



MEMBER COMMENTS:
PROPOSED AMENITY ACCESS RULE CHANGE
October 4 – October 9, 2024

Below are comments sent in for the 45-day member notification and comment period for the proposed Amenity Access Rule change. Comments were received between October 4 – October 9, 2024. A total of 16 additional comments were received during this period to be included with the 95 received from August 26 – October 3. Names, addresses and email addresses were redacted with exception to petition, see below.

Thank you for the thoughtful and extensive work the committee and others have put into this revamping of the amenity rules.

My husband and I are longtime TD homeowners. Our Truckee home is used by us and immediate family - occasionally by family friends - for vacation. We do not rent it. I am writing in strong support of the rule changes.

Specifically:

I applaud doing away with rec fee and incorporating it for everyone in the annual HOA fee assessment.

I understand and agree with the requirement for member cards for ages 3 and up. It makes administrative sense and gets the younger family members “in the system” from an early age.

I appreciate the downsizing of what constitutes extended family. Personally, I think siblings could also be eliminated. With the proposed “exceptions” process those who have no or small families can still apply for cards for these relations. Plus, literally anyone can be a guest of a member.

The phase out of annual pass makes sense and I like the gradual implementation. The new rules seem uniform, easier to follow. I hated daily access fees. They were a deterrent to using the beach/ marina.

I am pleased that the plastic transferrable guest cards are going away and access will be tracked electronically. New guest policy seems confusing but hopefully will make more senses in practice and as we get used to it. Does seem like it will achieve goal of prioritizing homeowners.

At one of the Zoom info meetings I “attended” several single homeowners were concerned about “fairness.” I understand their issue but I think the proposed exceptions process addresses it and there should be no additional special rules for them. Similarly, as non-locals, it has always seemed unfair that we pay the same as locals. That cannot be helped and is the nature of HOAs.

One concern: I’d like to see a written policy clarifying how “verification” documents will be used or saved or destroyed. I’d rather not have that info in system anywhere.

Thank you, Teresa O

We have owned our property in Tahoe Donner since 1995 and are in total agreement with the proposed amenity access rule change. The change mirrors what is done by the HOA at Del Web Palm Desert where the assessment covers members access to all amenities without additional cost with sole exception being the golf courses where members pay a preferred rate as is the case in Tahoe Donner. Del Web Palm Desert





is similar size with 5,000+ properties and similar amenities with exception of Downhill and Cross Country Ski Areas. Thanks, Charlie and Kathy Cockerill

What will the annual fee increase to
Including the Recreation fee per lot?

I request 3 changes to the proposed amenity access rule change:

- 1) The Rec Hut facilities and and games equipment use should not be a public amenity. Check out of equipment and use of bocce ball courts, archery, volley ball, etc should require a member or guest card to use just like the pool.
- 2) If everyone is going to be charged a rec fee for 4 persons per parcel, then each year each parcel owner should be allowed to designate 4 persons as qualified members for amenities for the year. Family requirements should be removed and at the very least not tightened.
- 3) Accompanied personal guests should have a greatly reduced access fee to unaccompanied guests and short term rental tenants; the current rule change does not specify and percentage difference for access fees.

Bob & Vicki Henry

I have already reached out to ask for clarification on how we will be charged as members for the amenity access fee. No one could tell me what the costs will be, and if it will be wrapped into our annual assessment. The issue that I have as not being a full-time resident up there, is that we are going to be paying the same fees as people who are using the amenities every day. That does not seem fair or equitable. There should be a pay scale based on the amount of time that you use the amenities annually. That amount should then be added to the annual assessment or billed separately. It doesn't make sense for someone who uses the amenities very little if at all to be paying the same amount as someone who uses them daily. The argument that we all benefit from quality amenities and should be paying the same amount for them does not hold water, especially to people who are not using them and not causing nearly as much wear and tear on them. Thank you for considering my comments.

If all members will have amenity access (per the new plan), then it would likely significantly increase use of the amenities...leading to some crowding. In the past, when I did not purchase the annual rec pass, I was not inclined to purchase a day pass. But if I already will have full amenity access I'll be inclined to use them more....and it makes sense that others will do the same.

It's unfair to make couples or singles pay for 4 people. If there is a per-person amenity charge, it should start at 1 person, not 4 people. Plus, if the rec fee/amenity fee, is included for every homeowner, they'll feel





obligated to use the amenities, making overcrowded amenities like the fitness center and marina even more crowded than they already are.

I think member Accompanied Personal Guests fees are way too high. If you want to bring 3 to 4 couples with you or 6 to 8 guests it would cost you \$90 to \$120 a day to have your friends or family accompany to enjoy amenities. If you're going to charge for Accompanied Personal Guests, it should be in the \$5 range.

Monday, October 7, 2024
Tahoe Donner Association
11509 Northwoods Blvd
Truckee, CA 96161

Re: Amenity Access Policy

Dear Tahoe Donner Association,

Thank you for sending the Proposed Amenity Access Rule Change to our primary residence in Pleasant Hill, CA. I appreciate having a hard copy of the proposed rule changes and being able to respond to you with my questions and concerns. I also appreciate all the research, workshops, and member outreach conducted by the Tahoe Donner staff to ensure a well-developed and thoughtful plan.

My husband and I have owned a second home in Tahoe Donner for over 30 years. Our three children grew up skiing, hiking and swimming in the lake. We have never considered the home an investment property though we have rented it out long-term for a period of time to help manage the cost. Today, we have it on a short term rental program for the same reason. The goal is to rent it only as much as we need to cover the Association Fees, property taxes and maintenance.

Therefore, we do have concerns regarding the cost of the proposed changes. It is difficult to be supportive of a change when the increase to the Annual Assessment and the cost of the Short Term Rental Tenant Cards is unknown. In line with that, I'm not sure how we could pass the cost of the short term rental cards to our tenants. Most of our rental business comes during the winter and tenants do not generally use the amenities. It would be difficult to charge them for an unused benefit. Plus, it feels like a bit of a Catch 22. We would have to have it available to rent more often while paying more to use the amenities ourselves.

So, in short, here is a list of questions/concerns:

- How much will the Annual Assessment increase? Are there any provisions for capping the cost increases in the future? Will it increase over time?
- How much will Short-Term Rental Cards cost? Can we opt out of providing these cards for our tenants? Why must it be a yearly cost?
- How will peak period pricing work? I have never liked the concept in any way.
- Black Out dates? How will that work for us or our possible tenants?
- If homeowner amenity access is included in the annual assessment, how does that benefit homeowners who are unable to use the amenities for any reason?
- What type of discounts on products and services will be included with the Member ID card?
- Will the member benefits include the more recent changes i.e. Trout Creek classes?





Finally, we have 5 people in our immediate family. Couldn't five or six Member ID cards be included with the assessment? Others in our family come as personal guests. I would not like to be invoiced for personal guest use and would prefer them to pay any access fees at the time of entry.

Thank you for all the time and effort that went into this proposal. I do recognize the need for some changes to the policy given the growth I have seen at Tahoe Donner since we purchased our home in 1991. I hope to be able to keep our home for new generations of our family to use and enjoy in the future.

Sincerely,
Sherry Brauer

Dear Tahoe Donner Board:

As a 20+ year Tahoe Donner property owner I am writing to formally express opposition to the proposed amenity rule changes. I will detail some specifics below but overall I conclude these changes are unnecessary, costly, and discriminatory.

1) Short term renter discrimination. The proposed rule explicitly discriminates against short term renters for no defined reason. This in turn discriminates against home owners who may offset costs via use of short term rentals. It even goes so far as to define a unique definition of long term renter which is not aligned with legal precedent. If renters are to be allowed access then any renter, of any duration, should be treated equally.

2) Including amenity access in the assessment: This forces members who do not or seldom use amenities to subsidize those who do. In short it forces nonresident to subsidize resident owners. The current system with the option to pay for use or purchase different levels of annual access works well and puts costs on the actual users. Furthermore it leaves the decision where it belongs: with the owner not the association.

3) Peak crowding and reservation system: First is that peak use crowding is inevitable and is actually a self regulating issue. Before moving to limits and complex reservation systems the first step is to limit employee access to amenities. Beyond that let people decide for themselves if they want to brave the crowd or not.

While a reservation system has many downsides. First is the cost to administer such a system is inevitably high. Second reservation systems are prone to abuse and will lead to people being denied entry to an amenity due to phantom reservations, i.e. reservations made but not used. This is a common problem with such systems. Controls to prevent this become increasingly convoluted eventually resulting in a need to overhaul or scrap the system. Better to scrap it now and save the money.

4) Member photo card eligibility exception: While the general proposed familial linkage seems appropriate the association should not put itself in the legally risky area of judging which relationship is 'valid'. Member attestation should be adequate. Given that only 6 cards are available to worry about abuse seems overwrought versus the very real risk of legal issues when the association starts to demand 'official' documentation.

5) Exception Process: The exception process is highly problematic and the need for it is completely eliminated if the recommendation in #4 is followed. Drop the process and let members decide who their relations are.





6) Unaccompanied guests: Stay with the current system. It is simple and doesn't cost anything. A 'registration' system simply is another complex IT system needing maintenance and costing the association money without hope of paying for itself.

7) Long Term Tenants: First it is not for the association to decide what is long term. The 9 month proposal is clearly designed to discriminate against ski leases. That definition does not align with any meaningful legal precedent. As a point of reference the city uses <31days. The IRS actually uses 7 days. Both are a long way from 9 months.

8) Short term tenants; Stay with the current guest cards, stop trying to sell new cards.

In summary the number of issues with the proposed changes are legion. It claims to address an issue of abuse yet fails to produce evidence of such a problem. It discriminates against both older and non-resident owners who are forced to subsidize those who are resident and/or high users of the amenities. It will add administrative costs to an association who has already struggles on cost control. On average the annual assessments have increased at a rate well above inflation, this will exacerbate an already unacceptable situation.

Best Regards;
William Kleiser

Dear Board of Directors:

Herein are several comments regarding the above referenced matter.

The 'new up to date rule' is stated in the 45 day notice as:

- Prevent overcrowding
- Ensure member priority
- Provide flexibility for non traditional households
- Lower member recreational costs
- Protect against amenity access fraud and abuse
- Provide stable funding for private amenity common expenses

The 45 day notice proposes the following new rule:

- Expand the priority list
- Private amenity access included in the annual assessment; discounts on products and services; priority reservation windows for high demand products and services.

The 45 day notice is void of specific and fundamental facts relating to the stated purpose of the new rule.

Omitted information includes:

- Which amenities are subject to overcrowding and when does overcrowding occur.
- Who/what are non traditional households-define?
- How many private access annual passes are typically sold? What is the total revenue of the annual access fees?
- What are the annualized daily access fees from members?
- What are the annualized daily access fees from non members?
- What is the proposed levy under the proposed rule for the annual assessment?
- How are lower membership costs achieved? The minority that purchase the current amenity package will save money at the expense of many part timers (the majority) who do not subscribe to the





amenity access pass. Now all members will be charged a fee in the annual assessment which is an increase in the cost of amenity access for the part timers who do not currently have the annual private amenity access.

- Define the products and services that will be offered at a discount.
- Priority reservation windows will again favor the full timers who can subscribe to a regular schedule at the expense of the part timers whose schedule may not be determined early enough to guarantee a reservation.

The proposed rule change is so devoid of detail that it is impossible for the Board to quantify the cost benefit of this rule change. What is apparent is that the proposed rule change will cost the majority, who have not previously subscribed to the annual amenity pass, more through the increase annual assessment.

If the majority is now forced to pay for the amenity access in the annual assessment, it is highly likely that many of the majority will now use the amenities more often and will contribute to overcrowding of the amenities even more. For those who do not or cannot use the facilities, an opt out provision should be provided so seniors who are on a fixed income do not get charged.

Is the overcrowding during prime periods caused by the members or by the non members and public?

Eliminating the 2 latter classes may well solve the overcrowding issue.

What data do you have with respect to the use of facilities by STR users? Are STR users more likely to use the facilities? If so, then STR users contribute to overcrowding to a greater degree than non STR users. Perhaps STR users should be charged a higher access fee.

Many of our comments result from a lack of data, information and transparency. The lack of transparency breeds suspicion and mistrust of our Board.

Before any decision is made, the Board/Association should avoid using generalized sweeping statements and provide specific facts to support a course of action. Anything less is unacceptable.

Sincerely,

David and Nancy Tattersall.

Dear TD Board of Directors,

I am writing to comment on the Proposed Amenity Access Rule Changes.

As a property owner and STR participant who helps to generate tens of millions of dollars through Truckee TOT and Tourism taxes, I have concerns regarding some of the decisions and proposed rule changes that could seriously impact me and other property owners in Tahoe Donner.

1) I appreciate that Owner input guided the Board's decision to propose changes that would protect Member use and enjoyment of TD amenities. And I agree with the majority of members who specified that STR guests should have lower priority to amenity access during peak usage times.

However, as far I understand, actual quantitative data regarding STR guest impact was not collected. TD needs to collect actual data, not just Member feedback and opinion, in regards to the number of STR guests and the actual quantified impact of STR guests on TD amenities - including both how much use and how much revenue generated by STR guests usage. As currently stated in this Proposed Plan, decisions have been based on assumptions and opinions, not on real quantifiable data.

Issuing STR guest cards without an additional administrative fee in 'Year 1' of the proposed plan, to Owners who require them, and in the quantity that is equal to the authorized number of guests in a given property (for example I limit my small STR to 4 guests and larger properties allow more) could provide the necessary





data needed to guide 'next steps' as far as STR's are addressed in this plan. Then the actual data could be used to decide if additional steps need to be taken regarding STR guests Amenity access.

2) As currently written in the proposed Plan, what exact administrative fee is going to be required of me and other STR providers to obtain the STR guest cards? This remains ambiguous in the Plan.

3) The timeline for the requirement of STR guest cards is unreasonable as written in the Proposed Plan. Jan 1, 2025 is less than 3 months away. STR's are currently and typically booking through January and into February. The requirement of Owners with existing reservations for STR's at the start of 2025 to have the STR guest passes beginning January 1 puts too short of a timeline on this transition, and unreasonable pressure on Owners. It also seems like restrictions that have so far been undefined and left ambiguous (reservation systems, blackout dates, etc.) may impact STR guests, and have the potential to reflect negatively on STR providers.

4) The financial burden of adding a flat rate to the Annual Assessment is unfair. As a second home owner, my small family does not get enough personal use out of the private amenities to make this worth the money. We currently, and for the past 4 years, pay per visit. Personally, my STR guests usage and associated guest fees greatly offsets this.

Our Annual Assessment increases reliably, and adding over \$200 more in Phase 2 creates a significant financial burden. Furthermore, it is unfair that a single person or couple has to pay the same amount as a family of 4. It seems like the 'Additional Member Cards' for purchase is already designed to supplement the Amenities/Recreation usage revenue.

Thank you for your time and consideration. Decisions and rules made with quantifiable data create a transparent process that more members could feel confident about supporting. We all want what's best for our community and our property.

Sincerely,
Catherine Green

Dear Board and Committee,

I have watched or attended many committee meetings regarding the potential changes to the Amenity Access Rule. After much consideration, I am in agreement with the changes. My only concern as mentioned previously is overcrowding. If the changes are implemented then clear and strong rules must be implemented to avoid overcrowding. I believe clear rules and enforcement will be the key to the success of the changes to the Amenity Access Rule. Thank you very much for all your hard work on this rule change.

Best Regards
Jim Colbert

We understand the logic behind the change and it makes sense but only time will tell if it is a good change or not.

We would propose two changes to your proposed policy:





1. Since you are basically making the rec fee mandatory, please consider adding some value for members, especially those who are part time. I suggest you consider adding 1 or 2 days of skiing, for example, for each member. Two days, which could be used at either the cross country area or the down hill would be ideal. You could apply black out dates, if you feel they are necessary. There would be an additional benefit of giving members a greater feeling of ownership in these amenities which they might otherwise use, softening the blow of the on going costs, such as the down hill lodge, for members. I realize there is a members free day, at this time but that date is fixed, this proposal allows for flexibility and hopefully gets members to utilize each facility at least once per season. Two days are not likely enough to impact season pass sales.
2. We own two properties in Tahoe Donner. Our primary year round residence and a long term rental, which creates necessary housing for local workers while maintaining the residential feel of our community. There are currently two tenants in our rental, who have been in place for 2 years. Under the current policy, they pay for their own rec fees. With the change, we would pay for their fees through our annual dues. We would propose that we, as owners, be allowed to allocate the member cards as we chose. We propose, for example, that we are allowed to allocate two of our cards to our two tenants and then allow others to be allocated to our family members as defined by the proposed rules.

As we interpret the proposed rules, if we converted to a short term rental, we would be allowed to maintain member cards for our family, we lose this option as a long term rental. This seems inconsistent with other association and town policies, which discourage short term rentals. Owners of long term rentals, should not be "penalized" by not being able to share their allocation of member cards with their tenants. On the other hand allowing long term tenants to be included in our community gives them some ownership in our community rather than outsiders who happen to live here. They interact with their part time neighbors, often doing them little favors, such as putting their recycling or green waste bins out and taking them in, because they know their neighbors.

We would appreciate consideration of these proposed changes. We believe they will make the changes more palatable, increase members "ownership" of all amenities and improve the feeling of community in Tahoe Donner.

Your stated purpose: support a long-term, sustainable, and equitable funding and pricing system.

Before your vote, please consider the following and please think of all owners in TD and not just those who live in TD full-time, which is a minority. "Equitable pricing" is no way included in this incomplete proposal. How is it equitable if you're excluding condos with your statement of "single-family use and atmosphere." It's more likely that condo owners house fewer than four people, hence, you're not taking into account most of those one, two and three-person households who are paying for four passes with their annual dues. It's also not equitable in any way for those single people in single-family homes or to those who never use the amenities. How is our condo "atmosphere" different from your "single-family atmosphere?" And what exactly is a "single-family atmosphere?"

STRs: To be fair to ALL members: you cannot vote until registered STR owners are informed of what the "admin fee" the one-person "Short-Term Rental Tenant" card will cost per annum, and throughout the "phased implementation plan." You also cannot vote until the STR owners know what the access fee will be, at least for 2025. We are members and have never experienced crowding. We've been through that everywhere in the world while our kids were growing up. It's part of parenting and grandparenting - ruled by





school holidays. To increase "family" facility access to 10 people at a time adds to any crowding. Are children under 3 counted in that 10 maximum? One would hope so.

This summer it was announced that STRs would be last in line to book a slot at Trout Creek. This announcement was received a couple of days before it was enacted. That was unacceptable. So now, not only are you proposing that STR owners pay an undisclosed annual "admin fee" and that renters pay an undisclosed "access fee", you'll presumably be putting those renters at the bottom of the list for booking timed-access.

It's laughable that your comment that members are confused by the simple current system is even stated. The rules and regs of this proposed system is probably comparable to trying to read and understand the IRS tax rules!

The cost of checking all those IDs and all the exceptions (such as niece, nephew, foster child, etc.) has not been stated. The system will be abused, as all are, unless the personnel are trained in what's fake ID and what isn't. I presume that the ID of children who look to be around age 3 will have to have their ID shown before entering an amenity too.

Again, please do consider ALL members. Currently you are not.





Tahoe Donner Association
11509 Northwoods Bl.
Truckee, CA 96161
Attn: Patricia West

Ref: Proposed Amenity Access Rule Change

The proposed rule change appears to be a backhanded way of increasing the Annual Assessment. The plan ignores the disproportionate cost assigned to single and two member families for access to the amenities and ignores members who may not choose to or be able to access the amenities. Multi-member families and particularly those who choose to purchase additional cards are receiving access at a discounted rate. The recent change that allowed for an option of having 2 access cards rather than the standard 4 was a more equitable option for providing access to the amenities, perhaps a more equitable approach would be to allow owner to have the activity fee based on any number of cards with an increased charge for additional cards above the number 4. The increased charge for cards above 4 should be a significant surcharge to discourage abuses to the system.

During the past few years, the Board has used steep increases daily access fees and season passes to fund projects particularly the new downhill ski lodge. As an example, the Super Senior Season Pass for downhill skiing went from approximately \$25 in 1919-1920 to \$400 this season.

The ski lodge, I might add, has been a contentious project for several years and is extremely unpopular with most of the property owners I am acquainted with.

It is my opinion that the Board seems to pretty much ignore property owner comments and proceed along their predetermined course of action on many previous issues, and that the exercise in obtaining these comments is strictly a superficial attempt to comply with the covenants of the Association.

Sincerely



Richard Haslag

PS: IF YOU ARE GOING TO FORCE EVERYONE TO PAY THE SAME ACTIVITY FEE. EACH PROPERTY SHOULD HAVE THE SAME NUMBER OF ACCESS CARDS.

