

Approved  
Board of Directors  
October 3, 2007



**MINUTES OF THE  
REGULAR SESSION  
BOARD OF DIRECTORS' MEETING  
SEPTEMBER 5, 2007**

A Regular Session meeting of the Board of Directors of the **WOODBIDGE VILLAGE ASSOCIATION (WVA)**, a California nonprofit corporation, was held on Wednesday, September 5, at 8:10 p.m., at the Community Center, 31 Creek Road, Irvine, California.

The Board met in *Executive Session at 5:00 p.m.*, and considered the following matters: 1) Delinquent Accounts/ALS Summary Update; 2) Single-Family Home Use Issues 3) Irvine United Congregational Church Parking 4) Spurgin Claim 5) Gates to Association Common Areas 6) Retention Basin Memorandum, 7) Architectural Services for North Lake Tennis Club and Firwood Park and 8) Executive Director's Status as a Certified Common Interest Development Manager under AB 1423.

The following Directors were present: Dale Cheema, Carolyn Smith Driscoll, Bill Mavity, Don Davis, Bob Woodings and Dick Fenner and Barry Ross.

Also present were: WVA Executive Director, Robert N. Figeira; WVA attorney, Bill Hickey; Community Relations Manager Chad Sivcovich; Controller Carrie Romero and Facilities Manager Joe Pagan and Recreation Manager Ralph Redington.

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**SPECIAL PRESENTATIONS**

There were no special presentations.

**ORAL COMMUNICATIONS**

Sprinkler Park

Karen Bunnell, resident at 25 Bloomdale, appeared before the Board again to request the building of a Water Sprinkler Park. Ms. Bunnell brought three other residents with her to express their support for the park. Director Davis stated he was unclear as to the Recreation Committee's opinions. Recreation Manager Redington stated that the Recreation Committee did not have a quorum at their August meeting, but the members in attendance supported the idea. Director Fenner mentioned the possibility of building two smaller Sprinkler Parks, one initially, and one at a later time.

Gates to Association Common Areas

Nancy Baker, resident at 52 Coral Lake since 1985, stated that the builder and Woodbridge Village Association stated that the owners could not put in a gate, but that a gate would be put in for them. She stated that her gate, along with 6 neighboring gates, is impossible to see within the wrought iron framework. In 1996, Ms. Baker received a letter from Robert Fleckenstein, formerly of WVA, regarding the gate being in non-compliance. Ms. Baker alleged that Fleckenstein subsequently told her she could keep the gate. She has liability insurance in case of an accident.

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Katherine Manasson, resident at 54 Coral Lake, stated that her family uses their gate several times a day and that one can't tell that a gate is there. When asked if she would sign a release of liability, Ms. Manasson said yes.

Janice Konkol, owner of 2 properties in Woodbridge, stated that no one connected to the Association ever mentioned the gates, on either property. She opined that Woodbridge Village Association has not been enforcing this rule. Ms. Konkol would be willing to sign a liability release. Director Cheema stated that the gates were never approved.

Ma Un Chang, resident at 3 Park Vista, assisted by her friend, Jenny Chen, presented her comments regarding the gate issues: Ms. Chang purchased her condo in 1987; the gate was already there, and nobody said that the gate was in violation of a rule. Scott Cooper, resident at 25 Early Morn stated that he feels the gate issue should be decided on a gate-by-gate basis. He agreed with the possible indemnity agreement.

Chris Dallas, resident at 23 Early Morn stated that the gates provide greater access to common areas and that he believes the gates are not really a liability issue. He went on to say that the gates should just be regularly inspected and that he would sign a maintenance indemnity agreement.

Laila Lodin, resident at 72 Coral Lake stated that his gate has been there for 2 years and that he would sign a liability agreement.

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Architectural Committee Rules

Jeremy Sanders, resident at 7 Bitterwood, claimed he has been experiencing problems with a neighbor since conducting a remodel of his home. Mr. Sanders expressed his aggravation at his perception that the Association has “singled him out” and is “siding” with his neighbor regarding several noncompliance issues. President Ross stated that the Board couldn’t resolve the problem at a Board of Director’s meeting. Attorney Hickey explained that the Board couldn’t comment on the issue in open session because of the hearing violation procedure in motion.

**CONSENT CALENDAR**

Consent Calendar item 2, concerning the resolution to purchase a salt chlorination system was removed, Consent Calendar item 3, regarding a resolution to purchase 8 Hydro bikes was removed and Consent Calendar item 4, pertaining to a resolution to purchase 4 sabots and sails was removed.

A motion was made by Vice President Woodings to approve Consent Calendar Item 1, and items 5, 6, 7 and 8, seconded by Director Driscoll, and passed unanimously. It was,

**RESOLVED to accept item 1 and items 5-8 on the Consent Calendar.**

1. Resolve to approve the Minutes from the Regular Board of Directors’ meeting held August 1, 2007.

**RESOLVED, to approve the Minutes from the Regular Board of Directors’**

**Meeting held August 1, 2007.**

5. Resolve to Amend the Low Water-Using Plants Rule

**Resolved**, to amend the Woodbridge Village Association Rules, Regulations and Operating Policies as found in the codebook, part IV, Chapter 3, Section 3-226, To add a new Section (h) which will state:

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**(h) Low water-using plants are not intended to be prohibited as a group and each landscaping application will be evaluated individually on its merits.**

6. Resolve to approve the recommendation for Landscaping in Yards Visible from the street.

**Resolved**, to amend the Woodbridge Village Association Rules, Regulations and operating policies as found in the codebook, Part IV, Chapter 3, Section 3-226, to delete “cactus” and “Astroturf”. The Section would then state:

- (g) Thematic landscape features with distinctive colors, forms or materials that establish an independent theme that conflicts with the overall street scene—such as mirror balls, statues, sculpture, rock gardens, gravel yards and split rail fencing—are not permitted in private yards visible from streets.**

7. Resolve to approve Recordation of Liens for Delinquent Assessments

**RESOLVED, to approve the recordation of liens for delinquent**

**Assessment on the following properties:**

**09660-113-01, 10345-097-02, 15525-090-02, 09009-044-01 and 11666-014-01.**

**ECOMatic Salt Chlorination System**

Jeffrey Freeman of ECOMatic gave a brief presentation regarding his firm’s Salt Chlorination System. The saltwater system is approved for water sport competition, and the chlorine created by the system costs us only 30-40 cents a gallon. The system is not approved by the Orange County Health Department as a sole alternative. The Board agreed to approve the system but directed staff to obtain a complete cost analysis prior to budget time. A motion was made by Director Mavity, seconded by Director Fenner, and passed unanimously. It was,

**RESOLVED, to approve the purchase of ECOMatic Salt Chlorination System at a cost of \$15,000 with funding from capital improvements.**

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HydroBikes

President Ross expressed concern that the dollar amount for the HydroBikes was too high; he commented on the lack of competitive bids. Recreation Manager Redington assured the Board that all effort had been made to obtain the best prices for the Hydrobikes. A motion was made by Director Fenner, seconded by Vice President Woodings, and passed unanimously. It was,

**RESOLVED, to approve purchase of 8 Hydrobikes at a cost of \$9790 with funding from reserves.**

Sabots

The Board felt the dollar amount was questionable since there was only one vendor. Recreation Manager Redington explained that this is the most ideal boat in terms of recreational use for novice/intermediate level and in terms of low maintenance. A motion was made by Vice President Woodings, seconded by Director Fenner, and passed unanimously. It was,

**RESOLVED, to approve purchase of 4 Sabots and Sails at a cost of \$15,500 with funding from reserves.**

8. Resolve to publish proposed rule for overnight parking at Woodbridge Village Association parking lots.

**RESOLVED, to publish proposed rule for overnight parking at Woodbridge Village Association parking lots. (Exhibit A)**

Director Mavity was concerned as to whether the proposed No Parking rule would affect reciprocal agreements with others. Mr. Hickey stated that the allowed parking times were on Sunday mornings only. Vice President Woodings stated that

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any individuals we have parking agreements with could be considered our “guests”, i.e., “Guest Parking”, but would still have to abide by our rules.

**FINANCIAL STATEMENTS**

The Board reviewed the July 2007 Financial statements. Controller Romero responded to questions regarding various line items. A motion was made by Director Fenner, seconded by Vice President Woodings, and passed unanimously.

It was,

**RESOLVED, to accept the Financial Statements for July 2007 as presented.**

**(Exhibit B).**

**COMMITTEE MINUTES**

Architectural Committee

Reviewed and no action required.

Finance Committee

Controller Romero stated that the September Finance Committee meeting members would be reviewing the 2008 proposed budget and reserve study. The members of the Board of Directors are welcome to attend.

Facilities Committee

Reviewed and no action required.

Recreation Committee

Recreation Manager Redington reported that the last Splash Night was an unqualified success with 175 kids showing up.

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**OLD BUSINESS**

Annual Meeting Revisions

The Board discussed the possible need for reducing the quorum requirement for the annual election of the Board of Directors, or eliminating the quorum altogether. Directors Fenner and Davis stated that they felt that there might be more of a feel of legitimacy of election with a quorum. Director Cheema made a motion, seconded by Director Davis, Director Driscoll voted No. It was:

**RESOLVED, to amend the Bylaws to eliminate the quorum requirement for Board of Directors elections, only, in the form to be drafted by counsel and approved at a subsequent meeting.**

Exhibit E Fences

A Draft Rule revision has been referred to the Architectural Committee for their recommendation.

Springacre Park

The exercise equipment is up and operational. Executive Director Figeira will arrange for a photo of the Board to be taken with the equipment, on Wednesday, September 19<sup>th</sup>, before the Committee meetings.

Gates in Association Common Area Fences

Director Fenner asked Attorney Hickey if Woodbridge Village Association would be sufficiently free of liability if homeowners with gates signed an indemnification clause. Executive Director Figeira stated that there have been no documented gate related accidents or injuries in 31 years. Former WVA employee Robert

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Fleckenstein sent a letter to homeowners in 1996; the letter stated that Wrought Iron Exhibit E Fences were going to be renovated, and that all plant material needed to be removed from the fences. Director Woodings requested to see the letter. Director Woodings expressed frustration at the pace the letters to residents are being sent. Director Fenner stated that the gates should be allowed as long as there are no esthetic or danger issues, and that gates should not be sealed upon escrow closing. Director Woodings is concerned that the escrow inspection for gates may be inadequate. Director Fenner questioned if we should make residents get City approval. Some Board members then recalled that previous Boards have not wanted to confront owners on this issue, and so fault should not be diverted to staff. A motion was made by Director Mavity, seconded by Director Fenner, and passed unanimously. It was,

**RESOLVED, That Staff and The Attorney research and prepare a report detailing any Gate related information concerning the following aspects:**

- **Legal issues, including liability**
- **City of Irvine permit process**
- **Insurance issues**
- **Historical issues**

**It was further resolved that no gate violation letters will be issued during the next 2 months and this topic will be tabled until the November Board Meeting.**

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**NEW BUSINESS**

Community Services

The Board reviewed the *Community Services Field Summary* report for July 19, 2007 through August 27, 2007 and the *Front Gate and Spa Usage* report (facility usage).

The Board reviewed the Lakes Monthly Summaries for July 24, 2007 through August 27, 2007.

Sprinkler Park

Vice President Woodings expressed concern regarding why a water/sprinkler park costs more than a pool. Facilities Manager Joe Pagan stated that the Facilities Committee rejected the water/sprinkler park concept. President Ross expressed concern that families would not drive over to use the park; Director Driscoll stated that she would drive her children over. Director Mavity made a motion, seconded by Don Davis and it carried 7-0. It was,

**Resolved that a committee be formed by Director Driscoll, to determine the best location, obtain cost estimates and research types of features for the park.**

**COUNTY, CITY, SCHOOL DISTRICT AND THE IRVINE COMPANY**

Crean Lutheran South High Sign

The City ruled that the sign is acceptable. Director Mavity directed that Executive Director Figeira call Greg Smith to see if he is interested.

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IUSD – Alderwood School Update

Director Mavity requested, and the Board agreed that Attorney Hickey present a legal opinion as to our rights and obligations to annex units if Alderwood is developed as a low income housing area.

OCTA Stakeholders

Reviewed and no action required.

**ATTORNEY REPORT**

The Board decided to table the Legislation Update regarding AB528 until next month.

**MANAGER'S NOTES**

Landscape Committee

This will be put on next month's agenda.

**ADJOURNMENT**

There being no further business to discuss, a motion to adjourn was made by Director Mavity, seconded by Director Fenner, and passed unanimously. It was, **RESOLVED, to adjourn the September 5, 2007 Regular Session of the Board of Directors' Meeting at 11:00 p.m.**

Submitted By:

Submitted By:

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Robert N. Figeira - Secretary

Attest:

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Barry Ross, President