

## **Draft Minutes of the LVHA Board Meeting**

March 20, 2013

**Meeting Called to Order:** 7:30 PM.

**Present were:** Dale Miller, Bob Schellenberg, Greg Stilson, and Maggie McCann. Absent Greg Kamman.

**Approval of Agenda:** Dale Miller moved to approve the agenda noting that Comcast was unable to be here due to a conflict and waiting for their senior management approval. It was seconded by Bob Schellenberg and unanimously approved.

**Approval of Minutes:** Dale Miller moved to approve the minutes of the Executive Meetings of Oct. 14, 2012, Jan 17 2013 and the Board of Directors' meeting of Feb 20, 2013. It was seconded by Bob Schellenberg and unanimously approved.

**Office Manager's Report. Community Center:** Mark your calendars for April 26<sup>th</sup> – the Lucas Valley Chamber Orchestra will give another concert for the benefit of the community.

**Office:** Anyone running for a position on the board must have a candidate's statement in to the office by Friday, March 22<sup>nd</sup>. Candidates' night will be at the April Board of Directors meeting on April 17<sup>th</sup>.

Receivables continue to remain in excellent shape – less than 1% is overdue 90 days or more. Thank you to all who paid the year in advance.

A 3-Minute Reserve Summary went out with the last issue of the Vibration. Civil Code Section 5565 (old code 1365) – states that the HOA must distribute it once a year. If anyone is interested in seeing the full report, which is 68 pages, just let me know. I will be happy to get a copy to you and it has always been on the website.

**Pool News:** The new high efficiency pool heaters have been a problem on and off. The manufacturer's representative came out last week and replaced some items and upped the combustion temperature limit from 150 degrees to 180 degrees in the hopes that that will keep the heaters from going off. The stricter California emissions code is causing problems with some of these units.

**Landscape:** Larry Higgins is working on the water fountain at the lower courts – he is in the process of getting parts. He is also working on the shower in the men's room that has a leak.

**Homes Sold:** 6 Mt. Darwin.

**President's Report:** Given by Greg Stilson. None.

**Treasurer's Report:** Given by Tom Egan for Greg Kamman. Tom noted that the HOA is in "darn good shape" and that there were no concerns given only two months of the year have passed. He also noted that the Reserve Fund has over \$600,000 in it. He said Roberta Miller recommends hiring a new accountant but that will be delayed until next year since it is so close to tax season.

**Items from Homeowners: Proposed Landscape/Hardscape Remodel:** Several homeowners in the audience asked about the proposed landscape remodel project. Some wondered why it needed to be done at all and thought that only items that were in need of repair should be done. Others thought that the interior of the building, especially the kitchen should be prioritized. Another suggested that the parking should be a priority as it is in poor condition. Still another homeowner commented that the community center was at a critical point and that the assets needed to be managed sooner than later. One member of the audience commented that the playground was just installed a year ago and should not need upgrading. Some noted that the rough cost should be available at this point in the project and should be made public because that may affect how members vote. A board member stated that the PIC was in the process of acquiring bids for the upper courts at this time.

**High Density Housing and Rezoning:** Many of the 25 homeowners attending the meeting were very concerned about the rezoning ordinance that the County is proposing for Grady Ranch and other areas in the valley that they have earmarked for low income and/or affordable housing.

Most everyone felt that the County is trying to put an inordinate number, roughly 800 low income units in the Marinwood/Lucas Valley area.

Some in the audience who are architects and project managers noted that 30 units per acre is definitely high rise high density, especially when one takes into account the land required for roads in, driveways and parking areas. One homeowner explained that only eight acres of the Grady Ranch was to be reserved for high density but with 240 units proposed for that acreage. She said that the Rotary Village has 80 small units on 6.85 acres giving it a density of 11.7 units per acre. Several felt that rezoning is the first step and that with that density a developer could easily see that a project is feasible making it much more likely to happen. One member of the audience noted that the State of California says if you want highway dollars then you must show the numbers on paper to satisfy their mandate and that the future of Lucas Valley is being held hostage by the purported demand for the trade off of low income housing for highway dollars.

A homeowner and architect, who has applied to be appointed to the Zoning and Planning Committee, has attended most of the meetings at the County on the subject. She explained that the schools would be greatly affected because low income housing is not required to pay many of the property taxes and that the County is attempting to impose this zoning change without proper vetting or review.

The overall sentiment was that high rises are unacceptable and are foreign to the landscape such as it has been and that the character and nature of the valley would be forever changed.

**Committee Reports: Horseowners Committee:** Given by Bob Schellenberg. Bob reported that there was a dispute at the horse pastures. One pasture renter infringed on another pasture newly rented. The issue is being appealed to the Board. They will call an executive meeting to discuss the issue.

**Watershed Committee:** Given by Dale Miller for Greg Kamman. The County is proposing a new stream ordinance that will affect what can be done within so many feet of a creek. This will affect all homes along creeks and the homeowners' community center. The Board of Supervisors and the Planning Commission will be having a public hearing on April 18<sup>th</sup>. Notice will be posted on channel 8, the website and Big Tent.

FEMA is drawing up revised flood zone maps as the previous ones were incorrect. Homeowners who live along the creek should keep an eye out for these as it may affect whether or not they must purchase flood insurance.

**ARC Committee:** Given by Terry Bremer. Terry reported that they have a talented and dedicated group of people on the committee. They have reviewed 22 applications to date this year. Terry reminded everyone to be sure to submit an application before starting work. The Committee coordinated three successful events and are considering a fourth later in the spring. Maggie McCann thanked the ARC for organizing these fun events and reported that she had a lot of good feedback from members of the community.

**Cable TV and Internet Committee: Given and written by Dale Miller.** Beginning with the LVHA Board of Directors President's letter to Lucas Valley Cable of November 14, 2012 that asked LVC to notify the board if LVC wished to renew the agreement to provide television service to the LVHA community, the TV Committee and Board of Directors have spent a significant amount of time addressing the issues related to TV and internet service in the LVHA community.

The amount of work done and time spent by the committee and the board increased substantially since the February board meeting when the last TV committee report was issued. The Chair of the committee and the Board liaison met with David Feingold, the LVHA attorney, to discuss:

- LVHA's obligations and options related to television service specified in the CC&Rs.
- Potential amendments to the CC&Rs that would provide for more flexibility and options and reduce financial risk for LVHA with respect to TV service.
- Provisions of the current contract with LVC and the significant financial risks to LVHA embodied in the provisions of the agreement.

- Implications of a potential Comcast infrastructure investment aimed at providing service in the LVHA area.

Mr. Feingold is currently researching some of the issues and will provide additional input to the committee and the board of directors.

Lucas Valley Cable had not provided the annual reports to LVHA as required by the contract, therefore the committee requested the reports from LVC and received the reports for the past three years.

These reports, in addition to the several years of LVHA financial reports and reserve fund information as well as other documentation related to the LVHA cable system, have been reviewed by the committee in preparation for discussions with LVC about the renewal of the agreement with LVC that expires in October, 2013.

The committee has requested a proposal from Lucas Valley Cable as a starting point for discussing the renewal of the agreement, but the committee has not yet received a proposal. A meeting between representatives from Lucas Valley Cable and the committee has been scheduled for next week.

The committee has requested that the chair draft a response to the issues raised by the recent letter from Lucas Valley Cable to its customers for publication in the Vibration and the LVHA website.

The committee is requesting approval of an additional allocation of up to \$3,000 in legal fees for review of the potential new agreement with LVC and legal advice to the committee.

**Motion:** Dale Miller moved that the Board approve up to an additional \$3,000 for legal consultation regarding the CC&Rs and the TV System. It was seconded by Bob Schellenberg and unanimously approved.

**PIC Committee:** Given by Dale Miller for Greg Kamman. Dale reported that the committee is working on acquiring bids for the improvements to the upper courts and surrounding areas.

A discussion ensued on the whether or not minor changes and repairs needed to be reviewed by the PIC. Bob Schellenberg stated that the By Laws stated that the Board had a duty to maintain the facilities and should not have to go through the PIC for all of these repairs. He also noted that the By Laws do not list a Public Improvements Committee and that going through the ARC should be sufficient.

**Motion:** Dale Miller moved that any modifications or repairs that alter the appearance or function of the LVHA common areas, or may be affected by projects planned by the Public Improvements Committee be submitted to the Public Improvements Committee for review and approval. It was seconded by Maggie McCann. Bob Schellenberg voted nay. Motion passes three to one.

**Unfinished Business:** Discussed during committee reports.

**New Business: Appoint New Committee Members.** Several committee member applications were submitted.

**Motion:** Dale Miller moved that all of the below members be appointed to their respective committees for a period of two years. It was seconded by Maggie McCann and unanimously approved.

**Meeyhun Kurtzman** to the Zoning and Planning Committee

**Pavati Zeno** to the Pool Committee and the 50<sup>th</sup> Anniversary Party Ad-Hoc Committee

**Beverly Stokes** to the Pool Committee

**Louis Stokes** to the Pool Committee

**Meredith Schow** to the Welcoming Committee

**50<sup>th</sup> Anniversary Party.** Greg Stilson discussed the idea of having a 50<sup>th</sup> Anniversary Party. Committee members have already come up with a preliminary budget of \$5,000 but not knowing the number attending Greg thought that this number might be high. **Motion:** Dale Miller moved that a preliminary budget of \$2,500 be approved for the event. It was seconded by Bob Schellenberg and unanimously approved. The Board noted that this number could change when more details are known.

**Adjournment of Board Meeting:** The meeting was adjourned at 9:45 PM.

