NOT at your home. *Example: You rent out a room in your house, or your entire house, while you are away for a week on vacation. Example: You own a second home in Glenshire and rent out the home while living elsewhere.*

YEAR ROUND RESIDENT: IRS designation of your house is a primary residence, AND you live at the address for not less than 275 days of the year.

SECOND HOME/BUSINESS STR OWNER: IRS designation of your house is a second home, OR you live at the address for less than 275 days of the year.