

**MARINA HILLS
PLANNED COMMUNITY ASSOCIATION**

BOARD OF DIRECTORS MEETING

AGENDA

Marina Hills Recreation Center
31461 Parc Vista
Laguna Niguel

MAY 12, 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
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DETAILED AGENDA

EXECUTIVE SESSION: (Tab 8)

I. Subjects to be Discussed:

- A. Executive Session Meeting Minutes
- B. Delinquencies
- C. Homeowner Request – Wrought Iron Fence Replacement/New City Law
- D. SDG&E Rate Schedule Changes
- E. Homeowner Request – Perimeter Wall Repairs
- F. California Interior Plants Contract
- G. Homeowner Request Re: Perimeter Wall Repair - Discoloration
- H. Employee Annual Evaluation
- I. Homeowner Neighbor Complaint
- J. District Delegate Board Packets – Contract Copying Costs
- K. Grant Davis – PAO – Reconstruction Update

II. **Consent Calendar – Executive Unfinished/New Business** – (Pages 262-264) Enclosed, please find the consent calendar and Executive Unfinished/New Business.

III. **Executive Session Minutes** – (Pages 265-267) Enclosed, please find the minutes of the April 14, 2004 Executive Session Meeting Minutes.

IV. **Executive Correspondence** – (Pages 268-336) 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 80-92) 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. The following proposals have been submitted for review and consideration:

April 13, 2004

Son Serra/Parc Vista Behind Ravello – Remove overgrown acacia and replace with new acacia and mulch.

Son Serrra Slope Across From Via Di Nola – Remove dead rockrose and install myoporum and mulch.

Total: \$1,074.00

April 13, 2004

Son Serra/Chantonay – Remove dying oleanders and install privets, raphiolepis and mulch.

Total: \$2,856.00

April 13, 2004

Focal Corner Supplements – Along Valle Vista, Parc Vista, Son Serra and Via Marini.

Total: \$6,581.65

Grand Total: \$10,511.65

There is a total of \$94,068.00 allocated to landscape extras for the 2004 calendar year. The Association has spent \$107,760.49 through May 2004. However, as of March 31, 2004, the Association had approximately \$191,111.32 in operating cash, which could be used to pay for the proposed expenditures.

- B. **Landscape Vendor Correspondence** – (Pages 93-97) Enclosed, please find correspondence sent to and/or received from Villa Park Services.
- C. **Landscape General Correspondence** – (Pages 98-117) 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 April: Five (5) to Animal Pest Management, One (1) to The Bee Man, Four (4) to Icon, One (1) to Professional Craftsman and Forty (40) 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. **Newsletter Topics** – (Pages N/A) This item has been placed on the agenda for discussion pursuant to a request received from Board Member Linda Baker. **Board Discussion/Motion.**
- B. **Nominating Committee** – (Pages N/A) Article IV, Section 4.2 of the By-Laws states in part: “Nomination for election to the Board of Directors shall be made by a Nominating Committee. Nominations may also be made from the floor at the annual meeting. The Nominating Committee shall consist of a Chairman, who shall be a member of the Board of Directors, and two (2) or more Members of the Master

Association. The Nominating Committee shall be appointed by the Board of Directors ninety (90) days prior to each Annual Meeting of the Members, to serve until the close of such Annual Meeting.” In the past, a Board Member and two Delegates have been appointed to act as the Nominating Committee.

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

- A. **Cheryl Wilson's Activity Report** – (Pages 1-14) 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 15-20) Enclosed, please find a copy of the agenda for the City of Laguna Niguel.
- B. **Activities Director Correspondence** – (Pages 21-25) Enclosed, please find correspondence sent to and/or received from Cheryl Wilson.
- C. **Board Correspondence** – No correspondence this month.
- D. **District Delegate Correspondence** – No correspondence this month.
- E. **Homeowner Correspondence** – (Pages 26-64) Enclosed, please find correspondence sent to and/or received from homeowners.
- F. **Sub-Association Correspondence** – No correspondence this month.
- G. **General Correspondence** – (Pages 65-79) Enclosed, please find internal office correspondence generated during the month, as well as correspondence received from and/or sent to Association vendors.
- H. **Website Counter** – (Pages N/A) As of May 4, 2004, the site reflected 1829 hits, as compared to 1,646 in April, for a net of 183.

Architectural (Tab 3)

- A. **Architectural Committee/Homeowner Correspondence** – (Pages 105-117) Enclosed, please find correspondence sent to and/or received from the Architectural Committee and homeowners regarding architectural matters.
- B. **Architectural Log** – (Pages 118-129) Enclosed, please find a copy of the architectural log.

Legal Issues (Tab 7)

- A. **PAO & Bridgeport Builders Correspondence** – (Pages 210-227) Enclosed, please find correspondence sent to and/or received from Pulaski, Arita, Olsson, Inc. (PAO)

- B. **Richard Tinnelly** – (Pages 228-260) Enclosed, please find correspondence sent to and/or received from general counsel.
- C. **Dicks & Coglianese** – (Page 261) Enclosed, please find correspondence sent to and/or received from defect 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 268-276) Enclosed, please find a copy of the delinquency report as of April 30, 2004, as prepared by Keystone Pacific.

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

- A. **Approval of Minutes** - (Pages 176-181) Enclosed, please find the minutes taken by management as follows:

❖ April 14, 2004 – General Session Meeting Minutes

RESOLVED, to approve the April 14, 2004 General Session Meeting Minutes, as submitted by Keystone Pacific Property Management, Inc.

- B. **Acceptance of the Financial Statement** - (Pages 182-196) Enclosed, please find the March 31, 2004 financial statement for review and acceptance.

RESOLVED, to accept the March 31, 2004 financial statement, as submitted by Keystone Pacific Property Management, Inc.

- C. **Insurance Renewal** – (Pages 197-201) Enclosed, please find the proposed insurance renewal program proposed by LaBarre/Oksnee. The proposed policy limits and annual premiums are as follows:

<u>Property</u>	<u>Liability</u>	<u>Fidelity</u>	<u>Umbrella</u>	<u>D&O</u>	<u>W.C.</u>
\$5,233.22	\$25,804.25	\$3,300	\$19,475	\$4,950	\$7,963

MARINA HILLS PLANNED COMMUNITY ASSOCIATION
BOARD OF DIRECTORS MEETING
MAY 12, 2004
PAGE 5

The total cost for all the policies is \$66,725.47 if the D & O deductible is \$5,000.00. The total cost for all the policies with a \$10,000.00 D & O deductible is \$66,000.47. The current annual premiums total \$63,269.71. There is \$62,460.00 allocated for insurance in the 2004 calendar year budget. Additionally, there is optional coverage for terrorism on the property policy with an annual premium of \$3,425, general liability policy with an annual premium of \$1,233 and umbrella policy with an annual premium of \$2,899.

RESOLVED, to approve the renewal of the property (\$685,000), liability (\$1,000,000), fidelity (\$3,000,000), umbrella (\$5,000,000), D & O (\$3,000,000) with a \$5,000.00 deductible and workers compensation policy (\$1,000,000) with annual premiums totaling \$66,725.47 and deny the terrorism coverage.

- D. **Homeowner Request for Extension** – (Pages 202-203) Enclosed, please find correspondence received from Dale & Lisa Hudson, owners of 15 Bernay, requesting an extension until September 2004 to paint their wrought iron fence. The homeowners claim they are in the process of upgrading their hardscape/landscape and would like to paint the fence at the conclusion of this modification.

RESOLVED, to grant the request of Dale & Lisa Hudson, owners of 15 Bernay, to paint their wrought iron fence by the end of September 2004.

- E. **Homeowner Landscape Concern** – (Page 204) Enclosed, please find correspondence received from John Shaw, the off-site owner of 1 Genoa, regarding the request made for him to remove a tree adjacent to the stucco wall of a neighboring property. In response to a concern expressed by his neighbor about the tree branches growing into his yard, management, the Landscape Committee and Landscape Contractor for the Association inspected the site. Representatives with Villa Park Services recommended the tree be removed, because it could potentially cause damage to the wall and the tree is not aesthetically pleasing. Mr. Shaw has trimmed the branches of the tree so it is not growing into the neighbors yard and submitted a picture, which will be hand carried to the meeting.

RESOLVED, to advise John Shaw, off-site owner of 1 Genoa, to remove the tree adjacent to the stucco wall of the neighbor because it is not aesthetically pleasing and the root system may damage the wall.

- F. **Homeowner Request for Reversal of Late Charges** – (Pages 205-208) Enclosed, please find correspondence received from Mahyar Ghassemian, owner of 13 Agia, requesting the reversal of the late charges assessed to her account which total \$50.00. Late charges are assessed if payments are not received by the 15th of the month.

RESOLVED, to deny the request of Mahyar Ghassemian, owner of 13 Agia, to reverse the \$50.00 in late charges.

- G. **Architectural Committee Member Resignation** – (Page 209) Architectural Committee Member Phil Schreiber contacted management and advised he will no longer be able to serve on the Architectural Committee.

RESOLVED, to include a notice in the next billing statement advising there is a vacancy on the Architectural Committee.

- H. **Landscape Proposals** – (Pages 81-85) The following proposals have been submitted for review and consideration:

April 13, 2004

Son Serra/Parc Vista Behind Ravello – Remove overgrown acacia and replace with new acacia and mulch.

Son Serra Slope Across From Via Di Nola – Remove dead rockrose and install myoporum and mulch.

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RESOLVED, to approve the proposals submitted by Villa Park Services, Inc. in the amount of \$10,511.65 for landscape enhancements throughout the community.

VIII. OFFICER REPORTS

- A. President
- B. Vice President
- C. Treasurer
- D. Secretary
- E. 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. **May 12, 2004 Hearings** – (Page 130) Enclosed, please find the hearing list.
- B. **Hearing Correspondence** – (Pages 131-160) Enclosed, please find the correspondence sent to those homeowners that have been requested to appear before the Board of Directors.
- C. **Violation Status Report** – (Pages 161-163) Enclosed, please find the Violation Status Report.
- D. **General Violation Correspondence** – (Pages 164-175) 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 June 9, 2004.