

**SAN ELIJO HILLS HOMEOWNERS ASSOCIATION, INC.**  
**BOARD OF DIRECTORS'**  
**REGULAR MEETING MINUTES**  
**DECEMBER 4, 2019**

(No Executive Session was conducted.)

The scheduled Board of Directors' meeting of the San Elijo Hills Homeowners Association, Inc. was held on December 4, 2019 at the Lomas Santa Fe County Club pursuant to the posted notice.

Present: President Ayers, Vice President Basore, Treasurer Costello, Secretary Bissierier and Director Klein

Absent: Directors Fleming and Allen

Also Present: Recording Secretary Quay, Members Punch and Andreason

- I. Call to Order: The meeting was called to order at 6:30 p.m.
- II. Establish Quorum: A quorum was established.
- III. Approval of the October 23, 2019 Minutes: The minutes were approved as amended.
- IV. Member Input: None.
- V. Committee Reports:
  - a. Architecture and Planning Board:
    1. Improvement requests submitted, decided and closed: Landscaping at 1128 Santa Luisa, Painting at 1551 Santa Elena, Shade Structure at 1428 San Luisa and Solar at 602 San Mario.
    2. Should the HOA notify the City about projects we approve? Vice President Basore expressed concern about two projects that he believes are not going to be submitted to the City. One project is pending and one project has been approved by the Committee. He suggested adding a statement to the approval form and made a motion to accept the addition as follows: **"The SEH HOA will notify the City of Solana Beach about safety concerns related to architectural improvement projects only if the Board votes to do so."** Secretary Bissierier seconded the motion. The Board agreed that if a homeowner is not obtaining the required permits, the Board should send a letter and make it clear that homeowners are required to submit plans to the City. The motion was repeated and it passed.
  - b. Slopes Committee
    1. Landscaping update: Discussion ensued about a letter from the Board regarding removing and replacing trees. Several homeowners have requested removing trees that are growing near their homes for fear that the tree(s) could fall on their homes. Sandy Punch said that she understands their concern and that some of the trees have been there for 25 years. President Ayers said that an arborist should evaluate a tree before it is removed and then the Board can make a decision whether or not to remove it. However, the Board agreed that if a tree is removed, the homeowner should pay for it and replace it with a tree in a 24" box. The Slope Committee discussed changes to the letter adding a quote from the Rules requiring homeowners to replace trees they cut down.
    2. Sandy Punch reported that Mr. Pawlowski still hasn't removed the fence. President Ayers asked her to follow-up in February.

- c. Program and Social Committee Report: The price for the meeting room for the Annual meeting has increased \$50.00. The Board agreed to pay \$300 for the room and secure the date.
  - d. Membership Committee Report: Secretary Bissierier will check to see what escrows have closed and personally deliver a welcome basket to the new buyers.
- VI. Identify things that are NOT in the PC&R's/By-Laws that the Board would like to ADD:

### **Motions for additions to the PC&R's**

1. Restrict how long unwanted items can be placed at the curb for scheduled pickup: Vice President Basore made the motion to approve and Treasurer Costello seconded the motion. The motion passed.
2. Prohibit disposal of unwanted items by placing them outdoors for taking by anyone: Vice President Basore made the motion to approve that was seconded by Treasurer Costello. Discussion ensued about limiting the amount of time items can be left out. The motion passed 3/2 (Secretary Bissierier and Treasurer Costello voted nay)
3. Restrict placement of athletic equipment on sidewalks or street. President Ayers said that he was in favor of some restrictions. Discussion ensued. Vice President Basore made the motion that was seconded by Director Klein. The motion passed.
4. Prohibit overnight street parking of any vehicle more than 7 feet tall or 28 feet long. Vice President Basore made a motion to approve that was seconded by Treasurer Bissierier. The motion passed.
5. Require air-conditioning units to be screened from street. Vice President Basore made the motion to approve that was seconded by Treasurer Costello. President Ayers amended the motion to add "and neighbors view" to the motion. The amended motion was seconded by Secretary Bissierier and passed 3/2 (Treasurer Costello and Director Klein voted nay.)
6. Allow political campaign signs up to 18" x 24" in yards (not on slopes) for two months prior to each election. Signs to be removed within one week after the elections. Vice President Basore made the motion to approve that was seconded by Treasurer Costello. Secretary Bissierier amended the motion to change "week" to "day" (24 hours). The amended motion was seconded by President Ayers. The amended motion passed.
7. Allow signs in yards (not on slopes) identifying the contractor for construction work while the work is in progress, to be removed within one week after the work is substantially completed. Vice President Basore made the motion that was seconded by Secretary Bissierier. President Ayers amended the motion to establish the sign size to 18" x 24". Secretary Bissierier seconded the amended motion and it passed.
8. Establish a specific limitation on liability for Directors: Vice President Basore made the motion that was seconded by Secretary Bissierier and it passed.

9. Codify duty of Owners to mitigate damages they may cause to neighbors. Vice President Basore made the motion that was seconded by President Ayers and it passed.

10. Specify minimum HOA insurance requirements. Vice President Basore made the motion that was seconded by Director Klein and it passed.

11. Clarify owner's duty to restore their lot after fire/destruction. Vice President Basore made the motion that was seconded by Director Klein. President Ayers suggested establishing a time frame and that owners should be able to either rebuild or landscape the vacant lot. President Ayers amended the motion to require the owner to restore the lot to a pleasing appearance. The amended motion was seconded by Director Klein and it passed 5/0.

12. Allow reasonable Board discretion for enforcement of Covenants. Vice President Basore made the motion that was seconded by Director Klein. President Ayers said that it is not the Board's job to enforce everything unless there is a complaint. The motion failed 0/5.

13. Restrict drones to protect privacy. Vice President Basore made the motion that was seconded by Secretary Bisserier and it passed.

14. Restrict the number of pets. Vice President Basore made the motion that was seconded by President Ayers. Discussion ensued and the Board agreed to defer to City code. The motion failed 0/5.

### **Motions for additions to the BY-LAWS**

1. Introduce staggered two-year terms for Directors. Vice President Basore made the motion that was seconded by Director Klein. The motion passed.

2. Allow single-signature on checks with email approval, if legally allowed. Vice President Basore made the motion that was seconded by President Ayers and it passed.

3. Require homeowners to supply an email address for correspondence. Vice President Basore made the motion that was seconded by President Ayers. Motion was amended by Treasurer Costello to add additional contact information such as email and telephone numbers. Vice President Basore seconded the amended motion and it passed.

The following was added to the list of additions:

4. The HOA can charge a submittal fee for architectural requests to pay for actual costs incurred. President Ayers made the motion that was seconded by Director Klein. The motion passed 5/0.

Vice President Basore said that he will have a marked-up version of the PC&R's, By-Laws and Table of Contents at the January 15, 2020 meeting. Workshops can be scheduled before the documents are given to the attorneys. President Ayers suggested that the attorney attend a meeting so the Board can ask questions. The Board hoped to wrap the process up by April.

## VII: Financial Report

- A. Budget: Treasurer Costello said that there is \$111,214.51 in checking and \$42,221.15 in savings. He added that water costs are down and that he has not made any progress on the use of credit cards to pay the HOA fees. There are ten homeowners who have not yet paid and a lien will be placed on one home.

VIII: New Business: President Ayers announced that oral arguments for the Knapp/Katz litigation are December 9, 2019.

IX: Adjournment: The meeting was adjourned at 9:00 p.m. The next regular Board meeting is Wednesday, January 15, 2020 at 6:30 p.m.