

**MARINA HILLS
PLANNED COMMUNITY ASSOCIATION**

BOARD OF DIRECTORS MEETING

AGENDA

Marina Hills Recreation Center
31461 Parc Vista
Laguna Niguel

APRIL 14, 2004

WELCOME TO YOUR HOMEOWNERS ASSOCIATION MONTHLY MEETING!

Regular Monthly meetings are held on the second Wednesday of each month beginning at 5:00 P.M. for the Executive Session and 6:00 P.M. for the General Session with Delegate Roll Call, Homeowner Forum, and Architectural Committee Report at 6:30 P.M. The meetings are held at the Recreation Center Clubhouse, 31461 Parc Vista West, Laguna Niguel.

Any person wishing to address the Board of Directors on any matter, whether or not it appears on this agenda, is required to complete a "Homeowners Forum Sheet" available at the door. Please submit the completed form to the Association Manager prior to being heard by the Board. Each individual will be allowed 3 Minutes. No action will be taken on any items not on the agenda unless the Board makes a determination that an emergency exists or that the need to take action on the item arose subsequent to posting the agenda.

Thank you for attending.

MARINA HILLS PLANNED COMMUNITY ASSOCIATION
BOARD OF DIRECTORS MEETING
APRIL 14, 2004
DETAILED AGENDA

EXECUTIVE SESSION: (Tab 8)

I. Subjects to be Discussed:

- A. Executive Session Meeting Minutes
- B. Delinquencies
- C. Homeowner Request – Wrought Iron Fence Agreement
- D. Barracuda Aquatics Swim Lesson & Pool Monitor Contracts
- E. Job Description
- F. Securitas Contract
- G. Pest Control Contract
- H. Settlement Agreement – Homeowner Landscape Maintenance
- I. Homeowner Request Re: Neighbor Dispute
- J. Employee Annual Evaluation
- K. Securitas Proposal/Contract – Security Cameras
- L. 4th of July Carnival Proposal/Contract
- M. Non-Resident Request – Music Lessons
- N. PAO Reconstruction Update

II. **Consent Calendar – Executive Unfinished/New Business** – (Pages 367-369) Enclosed, please find the consent calendar and Executive Unfinished/New Business.

III. **Executive Session Minutes** – (Pages 370-372) Enclosed, please find the minutes of the March 10, 2004 Executive Session Meeting Minutes.

IV. **Executive Correspondence** – (Pages 373-449) Enclosed, please find the Executive correspondence.

V. ADJOURNMENT

There being no further business to discuss, the meeting is adjourned to General Session.

GENERAL SESSION

I. **CALL TO ORDER/ROLL CALL** - The President will call the meeting to order. Roll call is recorded by Management on behalf of the Board of Directors.

II. **PROOF OF NOTICE OF MEETING** - Proof of Notice is recorded by Management on behalf of the Board of Directors.

III. **Landscape** (Tab 3)

- A. **Landscape Report** – (Pages 131-138) Enclosed, please find the landscape report prepared by Villa Park Services, Inc. A log itemizing the work orders has been included, as well as the monthly water usage log. There were no proposals submitted for review this month.
- B. **Landscape Vendor Correspondence** – (Pages 139-145) Enclosed, please find correspondence sent to and/or received from Villa Park Services.

- C. **Landscape General Correspondence** – (Pages 146-155) Enclosed, please find the correspondence between the Association and homeowners.
- D. **Work Orders** – (Pages N/A) The following is a list of work orders generated during the month of March: Five (5) to Animal Pest Management, One (1) to The Bee Man, Two (2) to Icon and Thirty-Two (32) to Villa Park Services. Management maintains copies of these work orders if the Board would like to review them.

IV. **UNFINISHED/NEW BUSINESS** (Tab 5)

- A. **Homeowner Concern – Re: Tennis Court Use** – (Pages 210-214) Enclosed, please find correspondence received from homeowner Judy Quinn expressing concern about a resident she alleges is giving instruction on the courts during prime time. Unfortunately, she does not provide the name of the resident, however Cheryl may be able to provide more details on the situation during the meeting. **Board Discussion/Motion.**

V. **ACTIVITIES/RECREATIONAL FACILITY** (Tab 1)

- A. **Cheryl Wilson's Activity Report** – (Pages 1-22) Enclosed, please find a copy of Cheryl's report.

VI. **MANAGEMENT REPORT**

General (Tab 2)

- A. **City of Laguna Niguel City Council Agenda/Correspondence** – (Pages 23-30) Enclosed, please find a copy of the agenda for the City of Laguna Niguel.
- B. **Activities Director Correspondence** – (Page 31) Enclosed, please find correspondence sent to and/or received from Cheryl Wilson.
- C. **Board Correspondence** – (Page 32) Enclosed, please find correspondence sent to and/or received from the Board of Directors.
- D. **District Delegate Correspondence** – (Page 33) Enclosed, please find correspondence sent to and/or received from the Chandon District Delegate.
- E. **Homeowner Correspondence** – (Pages 34-120) Enclosed, please find correspondence sent to and/or received from homeowners.
- F. **Sub-Association Correspondence** – No correspondence this month.
- G. **General Correspondence** – (Pages 121-130) Enclosed, please find internal office correspondence generated during the month, as well as correspondence sent to The Bee Man, Allen Corporation Supply Co. and an article from the Orange County Register.

- H. **Website Counter** – (Pages N/A) As of March 1, 2004, the site reflected 1646 hits, as compared to 1,476 in March, for a net of 170.

Architectural (Tab 3)

- A. **Architectural Committee/Homeowner Correspondence** – (Pages 156-170) Enclosed, please find correspondence sent to and/or received from the Architectural Committee and homeowners regarding architectural matters.
- B. **Architectural Log** – (Pages 171-182) Enclosed, please find a copy of the architectural log.

Legal Issues (Tab 7)

- A. **Insurance Carrier Correspondence** – (Pages 269-274) Enclosed, please find correspondence sent to and /or received from Travelers and Scottsdale Insurance Companies regarding various potential homeowner claims.
- B. **PAO & Bridgeport Builders Correspondence** – (Pages 275-309) Enclosed, please find correspondence sent to and/or received from Pulaski, Arita, Olsson, Inc. (PAO) and/or Bridgeport Builders relating to reconstruction.
- C. **Richard Tinnelly** – (Pages 310-366) Enclosed, please find correspondence sent to and/or received from general counsel.
- D. **Legal Updates Re: Association Operations** – There was no correspondence this month.

Delinquency Issues (Tab 8)

- A. **General Correspondence** – No correspondence this month.
- B. **Notice of Intent to Lien** - Management maintains copies of the notices of intent to lien if the Board would like to review them.
- C. **Premium Collection Services Status Report** - No status report this month.
- D. **Sheldon Goodman Correspondence** - No correspondence this month.
- E. **Keystone Pacific Collection Status Report** – (Pages 373-376) Enclosed, please find a copy of the delinquency report as of March 31, 2004, as prepared by Keystone Pacific.

VII. **CONSENT CALENDAR** (Tab 5)

- A. **Approval of Minutes** - (Pages 215-223) Enclosed, please find the minutes taken by management as follows:

RESOLVED, to approve the March 10, 2004 General Session Meeting Minutes, as submitted by Keystone Pacific Property Management, Inc.

- B. **Acceptance of the Financial Statement** - (Pages 224-238) Enclosed, please find the February 29, 2004 financial statement for review and acceptance.

RESOLVED, to accept the February 29, 2004 financial statement, as submitted by Keystone Pacific Property Management, Inc.

- C. **Resolution of the Board of Directors – Vendor/Member Gratuities** – (Page 239) Enclosed, please find the Resolution of the Board of Directors prepared regarding vendor/member gratuities, as requested by the Board at the March 10, 2004 meeting.

RESOLVED, to approve the Board of Directors Resolution regarding vendor/member gratuities.

- D. **Reserve Study Proposals** – (Pages 240-242) Enclosed, please find proposals received to update the Association's reserve study. Management recommends the Board approve a proposal to include an on-site inspection, since the reconstruction will be complete in May and the clubhouse has been renovated. The proposals are as follows:

	<u>Advanced Reserve Solutions</u>	<u>Reserve Data Analysis</u>
On-Site Inspection	\$1,350.00	\$1,200.00
No On-Site Inspection	\$1,150.00	\$ 875.00

RESOLVED, to approve the proposal submitted by Advanced Reserve Solutions, in the amount of \$1,350.00, to perform an on-site inspection and update the reserve study since they have prepared the study for the last several years and are very familiar with the assets maintained by the Association.

- E. **Draft Audit** – (Pages 243-257) Enclosed, please find a copy of the draft audit prepared by Robert Owens, C.P.A. In accordance with California Civil Code, the audit needs to be mailed to the membership within 120 days of the Associations' fiscal year end, or no later than the end of April.

RESOLVED, to approve the draft audit prepared by Robert Owens, C.P.A.

- F. **Homeowner Request for Fine Reversal** – (Pages 258-260) Enclosed, please find correspondence received from James Nichols, owner of 17 Argos, requesting the reversal of the \$100.00 fine assessed to his account for failure to utilize his garage to its capacity prior to the CC&R amendment passing.

RESOLVED, to reverse the \$100.00 fine assessed to the account of James Nichols, owner of 17 Argos, for failure to utilize his garage to its capacity.

- G. **Homeowner Request for Fine Reversal** – (Pages 261-263) Enclosed, please find correspondence received Mark & Marianne Johnson, owners of 13 Dion, requesting the reversal of \$300.00 in fines assessed to their account for failure to paint their home. The violation has now been rectified.

RESOLVED, to reverse the \$300.00 in fines assessed to the account of Mark & Marianne Johnson, owners of 13 Dion, for failure to paint their home.

- H. **Homeowner Request for Fine Reversal** – (Pages 264-265) Enclosed, please find correspondence received from Rik Wahlrab, owner of 3 Agia, requesting the reversal of the \$100.00 fine assessed to his account for failure to remove the oil pan from his driveway. The violation has now been rectified.

RESOLVED, to reverse the \$100.00 fine assessed to the account of Rik Wahlrab, owner of 3 Agia, for failure to remove the oil pan from his driveway.

- I. **SBC Request** – (Pages 266-267) Enclosed, please find correspondence received from Susan Young with SBC requesting the Association to change the current long distance carrier to Worldcom, which is the preferred long distance carrier for SBC. Management spoke to the SBC representative and she said it is much easier to assist a customer, if necessary, if Worldcom is the long distance carrier. There is no cost to make this change.

RESOLVED, to utilize Worldcom as the long distance carrier for the pay phone in the pool area.

- J. **Homeowner Request – Revision to Reporting of Rule Violations** – (Page 268) Enclosed, please find correspondence received from Mr. Romano, a resident on Amarante Street, requesting a revision to the Rules & Regulations to keep the name of the person reporting a violation confidential. The current rules indicate the name of the reporting party will not be kept confidential. The reality is, if a homeowner is called to hearing, he or she has a right to know who the accuser is so keeping the name of the person reporting the violation confidential at the early stages of the violation process will not mean their neighbors will not find out at the hearing stage who reported them.

RESOLVED, to deny the request of the homeowner to keep the name of the person reporting a violation confidential, as all homeowners have the right to know who their accuser is at the hearing stage.

- K. **Wells Fargo Money Market Account** – (Pages N/A) There is an operating Wells Fargo money market that has not been used in several years. Management recommends closing this account and transferring the funds into the Bank of Orange County operating checking account, which will eliminate a service charge.

RESOLVED, to close the Wells Fargo operating money market account.

VIII. OFFICER REPORTS

A. President

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B. Vice President

D. Treasurer

E. Secretary

F. Member-At-Large

IX. DELEGATE ROLL CALL AND REPORTS (Tab 6)

The Delegates will be given an opportunity to report on items of an Association nature as it pertains to their District.

Harvey Holden – Monaco

Resa Blinkovitch – Bel Fiore

Mike Higgins – Terracina

James McGee – Vistara

Larry Buss – Chandon

Loretta Pierce – Amarante

Marcia Bloom – Siena

Carol Albert – Cabo Del Mar

Morris Passwater – Encore

Richard Butler – Palacio

Ira Hermann – The Heights

X. HOMEOWNER FORUM - Homeowner discussion will be limited to 15 minutes.

XI. ARCHITECTURAL COMMITTEE REPORT

XII. HEARINGS (Tab 4)

Violation Hearings

Homeowners wishing to have their Hearing in "Closed/Executive Session" thereby only meeting with the Board and Management Company, should request this upon their name being called for their Hearing.

A. **April 14, 2004 Hearings** – (Page 183) Enclosed, please find the hearing list.

- B. **Hearing Correspondence** – (Pages 184-201) Enclosed, please find the correspondence sent to those homeowners that have been requested to appear before the Board of Directors.

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- C. **Violation Status Report** – (Pages 202-204) Enclosed, please find the Violation Status Report.
- D. **General Violation Correspondence** – (Pages 205-209) Enclosed, please find general violation correspondence.

XIII. **ADJOURNMENT**

There being no further business to come before the Board, the meeting is adjourned. The next meeting of the Board will be May12, 2004.