

MARINA HILLS PLANNED COMMUNITY ASSOCIATION
BOARD OF DIRECTORS MEETING MINUTES
GENERAL SESSION – February 11, 2009

BOARD OF DIRECTORS PRESENT: Loretta Pierce
Chuck Johnston
Vito Ferrante
Jim Sabatello
Jeff Taylor

BOARD OF DIRECTORS ABSENT: None

MANAGEMENT REPRESENTATIVE: Kim Hockings
Keystone Pacific Property Management,
Inc.

ISSUES DISCUSSED IN THE FEBRUARY 11, 2009 EXECUTIVE SESSION MEETING

The following items were discussed during the January 14, 2009 Executive Session meeting:

- A. Tim Rolfer from Aqua Pure was present to answer any questions the Board had regarding the repairs done to the pool/spa/fountains.
- B. Executive Session minutes from the January 14, 2008 meeting were approved.
- C. Delinquent accounts.
- D. Homeowner request.
- E. Homeowner fine reversal request.

CALL TO ORDER

The General Session meeting of the Marina Hills Planned Community Association Board of Directors was called to order by Board President, Loretta Pierce at 6:15 P.M. at the Marina Hills Clubhouse, 31461 Parc Vista in Laguna Niguel, California.

LANDSCAPE REPORT

Amy Crapo from Villa Park Landscape was present and reported the following:

Maintenance Items:

- Slopes on Valle Vista, Via Marini, Tropea and Corsica were detailed this month.
- Roses at the focal corners were pruned and fertilized.
- Color replacement is scheduled for the first week of March. A mixture of bright colored Petunias will be used.

Tree Trimming:

- Brazilian Pepper trees on Killini are being trimmed.
- Eucalyptus trees were trimmed as requested by homeowners. Most of them were work order requested completed within two weeks.
- Trees will only be thinned and laced following ISA regulations. No topping is an Association policy.

Irrigation Items:

- The irrigation is currently off due to the recent rain.
- One major leak (main line) was repaired on Valle Vista.
- The central system is working properly and all satellites are communicating.
- No vandalism was reported.

GUEST IN ATTENDANCE

Tim Rolfer from Aqua Pure attended Executive Session to answer any questions the Board had regarding repairs being made to the pool/spa/fountains. The Board is considering not heating the pool year round and wanted Tim's opinion. Tim stated that there aren't many Associations that heat their pools year round and if the Board decided to turn off the heat 3-4 months out of the year, the Association could save approximately 65% on gas and 40% on chemicals/supplies. During the time that the heat isn't on, he could shut down the pumps all night. It only takes about 24 hours to heat the pool because of the energy efficient heaters that were installed. Tim recommended turning the pool heat off from November through February to help the Association save money.

Urban Lundblad from A-Line Awnings and Hector Rodriguez and Lisa Matthes from the Tennis Committee were present to answer any questions the Board may have regarding the possibility of installing awnings on the tennis courts. Mr. Lundblad showed the Board a sample of what the awnings would look like and explained that they would be bolted in 3 places into the tennis court surface. Mr. Rodriguez stated that he has received feedback from players that they would like to have some shade on the courts because at the peak of the day, especially during the summer, it gets hot. The Board is concerned that installation of the awnings might damage the courts and they didn't think that anything should be attached to the post tension slabs. Mr. Rodriguez stated that if there would be potential damage to the courts by installing awnings, he wouldn't want to see that. Management said she would obtain information from Richard Zaino regarding his thoughts on installing awnings on the courts and if there would be potential damage to the court surfaces or would the warranty on the court surfaces be invalidated.

DELEGATE REPORTS

Harvey Holden, Monaco – Not present.

George Webster, Bel Fiore – Present. George Webster stated that he would like to have the Board meeting agenda mailed instead of emailed to him.

Manny Piceno, Terracina – Not present.

Andrew Kienle, Vistara – Not present.

Larry Buss, Chandon – Not Present.

Gaby Buscher, Amarante – Present. No report.

Calvin Stewert, Siena – Present. Cal Stewart requested that Management check to make sure a work order was generated for trimming the trees behind 38 Pienza.

Carol Albert, Cabo Del Mar – Not present.

Morris Passwater, Encore – Not present.

Richard Butler, Palacio – Not present.

Hector Rodriguez, The Heights – Present. Hector Rodriguez stated that on the corner of Pallazzo/Son Serra there are plastic plant containers that need to be picked up behind some bushes.

COMMITTEE REPORTS

- A. Landscape – No report.
- B. Architectural – No report.
- C. Tennis – No report.

OFFICER REPORTS

- A. President – No report.
- B. Vice President – Chuck Johnston thanked the homeowners that were present for attending the meeting.
- C. Treasurer – Jeff Taylor presented the following report to the homeowners that were present at the meeting.

MARINA HILLS PLANNED COMMUNITY ASSOCIATION

Treasurer's Report

For the Period Ending December 31, 2008

STATEMENT OF INCOME AND EXPENSES

Income:

- \$174,379.00 Actual vs. \$173,254.00 Budget.

Expenses:

- o \$131,607.00 Actual vs. \$123,496.00 Budget.

Net Surplus:

\$2,534.00, including Reserve Deposits of \$40,238.00.

BALANCE SHEET

Assets:

Current Assets:

- o \$555,802.00, of which \$508,827.00 consists of Operating Cash.

Total Assets:

- o \$2,849,089.00, of which \$2,277,571.00 consists of Reserve Assets

Liabilities:

Current Liabilities:

- o \$258,771.00

Reserve Liabilities:

- o \$2,216,773

Equity:

- o \$324,481.00

Surplus:

- o \$49,064.00

Total Equity:

- o \$373,545.00

Total Liabilities, Reserves and Equity:

- o \$2,849,089.00

The Association's accounts are in balance. The Association has adequate Current Assets to meet Current Liabilities, and Reserve Assets are at appropriate levels to fund Reserve Liabilities. The Association continues to remain in a strong financial position. Due to the economy, the Board is watching their expenses, managing the budget and reducing costs where they can.

- D. Secretary – No report.
- E. Member at Large – No report.

HOMEOWNER FORUM

Mike Roberts, homeowner at 13 Genoa was present to request Management to forward him a copy of his neighbor's pre-approved painting application at 19 Genoa so he can copy it and forward his application at the same time so they are both approved.

Majid Ghaboosi, homeowner at 16 Calella was present to share his concerns below with the Board.

1. During my closing of escrow, I signed and agreed with our Supplemental CC&Rs and its Exhibit A, please honor this exhibit as you have mentioned in your letter of January 27, 2009.
2. Board's decision on handling homeowner concerns on a case by case is a right decision if the mistakes occurred during the handlings can be corrected. In my case, due to negligence on the part of the Professional Engineer, Mr. Steven Norris, together with the absence of quality control on the part of the Association, a fundamentally flawed document, Exhibit 2, was submitted as a base of settlement. As the three measurements on this exhibit contradict each other, this document has not technical and legal values and needs to be removed from my case.

The Board explained to Mr. Ghaboosi that the area on the side of his house was depicted by the irrigation lines, that were originally installed by the developer and that this matter is closed because it was already resolved in court.

Jim Hardy was present to inform the Board that he feels it is good for the community to keep the pool heated year round.

CONSENT CALENDAR

A motion was made, seconded and carried to approve the following items from the consent calendar, without further discussion:

- A. **Approval of January 14, 2009 General Session Meeting Minutes/Architectural Report from 12/10/08 – 1/8/09 – RESOLVED**, to ratify the action taken and approve the minutes taken by Management from the January 14, 2009 General Session Board Meeting and the Architectural Report from 12/10/08-1/8/09.
- B. **Financial Statement – RESOLVED**, to accept the December 31, 2008 financial statement as submitted by Keystone Pacific Property Management, Inc.
- C. **Maturing CDs – RESOLVED** to allow Jeff Russell from Merrill Lynch to roll over the operating CD that matures on 2/27/09 for a term of 3 or 6 months at the highest interest rate possible, roll over the reserve CDs that are maturing in March for the same terms at the highest interest rates possible in order to keep the CDs staggered and open one additional operating CD in the amount of \$50,000.00.

- D. **Delinquent Account – APN #933-27-067 – RESOLVED** to place a lien on account APN #933-27-067 that has a balance of \$399.21.
- E. **Delinquent Account – APN #933-27-120 – RESOLVED** to place a lien on account APN #933-27-120 that has a balance of \$399.21.
- F. **Delinquent Account – APN #933-27-198 – RESOLVED** to place a lien on account APN #933-27-198 that has a balance of \$388.66.
- G. **Delinquent Account – APN #653-431-31 – RESOLVED** to place a lien on account APN #653-431-31 that has a balance of \$388.42.
- H. **Emptying Trash Cans - RESOLVED**, to approve the proposal from Aqua Pure to empty the trash cans and fill the doggie walk dispensers for a monthly coast of \$382.50.

OLD/NEW BUSINESS

- A. **Additional New Pre-Approved Paint Color Schemes** - A motion was made, seconded and carried to have the Vista Paint representative that put together the current paint color boards contact and work with Greg Gill, an Architectural Committee member, to come up with 15 additional new paint pre-approved color schemes so the homeowners have more to choose from so the Architectural Committee and Board can review them prior to the Board adopting additional pre-approved paint color schemes. Motion carried 5/0.
- B. **Site Wide Proposals to Repair Stucco Block Walls** – A motion was made, seconded and carried to table this item so Management can obtain the one last proposal that didn't come in prior to the meeting. The Board will then review all three proposals at their March 11, 2009 meeting. Motion carried 5/0.
- C. **Rules/Regulations – Outdoor Furniture in Front Yards** – A motion was made, seconded and carried to have Management enforce the current rule that states, “No indoor or outdoor furniture such as tables, chairs, lounge chairs, may be stored in the front yard when not in use.” Motion carried 3/2 abstained.
- D. **Pool Monitoring/Swim Lessons/Swim Team** – A motion was made, seconded and carried to approve the proposal from Barracuda Aquatics to provide pool monitoring for the Association for a cost of \$22,806.00 subject to Loretta Pierce's approval. Management will have Wayne Westling from Barracuda Aquatics contact Ms. Pierce so she can go over the Board's expectations with him. If Ms. Pierce is in favor of Barracuda Aquatics providing the pool monitoring service for the Association, then they will also provide swim lessons and a swim team for homeowners that are interested. Motion carried 5/0.

- E. **Turning Off the Pool Heat** – A motion was made, seconded and carried to table considering turning off the pool heat and Management will try to obtain more definite numbers from Aqua Pure on how much the Association could save on gas, chemicals and supplies. Motion carried 5/0.
- F. **Formation of Mailbox Committee** – A motion was made, seconded and carried to form a mailbox committee, appoint Hoshi Deboo, homeowner at 30 Via Vetti as the chairman of the committee and have Mr. Deboo formulate a charter for the mailbox committee so the Board can review it at their March meeting. Motion carried 5/0.
- G. **Installation of Awnings on Tennis Courts** – A motion was made, seconded and carried to deny the request from the tennis committee to install awnings on the tennis courts because the Association does not have the funds and is looking for ways to cut costs due to the economy at this time. Motion carried 5/0.
- H. **Homeowner Request – Installation of Additional Trash Cans** – A motion was made, seconded and carried for Management to inform Jennifer Uzelac, homeowner at 7 Bergamo that if she would like to see additional trash cans along Marina Hills Drive to replace the ones that were removed, to contact the City of Laguna Niguel because the trash cans that were removed belonged to the City. Motion carried 5/0.
- I. **Cleaning Furniture in Clubhouse** – A motion was made, seconded and carried to table cleaning the furniture in the clubhouse so Management can obtain an additional proposal for the Board to review. Motion carried 5/0.
- J. **Homeowner Request – Wrought Iron Fence Between Neighbors** – A motion was made, seconded and carried to deny the request from Tim Downey, homeowner at 2 Bellagio to split the cost to replace the section of wrought iron that has rusted out between him and his neighbor at 1 Bellagio because the wrought iron fences between neighbors are neighbor to neighbor issues. Motion carried 5/0.
- K. **Repair of Cobblestones on Medians Along Marina Hills Drive** – A motion was made, seconded and carried to table approving a proposal from So Cal Coatings to repair 6 sections of cobblestones on the medians along Marina Hills Drive so Management can obtain a cost from Villa Park Landscape to remove the tree roots and install root barriers if necessary so the cobblestones won't lift in the future. The Board will then review the proposals from Villa Park Landscape and So Cal Coatings at the same time. The Board would also like a cost to replace the cobblestones with pavers that would be easier to replace if necessary in the future. Motion carried 5/0.
- L. **Association Wish List** – No items were added to the wish list.

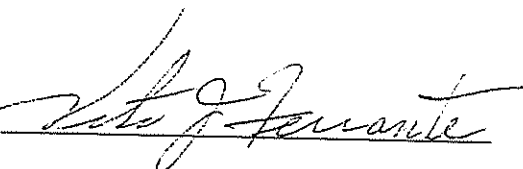
HEARINGS - A motion was made, seconded and carried to have Management follow the violation policy for the addresses below that are not in compliance:

- 13 Genoa Failure to submit application to paint home – homeowner attended the hearing and requested Management to forward him the application from his neighbor at 19 Genoa so he could copy it and he will submit.
- 19 Genoa Failure to submit application to paint home – homeowner has complied. His application cannot be approved until his neighbor at 13 Genoa submits his application.
- 15 Cala D’Or Still parking silver Lincoln on street – Management hasn’t received any additional complaints but if we do, homeowner will be called to another meeting.
- 14 Mercato Failure to paint pop outs on house the approved color – homeowner attended the hearing and informed the Board that he will paint his and his neighbor’s pop outs once the items in his backyard are complete – Management will continue to fine his account and call him to hearings in front of the Board until in compliance.
- 16 Mercato Failure to paint pop outs on house the approved color – homeowner attended the hearing and informed the Board that she doesn’t have the money to paint the pop outs on her house and feels that Mr. Comia should paint them since he painted them the wrong color to begin with – Management will continue to fine her account and call her to hearings in front of the Board until in compliance.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 8:15 P.M.

APPROVED:



DATE:

