

WESTPARK LAS PALMAS HOMEOWNERS ASSOCIATION
MEETING OF THE BOARD OF DIRECTORS
SEPTEMBER 16, 2013

The Regular Meeting of the Board of Directors of the Westpark Las Palmas Homeowners Association was held on Monday, September 16, 2013 at the main pool area. The President, Robin Cheng, called the Meeting to order at 6:16 p.m.

CALL TO
ORDER

Directors Present: Julie Arden
Michael Fuscaldo
Robin Cheng

Directors Absent: None

Representing Cardinal: Karen Holthe, CMCA, CCAM, AMS

Others Present: Mike Bullock

Karen Holthe reported that the reduced quorum of 25% had not been achieved to conduct the Fourth Calling of the Annual Meeting, as only 56 ballots had been received of the 71 ballots necessary. A Motion was duly made, seconded and unanimously carried to approve a Resolution to refrain from making further attempts to hold the reconvened Annual Meeting, and that Julie Arden, Robin Cheng and Michael Fuscaldo shall remain in office until the 2014 Annual Meeting or until their successors have been duly elected.

ANNUAL
MEETING

Cardinal was requested to invite Grant Davis to attend the next Meeting to provide an update on ongoing community matters, as he was not present.

GRANT DAVIS

The Hearing was held for the member with account #WL-0024-0225-02 for the installation of a frosted covering on the window above the garage door. The owner was not present. It was noted that per the September site inspection, the violation had been corrected. A Motion was duly made, seconded and unanimously carried to close the violation. Cardinal was requested to notify the owner of the Board's decision.

HEARING
#0024-0225-02
UNAPPROVED
WINDOW
COVERING

The Hearing was held for the member with account #WL-0024-0033-01 for failure to replace two damaged window screens. It was noted that per the September site inspection, the violation had been corrected. A Motion was duly made, seconded and unanimously carried to close the violation. Cardinal was requested to notify the owner of the Board's decision.

HEARING
#0024-0033-01
DAMAGED
WINDOW
SCREENS

The Hearing was cancelled for the member with account #WL-0024-0002-02 for violation of the guest parking rules, as it was confirmed that the residents had obtained a parking permit. A Motion was duly made, seconded and unanimously carried to close the violation. Cardinal was requested to notify the owner of the Board's decision.

HEARING
#0024-0002-02
PARKING
RULES

The Hearing was held for the member with account #WL-0024-0014-01 for violation of the guest parking rules. The owner was not present but had submitted correspondence on August 30, 2013 stating he was using his garage and driveway. As recent violations were reported after the correspondence date, a Motion was duly made, seconded and unanimously carried to impose a \$50.00 fine in accordance with the Association's Violation and Fine Policy, as the violation had not been corrected. Cardinal was requested to notify the owner of the Board's decision and call the owner to another Hearing at the next Meeting.

HEARING
#0024-0014-01
PARKING
RULES

The Hearing was held for the member with account #WL-0024-0187-01 for failure to maintain the patio tree. The owner was not present. It was noted that per the September site inspection, the violation had been corrected. A Motion was duly made, seconded and unanimously carried to close the violation. Cardinal was requested to notify the owner of the Board's decision.

HEARING
#0024-0187-01
OVERGROWN
TREE

The Hearing was held for the member with account #WL-0024-0269-01 for a delinquent assessment account. The homeowner was not present but had submitted correspondence stating a payment was sent on September 3, 2013 and requested the waiver of late and collection fees. A Motion was duly made, seconded and unanimously carried to waive the late and interest fees in the amount of \$46.56 and not revoke any common area/voting privileges. Cardinal was requested to apply the appropriate credit and notify the owner of the Board's decision.

HEARING
#0024-0269-01
DELINQT.
ACCOUNT

The Hearing was held for the member with account #WL-0024-0270-03 for failure to replace the frosted patio sliding door. The owner was not present but had submitted correspondence in the matter. A Motion was duly made, seconded and unanimously carried to impose a \$50.00 fine in accordance with the Association's Violation and Fine Policy, as the violation had not been corrected. Cardinal was requested to notify the owner of the Board's decision and call the owner to another Hearing at the next Meeting.

HEARING
#0024-0270-03
SLIDING DOOR

The Hearing was held for the member with account #WL-0024-0276-02 for failure to reinstall the satellite dish appropriately. The owner was not present. A Motion was duly made, seconded and unanimously carried to impose a \$50.00 fine in accordance with the Association's Violation and Fine Policy, as the violation had not been corrected. Cardinal was requested to notify the owner of the Board's decision and call the owner to another Hearing at the next Meeting.

HEARING
#0024-0276-02
SATELLITE
DISH

The Hearing was held for the member with account #WL-0024-0278-01 for failure to reinstall the satellite dish appropriately. The owner was not present. It was noted that per the September site inspection, the violation had been corrected. A Motion was duly made, seconded and unanimously carried to close the violation. Cardinal was requested to notify the owner of the Board's decision.

HEARING
#0024-0278-01
SATELLITE
DISH

<p>The Homeowner Forum was opened by Director Arden.</p>	H/O FORUM
<p>The tenant of 158 Agostino was present to ask about satellite dish installation guidelines. He also expressed concerns about the landscaper abandoning leaves after working at the unit and not cleaning up the landscaping areas.</p>	158 AGOSTINO SATELLITE DISH
<p>As there were no other homeowners present who wished to address the Board, the Homeowner Forum was closed.</p>	H/O FORUM CLOSED
<p>A Motion was duly made, seconded and carried to approve the Minutes of the August 27, 2013, Regular Meeting, as prepared. Director Cheng abstained.</p>	APPROVAL OF REG. MINUTES
<p>A Motion was duly made, seconded and carried to accept the July 2013 Financial Statement. Cardinal was requested to send a letter and copies of the water bills to Bemus Landscape to review the water usage, as the water expenditures exceeded the budgeted amount, and provide an analysis of the problem from 2012 to 2013 for the Board's review at the next Meeting.</p>	FINANCIAL REVIEW
<p>A Motion was duly made, seconded and carried to authorize Cardinal to inform the Morgan Stanley representative of the Board's directive to purchase a new CD or CDs and rollover any expiring CDs. \$300,000.00 should be in six month CDs, the remainder could be invested in CDs for up to one year and \$200,000.00 was to be left in the money market account as liquid assets.</p>	CD PURCHASES
<p>The Directors discussed the delinquency review. A Motion was duly made, seconded and unanimously carried to approve the lien on account #WL-0024-0216-02 / APN# 937-13-269.</p>	DELINQUENCY LIEN
<p>The Directors reviewed the correspondence from The Judge Law Firm (TJLF), informing them that a settlement had been reached in the collection case of the owner of the account #WL-0024-0041-01. Cardinal was requested to contact TJLF and ensure that the down payment from the settlement was received on September 7, 2013 and also to request that, in the future, information regarding a required down payment be included as a separate stipulation on any settlement agreement document.</p>	DELINQUENCY SETTLEMENT #0024-0041-01
<p>The Directors reviewed the collection status reports. No action was required.</p>	COLL.REPRTS.
<p>Director Fuscaldo discussed the draft of the 2014 budget. A Motion was duly made, seconded and unanimously carried to approve the 2014 budget as adjusted by Director Fuscaldo, with a one and a half percent increase of \$4.00 per unit, for a total monthly assessment of \$280.00 per unit. Cardinal was requested to mail the budget to the membership as required by law.</p>	BUDGET APPROVED

The Directors reviewed the correspondence from Antis Roofing regarding damaged lawn areas during the roof maintenance project. No action was required.

LANDSCAPE
REPORT

The Directors reviewed the proposal from Bemus Landscape for work at 24 Agostino. A Motion was duly made, seconded and unanimously carried to approve proposal #7762 dated August 19, 2013 to remove and stump grind the Canary Island pine tree at 24 Agostino, at a cost not to exceed \$800.00, to be charged to operating. Cardinal was requested to notify the vendor and the homeowner of the Board's decision.

TREE
REMOVAL
24 AGOSTINO

Cardinal was requested to send a violation letter to the owner of 19 Almador to cease from disposing of any gardening materials into the common area.

19 ALMADOR

The Directors reviewed the monthly patrol reports. The permit renewal program in October 2013 was approved, pending the on-time completion of the slurry seal project, with the stipulation that no residence with two (2) persons and three (3) vehicles could be approved for a repeat permit. In that case, they would need to request the permit approval from the Board.

PATROL

On Motion duly made, seconded and unanimously carried, the Directors ratified the decisions previously approved by the Maintenance Committee to conduct roofing repair change orders for the following items:

MAINT'NANCE
COMMITTEE
APPROVALS
RATIFIED

1. August 15, 2013 – Roofing Repairs – Antis Proposals
 - a. 52 Almador – Tile Pan Replacement - \$1,398.00
 - b. 28 Almador – Skylight Replacement - \$1,080.00
 - c. 15 Alcoba – Skylight Replacement - \$1,080.00
 - d. 44 Almador – Skylight Replacement - \$988.00
 - e. 46 Almador – Skylight Replacement - \$968.00
2. August 15, 2013 - Roofing Repairs – Antis Proposals
 - a. 45 Alcoba – Z-Bar Flashing Replacement - \$1,678.00
 - b. 2 Almador – Skylight Replacement - \$968.00
3. August 20, 2013 – Roofing Repairs – Antis Proposals
 - a. 59 Agostino – R/R Underlayment - \$1,026.00
 - b. 63 Agostino – R/R Underlayment - \$1,026.00
4. August 23, 2013 – Roofing Repairs – Antis Proposals
 - a. 45 Almador – Broken Skylight - \$988.00
 - b. 47 Almador – Broken Skylight - \$1,080.00
 - c. 41 Alcoba – Cricket Area Metal Damages - \$2,803.00
5. August 29, 2013 – Roofing Repairs – Antis Proposals
 - a. 30 Alcoba – Damaged Cricket R/R Underlayment - \$2,803.00
 - b. 73 Agostino – Broken Skylight - \$988.00
 - c. 35 Alcoba – Broken Skylight - \$968.00
 - d. 8 Alcoba – Broken Skylight - \$968.00

The Directors reviewed the report from the Architectural Committee. Cardinal was requested to obtain a proposal from Vinco Construction to inspect homeowner satellite installations regularly, priced per satellite dish. Additionally, Cardinal was requested to create a list of all unapproved satellite dish installations and forward it to Grant Davis to identify what can be done to meet compliance guidelines. A Motion was duly made, seconded and unanimously carried to approve up to \$30.00 per residence toward the cost of compliance rectifications. Cardinal was requested to contact Grant Davis and request he contact Director Fuscaldo for additional information. Cardinal was also requested to send an inventory list of all garage doors to Director Arden.

ARCH. CMTE.

A Motion was duly made, seconded and unanimously carried to adopt the "No Smoking in the Recreation Areas" rule. Cardinal was requested to inform the patrol company of the new rule, send a letter to Personal Touch requesting they relocate the ash trays from within the pool area to the planters just outside the pool gates, and request the ash trays be regularly cleaned as usual. Cardinal was requested to notify homeowners and residents of the rule change and inform them to contact Patrol One with any reports of violations of the rule, which will go into effect November 1, 2013.

RULE CHANGE
NO
SMOKING
RECREATION
AREAS

The Directors reviewed correspondence from the owner of 35 Almador requesting an extension to October 30, 2013 to trim their overgrown fruit trees in the patio area, as they still had fruit ripening on them. A Motion was duly made, seconded and unanimously carried to grant the homeowner's extension request. The correspondence additionally requested a no-smoking rule be applied to all resident patio areas. The Board determined they could not regulate smoking in exclusive use patio areas. Cardinal was requested to inform the owner of the Board's decision.

H/O CORRES
35 ALMADOR

The Directors reviewed correspondence from the owner of 18 Alcoba requesting information on whom to call if a resident was violating the "No Smoking in the Pool Area" rule. Cardinal was requested to send a letter to the owner of 18 Alcoba, informing them that Patrol One should be called to enforce the new rule after November 1, 2013.

H/O CORRES
18 ALCOBA

The Directors discussed the revision of the "Pool Entertainment Rules." Cardinal was requested to draft a rule change for consideration on the next agenda, to include a requirement for a \$100.00 deposit fee and \$25.00 pool area usage fee to utilize the pool area for entertainment purposes, and ensure the rules included that the pool gates could never be propped open, as the practice was a safety hazard and violated the California Swimming Pool Safety Act.

PARTY RULE
REVISION

The Directors tabled discussion of trash can storage, lattice on the gates, records retention, the Internal Dispute Resolution Policy modification, gutter/downspout/roof cleaning proposals, and street sign replacements/repairs.

TABLED
ITEMS

Cardinal was requested to obtain a proposal from Antis Roofing for community-wide gutter cleaning that would ideally commence November 4, 2013, with a completion goal date of November 15, 2013.

GUTTER
CLEANING
PROPOSAL

The Directors discussed the exterior concrete issue at 94 Almador. No action was required.

EXTERIOR
94 ALMADOR

The Directors reviewed the proposals from Vinco Construction for pool area wrought iron repair and painting. A Motion was duly made, seconded and unanimously carried to approve both options of proposal #WLP 10310 to prime and paint sections of the wrought iron pool fences, at an amount not to exceed \$1,875.00, and to repair and paint sections of the wrought iron pool fences, at an amount not to exceed \$1,795.00, charged to operating. The matter of up lights was tabled to the next Meeting. Additionally, Cardinal was requested to obtain a separate proposal from Vinco for additional up lights as discussed with Grant Davis.

POOL AREA
FENCE REPAIR
PAINTING

Cardinal was requested to send the Antis Roofing roof repair history to Director Fuscaldo via email for his review.

ANTIS REPORT

The Directors discussed the date to shut off the pool heaters. The Board determined the pool heat should be left on until the next Meeting. Cardinal was requested to collect information on the gas prices paid for the last two years for review of the heating costs at the next Meeting.

POOL HEAT
SHUT OFF

The Directors tabled the proposals from Antis Roofing and Vinco Construction for trellis repairs/replacements to allow additional time for Maintenance Committee review. A Motion was duly made, seconded and unanimously carried to authorize the Maintenance Committee to approve up to \$20,000.00 for necessary repairs.

TRELLIS
REPAIR /
REPLACEMNT.

The Directors reviewed the proposals from Daniel Leonard, CPA and Robert Owens, CPA for the preparation of the year-end tax returns and audit. A Motion was duly made, seconded and unanimously carried to approve the proposal from Daniel J. Leonard, CPA, dated August 5, 2013, for the preparation of the year-end tax return and audit, at a cost of \$950.00. Cardinal was requested to advise the bidders of the Board's decisions.

AUDIT
PROPOSALS

The Directors reviewed the correspondence from the owner of 162 Agostino requesting the waiver of late fees and fines on the account. A Motion was duly made, seconded and unanimously carried to approve the waiver of half of the fines/fees on the account, in the amount of \$85.00. Cardinal was requested to make the necessary account adjustments and inform the owner of the Board's decision.

H/O CORRES
162 AGOSTINO

The Directors reviewed the correspondence from the owner of 19 Almador requesting the waiver of a fine on the account. A Motion was duly made, seconded and unanimously carried to approve the waiver of half of the \$50.00 fine on the account, in the amount of \$25.00. Cardinal was requested to inform the owner of the Board's decision and inform the owner the Board was waiving half of the fine as they felt the owner did not comply when requested and, although the Board would accept the current solution, the glass installed was not approved by the Architectural Committee.

H/O CORRES
19 ALMADOR

Cardinal was requested to replace the scheduled second postcard to remind homeowners and residents of the upcoming slurry project, with a letter instead.

SLURRY
REMINDER

There being no further business, the Regular Meeting was adjourned at 7:29 p.m.

ADJOURNED

Submitted by: Karen Holthe, Senior Account Manager

SUBMITTED

ATTEST:

ATTEST

Robin Cheng, President

Date

SECRETARY CERTIFICATION

CERTIFIED

I, Julie Arden, the appointed Secretary of the Westpark Las Palmas Homeowners Association do hereby certify that the foregoing is a true and correct copy of the Minutes of the Westpark Las Palmas Homeowners Association Board of Directors Meeting held on September 16, 2013, as approved by the Board Members in attendance at the Meeting.

Julie Arden, Secretary

Date