

Top O' Topanga Homeowners Association

Board of Directors Meeting

Regular Session: 6:00 P.M. to 9:30 P.M.

September 22, 2008

A CALL TO ORDER

The meeting was called to order by President Andrea Tice.
Meeting held in the Clubhouse Library, Top O' Topanga.

B. ROLL CALL

Present: President Andrea Tice, Derek Christopher, Miriam Claire, Susan Garrigan, Neal Grabowski, Geo Snelling, Sandy Zaouk

Absent: Geo Snelling

Lordon Management Representatives: Donalea Bauer, Betty Madrid
Guests: David Soliz/Onsite Manager/Recording secretary

C. SECRETARY'S REPORT

Sandy Zaouk motioned to approve the minutes with the following changes: Page 2, D. TREASURER'S REPORT, Item 1: change 'Reinvest the above into a 60 day CD' to 'Reinvest the above into a 6 month CD'. Page 3, NEW BUSINESS, item 1: change 'it should be closer to \$330 per square foot' to 'he felt it should be closer to \$330'. Change 'recommended Marshall/Stevens' to 'recommended rehiring of an appraiser to do the estimate'. Item 1: change 'Susan Garrigan's company had done a cost estimate last year' to 'Susan Garrigan's company reviewed the current broker recommended coverage that they were given'. Item 2: change 'Miriam Claire motioned to formalize the committee' to 'Miriam Claire motioned to create a Rules & Regulation committee. Suzanne Jensen volunteered to chair the committee and currently 9 to 11 residents are interested in serving on the committee.' Item 3: change 'Miriam felt that the HOA is liable' to 'Miriam understood from HCD Brad Harward that the HOA may be liable'. Page 4, item 9, Earthquake Insurance: change to 'Lordon Management is currently obtaining quotes for earthquake insurance. Page 4, OLD BUSINESS, item 2: change 'dry chemical' to 'chemical'. Derek Christopher seconded the motion and the motion was carried unanimously.

D. TREASURER'S REPORT

"In accordance with Title 6, Section 1365.5 of the California Civil Code", the Association's reconciliation and reserve accounts have been reviewed by the entire Board of Directors.

As of 7/28/09

Total Assets: \$1,179,019.82

Current monthly deficit: \$17,187.47

Current yearly deficit: \$50,555.12

*** If applicable – reason for deficit: Admin, utilities, contracted services and maintenance.

Total Assets: Financials reviewed.

1. The following are investment accounts requiring Board decision:
Per Board directive the following action was taken: Comerica Accounts;
Draw \$150,000 and open 3 CDs' for 30 days each and roll over every
30 days automatically at the best rate.

Move \$100,000 to the Union Bank operating account ledger103-00.

E. COMMITTEE REPORTS:

ARCHITECTURAL COMMITTEE

No Report

EMERGENCY PREPAREDNESS COMMITTEE

No Report

PARKING COMMITTEE

No Report

SOCIAL COMMITTEE

No Report

ZUNI PARK COMMITTEE:

No Report

ARCS COMMITTEE:

No Report

TAX COMMITTEE:

No Report

RV COMMITTEE:

No Report

RULES & REGULATIONS COMMITTEE: Suzanne Jensen reported that the committee met on 9-18-2008 and elected Patti Dean Wohlford as Chair. There were 14 members in attendance. Pam Burnham was elected Parliamentarian, and elected secretaries were Liz Cross and Marjory Harper.

The Board requested a list of the group and reminded the group that committees serve at the direction of the Board and documents must be approved by the Board before distribution to the community. The Board recommended that the committee addresses dog issues and term limits.

F. BOARD BUSINESS:

Bylaw Amendment: The Board reviewed the document. Miriam Claire had issues with item 2. The document became acceptable to all Board members with a change, additional statement, to item 2: Action of the Board, assuming such action is lawful and is not contradictory to the governing documents as not to breach fiduciary duties.

Drainage and Permits: Pam Moore, HOA attorney, provided a letter with an updated opinion regarding drainage and permits. Sandy Zaouk motioned to have Pam Moore send the letter for publication, unless specific documents point to HOA liability. Derek Christopher seconded the motion and the motion was carried unanimously. Miriam Claire recused herself.

Insurance: Sandy Zaouk motioned to accept Lloyds Earthquake Insurance with an increase in clubhouse insurance. Derek Christopher seconded the motion and the motion was carried unanimously.

WWTP Insurance: Traveler's Insurance, Energy Max 21, proposal for equipment breakdown regarding boiler and equipment. This policy may or may not provide the necessary coverage due to their coverage and exclusionary rule. Lordon Management to verify coverage.

Waste Water Treatment Plant: David Soliz presented a cost analysis of the WWTP repair list provided by El Dorado Engineering and Blue Planet's cost to repair the WWTP. An option was revisited to attach TOT sewer lines to LA County lines. Miriam Claire provided a previous cost for the hook-up to LA County, which was 2.5 million dollars. Another factor to consider is the cost of irrigation water if there is a hookup to LA County. Miriam Claire will provide information she has previously obtained to transfer the water/sewage facility to the county for the next meeting.

HR & Associates Audit Report: Derek Christopher motioned to accept HR & Associates Audit Report of the Top O'Topanga Homeowners Association. Neal Grabowski seconded the motion and the motion was carried unanimously.

G. SPECIAL ASSESSMENTS:

Proposed Budget 2009: ledger 60300, legal, liens: needs to be split into 2 ledgers, general and specific. Derek Christopher motioned to accept the proposed budget and apply a one-time assessment of \$575.00 to each owner. Non payment of assessment should not cause late fees. Neal Grabowski seconded the motion and the motion was carried unanimously.

H. ACCOUNTS LIENED:

Foreclosures: Susan Garrigan motioned to authorize Lordon Management to begin foreclosure proceedings on the following account. Derek Christopher seconded the motion and the motion was carried unanimously. Miriam Claire recused herself.

058120700

Liens: Susan Garrigan motioned to authorize Lordon Management to begin lien proceedings on the following accounts. Derek Christopher seconded the motion and the motion was carried unanimously. Miriam Claire recused herself.

058120700
058158490

I. OPEN FORUM:

Suzanne Jensen, 139 Pueblo: Suzanne wanted assurance that agenda items submitted go on the agenda and noted that owners may bring up agenda items during the open forum. The Board response was that there is a procedure in place to address placement of agenda items and must be scheduled by the Board.

Colleen Carroll, 132 Pueblo: Colleen had concerns with emails that Miriam has provided about Derek Christopher's comments about children that came on his property.

Sandy Dwyer, 1103 Cherokee: Stated that the Board confidentiality agreement was broken. The Board responded that when there is public

disclosure of information by the participant, the information is no longer confidential.

Stan Smith, 1111 Cherokee: Stan is opposed to any type of recall.

J. HOMEOWNER REQUEST (waiver/reimbursement requests/architectural approval):

None at this time

NEW BUSINESS:

1. **Pool Solar Proposals:** Advanced Solar Electric proposal for \$18,750 and Environmental Solar Design bid priced at \$18,880

OLD BUSINESS:

1. **Southern California Edison: 7-28-08** Process to Transfer Distribution Facilities/System to SCE – Project tabled.
2. **El Dorado Engineering Report Update 9-22-08:** Blue Planet to repond on short term items to repair. **8-25-08:** Based on the report, the 'A' phases are marked as urgent and there are 12 'A' phase items which need to be addressed. Blue Planet has the list and is preparing their response regarding facility repairs. An item of concern was the cleaning of the WWTP pond. The current method of cleaning the pond is expensive (dredging, hauling, parking the water, drying, etc.). Miriam Claire suggested that there was method of using a chemical to reduce the amount of sludge in the pond and provided a contact, Russell Mosser, 310-305-9900. Another contact regarding sludge removal was Frank Kenton Engineering. Betty Madrid and David Soliz to follow-up.
3. **Board priority items:** 1. Parking 2. Water Treatment Plant 3. Electrical 4. Cathodic Protection 5. Infrastructure: Discussion on funding for the infrastructure.
4. **A.P. Electrical Systems:** Local electric company (Van Nuys) to be used on a trial basis.
5. **Parking: Options** and procedures are under review. Deferred until next meeting. This will be an Andrea Tice/Donalea Bauer presentation
6. **Cell Towers update 8-25-08:** Neal Grabowski is pursuing a potential source of revenue for the HOA and will be contacting cell tower vendors. Per Pam Moore, HOA Attorney, stated that the HOA could lose non-profit status if income from anything above and beyond assessments is allowed. Tax implication questions are to be

