

San Elijo Hills #1 Homeowners Association

Community Newsletter

August 2009



President's Message

by Allan Connell

Over the last three years, it has been my pleasure to serve our little community as Architectural Chair for the San Elijo Hills Homeowners Association. During this tenure, I have deepened my appreciation for our community—more in terms of the people who make up the personality of this physical place we call “Our Neighborhood.”



There is no question in my mind this is a great place to live, and that we all feel the same. As we move into a new year after the Annual Meeting held in May, please know your new Board contains some new blood, as well as a number of us who have been involved for some time. We are your neighbors and friends and we care about our neighborhood as you do. We consider it our duty to represent you all as effectively as possible. But to more effectively represent our community, it would help to have input from you, as well as participation. If you are worried about the “investment of time,” please don't. Just a little time here and there on a committee or small project won't take a bunch of time. Give it some thought—there might be something you are passionate about in our community—something you have some knowledge about and can help make our great little community even better.

As we head into summer, Mario and his crew are making changes to the irrigation system to help reduce our water consumption through efficiency of rotary over spray or impact sprinklers. John Frank and Bob Cole worked very hard to submit a grant to secure funding to help with the expenses of this undertaking. To date, the grant has not been approved, mostly due to the state's financial condition—something we all know about. However,

the Board supports continuing this retrofit of the irrigation system because it is the right thing to do and will save precious water. We will keep trying for the grant money to offset some of the costs, but in the meantime, we will have to front the costs. Fortunately, our Treasurer, Donna Mancuso, has a great financial background and is keeping close tabs on our expenditures to make sure they are appropriate and necessary.

One more thing on the slopes and trees: You have likely noticed the tree surgeons removing some of the diseased trees identified by our Arborist. I was pleased to find out from Mr. Morales that the trees from our slopes get a second life other than firewood. He told me they chip *everything*—every little bit of the tree. The chips then get a second life close by to us in San Dieguito Park, just across the street on Highland. Mr. Morales tells me the park is thrilled to get the chips, as they help to protect the soil, retain moisture, and are generally nice to walk on.

In advance, allow me to say thanks to our new Board for 2009-2010 for their hard work and service. First, to Margot Berg for her tireless service as Board Secretary and Chair of the Tree Committee—as most of you know, the Recording Secretary of any Board of Directors is a very challenging job. The balance of your Board is as follows: Judi Gerber, Vice President and SHAG representative; Donna Mancuso, Treasurer; Marlene Ettari, Social Chair; Ellie Sullivan, Membership Chair; and Fred Dawn, our new Architectural Chair. Additionally, thanks to Sharon Costello, who is our Website Chair, and to John Frank for his tireless hard work and ongoing commitment as our Slopes Committee Chair. Hey—one final push—there's plenty of room for you to help as well.

Allan Connell

Edited by Margot Berg, Association Secretary

■ FYI . . .

Per requirements of the Civil Code, we are providing the following information and/or disclosures:

Meetings: Association Board meetings are held the 2nd Tuesday of each month in the evening. Members are welcome. Please contact Cal West if you desire to attend. Meeting minutes are usually available a week or two after the meetings and are available to members upon request and upon reimbursement of the Association's costs for making that distribution.

Insurance Info: The Association has a "package commercial policy" with State Farm Insurance. This policy includes \$2 million for general liability, with up to \$4 million in coverage for annual general aggregate. We also carry \$2 million in coverage for officers and directors. We are required to add the following language to the above summary of our insurance policies:

"This summary of the Association's policies of insurance provides only certain information, as required by subdivision (e) of §1365 of the Civil Code, and should not be considered a substitute for the complete policy terms and conditions contained in the actual policies of insurance. Any Association member may, upon request and provision of reasonable notice, review the Association's insurance policies and, upon request and payment of reasonable duplication charges, obtain copies of those policies. Although the Association maintains the policies of insurance specified in this summary, the Association's policies of insurance may not cover your property, including personal property, or real property improvements to or around your dwelling, or personal injuries or other losses that occur within or around your dwelling. Even if a loss is covered, you may nevertheless be responsible for paying all or a portion of any deductible that applies. Association members should consult with their individual insurance broker or agent for appropriate additional coverage."

Collection Procedures: If dues or other assessments remain unpaid for more than 30 days after the due date, the Association may recover the reasonable costs of collection, including but not limited to attorney fees; small claims court fees; administrative expenses; a late charge of \$30, and interest at an annual percentage rate of 12%. For accounts that become more than 60 days delinquent, the Association has the option of imposing a \$50 administrative fee for additional collection efforts. The Association may exercise any other remedy authorized by law.

Dispute Resolution: The Association's protective

covenants and restrictions may be enforced by any homeowner or by the Association, or by both, as detailed by California Civil Code §1354. In summary, this section says that prior to the filing of a civil action by either an Association or an owner related to the enforcement of the governing documents, the parties shall submit their dispute to a form of alternative dispute resolution such as mediation or arbitration. The form of alternative dispute resolution chosen may be binding or nonbinding at the option of the parties.

Any party to such a dispute may initiate this process by serving on another party to the dispute a Request for Resolution. The Request for Resolution shall include (1) a brief description of the dispute between the parties, (2) a request for alternative dispute resolution, and (3) a notice that the party receiving the Request for Resolution is required to respond thereto within 30 days of receipt, or it will be deemed rejected. Service of the request for Resolution shall be in the same manner as prescribed for service in a small claims action as provided in §116.340 of the Code of Civil Procedure.

If alternative dispute resolution is accepted by the party upon whom the Request for Resolution is served, the alternative dispute resolution shall be completed within 90 days of receipt of the acceptance by the party initiating the Request for Resolution, unless extended by written stipulation signed by both parties. The costs of the alternative dispute resolution shall be borne by the parties.

Note: "Failure by any member of the Association to comply with the pre-filing requirements of §1354 of the Civil Code may result in the loss of your rights to sue the Association or another member of the Association regarding enforcement of the governing documents."

Board Members:

Allan Connell	President
Judi Gerber	Vice-President
Margot Berg	Secretary
Donna Mancuso	Treasurer
Fred Dawn	Covenants/Architecture
Ellie Sullivan	Membership
Marlene Ettari	Social Committee

Website: www.sanelijohills1.org

Note: Please call **Cal West** with questions regarding PC&Rs, architectural matters, and your account status.

Cal West Management

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Carlsbad, CA 92008

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**Financial Projections for Fiscal Year
Ending June 2010**

Good news for the coming year! As you may recall, last year our fees were increased by 7%. This year, however, there will be *no* increase. In light of current economic conditions, the Board wanted to do everything possible to hold the line on homeowners' fees.

The budget for 2010 shows that projected expenses will exceed projected income by \$25,000. The Board has closely reviewed our fiscal situation and, feels comfortable tapping our cash reserves of \$92,000 to cover the projected shortfall. Our goal is to keep approximately four months of operating expenses in reserves.

The \$25,000 shortfall is due primarily to the following projections:

1. A 4% reduction in income.
2. A 20% increase in the cost of water.
3. A one-time expense of \$5,000 to overhaul and replace our 30-year-old irrigation system. This expense should be offset over time by a projected \$2,500 reduction in water consumption, and a \$2,500 grant from the Olivenhain Water District's Water Savings Program (contingent on city budget and meeting our water reduction goals).
4. A \$27,000 combined cost for inspection and removal of unhealthy trees from our slopes and their replacement with shorter, drought tolerant trees.

The Association budget for fiscal year ending June 30, 2010 is summarized below.

Income	\$149,788
Expenses	
Electricity	\$ 1,025
Water	38,600
Hauling & Dump Fees	6,000
Landscape Contract	77,040
Tree Trimming	22,000
Arborist Tree Inspection	1,500
Irrigation Parts	5,000
Fertilizer & Flowers	2,400
Topsoil	1,400
Backflow Testing & Repair	500
Tree Planting	4,000
Committee Events	550

Office Expense	2,000
Taxes	900
Insurance	4,308
Tax Return Prep	350
Legal	1,500
Management Fee	5,400
Miscellaneous	130
Total Expenses	\$174,603



Lomas Santa Fe Plaza Mall

The City Council approved an 82-page motion on April 22 that permits the construction of the new "Lifestyles Mall" concept at the Lomas Santa Fe Plaza shopping center. The 20,000 square foot building housing the Big 5 store and Pizza Nova will be demolished; a two-story underground parking garage will be built below three new two-story buildings totaling 65,000 square feet of retail space. Both Big 5 and Pizza Nova will return, along with 45,513 square feet of new retail space.

The City proposed narrowing Las Banderas by means of adding "reverse angle diagonal parking" to help slow traffic to the new 25 MPH speed limit necessary to allow golf carts to use the street. After overwhelming objections from the neighbors, the City Council withdrew the plans for "reverse angle diagonal parking," and American Assets agreed to pay for the installation of two raised medians, with plantings, on Las Banderas. This should fulfill the objective of narrowing the road and making it less likely for drivers to exceed the posted speed limit.

A proposed new exit from the shopping center onto eastbound Lomas Santa Fe Drive (next to the present entrance adjacent to the Starbucks coffee shop) was withdrawn by American Assets. Instead, they will move utility boxes in order to add another right turn exit lane at the traffic light onto Lomas Santa Fe Drive (next to Union Bank) to expedite the expected increase in traffic during construction and after the new expanded shopping center is opened. Some present parking spaces within the shopping center will be eliminated by this project, but a net increase of 249 spaces is promised.

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Cal West Management
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Carlsbad, CA 92008

Flower Hill Mall Expansion

The proposed expansion of Flower Hill Mall on Via de la Valle is still being proposed by the property owner. Plans have been announced to close the movie theaters and replace them with a Whole Foods store. According to the anti-expansion web site, www.stopflowerhill.com, a four-story parking garage 44 feet in height is proposed, with new expansion more than doubling the current size of the project. The developer also proposes re-striping San Andres to a four-lane road as it heads north into Solana Beach, and widening Via de la Valle. The entranceway to the shopping center from Via de La Valle would be expanded to six lanes wide! The proposal is currently before the Carmel Valley Community Planning Board.

Spring Brunch

Many thanks to Social Chair Marlene Ettari, and her husband Chuck, for hosting such a wonderful brunch in May. About 25 homeowners attended, and everyone had a terrific time. The food was scrumptious! Paul Harrison, along with his wife, Cynthia, set up a waffle bar with all kinds of delicious toppings. It was a beautiful sunny day—just the perfect temp to enjoy Marlene and Chuck’s patio and gorgeous garden. Their fox-gloves around the fountain were standing tall, and we all admired their beautiful new roses. Hopefully, this will be an event which we will repeat again next year. And if you didn’t attend this year, you won’t want to miss it! Thanks again, Marlene and Chuck!!



