

**1600 HAMILTON PLACE COMMUNITY ASSOCIATION  
BOARD OF DIRECTORS MEETING  
JANUARY 9, 2023**

**BOARD MEMBERS**

Heath Birkendahl	President
Deborah Finkel	Vice President
Brian Finerty	Treasurer
Haris Volos	Secretary
Robert Newman	Director

**OTHERS PRESENT**

Bill Hubbard	Community Management Services, Inc.
Sheba Solomon	Landscape Committee
Olga DeTorres	Owner
Amr Mourad	Owner

**ITEM I – Open Forum**

Any items discussed that require action by the Board will be placed on the agenda for the following Board meeting, unless determined to be a safety or structural issue that needs immediate attention.

**ITEM II – Call to Order**

The meeting was called to order at 6:37PM.

**ITEM III – Approval of Minutes**

The Board passed a motion approving the minutes from November , 2022 Board meeting.

**ITEM IV – Committee Reports**

A. Landscape

1. The Board passed a motion approving a proposal from MP Construction to replace sections of turf with cement, at a cost of \$57,960.
2. The Board passed a motion approving tree planting proposals from Medallion for replacements of removed trees, at a cost of \$4,065.50.
3. The Board reviewed and approved a manager approved emergency tree removal proposal from Lewis Trees, at a cost of \$700.
4. The Board reviewed and approved manager approved irrigation repairs proposals from Medallion, at a cost of \$164.50.

B. Architectural

1. 1960 Foxhall Loop – approval for exterior light fixture
2. 1936 Huxley Ct – approval for additional fence and gate in patio area
3. Signs guidelines – The Board passed a motion approving the following updated Signs Guidelines:

The only signs allowed in the common area adjacent to the entry stairs or gate will be those offering a home For Sale or For Lease.

Signs located in the common area must be standard real estate size.

Signs must not be attached to any part of the building or fences.

One sign may be placed in a window and one sign may be placed in the common area in front of the unit for sale or lease.

Advertising literature, including political posters, will not be allowed to be posted on garages, mailboxes, doors, or any common area portion of the community.

All other signs or banners must be solely contained within the restricted common area patios and must not be deemed offensive in nature. Political signs can only be displayed between 30 days prior to and 7 days following a scheduled voting day.

4. Security camera guidelines – being reviewed by the committee

C. Parking

No report.

D. Social

No report.

E. Clubhouse/Pool

The Board approved a proposal from Consolidated Plumbing to replace the clubhouse hot water heater, at a cost of \$3,245.

F. Website

No report.

**ITEM V – President's Report**

Heath Birkendahl updated the Board on association issues tentative plans for addressing AB326 balcony and stairway issues.

**ITEM VI - Treasurer's Report – Financial Statement for period ending December 31, 2022**

- A. The Board of Directors received and reviewed the current reconciliations and account statements of the Association's operating and expense accounts for the month, the operating and reserve revenues and expenses compared to the current year's budget, the income and expense statement of the Association's operating and reserve accounts, as well as related bank statements and other financial information for the period ending December 31, 2022 as required by CA Civil Code 5500.

	<u>Actual</u>	<u>YTD Actual</u>	<u>YTD Budget</u>	<u>Variance B/(W)</u>
Income(\$)	152,578.82	1,794,039.50	1,756,068	37,971.50
Expense(\$)*	193,268.42	1,802,154.07	1,756,069	(8,114.57)

\*includes monthly contribution to Reserves

Total Cash & Savings(\$): 4,747,309.36

\*\*Reserve Expenditures Year to Date(\$): 799,273.11

Reserve Fund Balance(\$): 4,543,202.40

B. Reserve Fund Investments

Brian Finerty updated the Board on investments.

C. Close out of 2022 Financials

The Board passed a motion to close out the 2022 financials with a reserve fund balance of \$4,543,202.40 and \$87,987.51 operating fund balance, pending any year-end adjustments.

D. Insurance renewal resolution

The Board passed a resolution approving the borrowing of fund from the reserves to cover insurance renewal premiums and have the operating fund pay back the reserves within 12 months.

E. Electronic Transfers

The Board passed a resolution allowing the payment of utilities and insurance premiums electronically and/or bank transfer.

**ITEM VII - Association Manager's Report**

A. Action Item List – The Board reviewed the action item list since the previous meeting.

B. Correspondence – The Board reviewed correspondence since the previous meeting.

**ITEM VIII - Old Business**

A. Security Patrol Report

The Board reviewed the November and December 2022 security logs.

B. AB326 inspections

The Board met with Jay Johnson Construction in executive session to discuss plans for addressing issues presented during the AB326 inspections. JJC agreed to provide a proposal for opening up the stucco along a stairway soffit and a balcony soffit to get a better look at the condition of the support posts and wood framing.

C. Rules Enforcement Procedures

The Board passed a motion approving updated Rules Enforcement Procedures (included with these minutes).

D. AT&T Project

The Board asked for additional information regarding the proposal to bring in fiber optic lines into the community.

**ITEM IX - New Business**

A. CMS 2023 Management Agreement

The Board passed a motion to approve the CMS 2023 Management Agreement, which calls for a monthly service fee of \$8,043.

B. White Magic Proposal

The Board reviewed and approved a manager approved proposal from White Magic Restoration for repairs to 1825 Ashmeade Ct following a plumbing leak, at a cost of \$2,990.

C. 2023 Association calendar

The Board reviewed the association calendar for 2023.

D. Four Seasons Roofing Proposal

The Board passed a motion approving a proposal from Four Seasons Roofing to replace a flat roof at 2064 Foxhall Loop, at a cost of \$2,578.

E. Newsletter articles

1. Updated enforcement pro
2. Updated signs guidelines

**ITEM X - Adjournment**

There being no further business before the Board of Directors, the meeting was adjourned at 7:52PM. The Board then went into executive session to review the assessment aging report and hold hearings. The next regularly scheduled Board meeting will take place on Monday, February 13, 2023.

A. Assessment Aging Report (in executive session)

There are currently no accounts in collections.

B. Hearings

1. The Board imposed fines of \$50 and \$100 for not removing a tree that was damaging the association's patio fencing.
2. The Board imposed a \$50 fine for parking two vehicles in open parking spaces at the same time but agreed to hold the fine in abeyance based on the owner's assurance the violation would not occur again.
3. The Board imposed a \$425.44 reimbursement assessment to cover the cost of plumbing repairs.

*Hansbals*  
2/13/23

# **1600 HAMILTON PLACE COMMUNITY ASSOCIATION**

## **ENFORCEMENT PROCEDURES**

**Updated 1-9-2023**

### **A.     Infractions of Operating Rules:**

The Association operating rules are intended to minimize the occurrence of most situations that may otherwise lead to unfriendly confrontations among residents and/or visitors. To enforce one of these rules the Association is empowered to levy reasonable fines, provided that the rule is reasonable, nondiscriminatory, and consistent with the governing documents.

The Board prefers to achieve voluntary compliance with the Operating Rules, but it will impose penalties, if necessary, to discourage violations of these rules. Actions the Board may take include:

1.     Removal of animals that constitute a nuisance.
2.     Towing of vehicles under some circumstances.
3.     Monetary fines reasonable in relation to the offense.
4.     Court orders.

### **B.     Determining that an infraction has occurred**

An infraction of an Association Operating Rule may be either an act of failing to do what is required or of doing what is not permitted. To obtain enforcement of any Association Rule, a resident should call any infraction of it to the attention of the Association Manager. The Manager shall notify the homeowner alleged to be responsible for the alleged infraction, and that homeowner will have 15 days to respond to the charge.

### **C.     Penalty for infraction of an Operating Rule**

If monetary fines are imposed, action shall follow this schedule:

First Occurrence:

Manager shall notify the violator (in the case of a tenant or guest, will also notify the homeowner of record) in writing of the nature of the infraction, giving all information necessary to properly identify the infraction.

Repetition of an Infraction:

After a repetition of an infraction by someone who has received a warning letter within the previous 12 months, the association may impose a penalty, following a Rules Violation Hearing before the Board of Directors, according to the following schedule of penalties:

First Infraction:	Warning Letter
Second Infraction:	\$100 fine
Third Infraction:	\$200.00
Each Subsequent infraction:	\$200.00

A fine imposed as penalty for repeated violation of an Association Operating Rules will be assessed against the homeowners lot and shall be treated in accordance with Articles III, IX, and XIV of the CC&Rs. Penalties imposed are payable immediately and failure to pay will result in the levying of late charges and interest and may result in suspension of the owner's right to vote or make use of Association Common Area Facilities.