

**The Minutes of the Meeting
of the
Board of Directors
of the
Calabasas Park Homeowners Association**

September 9, 2008

Call to Order

The following are the Minutes of the Meeting of the Board of Directors of the **Calabasas Park Homeowners Association** held September 9, 2008, in Calabasas, California. President Gary Klein noted a Quorum was present and called the meeting to order at 7:20 p.m.

Board Members Present

Gary Klein, President; Dan Scully, Vice President; Jeff Cooper, Recording Secretary; Henry Cespedes, Robert Pope, David Litt, Lisa Wilder, Barry Hammond, Sue Silver, Alex Soteras, Shirley Greenberg, Minette Sellung, Gerry Kirshbaum, Patty Coroalles, Harold Arkoff, Cathy Bertovic, and Helene Regen. Also present were Ida Worth of Ross Morgan and Company; and Linda Perret, a Recording Secretary.

Board Members Absent

Bill White, Brad Marcus, and Irving Starr.

CPHA Member Comments

Helene Regen stated she is concerned about the start of the meeting being delayed due to a Committee utilizing the meeting room prior to the CPHA meeting and that other Committees don't have the opportunity to use the room.

Agenda

Amend Agenda: It was recommended the issue of the Countrywide site designation as commercial be added to the agenda as an emergency topic due to the General Plan slated to go before the Planning Commission and City Council. Harold Arkoff moved, David Litt seconded and the motion carried unanimously to amend the agenda to include the Countrywide site on tonight's agenda due to the sensitive time limit of the matter.

Approval of Minutes

Robert Pope moved, Helene Regen seconded and the motion carried in a 15-0-2 vote, with Shirley Greenberg and Minette Sellung abstaining, to approve the July 8, 2008 Minutes as presented.

Treasurer's Report

Ida Worth presented the Treasurer's Report due to the untimely death of Treasurer, Ben Kendall. The Board reviewed the financial reports for the periods ending June 30, 2008 and July 31, 2008. Both statements were reviewed by the Budget and Finance Committee at a recent meeting. Expenses were typical and recurring. The balance on the operating account is approximately \$28,259. The bulk of the annual dues collected was placed in investment accounts and will be used to replenish the operating account as needed. A check from the City for reimbursement of insurance was received. In September pre-lien notices will be sent to mandatory members who have not paid their dues. Helene Regen moved, Patty Coroalles seconded and the motion carried unanimously to approve the Financial Statements for the periods ending June 30, 2008 and July 31, 2008.

Year End Audit: The Budget and Finance Committee reviewed the Year End audit and recommends the Board approve the Year-End Audit. Robert Pope moved, Cathy Bertovic seconded and the motion carried unanimously to approve the Year End Audit as submitted.

Management Report

Courier: The deadline for submissions to the Courier is September 26, 2008.

Survey Request: A Homeowner is requesting a copy of the survey CPHA had done on the greenbelt adjacent to his property. David Litt moved, Sue Silver seconded and the motion carried in a 16-0-1 vote, with Helene Regen abstaining, to approve the request to give the Homeowner a copy of the survey of the greenbelt area adjacent to his property with the caveat that CPHA makes no claims or warranties to the accuracy of the survey and the Homeowner cannot rely on the survey for construction purposes.

Revoking Membership: A volunteer member submitted a letter revoking her membership and requested a refund of her annual dues. She will be notified that voluntary members cannot opt out during the year and her membership will be in effect through March 31, 2009. At that time she can choose not to be a member. Homeowner is also in violation of the CC&Rs. A letter will be sent and she will be called to a hearing before the Classic Calabasas Board.

Film Request: The City denied a request to film in Calabasas because the company had not obtained CPHA's approval. This matter was referred to the Facilities Use Committee, which denied the request.

Concert at Lake: Wine Cask has requested permission to sell wine at the Concert at the Lake on September 21, 2008. Robert Pope moved, Jeff Cooper seconded and the motion carried unanimously to approve the request from Wine Cask to sell wine at the Concert at

the Lake provided they have the necessary insurance and that the City provides additional security at their expense. Robert Pope will speak on behalf of CPHA at the event.

Prior Business

McCoy Creek: The engineer has been in contact with Fish and Game and should report back to CPHA by September 15, 2008.

Fence by Culvert – Bids were received to fence the culvert. Helene Regen moved, Robert Pope seconded and the motion carried in a 16-0-1 vote, with Minette Sellung abstaining, to approve the bid from Nationwide in an amount not to exceed \$6000 to install fencing in area by the culvert and with appropriate signage being installed on both sides of the creek.

Lake Lighting: The Committee expects to have a report in October for the lights which will include options for retrofit, refit, replace, or maintain the lights.

Calabasas Inn: This matter is going before City Council tomorrow evening and may include a passage way to Old Town. Helene Regen moved, Minette Sellung seconded and the motion carried unanimously to appoint Barry Hammond to attend the City Council Meeting on behalf of CPHA and address the issues with the Calabasas Inn project.

23250 Park Ensenada: Trash enclosure on CPHA property will be removed. Other encroachment issues will be discussed at next month's meeting.

New Business

Change in Venue for Meeting: The Board discussed options for meeting rooms. David Litt moved, Robert Pope seconded and the motion carried unanimously to move the meetings to the City Civic Center Complex when a room becomes available at a cost not to exceed \$250 a month; until that time the meetings will remain at Bay Laurel Elementary School.

General Meeting: Helene Regen moved, Robert Pope seconded and the motion carried unanimously to forego the October 2008 General Meeting.

General Plan: When the G-Pac Land Use Map was discussed, the issues with Countrywide weren't brought to light. There's unsubstantiated rumors that Countrywide/Bank of America may abandon the site. The land was not developed to its full entitlement and the opportunity to redesignate the site as other use was missed. The Planning Commission will have a meeting on September 25, 2008 and it is recommended that CPHA request the site be redesignated as mixed use. Helene Regen moved, Barry Hammond seconded but the motion failed to carry to have a CPHA representative at the Planning Commission on September 25, 2008 to request the Bank of America/Countrywide site be redesignated from commercial to mixed use and that the maximum developable area not exceed the existing size. Robert Pope moved, Lisa Wilder seconded and the motion carried, with Jeff Cooper and Cathy Bertovic opposing, to have a representative from CPHA endorse before the Planning Commission on September 25, 2008 a plan to redesignate the Countrywide/Bank of America site from commercial to

mixed use. It was noted that Gary Klein recused himself from the votes pertaining to this discussion. Jeff Cooper will represent CPHA at the Planning Commission Meeting.

Committee Reports

Bylaws Committee: The Committee met with the ECC. The Committee would like to give the Board items that it would like changed and have the Homeowners vote on the changes on a yearly basis. The Board does not want to handle the matter in this way. Gary Klein moved, Henry Cespedes seconded and the motion carried unanimously to give the Committee another 30 days to provide its recommendations to the Board. It was noted that Mr. Jacoby resigned from the Bylaws Committee because he was removed as chairperson and feels this is against the agreement. The Committee is looking for additional members.

Environmental Control Committee: The Committee is willing to meet with the Bylaws Committee.

Security Committee: The Committee has four proposals for security, three that are within the budget and will meet with these companies before making a recommendation to the Board.

Lake Committee: There was no report.

Lake Lighting Committee: This matter was discussed previously.

Landscaping: The slope on Park Entrada is being looked into. A letter of thanks will be sent to the Country Club for painting their fence. The landscaping on Parkway Calabasas will be extended to the light. The work on the hillside by 4403 Park Alisal is scheduled to start this week.

Capital Improvements: The permit application for the entryway project has been submitted. The issue of maintenance of the project was discussed with the City. The City is drafting an MOU pertaining to the building and the right-of-way and maintenance will be included. When the matter goes before the City Council, it will be important to have members of CPHA attend the meeting. The City requested CPHA meet with Westridge for approval as they had previously maintained the wall and fountain. The Committee plans to meet with the Board at Westridge. The contractor BCS's license has been temporarily suspended due to litigation. The Committee met to discuss the issue. Swift Construction is willing to assume the project with Dennis Baker under the same terms and conditions. Dan Scully moved, Robert Pope seconded and the motion carried with, David Litt, Harold Arkoff and Gerry Kirshbaum opposing, to allow Swift Construction to assume the contract from BCS with the same terms and conditions.

Gary Klein moved, David Litt seconded and the motion carried unanimously to extend the meeting by fifteen minutes.

Government Affairs: There was no report.

Social Committee: The Swim Meet was cancelled due to a fire at the Swim and Tennis Club.

