

## SMPOA Board Meeting Minutes – Sunday, July 9<sup>th</sup>, 2017

### -Roll Call (10:02am)

Marco Rufo – Absent

Larry Klein – Absent

Jeremy Cohen – Present

Albert Cheng – Present

Gregg Bernstein – Present

Paulette Silver – Present

Howard Gould – Present

Linda Kaye – Present

-Special Issues Committee Chair Becky Rickley was present as was Natasha Roit

-Tasks are set for meeting with first priority to appoint elected Board Members to the positions and determine division of labor

-Discussion of the roles Officers and AC Chair ensues.

-It is noted that the Association storage locker contains over 50 years' worth of historical documents and is in need of constant reorganization to fit into the current space. It is discussed whether or not it makes sense to digitize all documents, but determined that would be time-prohibitive and require someone in the community to donate his/her time. It is brought up that moving forward owners must include a set of digital plans along with any AC Committee request to avoid administrative clutter and more efficient management going forward.

-Discussion continues on the responsibilities coinciding with remaining roles including:

- The Getty Liaison attends the quarterly Getty meetings along with four other surrounding neighborhood

homeowners' association representatives and reports back to Board and community via the Mesa-age. Also responsible for sharing monthly content around interesting happenings at the Getty. Linda shares that the President of the Castellammare Homeowners' Association called and asked how much our association charges for dues. In return, he shared that Castellammare annual dues are \$75 and the Association charges between \$575-750 dollars for architectural committee site visits. Discussion ensues about Sunset Mesa dues and the value that members receive for those dues, which include: architectural committee review of OVI's, address curb painting, annual block party and the Getty annual pass. Board discussion includes explanation to new Board members that the Getty cards are issued in February and members get the card ahead of paying next year's SMPOA dues in June.

- Special Issues Committee Chair is appointed by President and Becky Rickley has been performing this task. Requires interface with County/Local Government on both policy and tactical issues, as well as interface with community issues that have complex elements and are not standard requests.
- Website Coordinator – point of contact and interface for other Board Members for anything involving website. Maintains the content of site and supervises website backup. Manages relationships with 3<sup>rd</sup> party service providers of digital services
- Membership Coordinator. Linda has been handling this and self-purchased QuickBooks for the management and administration of a member dues database. All current homeowners' email addresses are stored and list of who has paid dues since 2011. Out of 487 homes, roughly 40 homeowners have refused to pay dues, however, the Association has collected \$33,000 in the last month. The Membership Coordinator will manage maintenance of this database. This individual will also review weekly

homes for sale in Sunset Mesa in order to distribute local area disclosures to listing agents. It is likely this individual will be a real estate professional with access to the MLS.

- Sunset Mesa-age Coordinator. This individual should be a Board Member. Production is paid for by advertisements of local service providers. Cost is \$550 a month for editing and \$100 a month for distribution. Document has a four-page format, and there is typically more content submitted than there is space for, and pages one and four have space for advertisements. Marco Rufo has offered to be the Message-Coordinator, with resident John Ransier offering to be a backup.

-It is determined following explanation and discussions of the Board roles, that it is time to vote in respective members:

-President vote is discussed and it was shared that Marco Rufo would not consider the President role and definitively said "no." Linda was asked if she would consider being President again and she said she would be open to it. Question was asked if there could be Co-Presidents and since only Marco and Linda were nominated, it was determined to be irrelevant as Marco will not consider the role. Vote for Linda as President was taken and unanimously approved.

-Larry Klein was unanimously voted Treasurer.

-Jeremy Cohen was unanimously voted Secretary.

-Marco Rufo was unanimously voted Vice President.

-President Linda Kaye nominated Gregg Bernstein to be AC Chair.

-Linda nominated Howard Gould as Getty Liaison.

- Linda determined that the Membership Coordination role would be the responsibility of Vice President Marco Rufo.
- Linda nominated Paulette Silver as Sunset Mesa-age Coordinator.
- Linda nominated Becky Rickley as Special Issues Committee Chair and asked that she bring on Jeremy Cohen to assist her.
- At this point, Board Appointments were concluded.
- A Financial Report was given by Linda. Association has \$79,000 in the UBS account and \$339,789 in total holdings. It was discussed that our Association does not charge the document handling and transfer fees that many other associations do and that may be something the Board wishes to consider. \$33,244 was collected in dues over the last month. AC Report was given.
- Meeting was opened for discussion.
- 10:30am: resident Brett Oberst joined the meeting to discuss a personal issue with the Board. He has lived in Sunset Mesa for 13 years and sold his house two days ago. He has closed escrow but wanted to discuss the \$1,025 in past dues owed to SMPOA. He does not think that amount makes sense. He had called Linda and Marco to discuss, but wanted to discuss in-person at the Board Meeting. He shares that Marta Samulon was his listing agent. He would like to reach a compromise with the Board and pay \$725 in back dues plus a transfer fee. He said that there is an error in the Board's calculation in back dues because multiple years referenced were years in which dues were \$75 a year and not \$100 a year, but he was assessed based on the \$100 year benchmark. Natasha Roit suggests to him that if this is purely a math error issue, of course it will be rectified if he can provide documentation of the error. However, she continued, if the objection to

payment is based on belief that the dues were not owed, and not on a math error, that is an entirely different issue. Brett shares that his agent Marta told him that the Board had been settling with other homeowners in terms of back-owed dues and that the average settlement was three years past dues and he wanted what everyone else was settling for. Becky Rickley said that she does not know where real estate agents are getting their information and that the Board has made no such settlements. Linda states that in escrow, there are funds set up to address this type of mop-up cost. Linda indicates to Brett that the last year of \$75 annual dues was the 2011-2012 fiscal year. Thereafter, dues have been \$100 annually. Brett says that he doesn't want to raise a major disagreement he just wants standard treatment relative to what other homeowners have had to pay in a back owed dues situation. Becky and Natasha confirm with him that the standard approach is to check and correct any math errors that were made in earnest, but there is no ability to forego paying dues because one simply doesn't believe they should owe them. Brett indicates his belief that dues are not mandatory and thinks that there is no legal basis for them. The Board acknowledged that they heard his position. Brett agreed to bring documentation he had requested already from his bank so that the calculation determining his fees owed could be confirmed, and if need be, reconciled.

-10:44am: resident Anthony Raptis arrived and discussed his appeal of an AC plan approval on behalf of himself and four other residents: Rahul Jain, Steve Han, Naomi Asan and Frank Urbanas. Four of the homeowners live on Malibu Vista and one on Kingsport. The appeal is based on the residents' claim of OVI based on the renovation project at 3917 Malibu Vista. Anthony came to file an appeal on behalf of aforementioned residents. Anthony was told that this appeal is being submitted beyond the CC&R-dictated 30-day window post AC approval of plans. Anthony claims that he was not notified in time to submit an appeal within the 30-day window. Becky

shares that the approval was conveyed in the Sunset Mesa-age. Anthony claimed he did not receive the Sunset Mesa-age. Board conveys to Anthony that, based on the CC&Rs, there is nothing that can be done and that it cannot consider any appeal after the 30-day window following AC plan approval. Anthony disagrees with this position and is informed his disagreement will be noted in Board meeting minutes. Anthony leaves the meeting.

-Howard Gould suggests a cloud backup and secure electronic platform for SMPOA's data and it is agreed to be discussed at next month's meeting.

Meeting ends at 11:50am.