

MARINA HILLS PLANNED COMMUNITY ASSOCIATION  
BOARD OF DIRECTORS MEETING MINUTES  
GENERAL SESSION – August 12, 2009

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

**BOARD OF DIRECTORS ABSENT:** Chuck Johnston

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

**ISSUES DISCUSSED IN THE AUGUST 12, 2009 EXECUTIVE SESSION MEETING**

The following items were discussed during the August 12, 2009 Executive Session meeting:

- A. Executive Session minutes from the July 8, 2009 meeting were approved.
- B. Landscape maintenance contract/pool maintenance contract.
- C. Delinquent accounts.
- D. Held hearing.
- E. Architectural homeowner appeal.
- F. Violation.
- G. Personnel issue.
- H. Delinquent homeowners – denying voting rights/amenity privileges
- I. Legal matter.

**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 6:25 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:

- The slopes on Chamonix, Mykonos, Niguel Road, Anacapri and Cala D'Or were detailed.
- This month, they are working on the slopes facing Son Serra, Pallazo, Lucca, Tunis and Via Di Nola.
- The slopes on Corfu and Via Marini were re-planted.

Tree Trimming:

- The Coral trees on Bellagio, Marina Hills Drive and Killini by Pienza access road were trimmed.
- Work orders for tree trimming were completed. Homeowners requesting additional tree trimming will be put on a two week list again. Some tree can't be trimmed in the summer.

- Tree trimming is on schedule and ongoing.

Irrigation Items:

- All satellite controllers are communicating.
- The two wire paths have been repaired.
- Four major leaks were repaired at Killini by Pienza access road, behind 32 Mercato, Niguel Road and Marina Hills Drive and Corfu.
- Vandalism was minor and no major problems were reported.

## **DELEGATE REPORTS**

### Vacant, Monaco

George Webster, Bel Fiore – Present. George Webster stated that people are leaving their trash cans out for days. Management said she would put an article in the newsletter reminding homeowners to bring their trash cans in.

Manny Piceno, Terracina – Not present.

Andrew Kienle, Vistara – Not present.

Larry Buss, Chandon – Not present.

Gaby Buscher, Amarante – Present. No report.

Calvin Stewert, Siena – Not present.

Carol Albert, Cabo Del Mar – Present. Carol Albert stated that the people that are working on her street put up No Parking signs but haven't started with the work yet and she was wondering when it would begin. Management said she would email Ms. Albert the phone number for the City of Laguna Niguel since they are responsible for maintaining the streets.

Morris Passwater, Encore – Present. Morris Passwater told the Board that he already talked to Management but was hoping that the Board would reconsider allowing a phone in the clubhouse that could only receive calls so the Encore Board could perform some of their Board meetings via a phone conference call as they only have a three member Board and one of there Board members travels a lot.

Richard Butler, Palacio – Not present.

Hector Rodriguez, The Heights – Not present.

### COMMITTEE REPORTS

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

### OFFICER REPORTS

- A. President – No report.
- B. Vice President – No report.
- C. Treasurer – Jeff Taylor stated that the Association's accounts and the Board will be reviewing the draft reserve study later during the meeting which needs to be approved before a proposed budget can be generated for the Association.
- D. Secretary – No report.
- E. Member at Large – No report.

### HOMEOWNER FORUM

A homeowner was present to inform the Board that he no longer has a ocean view due to all the trees in the common areas on the streets below him. Amy Crapo from Villa Park Landscape explained to the homeowner the proper way to thin and lace trees and that the Association does not top trees due to generating more growth and because it is unhealthy for the trees. Management stated that if he would like some trees removed, he would need to get written permission from the homeowners that would be affected, tag the trees and pay to have them removed and replaced with different kind of trees.

### CONSENT CALENDAR

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

- A. **Approval of July 8, 2009 General Session Meeting Minutes/Adjourned Annual District Delegate Meeting and Election Minutes from July 7, 2009/Architectural Report from 6/10/09 – 7/10/09 – RESOLVED**, to ratify the action taken and approve the minutes taken by Management from the July 8, 2009 General Session Board Meeting/Adjourned Annual District Delegate Meeting and Election Minutes from July 7, 2009 and the Architectural Report from 6/10/09-7/10/09.
- B. **Financial Statements – RESOLVED**, to accept the June 30, 2009 and July 31, 2009 financial statements as submitted by Keystone Pacific Property Management, Inc.
- C. **Maturing CDs – RESOLVED**, to allow Jeff Russell from Merrill Lynch to roll over the operating CDs that are maturing on 8/13/09 in the amount of \$50,000.00 and on 8/25/09 in the amount of \$50,000 and roll over the 3 reserve CDs that are all maturing on 8/27/09, all in the amounts of \$95,000.00 for the same terms at the highest interest rates possible in order to keep the CDs staggered and open an additional reserve CD in the amount of \$95,000.00.

- D. **Delinquent Account – APN #653-231-04 – RESOLVED** to place a lien on account APN #653-231-04 that has a balance of \$399.21.
- E. **Delinquent Account – APN #653-271-01 – RESOLVED** to place a lien on account APN #653-271-01 that has a balance of \$399.26.
- F. **Delinquent Account – APN #653-261-42 – RESOLVED** to place a lien on account APN #653-261-42 that has a balance of \$399.21.
- G. **Delinquent Account – APN #653-302-18 – RESOLVED** to place a lien on account APN #653-302-18 that has a balance of \$667.13.
- H. **Delinquent Account – APN #933-27-198 – RESOLVED** to place a lien on account APN #653-261-42 that has a balance of \$640.11.
- I. **Landscape Proposal From July Landscape Drive - RESOLVED**, to approve the proposal from Villa Park Landscape for the items from the July landscape drive for a cost of \$13117.50.
- J. **Appointment to Tennis Committee – RESOLVED**, to appoint Alex Spillane, homeowner at 6 Genoa to the tennis committee.
- K. **Perimeter Wall Repair – RESOLVED**, to approve the proposal from So Cal Coatings to repair two sections of the perimeter common area wall at 7 Merano that has shifted away from the homeowner's divider wall at each column for a cost of \$2,440.00.
- L. **Installation of Exit and Close Loops at the Exit Gate in Recreation Center Parking Lot - RESOLVED**, to approve the proposal from W.C. Friend to install one free exit loop and one close loop at the exit gate in the recreation center parking lot for a cost of \$1,041.75.

A motion was made, seconded and carried to approve the following items from the consent calendar, with further discussion:

- A. **Repair to Tennis Court #5 –** A motion was made, seconded and carried to approve the proposal from Zaino Tennis Courts to repair the cracks in the foundation on tennis court #5 for a cost of \$652.00 and have this work completed after So Cal Coatings removed sections of the sidewalk and Villa Park Landscape removes the tree roots and installs a root barrier. Management will obtain proposals from So Cal Coatings and Villa Park Landscape for these items to be completed and do have an Action Without Meeting performed. Motion carried 4/0.

**OLD/NEW BUSINESS**

- A. **Pool Area Proposals** – Tim Rolfer from Aqua Pure Pools was present to introduce geotechnical engineer, Mohan Upasani from Global Geo-Engineering, Inc. to the Board. Mr. Upasani said that he could test the soil around the pool to determine what caused it to sink and give the Board his recommendation on what repair could be made for a couple of thousands of dollars if the Board wanted. A motion was made, seconded and carried to table the pool area proposals and have Management work with Jim Sabatello to obtain additional proposals from two different companies. Motion carried 4/0.
  
- B. **Tennis Committee Request – Independent Sports Instructor Agreement** – A motion was made, seconded and carried to forward the tennis committee's proposed revisions to the independent sports instructor agreement to the Association's legal counsel for review and input and ask legal counsel how he feels it would be best to deal with and resolve the issues the Association is having regarding tennis instructors giving lessons on the courts. Motion carried 4/0.
  
- C. **Homeowner Tree Removal Request** – A motion was made, seconded and carried to deny the request from Carole Regan & George Schuetze, homeowners at 16 Pienza to remove the Eucalyptus tree that borders their backyard because Villa Park Landscape inspected this tree and determined that it is stable. If the homeowners would like to pay to have the tree removed, they can do that, but would need to get written permission from the homeowners that would be affected. They would also need to pay to have a different kind of tree replaced in that area. Motion carried 4/0.
  
- D. **Pool Closures** – A motion was made, seconded and carried to continue to close the pool for 24 hours when someone urinates or defecates in the pool for health reasons. Motion carried 4/0.
  
- E. **Draft Reserve Study** – A motion was made, seconded and carried to approve the draft reserve study for 2010 that was performed by Advanced Reserve Solutions showing the Association being 72.38% funded.
  
- F. **Perimeter Wall Repair** – A motion was made, seconded and carried to have the Association pay to have a glass contractor to reset the glass panels or add aluminum extensions to the two glass panels that have come loose from the vertical aluminum stations at 2 Phaedra. Motion carried 4/0.
  
- G. **4<sup>th</sup> of July Carnival** – A motion was made, seconded and carried to have Management inform James Events Production that the Board is still trying to decide if the Association will be holding a 4<sup>th</sup> of July carnival in 2010 and that we can let them know for sure after the September meeting. Jim Sabatello said that Marcy and Allison wanted to work as social committee members and come up with some possible ideas. Motion carried 4/0.

- H. **Pool Furniture** – A motion was made, seconded and carried to have the pool furniture that is badly stained, re-strapped after the summer pool season is over and prior to spring. Motion carried 4/0.
- I. **Association Wish List** – A motion was made, seconded and carried to not add any items to the Association wish list. Motion carried 4/0.

**ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 9:45 P.M.

APPROVED: *Charlotte L. Pina*

DATE: 8/9/09