Date: October 23, 2026

To: The Sea Ranch Association Board of Directors

From: Elizabeth Carmel

Re: Comments on Resolution 626

Dear Directors,

1. This Board's Actions Are Making the Problem Worse

With Resolution 616, the Board committed to pickleball at Del Mar before resolving basic questions about noise, costs and alternatives. It then cut short the planning review and cancelled the promised member-input worksheet, leaving residents to fight for answers. **That process is a perfect recipe for fomenting community strife and is not responsible community leadership.**

Ironically, The Soundings pickleball article cited in the Tyler/Fulkerson memo supporting this resolution should serve as a warning, not a roadmap. Its account of Oakmont describes a pickleball dispute that led to the departure of the board president, the general manager, the association's attorney, and numerous staff and volunteers. Conflict became so intense that a sergeant-at-arms was appointed to maintain order at board meetings. The Oakmont example is a reminder that a botched pickleball decision can damage a community and end the tenures of the leaders and professionals entrusted to serve it.

Sources: Soundings, Summer 2018, p. 12.

I appreciate Gina Hubbell's work to acknowledge members' concerns and seek practical solutions. Yet Resolution 626 leaves key safeguards she recommended unproposed, and central questions she raised unanswered. It seems that the Board would benefit from a more professional planning effort that brings together homeowner concerns, professional noise analysis and a careful evaluation of alternatives. To my knowledge, staff has not reached out to nearby homeowners, and the materials provided in the packet leave important questions about noise and regulatory compliance unanswered.

Is approving Resolution 626 on Saturday worth the financial risk to members and further damage to the community? Nearby homeowners are seeking to protect their property investments and the peace and quiet of their homes. They have requested independent, nonbinding mediation to resolve this dispute without costly legal proceedings. The Board should give that process a meaningful chance. The Board should protect the community by resolving serious unanswered questions, rather than use Resolution 626 to double down on a decision it has already chosen to defend.

If there is no urgent pickleball capacity problem, what justifies the rush? Why make permanent changes before addressing noise, costs, alternatives and the mediation request? Neighbors should not have to live with the consequences of that backwards process, and members should not have to pay to correct it.

Resolution 626 asks the community to accept permanent changes while those answers remain missing. The Board should obtain those answers while it is still able to change the decision.

The Board should reject Resolution 626 and stop implementation of permanent pickleball at Del Mar. If the Board is unwilling to take that step, it should at minimum defer the resolution, agree to participate in the independent, nonbinding mediation homeowners have requested, and pause permanent changes until that process concludes.

The following points support this request:

2. The County Has Not Reviewed the Full Project

Resolution 626 cites County advice that there is "no need for any environmental review" because the proposal involves striping existing pavement. But on October 23, Permit Sonoma Ombudsman Brian Keefer confirmed that Planning's preliminary review did not include work beyond striping. He said the County will review the expanded scope once TSRA defines it.

The Board should not present advice about a narrower earlier proposal as clearance for the current proposal. Resolution 626 already identifies fence extensions, acoustic screening and backboard work. Its County finding should explicitly acknowledge the limits of the preliminary review, so members are not left with the impression that the full proposal's environmental and permitting questions have been resolved.

If TSRA's scope is not developed enough for the County to evaluate, members should not be assured that its impacts and costs are already understood. The Board should define the complete project, obtain the necessary answers, and give members an opportunity to review them before directing permanent implementation. Committing first and resolving feasibility afterward repeats the decision-making pattern of the solar project debacle. Approving striping alone would move permanent pickleball forward while ignoring the consequences.

3. Resolution 626 Is Proceeding Before Requested Mediation

Homeowners participated in internal dispute resolution (IDR), but no agreement was reached. We have requested independent, nonbinding mediation through alternative dispute resolution (ADR) to resolve this dispute and secure compliance with the Association's governing rules without costly litigation. **The Board should participate in good faith and pause permanent changes until mediation concludes, keeping open a return to tennis-only use.** Proceeding first would undermine the opportunity for resolution.

4. Unaddressed Noise Impacts

We asked the Board to address noise and neighborhood impacts. It responded with a proposal that entrenches permanent pickleball at Del Mar with no commitment to analyze or fund noise mitigation for nearby homes. After months of requests for analysis, meaningful review, and mediation, the Board is still asking members to accept the consequences before establishing what the impacts are and what mitigation will cost.

The central failure is written into the resolution itself. **Permanent striping for two pickleball layouts on Del Mar Court 2 is directly ordered.** Acoustic screening and the other additional measures depend on "staff time and resources". There is no requirement to understand noise impacts or demonstrate effective protection for neighboring homes or adjacent tennis before striping proceeds. The commitment to pickleball is firm; the commitment to protecting neighbors from harms caused by this resolution is empty.

Sources: Proposed Resolution 626.

The current resolution is the result of a backwards planning process. Pickleball was approved at Del Mar before completion of the planning process intended to inform that decision. The issues we are raising should have been addressed earlier in the process but they were not. Resolution 616 was adopted with only four days notice to members, not allowing adequate time for review.

5. The Board Packet Is Misleading and Confusing

The volume of the packet obscures many unresolved questions. Members have been given historical material, competing proposals, preliminary equipment prices and different operating approaches, without a clear explanation reconciling them with the resolution presented for approval. Some estimates concern equipment or locations that differ from the final proposal. **Members should not have to reconstruct the project, determine which prices apply and identify missing protections days before a vote.**

Gina Hubbell's memoranda identify questions the Board needs to answer. Her notice memorandum recommends advance notice, separate consideration of permanent markings and usage rules, and written answers from counsel before proceeding. Her broader analysis identifies accessibility alternatives at Moonraker and existing noise impacts on tennis players. Gina's research is included in the packet, but key recommendations such as advance notice, separate consideration of permanent markings and usage rules, and written answers from counsel before proceeding remain unaddressed. Including her analysis in the packet is not the same as acting on it.

Sources: Gina Hubbell memoranda, original packet pp. 63-94.

6. Underutilized Moonraker Could Solve the Problem

The Board's own resolution acknowledges that there is generally no capacity problem for either sport, yet proposes permanent changes at Del Mar before establishing whether better use of Moonraker and improved access there could meet members' needs.

Our recent reservation analysis found **68% of Moonraker's court hours available to book in checks before opening**, even treating scheduled drop-in periods as unavailable. If any courts are unused during drop in this percentage would be significantly higher.

These observations measure advance reservation availability, not final attendance, but they provide a substantial reason to evaluate the existing dedicated facility before expanding permanent commitments at Del Mar.

Sources: Moonraker study and methodology.

Moonraker is less than a ten-minute drive away. Its accessibility problems deserve practical solutions and a comparison of costs. Why should pickleball players with mobility issues be relegated to a separate court away from the rest of the pickleball community? Gina identifies a possible alternative entrance and path improvements. **An unresolved access problem at Moonraker should not become an unevaluated noise and operating problem at Del Mar.** Pickleball convenience at the north end does not mandate that nearby homeowners should absorb the consequences.

TSRA has already invested in converting Moonraker to a dedicated pickleball facility. Why ask members to pay for another round of pickleball costs at Del Mar before determining whether better access and better use of Moonraker could meet players' needs? Improving the facility we already have should come first.

7. Ten Years of Interim Use Is Not a Comprehensive Assessment

Nor does the claim that pickleball has been played at Del Mar for ten years establish that this proposal is appropriate. A history of changing temporary arrangements does not evaluate the combined effects of permanent layouts, easier setup, new equipment and revised reservations. The court changes in

Resolution 626 will intensify pickleball use at Del Mar and intensify the impacts. **The history highlights how the use has evolved in a piecemeal manner without the comprehensive assessment residents have requested.** Resolution 616's shared-use decision did not establish acoustic suitability or settle the merits of every subsequent physical and operational change. The planning process adopted as a companion to resolution 616 was terminated with no vote to do so by the Board.

8. A Complaint Log Does Not Measure Noise

The absence of earlier recorded complaints is not proof that there is no noise problem. A complaint log does not measure sound, establish past playing intensity or predict future impacts. Residents may tolerate occasional disturbance differently from sustained play or not know where to complain. An acoustic professional can evaluate foreseeable use before neighbors bear the burden of documenting disturbance and pursuing relief.

There is an additional problem with waiting for complaints: TSRA's own noise rule excludes recreation-center use during non-quiet hours. Before relying on complaints to address future disturbance, the Board should explain what standards it will apply, what corrective action it will take, and how promptly neighbors can obtain relief. Residents should not have to discover these limits only after permanent changes are made. The Restrictions themselves call for recreational development compatible with other owners' enjoyment of the Sea Ranch environment. That compatibility needs to be established before proceeding.

9. Quiet Equipment and Acoustic Screening Need Demonstrated Results

Quiet equipment can reduce noise, but that does not establish that it will adequately protect Del Mar's neighbors. Resolution 626 provides "quiet" loaner paddles and balls; it does not require every player to use them or establish reliable enforcement. Neighbors, Del Mar volunteers and other facility users should not have to become equipment inspectors and pickleball police.

The same problem applies to acoustic screening. The resolution does not specify a tested design, required performance or a process for verifying results at nearby homes. Homes lie within the 350-foot reference ring shown in our aerial exhibit, making site-specific assessment especially important. Calling a product "acoustic" does not establish that it will work in this location.

In addition, acoustic barriers are claustrophobic, unsightly, and will destroy the scenic, open air feeling of playing on the Del Mar courts. Playing on courts with sound walls is like playing tennis in a padded cell.

If accommodating pickleball at Del Mar means blocking views, surrounding the courts with sound barriers and policing players' equipment, the Board needs to reconsider the location. Why spend members' money stripping away the very qualities that make Del Mar an enjoyable place?

Sources: Del Mar distance exhibit.

10. Examples of Noise Studies

The Outdoor Resort Palm Springs Owners Association (an HOA) commissioned a professional acoustic analysis and mitigation plan for its existing pickleball courts that measured noise, modeled its spread, evaluated specific protective measures, and estimated their costs. **TSRA should provide comparable analysis for Del Mar before assuring members that its proposal will protect neighboring homes and fit within existing budgets.**

Sources: Outdoor Resort Palm Springs acoustic analysis and mitigation plan.

Existing tennis courts are not automatically suitable for pickleball. The conversion examples linked on our website show why the assessment must be able to change the decision - here are some examples:

La Cienega Tennis Center, Beverly Hills: Following a pilot on existing tennis courts, sound measurements and modeling led staff to recommend returning Court 1 to tennis and relocating/ reconfiguring pickleball on other courts. The City's staff report identified noise exceeding the standard used in its analysis at the original location. The alternative configuration was modeled to meet that standard. The study changed the recommended location and layout.

Sources: Beverly Hills staff report, February 27, 2025, pp. 2–3.

Rosenfeld Park, Tucker: Pickleball was already being played with portable nets on existing tennis courts when consultants evaluated proposed dual-use renovation. Their August 27, 2025 draft assessment recommended against constructing pickleball courts under the proposed design. Modeling of barriers as high as 16 feet still left noise above the consultant's site-specific target at affected homes. The report recommended examining substantial enclosure or layout changes. It also found a different Tucker site, Henderson Park, could meet its target without barriers, underscoring why the actual site matters.

Sources: Tucker sound assessment, pp. 5-6 and 52-61.

Forest Hill Park, Carmel-by-the-Sea: Staff documented increasing noise complaints, operating restrictions and enforcement difficulties at existing shared courts. The City ultimately prohibited pickleball and other paddle sports at that park in January 2026 while preserving tennis.

Sources: Carmel staff report, March 13, 2025; Carmel prohibition, adopted January 13, 2026.

These are examples of relocation, a recommendation against a proposed design, and an actual prohibition. They establish no predetermined result for Del Mar. They demonstrate that proper review can lead to a different layout, a different location or an end to pickleball at a particular site. TSRA must leave those outcomes open rather than assume that unevaluated and unfunded mitigation can make its preferred location acceptable.

11. Tennis Players Would Bear the Consequences

Tennis players also lose something that a count of vacant courts elsewhere cannot capture. Resolution 626 restricts tennis reservations on Court 2 to times when Court 1 is unavailable, adds many competing permanent lines (which can be a serious slip and fall hazard) and facilitates simultaneous pickleball adjacent to tennis.

Spare tennis capacity at Ohlson does not preserve the experience of playing tennis at Del Mar. Additional amenities elsewhere do not answer that loss.

Tennis players have already lost the historic Moonraker court to pickleball. Now Del Mar's quiet, open setting is at risk too. Pickleball brings the repeated popping; acoustic panels block the views and make the courts feel boxed in. **Why should tennis players have to give up what makes Del Mar such a special place to play?**

12. Environmental Protection and CEP Compliance Have Not Been Demonstrated

The Tyler/Fulkerson memo declares that the changes will have no significant environmental or ecological impacts because they occur on existing pavement. **Sound does not stop at the edge of the**

pavement. Converting a tennis court does not eliminate pickleball's impact noise or its effects on nearby homes.

The memo also claims consistency with the Community Environment Plan (CEP), citing objectives that include minimizing environmental disruption, protecting the privacy of individual homes, and operating facilities efficiently. Yet the supporting materials do not establish expected noise at neighboring homes, the effectiveness and visual impact of acoustic screening, or the full cost of delivering that protection. The promise that acoustic blankets will reduce noise below current levels is not supported by a Del Mar acoustic study. The lack of any analysis of or funding for these blankets makes the memo's point ridiculous.

Meeting players' needs addresses only part of the CEP. Quoting its protections for homes and the environment is no substitute for showing how this proposal will deliver them.

Sources: October 24 proposal packet.

13. Members Have Not Been Given the Full Financial Commitment

Equipment prices are not a complete project budget. Effective acoustic retrofits can become six-figure undertakings when permits, structural supports, footings, engineering and installation are required. Del Mar's actual requirements and costs remain undetermined. Tall, solid barriers could also materially change the facility's appearance.

Sources: Published barrier-cost comparison and sources.

The planning cost table on Save Del Mar shows a potential first-year cost of **$149,000–$245,000**, including construction, equipment, professional services and operating costs. The figures combine published prices with allowances for unpriced work.

Saying the work will be handled within existing budgets does not tell members what the project will cost. Which accounts will pay, how much is available, and what other work could be displaced? The Board should disclose the full commitment, a spending limit, and funding for effective noise protection, maintenance, supervision, enforcement and replacement. Members also deserve to know what happens if the initial measures fail.

14. The Solar Project Should Be a Warning

The solar project should have taught the Association to establish feasibility before committing members' money. TSRA's December 2022 report records solar materials already purchased for Moonraker while the County permit application was still pending. Different directors may have made earlier decisions, but the institutional lesson remains. The Board is on track to repeat the same mistake with the adoption of Resolution 626.

Sources: TSRA December 10, 2022 report, p. 4.

15. Required Davis-Stirling 28-Day Notice and Design Committee Review Have Not Occurred

The notice and review questions require answers before approval. Members received the packet at approximately 7 p.m. on October 19 for an October 24 vote, despite requests for the required 28-day notice applicable to covered operating-rule changes.

Announcing a Board meeting is not the same as providing the required advance notice of a rule change. Resolution 626 would restrict when tennis players may reserve Court 2. That is a new limitation on members' use of the facility, and a history of pickleball play does not answer the notice requirement for that restriction.

Before adopting covered reservation restrictions or proceeding with covered physical work, it should demonstrate compliance with the applicable 28-day notice requirement and Design Committee review and findings under Restrictions §3.07, or identify the specific basis for any claimed exemption.

These safeguards protect members' rights and property; they are not procedural inconveniences the Board may set aside. Knowingly bypassing applicable requirements after written warnings could undermine claims of good-faith decision-making.

Sources: Civil Code section 4360.

The Board must also document the applicable Design Committee review, required findings or a valid exception under Restrictions section 3.07. These protections matter because they require evaluation of the design of facility changes and consideration of effects on the community and owners' enjoyment of their property. Why are these regulations being ignored and for what reason?

Sources: Sea Ranch Restrictions, section 3.07.

16. We Can Get Smarter

At the August 22 hearing, Director Rob Bedichek said the Board was "not going to get smarter on this topic." That assertion is difficult to reconcile with the information still missing. The Board can measure neighborhood noise, test mitigation, compare Moonraker access improvements, establish the complete cost and obtain an updated County determination. The court conversion studies above show how new information can change a decision.

Reasonable inquiry is part of the Board's legal duty. California Corporations Code §7231(a) requires directors to act in good faith, in what they believe to be the Association's best interests, and with the care—including reasonable inquiry—that an ordinarily prudent person would exercise in similar circumstances.

With neighborhood noise, mitigation effectiveness, full costs and access alternatives still unresolved, the Board should explain what investigation supports proceeding now. That position does not answer the questions that have never been properly examined.

Sources: TSRA Board recordings (member login required).

17. Member Treatment and the Right to a Fair Hearing

The treatment of members has undermined confidence in this process. At the August 22 hearing Chair Fulkerson subjected members to disparaging remarks and interruptions during testimony. Compounding this concern is the Chair's direction to cancel the member worksheet and his unilateral curtailment of the broader Planning Committee review. The Board should explain what happened to that assignment and identify the collective action authorizing any change.

Mr. Fulkerson is now pushing for quick approval of Resolution 626 despite unresolved concerns about his treatment of members and the fairness of the previous hearing. Disparaging remarks and interruptions, alongside a proposal that entrenches pickleball at Del Mar while leaving the harms residents identified unresolved, raise a serious concern that defending an earlier decision has taken

priority over fair reconsideration. Are neighbors being retaliated against for speaking out against Board leadership by being left without adequate impact analysis or funded noise mitigation in the proposal?

The Board's authority to manage common facilities does not include authority to punish members for challenging its decisions. Civil Code §4515(e) expressly prohibits association retaliation for exercising protected rights, including petitioning, circulating information, and critical online discussion of association governance. If any part of this proposal is intended to penalize those activities, that would raise a separate legal issue beyond the proposal's substantive defects. A Board vote does not make retaliation lawful.

Another director should chair the October 24 pickleball agenda. The concerns identified above are one reason for this request. In addition, Mr. Fulkerson is also a co-author of the memorandum advocating approval, yet its broad claims about noise reduction, policy compliance and affordability are not demonstrated by the supporting analysis provided to members. Members deserve a chair who allows those claims to be questioned fairly and considers contrary evidence—not a hearing devoted to defending a recommendation already put forward.

18. The Board Has Been Warned: Legal Duties and Accountability

The Board has received specific warnings about potential neighborhood impacts and requests for independent assessment. Its duty of care includes reasonable inquiry—not simply confidence in an earlier decision. (Corporations Code §7231(a)). Before making permanent changes, the Board should establish whether effective protection is feasible, what it will cost, and how it will be funded. Neighbors should not bear preventable harm, and members should not bear the expense of decisions made while critical questions remain unanswered. **If it proceeds without reasonable investigation, and residents suffer harm as a result, TSRA could face negligence claims and liability for that harm.**

19. Requested Action: Stop Permanent Changes or Give Mediation a Meaningful Chance

Homeowners are seeking independent, nonbinding mediation to resolve this dispute without costly litigation. **The Board should participate in good faith and pause permanent changes until that process concludes.** Mediation must remain capable of changing the outcome.

Defer Resolution 626. Evaluate Moonraker access and capacity, commission an independent acoustic assessment, establish complete costs and funding, resolve the notice and approval questions, and present a coherent proposal for meaningful member review. That review must leave open the possibility that Del Mar is unsuitable for permanent pickleball and should return to tennis-only use.

Neighbors should not be made to live with preventable harm, and members should not be made to pay for avoidable mistakes. The Board's responsibility is to protect the community—not simply to implement a decision it has already chosen to defend.

Sincerely,

Elizabeth Carmel

Sources: Save Del Mar: supporting evidence and documents.